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2016 RES- 521
OPPOSING PRESIDENT TRUMP'S EXECUTIVE ORDER THAT
BANS MUSLIM IMMIGRATION AND REFUGEES

On Friday January 27, 2017, President Donald Trump issued an executive order suspending the entry of all refugees into the United States for 120 days, with the exception of suspending refugees from Syria indefinitely; and he blocked entry into the United States for 90 days for citizens of seven countries: Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen. The residents of these nations are predominately Muslim. The executive order also prioritizes refugee entry on the basis of religious-based persecution of individuals who are religious minorities from their nation. This means that if and when the ban on these nations is lifted, non-Muslims will be given priority status.

President Trump explained that his action was to both ensure the safety of America and to prioritize allowing Christian refugees entrance into the United States, because Christians have "suffered more" than any other religious group.

This executive order is a ban on Muslims entering the United States. And it is a declaration that Muslims are to be feared and that we must prohibit their entry into our nation to ensure our national safety.

This executive order is illegal. Under 8 U.S.C. § 1152 (a)(1)(A), "no person shall receive any preference or priority or 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". By denying entry into America based on nationality, the executive order is in violation of this law.

The executive order is also unconstitutional, violating the very foundation of the United States. The 1st Amendment's establishment clause prohibits laws and governmental decisions based on religious status. The United States Supreme Court said, in Larson v. Valente, "The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another." The preference for religious minorities from predominately Muslim nations is a violation of that clause.

Since the election of President Trump, hate crimes against Muslims (and other groups) have increased exponentially and are said to be at their highest level ever in this nation. In just the past weeks, we have seen hate crimes committed in Wisconsin, across the nation, and internationally against Muslims.

Dane County has long respected the rights of immigrants and refugees, and we have welcomed immigrants and refugees into our community. Most recently, Res. 291, 2015-16 SUPPORTING THE WELCOME OF SYRIAN REFUGEES TO THE UNITED STATES OF AMERICA expressed the Dane County Board of Supervisors' strong support for the resettlement of Syrian refugees, and all refugees of war and violence, in Wisconsin and the United States. Additionally, Res. 486, 2015-16 OPPOSING ASSEMBLY BILL 450 BANNING SANCTUARY CITIES OR COUNTIES affirmed Dane County's commitment to protecting immigrants in our community.

NOW, THEREFORE, BE IT RESOLVED that the Dane County Board is outraged that our president would issue an order clearly violating the United States Constitution and Federal Law, and we are outraged that a President of the United States would embrace discrimination,

51 hatred, and xenophobia. Those are not the values of America, and they have no place in our
52 nation.

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54 BE IT FURTHER RESOLVED that the Dane County Board stands with all Muslim Americans
55 and all Muslims across the world. We condemn the hatred and lies directed at their religion, and
56 we demand that all Muslims be treated with respect and be granted the same freedoms
57 promised to all Americans in the U.S. Constitution.

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59 BE IT FURTHER RESOLVED that we add our voices to the tens of thousands of religious,
60 governmental, and humanitarian leaders and organizations across the world in demanding that
61 this executive order be rescinded immediately.

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63 BE IT FINALLY RESOLVED that a copy of this resolution be shared with Representative Pocan,
64 Senator Baldwin and Senator Johnson, and President Trump.

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