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AJR-36 136th anniversary of the Chinese Exclusion Act. (2017-2018)

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Assembly Joint Resolution No. 36

CHAPTER 134

Relative to the 136th anniversary of the Chinese Exclusion Act.

[Filed with Secretary of State August 15, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 36, Ting. 136th anniversary of the Chinese Exclusion Act.

This measure would mark May 6, 2018, as the 136th anniversary of the enactment of the Chinese Exclusion Act in order to recognize the harm caused by racially discriminatory immigration measures, and to honor the contributions of all immigrants and refugees who have enriched our communities. The measure would also declare the opposition of the Legislature to executive orders and a presidential proclamation signed by President Trump relating to immigration, call upon the President to revoke those orders and that proclamation, condemn the expansion of deportations being undertaken under the current presidential administration, and reaffirm that the state is open and welcoming to immigrants and refugees who are integral to life in our state.

Fiscal Committee: no

WHEREAS, On May 6, 1882, President Chester A. Arthur signed the Chinese Exclusion Act, which was the nation's first law to prohibit immigration solely on the basis of ethnicity; and

WHEREAS, The Chinese Exclusion Act, which was renewed in 1892, amended in 1902, and made permanent in 1904, prevented Chinese laborers from entering the United States, and denied Chinese a pathway to citizenship for more than 60 years; and

WHEREAS, Subsequent legislation, such as the 1892 Geary Act that required all Chinese to register for and carry on their persons Certificates of Residence or risk imprisonment and deportation, set a precedent for the Muslim registry being promoted by President Trump today; and

WHEREAS, The Chinese Exclusion Act was based on racial hostility against Chinese, who were characterized as "unassimilable, vile heathens" and were blamed for lowering wages, taking away jobs, draining the economy, and endangering the American way of life; and

WHEREAS, There is a direct link between the racial animus and religious intolerance exemplified by the Chinese Exclusion Act and President Trump's executive orders, which attempt to ban the issuance of travel visas for citizens of certain majority-Muslim nations based on unestablished security risks and the implication that all Muslims are terrorists; and

WHEREAS, President Trump's Executive Order 13780, titled "Protecting the Nation from Foreign Terrorist Entry into the United States" and issued March 6, 2017, seeks to suspend the entry of all refugees under the United States Refugee Assistance Program for 120 days, and seeks to limit the total number of refugees accepted to just 50,000 — half the number of refugees previously accepted under the Obama administration; and

WHEREAS, President Trump's Presidential Proclamation 9645, issued September 24, 2017, to replace Executive Order 13780, continues to suspend entry of immigrants and some classes of nonimmigrants from several majority-Muslim countries, and calls for many of the same restrictions as Executive Order 13780; and

WHEREAS, President Trump's Executive Order 13768, titled "Enhancing Public Safety in the Interior of the United States" and issued January 25, 2017, seeks to direct the Department of Homeland Security to hire 10,000 additional immigration enforcement officers, empower states and local law enforcement to perform functions of immigration officers, and to greatly expand the categories of people classified as priorities for removal, including those who are convicted of only minor crimes or who are simply charged with, but not convicted, of a crime; and

WHEREAS, President Trump's Executive Order 13767, titled "Border Security and Immigration Enforcement Improvements" and issued January 25, 2017, calls for the construction of a wall along the southern border with Mexico estimated to cost \$20 billion, the construction and operation of new immigration detention facilities near the border, and the hiring of 5,000 additional Border Patrol agents; and

WHEREAS, With the unanimous passage of Senate Resolution 201 by the United States Senate in 2011, and the unanimous passage of House Resolution 683 by the United States House of Representatives in 2012, both houses of Congress have condemned the Chinese Exclusion Act and affirmed Congress' commitment to preserve the civil rights and constitutional protections for all people; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature joins Asian and Pacific Islander communities throughout the state in marking May 6, 2018, as the 136th anniversary of the Chinese Exclusion Act in recognition of the harm caused by racially discriminatory immigration measures and to honor the contributions of all immigrants and refugees who have enriched our communities; and be it further

Resolved, That the Legislature condemns the expansion of deportations being undertaken by the current presidential administration as well as its actions to exclude immigrants based on national origin and religion, which threaten to repeat the terrible injustices perpetrated by the Chinese Exclusion Act 136 years ago; and be it further

Resolved, That the Legislature declares its opposition to Executive Orders 13767, 13768, and 13780, and Presidential Proclamation 9645, and calls upon the President to revoke them; and be it further

Resolved, That the Legislature reaffirms that the State of California is open and welcoming to immigrants and refugees who are integral to the life of our state; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.