

To: Biden-Harris U.S. Department of Homeland Security Review Team
From: National League of Cities
Re: Policy Areas of Importance to Cities, Towns and Villages
Date: January 23, 2021

As the voice of America's cities, towns and villages, representing more than 200 million people across the country, the National League of Cities (NLC) looks forward to working with the Biden-Harris Administration and with the team at the U.S. Department of Health and Human Services. While approximately 40 cities across the country directly control their local health departments, all cities play a direct role in driving and influencing health and healthcare decisions and relationships with county, state and federal health departments and other health stakeholders. In the face of COVID-19, the role of local leaders has become more critical than ever towards ensuring safe, resilient and healthy communities.

As cities look to partner with the Administration in the first 100 days and beyond, we hope that the following areas will be taken into consideration:

Direct Fiscal Relief to Cities, Towns and Villages

Cities are the engine of our nation's economy and essential to America's economic recovery. Health and the economy perhaps have never been more closely aligned than now - as the urgency to address public health to ensure a strong economy is vital. With so many city leaders and essential workers on the front lines risking their health and safety, navigating expanding needs for health and mental health services, support and relief is needed more than ever. America's communities are hurting. As the findings of NLC's 2020 [City Fiscal Conditions report](#) reveals, America's cities are experiencing the fiscal consequences of the coronavirus pandemic-downturn at an unprecedented speed – and like recent recessions, it will take years for municipal budgets to recover from the impact of COVID-19. This effects health and well-being in communities in the long-term as well. Cities, towns and villages across our country need direct fiscal relief to communities of all sizes to ensure that essential city services and important community-anchoring programs can remain in operation.

Regular Communication with Stakeholders

Local leaders are committed to intergovernmental partnership, through federalism, requiring a cooperative partnership among local, state and federal governments that must be strengthened through all levels of government. Local leaders look forward to working collaboratively with the Biden-Harris Administration and in a manner that recognizes the importance of a federal-local partnership. As such, we hope that the Department of Health and Human Services will institute regular stakeholder meetings, as well as be at the table when rules are being crafted to provide an important perspective on ensuring that rules are effective, implementable, offer local flexibility, avoid a "one-size-fits-all" approach and avoid an unfunded mandate.

Take Immediate Action to Address COVID-19

To help local governments offset the costs associated with the current national emergency response to this ongoing pandemic, we urge FEMA to adjust the federal cost-share for all COVID-19 related Emergency and Major Disaster declarations to 100 percent. Additionally, FEMA should consider adjusting the FEMA cost-share for all emergencies and major disaster declared in 2020 to not less than

90 percent federal and 10 percent non-federal. FEMA should clarify that FEMA –under COVID-19 declarations – will continue to reimburse for certain expenses including personal protective equipment (PPE) for public schools, public transit, public utilities, courthouses and other government buildings and services.

Immigration Reform and Enforcement

Cities, towns and villages are a mosaic of cultures and nationalities based on our nation’s history of welcoming immigrants. When admitted through a well-regulated, timely and efficient system, immigrants strengthen the United States by creating economic opportunities, increasing America’s scientific and cultural resources, strengthening our ties with other nations, fulfilling humanitarian commitments, and supporting family ties and family values that are necessary to build strong communities. As such, cities support:

- Enforcement of current immigration laws equitably, consistently and timely to adequately staff ports of entry to reduce unauthorized entry at the borders, track visa overstays, working without proper documentation, and employing undocumented workers.
- Simplification of immigration procedures, increase in departmental capacity to enforce laws and provide appropriate, streamlined means of immigration, change status and citizenship.
- Reexamination of policies regarding seasonal workers given their impact on local businesses and the economic vitality of cities, towns and villages.
- Ensuring that detention policies do not inflict trauma upon vulnerable children and their families, thus creating additional financial burdens for mental health, education and families supports in communities.
- Federal legislation such as the Dream Act that can facilitate state efforts to offer in-state tuition to undocumented students and provide certain students with a path to U.S. citizenship.
- Federal definition of a “stateless person” in line with international human rights standards.
- Clearly defined appeals process for asylum seekers who are denied entry into the United States and the restoration and increase of refugee resettlement allotments.

