



Peace and Justice  
Commission

ACTION CALENDAR  
FEBRUARY 19, 2019

To: Honorable Mayor and Members of the City Council  
 From: Peace and Justice Commission  
 Submitted by: George Lippman, Chairperson, Peace and Justice Commission  
 Subject: Resolution declaring City of Berkeley will not invest City funds in any entity involved in the production or upgrading of weapons

RECOMMENDATION

Adopt Resolution submitted by the Peace and Justice Commission declaring the City of Berkeley will not invest City funds in any entity involved in the production or upgrading of weapons.

FISCAL IMPACTS OF RECOMMENDATION

None.

CURRENT SITUATION AND ITS EFFECTS

At its regular meeting September 17, 2018, the Peace and Justice Commission unanimously adopted the following recommendation: declaring that City of Berkeley will not invest City funds in or contract with any entity involved in the production or upgrading of weapons.

M/S/C: Bohn/Kenin  
 Ayes: Maran, Watson, Lippman, Bohn, Hariri, Kenin, Chen  
 Noes: None  
 Abstain: None  
 Absent: Pancoast

At its regular meeting January 7, 2019, the Peace and Justice Commission unanimously adopted a revised version of the resolution it adopted in September 2018. The revised recommendation removed the ban on contracting with entities involved in the production or upgrading of weapons, confining its scope to the investment of City funds in such entities.

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M/S/C:       Bohn/Meola

Ayes:         al-Bazian, Bohn, Hariri, Han, Lippman, Maran, Meola, Morizawa,  
Pancoast, Rodriguez

Noes:         None

Abstain:      None

Absent:       Chen

Subsequent to the Commission's September 2018 action, City staff communicated feedback to the Commission secretary that the ban on contracting with weapons manufacturers could pose problems in procurement, notably BPD purchase of police weapons and munitions, and potentially other non-weapon supplies manufactured by companies that also produce weapons. The Commission considered these concerns in its January meeting and agreed to amend the item to exclude the ban on such contracting. The Commission determined that the original language of the item, which is circulating nationally among cities similar to Berkeley, focuses entirely on investment, and decided that reverting back to the language that other cities are adopting would provide benefits of alignment as well as addressing staff concerns.

Social responsibility concerns as they apply to contracting and procurement will be better addressed by a separate initiative.

#### BACKGROUND

The City of Berkeley investment policy currently bans investment in guns.

This resolution is endorsed by over 50 organizations that favor divestment from weapons manufacturers. The organizations include CODEPINK, American Friends Service Committee, Peace Action USA, United for Peace and Justice, and the Women's International League for Peace and Freedom.

This campaign has been spurred by the Trump Administration's belligerent posture that has brought the country to the brink of war, as well as the passionate national campaign, especially among young people, against gun violence domestically.

#### ENVIRONMENTAL SUSTAINABILITY

Reversing militarism is one of the key levers of promoting sustainability. Point 2 of the Environmentalists against War declaration in 2003 stated, "War destroys human settlements and native habitats. War destroys wildlife and contaminates the land, air and water. The damage can last for generations." <sup>1</sup>

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<sup>1</sup> <http://www.envirosagainstar.org/sayno/tenreasons.html>

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RATIONALE FOR RECOMMENDATION

In passing this resolution the City of Berkeley joins with cities nationwide that oppose militarism and violence, and encourages other cities to follow Berkeley's lead.

ALTERNATIVE ACTIONS CONSIDERED

The Commission considered restrictions on contracting with any entities involved with the production or upgrading of weapons, with exemption for police purchases. The decision was taken to limit this action to investment only and to consider procurement in separate actions. This option will keep the current action in line with the national initiative.

CITY MANAGER

See companion report.

CONTACT PERSON

George Lippman, Chairperson, Peace and Justice Commission

Shallon Allen, Commission Secretary, (510) 981-7071

Attachments:

1. Resolution

Reso declaring City of Berkeley will not invest city funds  
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RESOLUTION NO. ##,###-N.S.

Resolution declaring the City of Berkeley will not invest City funds in any entity involved  
in the production or upgrading of weapons.

WHEREAS, since 2001, the United States has spent over \$5.6 trillion on wars resulting  
in over 1.17 million deaths and displacing more than 10.1 million people;<sup>i</sup> and

WHEREAS, the cost of U.S. domestic and foreign militarism, including veterans' affairs,  
homeland security, and law enforcement, and incarceration, topped \$818 billion in  
2017,<sup>ii</sup>; and accounted for 64% of federal discretionary spending in 2016, at a time when  
federal funds are desperately needed in order to build affordable housing, improve  
public transit, and develop sustainable energy sources;<sup>iii</sup>and

WHEREAS, the United States remains the most militarized nation in the world, with a  
military budget greater than the next eight countries combined, an estimated 800  
military bases and stations in over 70 countries around the world, and arms producers  
that dominated 57.9% of the share of major global arms sales in 2016<sup>iv</sup>; and

