



Legislation Text

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Preconsidered Res. No. 1373

Resolution authorizing the Speaker to file or join amicus briefs on behalf of the Council in litigation challenging any of President Donald Trump’s executive orders and actions relating to immigration

By the Speaker (Council Member Mark-Viverito) and Council Member Kallos

Whereas, New York City is home to more than three million immigrants; and

Whereas, Approximately 60 percent of New Yorkers are immigrants or the children of immigrants; and

Whereas, New York City has, and will continue to be, a city that embraces diversity and promotes equality and respect for all of its inhabitants; and

Whereas, President Trump has issued three executive orders relating to border security, immigration enforcement, and foreign-born individuals seeking entry into the United States; and

Whereas, The executive order titled “Border Security and Immigration Enforcement Improvements,” calls for the construction of a wall along the United States-Mexico border, an increase in the number of Customs and Border Patrol officers, the creation of additional detention facilities, and eliminates the use of policies allowing individuals to pursue asylum and other forms of immigration relief outside of immigration detention; and

Whereas, The executive order titled “Enhancing Public Safety in the Interior of the United States” calls for a return to the Secure Communities immigration enforcement program, an increase in the number of Immigration and Customs Enforcement agents, a significant expansion of enforcement priorities, and for federal funding cuts for “sanctuary cities” that limit cooperation with immigration enforcement authorities; and

Whereas, The executive order titled, “Protecting the Nation from Foreign Terrorist Entry Into the United States,” calls for an immediate halt to refugee admissions for 120 days, a significant reduction in the number of

refugees to be admitted in Fiscal Year 2017, a complete and indefinite end to Syrian refugee resettlement, and a 90-day ban of the entry into the United States by nationals of Iran, Iraq, Libya, Somalia, Sudan, Syria, and Yemen; and

Whereas, In response to the executive order restricting the entry of refugees and certain nationals, dozens of lawsuits were filed challenging its validity, many claiming that the order violates the due process and equal protection clauses of the United States Constitution, and one of which resulted in a nationwide stay of the order; and

Whereas, The City of San Francisco filed a lawsuit challenging the executive order instituting new immigration enforcement policies in the interior of the United States and threatening to defund sanctuary cities; and

Whereas, Other lawsuits are sure to arise as federal authorities begin to implement the directives contained within these executive orders; and

Whereas, The New York City Council will continue protect the rights of immigrants through local laws that ensure federal authorities comply with the rule of law and by filing or joining amicus brief that support the Council's positions; now, therefore, be it

Resolved, That the Council of the City of New York authorizes the Speaker to file or join amicus briefs on behalf of the Council in litigation challenging President Donald Trump's recent executive orders relating to border security, immigration enforcement, and foreign-born individuals seeking entry into the United States.

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