

House Concurrent Resolution No. 97

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FREDERICK.

4891H.04I

D. ADAM CRUMBLISS, Chief Clerk

1 **WHEREAS**, millions of Syrians are fleeing their homes due to violence, the deaths
2 of loved ones, and failing health care and education systems; and
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4 **WHEREAS**, the Syrian refugee crisis provides an opportunity for terrorists to hide
5 their operatives among the refugees settling in the United States and other countries; and
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7 **WHEREAS**, the screening process in the United States for refugees cannot guarantee
8 that no terrorist will settle in the United States; and
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10 **WHEREAS**, the recent terrorist attacks in Paris highlight the threat of terrorist
11 attacks; and
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13 **WHEREAS**, the Islamic State of Iraq and Syria (ISIS), as the apparent perpetrator of
14 the Paris terrorist attacks, appears to be broadening its focus to include attacks against
15 Western countries; and
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17 **WHEREAS**, the United States could be the next target for ISIS terrorists; and
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19 **WHEREAS**, the United States should seek to prevent such terrorist attacks; and
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21 **WHEREAS**, the female terrorist in San Bernardino entered the United States through
22 a visa program that failed to discover her sympathies with terrorist groups even though she
23 had been radicalized for a long period of time before the attack in San Bernardino; and
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25 **WHEREAS**, stopping the flow of Syrian refugees into the United States may prevent
26 ISIS terrorists from arriving in the United States; and
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28 **WHEREAS**, stopping the flow of Syrian refugees into the United States may prevent
29 a terrorist attack on American soil; and
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31 **WHEREAS**, states have the power to regulate immigration under the tenth
32 amendment of the United States Constitution because the power to regulate immigration has
33 not been expressly delegated to the United States Congress; and

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35 **WHEREAS**, Chief Justice John Roberts recently stated in *National Federation of*
36 *Independent Business v. Sebelius*, 132 S. Ct. 2566 (2012), that "(p)ermitting the Federal
37 Government to force the States to implement a federal program would threaten the political
38 accountability key to our federal system"; and

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40 **WHEREAS**, Chief Justice Roberts also noted, in the *Sebelius* case, that the Supreme
41 Court of the United States has struck down "federal legislation that commandeers a State's
42 legislative or administrative apparatus for federal purposes"; and

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44 **WHEREAS**, Chief Justice Roberts concluded in the *Sebelius* case that the United
45 States Congress could not "penalize States that choose not to participate in that new program
46 (Medicaid expansion) by taking away their existing Medicaid funding"; and

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48 **WHEREAS**, the federal government does not have the authority to compel states to
49 accept refugees into their states:

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51 **NOW THEREFORE BE IT RESOLVED** that the members of the House of
52 Representatives of the Ninety-eighth General Assembly, Second Regular Session, the Senate
53 concurring therein, hereby declare that no Syrian refugees shall enter Missouri and no state
54 funding shall support any Syrian refugees; and

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56 **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of
57 Representatives be instructed to prepare a properly inscribed copy of this resolution for each
58 member of the Missouri Congressional delegation.

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