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SENATE MEMORIAL 82

53RD LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2017

INTRODUCED BY

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A MEMORIAL

EXPRESSING OPPOSITION TO RECENTLY ISSUED EXECUTIVE ORDERS ON
BORDER AND IMMIGRATION ENFORCEMENT.

WHEREAS, the president of the United States has recently
issued executive orders to:

- A. begin construction of a one-thousand-nine-hundred-mile-long wall along the southern border with Mexico and hire an additional five thousand border protection officers;
- B. construct or establish detention facilities near the border to detain certain immigrants in that area;
- C. hire ten thousand additional immigration officers and withhold funding from jurisdictions that do not cooperate in enforcement of federal immigration directives; and
- D. suspend refugees from entering the country for

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1 one hundred twenty days and bar citizens of seven Muslim-
2 majority countries from entering the United States for ninety
3 days; and

4 WHEREAS, an executive order to construct a barrier along
5 the southern border with Mexico could be costly, as the United
6 States government accountability office has found that a
7 single-layer pedestrian fence for a barrier along the southern
8 border with Mexico could cost approximately six million five
9 hundred thousand dollars (\$6,500,000); and

10 WHEREAS, construction of the barrier could result in
11 increased deaths of immigrants crossing the border, disruption
12 of the Rio Grande, protracted legal battles between the federal
13 government and private landowners, harm to protected wildlife
14 and the environment and interference with economic and trade
15 relationships between border communities; and

16 WHEREAS, pursuant to the recent executive orders,
17 immigration officials would have more freedom to deport people
18 found to be in the country illegally; and

19 WHEREAS, the executive orders will significantly affect
20 the lives of immigrants living in the state and throughout the
21 country; and

22 WHEREAS, the mass deportation of immigrants would have
23 severe economic and social consequences for New Mexico's
24 communities and for hundreds of thousands of United States
25 citizens; and

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1 WHEREAS, separation of families by raids and other
2 immigration operations worsens the currently broken immigration
3 system and further threatens the economic, familial and social
4 fabric of local communities; and

5 WHEREAS, participation in enforcement of the recent
6 executive orders could threaten public safety, increase civil
7 rights violations, implicate due process, divert already scarce
8 local law enforcement resources and cause immigrant
9 communities, families and children to live in fear; and

10 WHEREAS, some jurisdictions have taken the position that
11 the tenth amendment to the United States constitution precludes
12 the federal government from coercing states or local
13 governments into adopting federal programs or enforcing certain
14 federal immigration laws; and

15 WHEREAS, policies to limit the enforcement of certain
16 federal immigration laws have resulted in the enhancement of
17 public safety and improved services for immigrant victims of
18 crimes; and

19 WHEREAS, it is important to embrace policies that
20 celebrate and recognize the economic, social and cultural
21 contributions of immigrants to the United States and to New
22 Mexico, rather than implement policies that stifle those
23 contributions; and

24 WHEREAS, it cannot be forgotten that nearly one-half of
25 the population of the United States can trace their roots to

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1 Ellis island, the point of entry for immigrants seeking a
2 better life; and

3 WHEREAS, New Mexico is home to more than two hundred
4 thousand immigrants, according to the United States census
5 bureau; and

6 WHEREAS, in 2013, according to the United States census
7 bureau, immigrants comprised about thirteen percent of the
8 state's workforce in key industries, including agriculture,
9 dairy, oil and gas, hospitality, home care, construction,
10 retail, service and other professional sectors; and

11 WHEREAS, immigrant contributions to the agriculture
12 industry are especially important, as it is a four billion
13 dollar (\$4,000,000,000) per year industry in New Mexico; and

14 WHEREAS, the New Mexico department of agriculture reports
15 that, in 2012, there were over twenty-four thousand farm and
16 ranch operations in New Mexico that employed more than fifteen
17 thousand migrant and immigrant workers; and

18 WHEREAS, eight and four-tenths percent of all business
19 owners in New Mexico are foreign-born, and immigrant owners of
20 small businesses make significant contributions in the state
21 through entrepreneurship; and

22 WHEREAS, New Mexico's population of approximately seventy
23 thousand unauthorized immigrants paid sixty-six million three
24 hundred thousand dollars (\$66,300,000) in state and local taxes
25 in 2012, according to data from the institute on taxation and

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1 economic policy; and

2 WHEREAS, the number of immigrants in New Mexico with
3 college degrees has increased substantially in the last fifteen
4 years, in part because state legislation affords students in-
5 state tuition rates and financial aid regardless of immigration
6 status; and

7 WHEREAS, in 2009, the majority of immigrants lived in
8 mixed-status families, and approximately eighty-five percent of
9 children with immigrant parents living in New Mexico were born
10 in New Mexico, according to data from the urban institute; and

11 WHEREAS, approximately eleven thousand young immigrants
12 who grew up in New Mexico and attended the state's public
13 schools and universities have benefited from the deferred
14 action for childhood arrivals program; and

15 WHEREAS, New Mexico and its academic institutions have
16 benefited from the academic, economic and cultural
17 contributions of immigrant and international students,
18 including students from the seven predominantly Muslim
19 countries named in the executive order banning entry by certain
20 immigrants into the United States; and

21 WHEREAS, New Mexico has strong legislative, historical and
22 legal traditions that protect minorities, including laws that
23 integrate immigrants, that promote equal rights based on the
24 Human Rights Act and that prohibit bias in policing;

25 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE

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1 OF NEW MEXICO that implementation of executive orders that
2 would extend the physical barrier between the United States and
3 Mexico along the New Mexico border and increase the number of
4 border patrol agents be opposed; and

5 BE IT FURTHER RESOLVED that executive orders to increase
6 the number of border protection officers and construct
7 additional immigration detention facilities in New Mexico be
8 opposed; and

9 BE IT FURTHER RESOLVED that executive orders to hire
10 additional immigration officers and withhold funding from
11 jurisdictions that do not cooperate in federal immigration
12 directives be opposed; and

13 BE IT FURTHER RESOLVED that executive orders effecting a
14 denial of entry into the country for refugees who are fleeing
15 violence be opposed; and

16 BE IT FURTHER RESOLVED that executive orders effecting
17 religious tests for entry into the country be opposed; and

18 BE IT FURTHER RESOLVED that any executive action affecting
19 the lives of immigrants who have been granted work permits and
20 temporary residency through the deferred action for childhood
21 arrivals program be discouraged and opposed; and

22 BE IT FURTHER RESOLVED that the state attorney general be
23 requested to provide information to local jurisdictions
24 regarding their rights to refuse to use local resources to aid
25 the federal government in enforcement of federal immigration

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1 laws; and

2 BE IT FURTHER RESOLVED that the state auditor be requested
3 to provide information to state and local governments regarding
4 the financial impact to the state of the recently issued
5 executive orders; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the president of the United States, the
8 president pro tempore of the United States senate, the speaker
9 of the United States house of representatives, the members of
10 the New Mexico congressional delegation, the state attorney
11 general, the state auditor and the elected officials of the
12 state's political subdivisions.

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