Resolution No. 20170302-035

WHEREAS, the City of Austin, the State of Texas, and the nation have been enriched by individuals who come to our country seeking better lives, share their rich culture, increase our productivity and innovation, and bolster our economy; and

WHEREAS, Executive Order 13769, signed on January 27, 2017, is inconsistent with the core values identified on the Statue of Liberty and can lead to fear, anxiety, intolerance and even unconscious bias; and

WHEREAS, the Executive Order bans individuals from Sudan, Syria, Yemen, Iran, Iraq, Libya, and Somalia—all countries that are Muslim-majority—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 Syria; and

WHEREAS, over fifty years ago, the Federal Immigration and Nationality Act of 1965 banned all discrimination against immigrants on the basis of national origin, in order to eliminate prejudice and bias from the immigration process and provide all countries with equal access to the quotas; and

WHEREAS, the Executive Order is inconsistent with the principle of religious freedom so cherished by our nation's founding fathers that it was included in the First Amendment to the United States Constitution; and

WHEREAS, the President signed the Executive Order without it having been fully vetted by the federal departments charged with protecting our national security; and

WHEREAS, The Executive Order titled "Protecting the Nation From Foreign Terrorist Entry Into the United States" does not acknowledge the fact that there is no evidence or history of terrorism by refugees from these countries on American soil and many individuals being denied entry are victims of terrorism themselves, and in some instances may have aided United States troops with interpretation and other critical skills; and

WHEREAS, Prior to being issued a visa to come to the United States, refugees are more stringently vetted—through a process that can take two years or longer— than any other travelers seeking entry into the United States; and

WHEREAS, As an immediate result of the Executive Order, individuals in possession of valid visas were detained or turned around at airports across the country, resulting in chaos, confusion, deep anxiety, and hardship; and

WHEREAS, Finding that there is a substantial likelihood that the Executive Order violates the Constitution, the United States District Court for the Western District of Washington, and the United States Court of Appeals for the Ninth Circuit have suspended implementation of the Executive Order; and

WHEREAS, The Federal Immigration and Nationality Act of 1965 provides that no person can 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," except as otherwise specifically provided by federal law; and

WHEREAS, The Executive Order appears to establish discriminatory immigration polices based on religious affiliation and national origin and therefore, is in direct violation of this long-standing federal law and the policies and values of the City of Austin; and

WHEREAS, local employers such as Facebook, Google, and Apple, along with the University of Texas at Austin, and major events such as South by Southwest, have expressed concern that the Executive Order has impacted their operations, students, employees, and talent; and

WHEREAS, The City Council approved Council resolution 20161013-09, which condemns all hateful speech and violent actions directed at refugees, immigrants, religions, and people of color, and committing to the values of a pluralistic society composed of many cultures and honoring freedom of religion.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City of Austin strongly opposes this Executive Order, and any subsequent executive orders or actions taken by the President of the United States, that target immigrants, travelers, or refugees based on race, color, ethnicity, national origin, religion, gender, gender identity, or sexual orientation; and

BE IT FURTHER RESOLVED:

The City of Austin urges appropriate law enforcement authorities. responsible for enforcing federal immigration law and policy to comply with the federal court orders, and to permit individuals detained at the border or other ports-of-entry to have immediate access to legal counsel; and

BE IT FURTHER RESOLVED:

The City of Austin expresses solidarity with refugee and immigrant communities, and in the strongest terms denounces discrimination based on race, color, religion, national origin, sex, sexual orientation, or gender identity.

ADOPTED: March 2, 2017 **ATTEST:**

Jannette S. Goodall
City Clerk