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SJR-2 The President's National Emergency Declaration. (2019-2020)

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Senate Joint Resolution No. 2

CHAPTER 66

Relative to the President's National Emergency Declaration.

[Filed with Secretary of State May 22, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SJR 2, Umberg. The President's National Emergency Declaration.

This measure would urge the houses of the United States Congress to stand in unity and block the President's national emergency declaration by overriding the veto of House Joint Resolution 46 and, if not possible, to consider terminating the declaration of national emergency within 6 months or at the earliest possible time pursuant to the National Emergencies Act. The measure would urge the President to reconsider his motives and decision and allow military, defense, and counterdrug funds to be used for the purposes for which they are needed and for which they were made available.

Fiscal Committee: no

WHEREAS, On February 15, 2019, United States President Donald J. Trump declared an undefined national emergency; and

WHEREAS, The President intends to cut \$7.5 billion in the United States Department of Defense's funding targeted at the general welfare of our military, supporting infrastructure construction, defending national security threats, and limiting the flow of illegal drugs into the United States; and

WHEREAS, Appropriating funds intended for military construction projects and counterdrug activities will come at the expense of troop readiness and departmentwide efforts to address the military's aging infrastructure; and

WHEREAS, Funds would otherwise be used to improve potable water distribution, update maintenance and storage facilities for military vehicles, build new combat training facilities, construct a shooting range complex, and build a close combat training facility, located at the Navy SEAL Campus in Coronado, California; and

WHEREAS, Dollars would also otherwise be used for renovating the Defense Distribution Depot located in Tracy, California; and

WHEREAS, The President is proposing to revert money already appropriated for updating runways and landing pads, as well as increased airfield security, at the Naval Air Station in Lemoore, California; and

WHEREAS, Funds would otherwise be used to construct a Navy SEAL reserve training facility in San Diego, California; and

WHEREAS, Money would otherwise be used for military family housing projects to remove lead paint and update hazardous living conditions in service members' homes; and

WHEREAS, The funds would otherwise be used to fund a C-130 flight simulator facility at the Channel Islands Air National Guard Station in Oxnard, California, which would train pilots to fly planes outfitted with Modular Airborne Fire Fighting Systems that are used to combat wildfires in California; and

WHEREAS, The national emergency declaration diverts attention from current emergencies that pose real dangers to the health and welfare of California's environment at our border, such as the continued pollution at the Tijuana River Valley and the New River in Calexico; and

WHEREAS, Dollars that would otherwise be used to update hospitals that treat wounded soldiers will be misused, placing even greater constraints on the moneys available for this purpose; and

WHEREAS, The President has also stated that he expects to use this national emergency declaration to revert and repurpose funds already approved by the United States Congress to limit the flow of drugs into the United States; and

WHEREAS, These funds were earmarked to combat the drug cartels in West Africa, Mexico, and Colombia, and nations acting as drug cartels, such as North Korea; and

WHEREAS, In recent years, a substantial amount of counternarcotics funding has been used to stem the increasing tide of fentanyl being imported from China; and

WHEREAS, Controlled substances are more likely to be smuggled through official ports of entry than between border crossings; and

WHEREAS, Cutting drug interdiction funding will not deter the passage of controlled substances through the United States border, but will hamper counterdrug efforts in areas where the funds could make a meaningful impact; and

WHEREAS, The United States Department of Defense has roughly \$1 billion earmarked for counternarcotic missions and drug interdiction for the 2019 fiscal year, and yet the Trump Administration has asked for \$2.5 billion from the counternarcotic fund; and

WHEREAS, The Pentagon will have to divert money from elsewhere beyond the appropriated funding to come up with the extra \$1.5 billion, negatively affecting our nation's ability to effectively and efficiently combat the flow of drugs into our borders; and

WHEREAS, This nation needs to continue to repair and strengthen our military and redirecting funds needed for this purpose will undercut our accomplishments and underfund our operations; and

WHEREAS, Numerous news reports indicate that the President is considering reallocating funds currently appropriated for disaster relief and aid, including \$2.4 billion appropriated to the State of California, the diversion of which will severely hurt communities already suffering as a result of natural disasters; and

WHEREAS, By the President's own admission in regard to the national emergency declaration, he "didn't need to do this"; and

WHEREAS, On February 26, 2019, the United States House of Representatives passed House Joint Resolution 46 by a vote of 245–182, pursuant to the federal National Emergencies Act, to overturn President Trump's emergency declaration and the United States Senate passed that resolution by a 59–41 vote on March 14, 2019. On the following day, the President vetoed the resolution; and

WHEREAS, Twenty states, including California, have filed suit to block the President's national emergency declaration; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the houses of the United States Congress to stand in unity and block the President's national emergency declaration by overriding the President's veto of House Joint Resolution 46 and, if not possible, to consider terminating the declaration of national emergency within six months or at the earliest possible time pursuant to the National Emergencies Act; and be it further

Resolved, That the Legislature urges the President to reconsider his motives and decision and allow military, defense, and counterdrug funds to be used for the purposes for which they are needed and for which they were made available; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.