

## **RESOLUTION NO. 20180201-067**

**WHEREAS**, the United States of America has long stood as a beacon of enlightenment, liberty, and freedom to the world as is reflected in the words engraved and mounted on the side of the Statue of Liberty, "Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tossed to me, I lift my lamp beside the golden door!"; and

**WHEREAS**, the United States, the State of Texas, and the city of Austin have long 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**, the city of Austin has long embraced and welcomed individuals of diverse racial, ethnic, religious, and national backgrounds, including immigrant communities that have made Austin their home and declared Austin a "Welcoming City" through Resolution No. 20140320-049 to celebrate the contributions of members of the immigrant community and demonstrate that the City strives to include immigrants in all aspects of our city; and

**WHEREAS**, the city council approved Resolution No. 20161013-09, which condemned all hateful speech and violent action directed at immigrants, people of color, and religion, and further committed the city council to the values of a pluralistic society composed of many cultures and honoring freedom of religion; and

**WHEREAS**, the city council has fought to protect the rights of immigrants through Resolution Nos. 20161215-066 and 20170216-018, which provide funding for immigrant legal services, and Resolution No. 20170518-045, which directed the City Manager to pursue litigation to fight state and federal anti-immigrant policies; and

**WHEREAS**, the City advocates for comprehensive immigration reform through its federal legislative agenda, which urges the United States Congress to enact legislation accomplishing comprehensive immigration reform that: provides a realistic pathway to citizenship; works to keep families of immigrants intact; promotes public safety, national

security, and economic prosperity; respects human rights and civil liberties; establishes a responsible and accountable border policy; and addresses the root causes of migration; and

**WHEREAS**, President Donald Trump's Executive Order 13767, signed on January 25, 2017, directs the Secretary of the United States Department of Homeland Security to take steps to plan, design, and build a physical wall along the entire international border between the United States and Mexico, in direct conflict with the core values identified on the Statue of Liberty; and

**WHEREAS**, Executive Order 13767 further directs the allocation of all legally available resources to immediately enter into contracts to construct, operate, or control facilities to detain people at or near the land border with Mexico, and to support state monitoring and detention programs; and

**WHEREAS**, the construction of a wall and militarization of the U.S. and Mexico border is causing a humanitarian crisis, tearing apart families, and may undermine U.S. security; and

**WHEREAS**, existing border walls have already caused devastating harm to the environment and plans for the construction of more border walls through protected areas such as the Santa Ana National Wildlife Refuge may cause irreversible damage to the plants and wildlife living there; and

**WHEREAS**, the Department of Homeland Security estimated the cost to build the border wall at \$21.6 billion, not including annual maintenance and legal cost, and those funds would be better used to fund education, health care, and infrastructure, among other things; and

**WHEREAS**, the city council finds Executive Order 13767 to be a damaging symbol of fear and division that will increase tensions with Mexico, one of the United States' largest trading partners and a neighbor with which communities such as Austin are inextricably linked; and

**WHEREAS**, Resolution No. 20170302-035 expressed the city council's strong opposition to "Executive Order [13767] 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

**WHEREAS**, the city council finds vulgar and dehumanizing the language used by President Trump in rejecting a bipartisan compromise on immigration and further advocating for funding to build the wall between the United States and Mexico; and

**WHEREAS**, the city council continues to stand in strong opposition to building the proposed border wall because it could destroy the vitality of United States-Mexico relations and lead to fear, anxiety, intolerance, and discrimination against immigrants, tear-apart Texas families, harm the environment, and impede Austin’s economy vitality; and

**WHEREAS**, the city has a history of aligning its fiscal policies with its values; and

**WHEREAS**, Resolution No. 20100513-030 prohibited city of Austin staff from traveling for city business to the state of Arizona, directed the city to investigate and cease all business and investments in the state of Arizona, and explained that “the City of Austin has a vested interest in, and an established practice of, limiting business dealings with entities that espouse discriminatory practices;” and

**WHEREAS**, Resolution No. 20070621-152 adopted “the Procurement Code for Humane Workplace Conditions (Workplace Conditions Code) ... to encourage responsible contracting and to eliminate inadvertent support of those vendors using illegal sweatshop labor;” and

**WHEREAS**, over 30 other municipalities have taken formal action in opposition to the border wall and there is a movement to align procurement policies with opposition to the construction of President Trump’s border wall; and

**WHEREAS**, city residents deserve to know how the City’s public funds are being spent, and whether those funds are supporting individuals or entities involved in the construction or operation of the border wall; and

**WHEREAS**, the city council has a responsibility to expend taxpayer dollars in ways that are consistent with the long standing values of this community; and

**WHEREAS**, the city council encourages companies not to participate in the design, construction, or financing of the border wall in any way; and **NOW, THEREFORE,**

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

The city council strongly opposes Executive Order 13767 and all associated actions calling for the construction of a wall or continuous physical/economic barrier along the entire United States-Mexico border, for the reasons provided in this Resolution.

**BE IT FURTHER RESOLVED:**

It is the policy of the city council, to the best of its ability, not to procure services from any company involved in the design, construction, or maintenance of the border wall; and

**BE IT FURTHER RESOLVED:**

The city council directs the City Manager to undertake the following, provide monthly updates on the progress, and present the same to the city council no later than August 7, 2018:

- Study and review the economic and other effects any physical border wall may have on the city of Austin;
- Consult in the development of the policy options with other localities that are exploring or that have established similar financial policies related to the proposed border wall, including but not limited to Tucson, Arizona and San Diego, California; and
- Develop a policy requiring every entity that seeks to do business with the City to disclose, for itself and any parent company or subsidiary, any bid submitted, or contract awarded, related to the design, construction, or financing of the proposed border wall, considering all legally permissible options and all relevant operational impacts to City departments.

**BE IT FURTHER RESOLVED:**

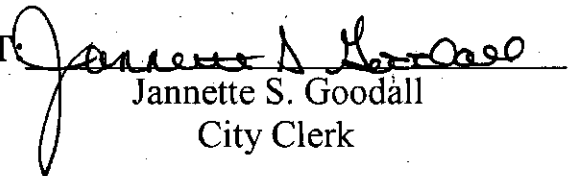
The city council reaffirms its federal legislative agenda which states, "The City of

Austin values inclusivity and recognizes the immense economic, social, and cultural contributions that people of all national origins and immigration statuses have made to this country. The City believes immigration is a federal policy issue, not a local one, and immigration enforcement laws should be nationally based, consistent, and federally funded. The City of Austin opposes legislation that attempts to shift the cost and/or responsibility of enforcing civil immigration law to local governments and penalize them through the denial of federal funding.

“The City of Austin supports legislation that provide comprehensive immigration reform and a path to citizenship for immigrants, including but not limited to DACA recipients. “The City of Austin supports legislation that provides comprehensive immigration reform; opposes any legislation or federal action that would maintain or expand funding for a border wall or physical barrier along the U.S.-Mexico border; and opposes any legislation or federal action that would further militarize the border or maintain or expand the role of federally-funded private prisons for the purpose of detaining immigrants.”

**ADOPTED:** February 1, 2018

**ATTEST:**

  
Jannette S. Goodall  
City Clerk