

*Administration of Donald J. Trump, 2020*

**Memorandum on Reviewing Funding to State and Local Government Recipients of Federal Funds That Are Permitting Anarchy, Violence, and Destruction in American Cities**

*September 2, 2020*

*Memorandum for the Attorney General and the Director of the Office of Management and Budget*

*Subject: Reviewing Funding to State and Local Government Recipients of Federal Funds That Are Permitting Anarchy, Violence, and Destruction in American Cities*

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

*Section 1. Policy.* It is the policy and purpose of the United States Government to protect the lives and property of all people in the United States from unlawful acts of violence and destruction. Without law and order, democracy cannot function. Americans cannot exercise their rights, including their rights to peaceful expression, assembly, and protest. Property is destroyed, and innocent citizens are injured or killed.

Unfortunately, anarchy has recently beset some of our States and cities. For the past few months, several State and local governments have contributed to the violence and destruction in their jurisdictions by failing to enforce the law, disempowering and significantly defunding their police departments, and refusing to accept offers of Federal law enforcement assistance. As a result of these State and local government policies, persistent and outrageous acts of violence and destruction have continued unabated in many of America's cities, such as Portland, Seattle, and New York.

For example, for more than 3 weeks, beginning on June 9, 2020, the city of Seattle allowed anarchists and rioters to take over six square blocks of the city, an area the unlawful occupiers renamed the "Capitol Hill Autonomous Zone" and then the "Capitol Hill Occupied Protest." Notwithstanding the fact that law-abiding citizens live and work in the invaded area, the local government effectively endorsed this lawlessness and taking of property by, among other things, abandoning the Seattle Police Department's East Precinct building and forbidding the police force from intervening to restore order. Tragically, the Mayor allowed the unlawful occupation to persist until two teenagers were killed and at least two other persons suffered gunshot wounds. On July 1, Seattle declared the protest zone dismantled. But such failed leadership continues to harm the people of Seattle as, in recent weeks, rioters have engaged in violence and destruction of property across Seattle, resulting in at least 59 police officers being injured and multiple businesses and vehicles vandalized.

In Portland, for over 80 days, State and local officials have allowed violent anarchists to unlawfully riot and engage in criminal activity on the streets, including the destruction of property. These rioters have repeatedly tried to destroy property in the city, including the Federal courthouse. They have attacked Federal law enforcement personnel protecting the Federal courthouse with Molotov cocktails, mortar-style fireworks, hard projectiles, and lasers that can cause permanent blindness. Over several days in July, the rioters set fires in and around the Federal courthouse. To date, at least 140 Federal officers have been injured in Portland. For much of this period, State and local officials in Portland have taken insufficient steps to protect the Federal courthouse, and initially rejected offers of Federal law enforcement assistance.

Likewise, in New York City, city officials have allowed violence to spike. In late May and early June, State and local officials allowed looting to take place for over a week, resulting in

damage to an estimated 450 businesses. As of August 16, there have been 896 shootings in New York this year, compared to 492 shootings during the same period last year. The shooting victims include children as young as 1 year old. Shootings have been rising in recent weeks, and police reported 244 shootings last month compared to 88 in July 2019—a 177 percent increase. While violence has surged, arrests have plummeted. In a 28-day period during the months of June and July, arrests were down 62 percent from the same period in 2019. Amidst the rising violence, Mayor Bill de Blasio and the New York City Council agreed to cut one billion dollars from the New York Police Department (NYPD) budget, including by cancelling the hiring of 1,163 officers. In June, Police Commissioner Dermot Shea disbanded the NYPD's plainclothes anti-crime units, which target illegal guns and violent crime. Police officials have cited this decision as a factor contributing to the rise in violence. In light of this unconscionable rise in violence, I have offered to provide Federal law enforcement assistance, but both Mayor de Blasio and Governor Andrew Cuomo have rejected my offer.

These are not the only cities that recently have decided to pursue reckless policies that allow crime and lawlessness to multiply. For example, Washington, D.C., Mayor Muriel Bowser allowed rioters and anarchists to engage in violence and destruction in late May and early June, requiring me to call in the National Guard to maintain law and order in the Nation's Capital.