WHEREAS, nearly 15,000 nuclear weapons, most of an order of magnitude more  
powerful than the U.S. atomic bombs that destroyed Hiroshima and Nagasaki, over 90%  
held by the United States and Russia, continue to pose an intolerable threat to  
humanity;<sup>v</sup> and detonation of even a small fraction of these weapons would disrupt the  
global climate and agricultural production so severely that the resulting famine could put  
the lives of more than two billion people at risk;<sup>vi</sup> and

WHEREAS, the United States is poised to spend \$1.7 trillion dollars over the next three  
decades to maintain and modernize its nuclear bombs and warheads; the submarines,  
missiles and bombers to deliver them; and the infrastructure to sustain the nuclear  
enterprise indefinitely, which many experts believe actually increases the risk of nuclear  
proliferation, nuclear terrorism, and nuclear war by accident, miscalculation or intent, at  
a time when nuclear-armed countries are already on the brink of military confrontation;<sup>vii</sup>  
and

WHEREAS, investing in companies producing the nuclear and conventional weapons at  
the roots of U.S. militarism implicitly supports this misdirection of our tax dollars; and

WHEREAS, many major arms producers depend on the federal government as their  
primary consumer and are thus dependent upon perpetual warfare, political instability,  
and the prioritization of militarism over diplomacy; and

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WHEREAS, U.S. weapons manufacturers continue to supply repressive regimes around the world, and U.S.-produced weapons are being used in attacks that the international community deems unlawful for their disproportionate and excessive harm to civilians; and

WHEREAS, billions of dollars worth of military-grade equipment has been transferred to local police departments in our communities, resulting in the disproportionate targeting of communities of color and perpetuating a culture of violence, hostility, and fear;<sup>viii</sup> and

WHEREAS, the rate of mass shootings in America is the highest anywhere in the developed world, as civilian gun manufacturers continue to reap enormous profits from unnecessary bloodshed in our streets and homes;<sup>ix</sup> and

WHEREAS, the average American taxpayer works 27 days a year to pay Pentagon contractors and pays 23.4 cents of each of their federal income tax dollars toward military spending, at a time when 43 million Americans live in poverty or qualify as low-income;<sup>x</sup> and

WHEREAS, the U.S. Conference of Mayors unanimously “calls on the President and Congress to reverse federal spending priorities and to redirect funds currently allocated to nuclear weapons and unwarranted military spending to restore full funding for Community Development Block Grants and the Environmental Protection Agency, to create jobs by rebuilding our nation’s crumbling infrastructure, and to ensure basic human services for all, including education, environmental protection, food assistance, housing and health care;<sup>xi</sup> and

WHEREAS, the City's investment practices must accord with the City's commitment to equality, peace, and justice;

NOW, THEREFORE, BE IT RESOLVED, that the City Council formally declares its opposition to investing City funds in any entities that are involved in the production or upgrading of weapons and weapons systems, whether conventional or nuclear, and including the manufacture of civilian arms, and decides that it shall be City policy to divest from such entities; and

BE IT FURTHER RESOLVED, that the City Council directs any and all persons acting on behalf of City investment activity to enforce the provisions of this Resolution; and

BE IT FURTHER RESOLVED that this Resolution shall be binding City policy and shall be in full force and effect after adoption by the City Council.

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- i “Costs of War, Brown University, Watson Institute of International and Public Affairs,” <https://watson.brown.edu/costsofwar/>
- ii “US Military Budget: Components, Challenges, Growth,” *The Balance*, <https://www.thebalance.com/u-s-military-budget-components-challenges-growth-3306320>
- iii “The Militarized Federal Budget,” National Priorities, <https://www.nationalpriorities.org/analysis/2017/militarized-budget-2017/>
- iv “Top 100 Arms-Producing and Military Service Companies, 2016,” Stockholm International Peace Research Institute, <https://www.sipri.org/publications/2017/sipri-fact-sheets/sipri-top-100-arms-producing-and-military-services-companies-2016>
- v “Nuclear Weapons: Who Has What at a Glance,” Arms Control Association, <https://www.armscontrol.org/factsheets/Nuclearweaponswhohaswhat>
- vi “Nuclear Famine: Two Billion People at Risk?” International Physicians for the Prevention of Nuclear War, <https://www.psr.org/wp-content/uploads/2018/04/two-billion-at-risk.pdf>
- vii “U.S. Nuclear Modernization Program,” Arms Control Association, <https://www.armscontrol.org/factsheets/USNuclearModernization>
- viii “War Comes Home,” ACLU, <https://www.aclu.org/issues/criminal-law-reform/reforming-police-practices/war-comes-home>
- ix “How US Gun culture compares with the world in 5 charts,” CNN, <https://www.cnn.com/2017/10/03/americas/us-gun-statistics/index.html>
- x “Tax Dollar Receipt,” National Priorities Project, <https://www.nationalpriorities.org/interactive-data/taxday/>
- xi “Calling on the Administration and Congress to Step Back From the Brink and Exercise Global Leadership in Preventing Nuclear War,” U.S. Conference of Mayors, June 11, 2018, <http://www.mayorsforpeace.org/english/ecbn/resolution/20180612.html>