

September 9, 2020

The Honorable Donald J. Trump **President of The United States** The White House 1600 Pennsylvania Avenue NW Washington, DC 20500

## Dear Mr. President:

As representatives of the nation's more than 19,000 cities, towns, and villages, the National League of Cities asks you to immediately withdraw your "Memorandum on Reviewing Funding to State and Local Government Recipients That Are Permitting Anarchy, Violence, and Destruction in American Cities" dated September 2, 2020. The memorandum inaccurately portrays the facts on the ground in the cities characterized as permitting "anarchy" including Seattle, Portland, New York City, and Washington, D.C. The flawed political evaluation that these cities or any other city, town, or village would permit anarchy, violence, and destruction is an insult to the millions of tax-paying residents of the cities that elect their local leaders.

When our nation is grappling with the coronavirus pandemic, the economic recession caused by the epidemic, and the ongoing protesting of police brutality, instead of working with cities, your memorandum seeks to undermine the very foundation of our federalist system. Local government leaders will not acquiesce to your efforts to threaten our local authority to police our communities and provide public safety services to our residents.

The memorandum, and any action taken because of directives outlined in the memorandum, is not likely to withstand legal scrutiny, and our cities will win the legal fight to stop this groundless effort. More specifically, the memorandum directs the "Director of OMB [to] issue guidance to the heads of agencies on restricting eligibility of or otherwise disfavoring, to the maximum extent permitted by law, anarchist jurisdictions in the receipt of Federal grants that the agency has sufficient lawful discretion to restrict or otherwise disfavor anarchist jurisdictions from receiving." NLC is at a loss to imagine what federal grants OMB will identify as NLC knows of no federal grants conditioned on government entities stopping "anarchy."

Legal issues aside, the precedent of targeting cities based on partisan politics for retribution is a political act that will have dire consequences for all cities. While you may disagree with how a city manages its policing, we urge you to lead that at this time of crises and work with our cities to restore and heal American communities.

## 2020 OFFICERS

President

Joe Buscaino Councilmember Los Angeles, California

First Vice President Kathy Maness Councilmember Lexington, South Carolina

Second Vice President Vince Williams Mayor Union City, Georgia

Immediate Past President Matt Zone Councilmember Cleveland, Ohio

Chief Executive Officer/ Clarence E. Anthony

NLC is committed to working with you to help rebuild strong and vibrant cities in the aftermath of the coronavirus pandemic, but we are also committed to fighting harmful policies such as your memorandum, which are aimed at undermining our local authority.

We thank you for your immediate attention to our concerns about the memorandum, and we hope that we can resolve this issue quickly and without the need for legal and/or Congressional action.

Sincerely,

Joe Buscaino

President Pro Tempore, Los Angeles City Council President, National League of Cities Kathy Maness

Councilmember, Lexington, SC

First Vice President, National League of Cities

Vince Williams

Mayor, Union City, GA

Second Vice President, National League of Cities

Matt Zone

Councilmember, Cleveland, OH

Matt Zone

Immediate Past President, National League of Cities

Clarence E. Anthony

CEO and Executive Director, National League of

Cities