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Spring 2-15-2017

### **SB56-16/17:Resolution Regarding Presidential Executive Order: Protecting the Nation from Foreign Terrorist Entry into the United States**

Anisa Ricci

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1                                   **The Associated Students of the University of Montana**  
2       **Resolution Regarding Presidential Executive Order: Protecting the Nation from Foreign**  
3                                   **Terrorist Entry into the United States**

4                                   **2/15/17**

5                                   **SB56-16/17**

6       **Authored by: Anisa Ricci, ASUM Senator; Omid Khormali, UM Student; Saif Al-Saegh,**  
7                                   **UM Student**

8                                   **Sponsored by:**

9  
10       Whereas, The Associated Students of the University of Montana (ASUM) represents the interests  
11       of over 12,000 students at the University of Montana;

12  
13       Whereas, ASUM advocates on behalf of the health, wellbeing, and success of all the students of  
14       the University of Montana (UM) regardless of religious affiliation;

15  
16       Whereas, Access to a quality education free from the hindrances which stem from discrimination  
17       is important to the success, growth, and future for all students of UM;

18  
19       Whereas, Many students who identify as Muslim attend UM seeking an education free from such  
20       hindrances;

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22       Whereas, Section 5 Subsection B of President Trump’s Executive Order “Protecting the Nation  
23       from foreign terrorist entry into the United States” encourages the U.S. Secretary of State and  
24       U.S. Secretary of Homeland Security to “prioritize refugee claims made by individuals on the  
25       basis of religious-based persecution, provided that the religion of the individual is a minority  
26       religion in the individual's country of nationality. Where necessary and appropriate, the  
27       Secretaries of State and Homeland Security shall recommend legislation to the President that  
28       would assist with such prioritization”<sup>1</sup>;

29  
30       Whereas, The seven (7) countries included in the executive order are all majority Muslim states;

31  
32       Whereas, The executive order has the potential to complicate, harm, and obstruct the orderly  
33       process of admitting refugees to the United States;

34  
35       Whereas, This Executive Order has detrimental impacts on eleven UM students who are citizens  
36       of one of the seven countries identified in this executive order;

37  
38       Whereas, The aforementioned UM students are either U.S. citizens or valid visa-holders and are  
39       in the U.S. legally;

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41       Whereas, This executive order has the potential to affect the recruitment and retention of foreign  
42       students at UM;

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<sup>1</sup><https://www.whitehouse.gov/the-press-office/2017/01/27/executive-order-protecting-nation-foreign-terrorist-entry-united-states>

44 Whereas, Many of these eleven students have established lives within and outside of academia at  
45 UM and in the Missoula community;

46  
47 Whereas, These students provide for increased cultural diversity and value at UM;

48  
49 Whereas, UM President Stearns endorsed the Association for Public and Land-grant Universities  
50 (APLU) statement of support for students and faculty in light of the executive order<sup>2</sup>;

51  
52 Whereas, The United States Court of Appeals for the Ninth Circuit concluded “that the States  
53 have alleged harms to their proprietary interests traceable to the Executive Order. The necessary  
54 connection can be drawn in at most two logical steps: (1) the Executive Order prevents nationals  
55 of seven countries from entering Washington and Minnesota; (2) as a result, some of these  
56 people will not enter state universities, some will not join those universities as faculty, some will  
57 be prevented from performing research, and some will not be permitted to return if they leave.  
58 And we have no difficulty concluding that the States’ injuries would be redressed if they could  
59 obtain the relief they ask for: a declaration that the Executive Order violates the Constitution and  
60 an injunction barring its enforcement”<sup>3</sup>;

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62 Therefore, Let It Be Resolved, The Associated Students of the University of Montana (ASUM) is  
63 highly concerned with the normalization of a climate of religious, ethnic and racial exclusion,  
64 profiling and discrimination;

65  
66 Therefore, Let It Further Be Resolved, ASUM supports all University of Montana students’  
67 freedom from religious discrimination or discrimination based on national origin;

68  
69 Therefore, Let it Further Be Resolved, ASUM condemns any discriminatory or prejudiced  
70 actions against Muslim students;

71  
72 Therefore, Let It Further Be Resolved, ASUM supports the academic freedom of all religious  
73 groups and national backgrounds to conduct research, collaborate with colleagues, and  
74 participate in professional meetings and conferences;

75 Therefore, Let It Further Be Resolved, ASUM asks that our representatives in the US Senate join  
76 in opposing this harmful and impractical travel ban;

77  
78 Therefore, Let It Further Be Resolved, ASUM encourages our Montana State Attorney General  
79 to oppose this and any other actions that negatively impact citizens of a specific religion or  
80 national origin;

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<sup>2</sup><http://www.aplu.org/news-and-media/News/aplu-statement-on-trump-administrations-new-order-temporarily-banning-citizens-of-seven-countries-from-entering-us>

<sup>3</sup> <http://cdn.ca9.uscourts.gov/datastore/opinions/2017/02/09/17-35105.pdf>

82 Therefore, Let It Further Be Resolved, that a copy of this resolution be sent to Sheila Stearns,  
83 Interim President of the University of Montana (UM); Beverly Edmond, UM Interim Provost and  
84 Vice President for Academic Affairs; Effie Koehn, Interim Director of UM Global Engagement  
85 Office; Steve Daines, U.S. Senator; Jon Tester, U.S. Senator; Ryan Zinke, U.S. Representative;  
86 Tim Fox, Montana state Attorney General; Donald Trump; President of the United States;

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94 Passed by ASUM Senate \_\_\_\_\_, 2017

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99 Elizabeth Engebretson

100 Chair of the Senate