Cities oppose any further expansion of the public charge definition that would preempt cities from offering services to all residents in their communities.

Additionally, cities believe that local police should not be responsible for the enforcement of federal immigration laws or the ongoing detention of individuals merely suspected of violating those laws. Local personnel cannot be conscripted into federal service because the federal government has decided not to fund and staff its immigration enforcement agencies to meet demand. This type of action can divert local personnel from their primary duties, break important trust that has been built within the immigrant community and constitute a cost shift onto local governments. The federal government should not transfer the responsibility of enforcing U.S. immigration laws to local police by making undocumented status in the U.S. a criminal offense.

NLC opposes federal legislation that would impose harmful sanctions on local governments that have in affect a statute, ordinance, policy, or practice that prohibits or restricts compliance when a detainer request or administrative warrant is issued by the Department of Homeland Security.

The Department of Homeland Security’s detainer requests and administrative warrant should comply with the U.S. Constitution’s Fourth and Tenth Amendments. Congress should also provide additional

resources and funding to the Department of Homeland Security to meet the statutory requirements to enforce our Nation's immigration laws and not force local governments to take on the financial responsibilities and duties of federal immigration enforcement agents.

Stopping Human Trafficking

Human trafficking is a modern-day form of slavery that impacts people of all ages and of both genders, where services, labor, or sex are supplied by victims who are forced, defrauded or coerced to work through such methods as involuntary servitude, debt bondage, and forced labor. At the heart of this heinous crime are the myriad forms of enslavement – not the activities involved in international transportation—and hundreds of thousands of U.S. citizens and other permanent residents, including kidnapped and homeless youth, are considered to be at risk for or victims of trafficking. Victims of human trafficking live among us in our cities and towns, but are typically captive and isolated, unaware of their rights, powerless to access services, and afraid to ask law enforcement and other authority figures for help. Combating human trafficking requires a collaborative, comprehensive approach across all levels of government.

To combat human trafficking, sufficient federal resources must be committed to ensure that law enforcement strategies are realistic and are coordinated with efforts in education, prevention, and support of victims.

Public safety requires the commitment of all levels of government. Information sharing among levels of government must be comprehensive and timely. Through the joint efforts of local, state, and federal governments, as well as the responsible actions of individual residents and corporate citizens alike, the safety and well-being of our business and civic communities can be controlled successfully. In order to keep our cities and towns safe:

- The federal government should assist cities and towns across the nation in acquiring modern emergency communications capabilities and advanced law enforcement technology; and
- Federal, state and local law enforcement must share information and intelligence across intergovernmental and jurisdictional boundaries.

Disaster Response and Recovery

In order to maintain viable communities and an economically sound nation, all levels of government must work together to reduce the likelihood of disaster losses incurred. Specifically, the federal government should:

- Continuously strive to improve the coordination of local, state, and federal disaster preparedness plans.
- Assure continued availability of adequate property and casualty insurance and excess insurance coverage to all regions of the nation, at affordable rates without unreasonable exclusions or geographic redlining;
- Provide clear and appropriate division of responsibilities between local, state, and federal governments in presidentially-declared disaster areas, with clear channels and protocols between leaders, including maintaining the appropriate role of the U.S. military forces in supporting emergency response;
- Ensure FEMA has the funding, authority, clear mandate, and flexibility it needs to respond quickly and effectively; and
- Do nothing to impede efforts by first responders and state and local authorities.

Prevention, Planning, and Mitigation

The highest priority of all levels of government in addressing disaster and terrorism issues should be prevention and mitigation. Mitigation saves lives and reduces injuries; reduces economic losses; maintains and protects critical infrastructure; and reduces the liability borne by local governments and elected officials.

The federal government should provide an adequate level of funding for local emergency preparedness and disaster planning and management. Such funding should allow a city to tailor its disaster preparedness planning to the special circumstances and needs of the area, particularly to any facilities and densely populated areas that have the potential to be terrorist targets, as well as provide local governments with appropriate emergency response equipment and communication as necessary.