

Senators Knezek, Hertel, Hopgood, Bieda, Conyers, Warren, Gregory, Hood, Ananich, Young and Johnson offered the following resolution:

Senate Resolution No. 13.

A resolution to condemn the President's January 27, 2017, executive order as a discriminatory overreach, urge the Department of Homeland Security to comply with federal court orders, and request the President of the United States immediately rescind the executive order.

Whereas, The United States was founded as a refuge for those escaping religious and political persecution. For generations, immigrants have longed for Liberty's shore in hopes of a better life, and their contributions have enriched our nation's culture, increased our productivity and innovation, and bolstered our economy; and

Whereas, American history is dotted with examples of discriminatory immigration policies that ill-served our nation. Beginning in the 19th century, exclusionary laws targeted Chinese, Japanese, and other Asian immigrants in the so-called Asiatic Barred Zone, and the national origins system was established to exclude most Eastern Europeans, Asians, and Africans from the United States. The refusal to accept 937 German Jews in 1939 who sought refuge from the Third Reich is the most poignant example of the consequences of discriminatory immigration policies. Refused permission to dock in the United States, the transatlantic liner St. Louis returned to Europe where 254 of its passengers were murdered in the Holocaust; and

Whereas, More than 50 years ago, the federal Immigration and Nationality Act of 1965 banned all discrimination against immigrants on the basis of national origin. The law was enacted to eliminate prejudice and bias from the immigration process and provide all countries with equal access to available visas. This act explicitly limits presidential authority by stating that no person could be "discriminated against in the issuance of an immigrant visa because of the person's race, sex, nationality, place of birth, or place of residence," and the only exceptions are those expressly granted by Congress; and

Whereas, On January 27, 2017, the President signed an executive order banning certain vulnerable immigrants from the United States. This order bans individuals from seven Muslim-majority countries—Sudan, Syria, Yemen, Iran, Iraq, Libya, and Somalia—from entering the United States for 90 days, prevents all refugees from entering the United States for 120 days, and indefinitely suspends the entry of refugees from war-torn Syria; and

Whereas, The President's executive order, entitled "Protecting the Nation from Foreign Terrorists Entry into the United States," desecrates our American values and panders to the same fears that have resulted in some of our nation's most shameful acts. Not only is this order an affront to religious freedom—a principle enshrined by our Founding Fathers as the First Amendment in the Bill of Rights—it also overlooks that those seeking shelter are themselves victims of terrorism and are fleeing the savagery, death, and destruction caused by their governments. Moreover, while the President justifies the need for this order because of the September 11, 2001, attacks, those 19 terrorists originated from four nations omitted from the ban: Saudi Arabia, Egypt, Lebanon, and the United Arab Emirates; and

Whereas, The executive order seeks to resurrect discriminatory immigration policies, and therefore, violates the federal Immigration and Nationality Act of 1965. Federal courts throughout the nation have already issued emergency stays that will stop federal officials from deporting individuals with approved refugee applications, holders of valid visas, and people from the seven impacted nations who have already secured authorization to enter the United States; and

Whereas, This executive order has created chaos, confusion, anxiety, and hardship. Without prior vetting by experts in the departments of Homeland Security, Justice, State, and Defense, individuals seeking entry into the United States with valid visas were detained, and despite being subjected to the most stringent vetting system applied to any traveler seeking entrance into this

country, refugees with valid visas were turned away at airports or removed from U.S.-bound flights; and

Whereas, The administration's defiance of federal court orders violate the constitution and undermine American democracy. The *Constitution of the United States* established three equal branches of government as a check against one another's power, and almost immediately following the enactment of the travel ban, federal courts temporarily blocked parts the President's order and required legal counsel to be granted access to detained travelers while it considered the legality of the policy. Despite these orders, attorneys for the detained were prevented access to their clients by agents from the Department of Homeland Security. As a nation built upon the rule of law, the blatant disregard for the judicial branch shakes the governing principles of our nation to its core, and it cannot be tolerated; and

Whereas, The President's executive order jeopardizes the national security of the United States. The United States is home to approximately 3.3 million Muslims who live and work peacefully in our communities but who feel increasingly alienated because of their religion. The order also serves as a recruitment tool for terrorist groups around the world, and it makes our service men and women abroad prominent targets for retribution; now, therefore, be it

Resolved by the Senate, That we condemn the President's January 27, 2017, executive order as a discriminatory overreach that illegally targets immigrants based on their national origin and religion, and request that the President of the United States immediately rescind the executive order; and be it further

Resolved, That we urge the federal Department of Homeland Security to comply with all federal court orders and immediately permit detained individuals to have timely access to legal counsel; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States and the Secretary of Homeland Security.