The Federal Government provides States and localities with hundreds of billions of dollars every year, which fund a wide array of programs, such as housing, public transportation, job training, and social services. These funds have been collected from American taxpayers who entrusted their money to the Federal Government to serve our communities and our citizens.

My Administration will not allow Federal tax dollars to fund cities that allow themselves to deteriorate into lawless zones. To ensure that Federal funds are neither unduly wasted nor spent in a manner that directly violates our Government's promise to protect life, liberty, and property, it is imperative that the Federal Government review the use of Federal funds by jurisdictions that permit anarchy, violence, and destruction in America's cities. It is also critical to ensure that Federal grants are used effectively, to safeguard taxpayer dollars entrusted to the Federal Government for the benefit of the American people.

*Sec. 2. Review of Federal Funds.* To advance the policy set forth in section 1 of this memorandum, within 14 days of the date of this memorandum, the Director of the Office of Management and Budget (OMB) shall issue guidance to the heads of executive departments and agencies (agencies) for each agency to submit a report to the Director of OMB detailing all Federal funds provided to Seattle, Portland, New York City, Washington, D.C., or any components or instrumentalities of the foregoing jurisdictions.

*Sec. 3. Restrictions on Federal Grant Funding.* To advance the policy set forth in section 1 of this memorandum:

(a) Within 14 days of the date of this memorandum, and updated as appropriate but no less than every 6 months thereafter, the Attorney General, in consultation with the Secretary of Homeland Security and the Director of OMB, shall publish on the Department of Justice website a list identifying State and local jurisdictions that have permitted violence and the destruction of property to persist and have refused to undertake reasonable measures to counteract these criminal activities (anarchist jurisdictions).

(b) In identifying anarchist jurisdictions, the Attorney General, in consultation with the Secretary of Homeland Security and the Director of OMB, shall consider, as appropriate:

(i) whether a jurisdiction forbids the police force from intervening to restore order amid widespread or sustained violence or destruction;

(ii) whether a jurisdiction has withdrawn law enforcement protection from a geographical area or structure that law enforcement officers are lawfully entitled to access but have been officially prevented from accessing or permitted to access only in exceptional circumstances, except when law enforcement officers are briefly withheld as a tactical decision intended to resolve safely and expeditiously a specific and ongoing unlawful incident posing an imminent threat to the safety of individuals or law enforcement officers;

(iii) whether a jurisdiction disempowers or defunds police departments;

(iv) whether a jurisdiction unreasonably refuses to accept offers of law enforcement assistance from the Federal Government; and

(v) any other related factors the Attorney General deems appropriate.

(c) Within 30 days of the date of this memorandum, the Director of OMB shall 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.

*Sec. 4. General Provisions.* (a) Nothing in this memorandum shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department, agency, or the head thereof; or

(ii) the functions of the Director of OMB relating to budgetary, administrative, or legislative proposals.

(b) This memorandum shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This memorandum is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

DONALD J. TRUMP

NOTE: An original was not available for verification of the content of this memorandum. The memorandum referred to Mayor Jenny A. Durkan of Seattle, WA; and Acting Secretary of Homeland Security Chad F. Wolf.

*Categories:* Communications to Federal Agencies : State and local Government recipients of Federal funds, memorandum on review.

*Names:* Bowser, Muriel E.; Cuomo, Andrew M.; de Blasio, Bill; Durkan, Jenny A.; Shea, Dermot; Wolf, Chad F.

*Subjects:* Armed Forces, U.S : National Guard; District of Columbia : Civil unrest and violence; District of Columbia : Mayor; Homeland Security, Department of : Acting Secretary; Justice, Department of : Attorney General; Law enforcement and crime : Nationwide civil unrest and violence; Management and Budget, Office of; New York : Governor; New York : Gun violence in New York City; Oregon : Civil unrest and violence in Portland; Washington : Civil unrest and violence in Seattle.

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