

Associated Students of Cerritos College

IN THE SENATE OF THE ASSOCIATED STUDENTS

4/5/2023

Director Amy Parker introduced the following Resolution,
Senator Jorge Diaz seconded the following Resolution

A RESOLUTION

Opposing S.686 to Protect Privacy and Security JR-2223-09

Whereas: The United States Congress is currently considering S.686, the “RESTRICT Act”, which was initially designed to ban TikTok and other foreign-owned social media from being used in the United States by anyone, expanding the previous bans of TikTok on government devices; and

Whereas: This bill is considered extremely likely to pass the United States Senate unanimously, and almost guaranteed to pass the United States House, and the Biden administration has stated that it will not veto the law (as it supports its passage) and will fully enforce it; and

Whereas: The bill as currently written would give the President of the United States and the Secretary of Commerce dictatorial powers over anything under the jurisdiction of the United States, as long as they can in some way connect it back to enforcing the bill; and

Whereas: The bill prohibits all federal courts, including presumably the Supreme Court, from reviewing or overturning any action or decision made by the President of the United States or by the Secretary of Commerce in relation to the statutes adopted by the bill; and

Whereas: A new criminal penalty would be created for anyone who does anything to circumvent the bill, such as using a Virtual Private Network (VPN) or otherwise trying to access a blocked service, which would result in a fine of \$1 million and a 20 year prison sentence; and

Whereas: The federal government would be able to declare communications or business relations with any specific foreign national(s) illegal arbitrarily, and no court would be able to reverse the decision, sparking xenophobia and potentially hurting non-citizen residents of the United States; and

Whereas: The law is extremely broad and would criminalize a wide variety of daily conduct of Americans, and cripple the integrity and structure of the Internet as we know it, causing a collapse of government transparency and public discourse; and

Whereas: The law would exempt all of the provisions and actions by government agencies relating to the provisions from the Freedom of Information Act, completely shutting down government transparency as we know it and keeping citizens in the dark; and

Whereas: Because there is no judicial or civilian oversight of any of these programs under the law as written, government censorship of political opponents and political activists, as well as the general citizenry, could become commonplace; and

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Whereas: This legislation also may threaten the general principle of net neutrality, as it would enforce heavy federal censorship on the internet and, due to the difference in review times for different types of technology, potentially reduce the ability of small businesses and individuals to have a proper presence on the Internet; and

Whereas: ASCC has a duty to call out this extremely harmful legislation, which would severely impact the lives of students here at Cerritos College; let it be

Resolved: The Associated Students of Cerritos College opposes S.686, the “RESTRICT Act”, as written and presented in the United States Congress; and let it be further

Resolved: The Associated Students of Cerritos College opposes any attempt to censor citizens or residents of the United States, and opposes these drastic violations of the privacy and security of individuals; and let it be further

Resolved: The Associated Students of Cerritos College opposes these wide grants of unchecked executive power to the federal executive branch; and let it be further

Resolved: Director of Equity and Diversity Amy Parker is hereby requested to deliver electronic copies of this resolution to Senator Alex Padilla, Senator Dianne Feinstein, Congresswoman Linda Sanchez, Congresswoman Michelle Steel, Governor Gavin Newsom, State Senator Bob Archuleta, State Assemblymember Sharon Quirk-Silva and the Office of the President of the United States.

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Amendment History

None.

Final Senate Action

Date of final vote: April 5, 2023

Senators Voting Aye: Bui, Diaz, Garcia, A. Hernandez

Senators Voting Nay: Alamgir, Bartholomew, Bolagh, Chun, Desai, Diaz, Dunomes, Echeverria, Flamenco-Medina, V. Hernandez, Morales, Murillo, Phungraksakiat, A. Reyes, S. Reyes, Roxas, Vashi.

Senators Abstaining: None.

Vote Count: 4 Aye, 16 Nay, 0 Abstain

Committee Referral

Referred to Committee? No