A RESOLUTION affirming the action of the United States House of Representatives and the United States Senate in condemning the declaration of a "national emergency" by the president of the United States because the declaration is not warranted and is a grave threat to the separation of powers created by the United States Constitution.

WHEREAS, The people of Kansas, as a matter of public policy, value the rule of law established by the United States Constitution and the separation of powers; and

WHEREAS, The president on February 15, 2019, declared a "national emergency" for the purpose of diverting appropriated funds from previously designated uses to build a wall along the southern border; and

WHEREAS, The United States House of Representatives and the United States Senate passed Joint Resolution 46, disapproving the "national emergency," and an outspoken majority of the members of Congress have voiced their opposition to the president's declaration; and

WHEREAS, The overwhelming evidence in the public record, in addition to the administration's own data and estimates, indicate that the president's actions are not necessary to confront an imminent threat to the safety and security of the United States; and

WHEREAS, A group of 58 ex-national security officials from administrations of both major political parties condemned the declaration because "there is no factual basis for the declaration of a national emergency for the purpose of circumventing the appropriations process and reprogramming billions of dollars in funding to construct a wall at the southern border," and stated that there is no evidence that unauthorized immigrants have any special proclivity to engage in criminal or violent behavior; and

WHEREAS, A collection of at least 20 states have filed a lawsuit against the president, claiming that the declaration of a "national emergency" is an attempt by the president to circumvent Congress; and

WHEREAS, There is no evidence of a surge in the number of people seeking to cross the southern border that constitutes a "national emergency"; and

WHEREAS, Drug or human trafficking at the southern border, or similar serious crimes, would be little deterred by a wall because the vast
majority of trafficking occurs through ports of entry, with approximately
two-thirds of human trafficking victims arriving in the country on valid
visas; and
WHEREAS, The redirection of funds away from programs that are
responsible for keeping our troops and country safe and running
efficiently would undermine national and state security. Members of the
Kansas Army National Guard were required to deploy to the southern
border as part of the "national emergency" but would be better deployed
protecting the well-being of Kansas citizenry: Now, THEREFORE,

Be it resolved by the Senate of the State of Kansas: That the State of
Kansas hereby joins the majority of members of the United States House
of Representatives and United States Senate to condemn the declaration
of a "national emergency" by the president of the United States. We call
on members of Congress, executive officials in the president's
administration and the president to ascribe value to the rule of law as
enumerated in the United States Constitution and reject any actions under
the declaration of a "national emergency" that would undermine state and
national security; and

Be it further resolved: That the Secretary of the Senate shall send
enrolled copies of this resolution to the President and Secretary of the
United States Senate, the Speaker and the Clerk of the United States
House of Representatives, members of the congressional delegation from
Kansas, and to the president of the United States.