

**RESOLUTION NO. 2021-47-CC**

**CITY OF SOUTH GATE  
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, RECOGNIZING THE SECRETARY OF EDUCATION'S LEGAL AUTHORITY THROUGH THE HIGHER EDUCATION ACT OF 1965 (20 U.S.C. 1082 (A)) TO BROADLY CANCEL STUDENT DEBT**

**WHEREAS**, any official position of the City of South Gate with respect to legislation, rules, regulation, or policies proposed to or pending before a local, state, or federal governmental body or agency must first have been adopted in the form of a resolution by the City Council with the concurrence of the Mayor;

**WHEREAS**, nearly 43 million Americans hold more than \$1.56 trillion of federal student loan debt at an average balance of \$36,406;

**WHEREAS**, women hold two-thirds of all student debt, African American borrowers have higher than average levels of student debt, most borrowers have more than half of their student debt after 12 years of repayment, 40% of student loan borrowers did not finish college or obtain a degree, more than eight million student loan borrowers are over the age of 50;

**WHEREAS**, canceling student debt would increase African American wealth by one third, increase GOP by billions of dollars, add up to 1.5 million new jobs, and make it more likely for people to start or invest in a small business, obtain more advanced degrees, start a family, and buy a house;

**WHEREAS**, on January 20, 2021, the COVID-19 emergency relief measures, which suspended loan payments, stopped collection on defaulted loans, and set interest rates to zero percent of Department of Education-owned loans, were extended through September 30, 2021;

**WHEREAS**, Congress granted the Secretary of Education the legal authority to broadly cancel student debt under section 432(a) of the Higher Education Act of 1965 (20 U.S.C. 1082(a)) which grants the authority to "...compromise, waive, or release any right, title, claim, lien, or demand, however acquired, including any equity or any right of redemption"; and

**WHEREAS**, President Biden and Secretary of Education Cardona used their legal authority derived from the Higher Education Act of 1965 on March 18, 2021 and March 29, 2021 when they cancelled \$1 billion of student loans for 72,000 defrauded student loan borrowers, and \$1.3 billion of student loans for another 41,000 borrowers with permanent disabilities.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:**


**SECTION 1.** The City Council does hereby declare that the above recitals are true and correct and incorporated herein by reference.

**SECTION 2.** The City Council does hereby recognize the Secretary of Education's legal authority through the Higher Education Act of 1965 (20U.S.C. 1082(A)) to broadly cancel student debt, and calls on President Biden to direct Secretary of Education Cardona by Executive Order to administratively cancel all student debt before payments resume on September 30, 2021

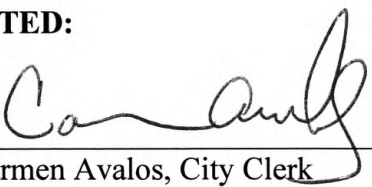
**SECTION 3.** The City Clerk shall certify to the passage and adoption of this Resolution which shall be effective upon its adoption.

**PASSED, APPROVED, and ADOPTED this 12<sup>th</sup> day of October 2021.**


**CITY OF SOUTH GATE:**

By:  \_\_\_\_\_  
Al Rios, Mayor

**ATTESTED:**

By:  \_\_\_\_\_  
Carmen Avalos, City Clerk  
(SEAL)

**APPROVED AS TO FORM:**

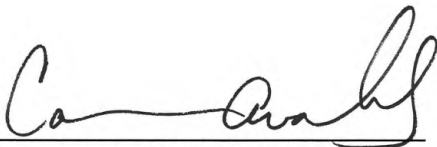
By:  \_\_\_\_\_  
Raul F. Salinas, City Attorney

**STATE OF CALIFORNIA**        )  
**COUNTY OF LOS ANGELES**   )     **SS**  
**CITY OF SOUTH GATE**        )

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 2021-47-CC was adopted by the City Council at their Regular Meeting held on October 12, 2021, by the following vote:

Ayes:            Council Members:   Rios, Avalos, Diaz and Hurtado  
Noes:            Council Members:   None  
Absent:          Council Members:   Davila  
Abstain:         Council Members:   None  
Recused:         Council Member:    None

Witness my hand and the seal of said City on October 20, 2021.



Carmen Avalos, City Clerk  
City of South Gate, California