

# NCSL Standing Committee on Law and Public Safety

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1 **COMMITTEE: LAW AND PUBLIC SAFETY**  
2 **POLICY: CANNABIS AND FEDERALISM**  
3 **TYPE: DIRECTIVE**

4 The National Conference of State Legislatures (NCSL) maintains that the federal  
5 government should respect state decisions to regulate cannabis, including hemp in non-  
6 FDA approved cannabis products. NCSL recognizes that its members have differing  
7 views on how to treat in their states and believes that states and localities should be  
8 able to set whatever policies work best to improve the public safety, health, and  
9 economic development of their communities.

10 NCSL believes that federal laws, including the Controlled Substances Act (CSA), should  
11 be amended to remove cannabis (~~marijuana~~) and cannabis derivatives from the  
12 Controlled Substance Schedules ~~and~~ and explicitly allow states to set their own  
13 cannabis policies without federal interference and urges the administration not to  
14 undermine state cannabis policies. Where states have authorized cannabis production,  
15 distribution, and possession by establishing an effective regulatory scheme, the  
16 administration should direct federal prosecutors to respect state cannabis laws when  
17 exercising discretion around enforcement. NCSL maintains that, until cannabis is  
18 federally de-scheduled, the administration should prioritize its enforcement actions  
19 against criminal enterprises engaged in illicit cannabis production and sale, and not  
20 against citizens who are compliant with state cannabis laws. Furthermore, NCSL urges  
21 Congress to prohibit the administration from using federal funds to enforce the CSA in a  
22 manner inconsistent with these enforcement priorities. If the federal government

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23 [proceeds with rescheduling cannabis, NCSL urges the Administration and Congress to](#)  
24 [defer to states with legally regulated cannabis markets in the creation of new regulatory](#)  
25 [frameworks and use the experience of states to inform federal cannabis policy moving](#)  
26 [forward.](#)

27 Under federal law, cannabis businesses in states that have legalized the sale of  
28 cannabis are unable to utilize the country's banking system, forcing them to operate as  
29 primarily cash-only entities. This reliance on cash makes cannabis businesses prime  
30 targets for theft, burglary, armed robbery, and other property crimes. NCSL urges  
31 Congress to pass legislation allowing financial institutions to provide banking services to  
32 legitimate state authorized cannabis-related businesses.

33 ~~[The National Academies of Sciences, Engineering, and Medicine identified challenges](#)~~  
34 ~~[and barriers in conducting cannabis research in a 2017 report: \*The Health Effects of\*](#)~~  
35 ~~[Cannabis and Cannabinoids.](#)~~ NCSL urges Congress and the administration to address  
36 the challenges and barriers identified in this report. NCSL believes that it is especially  
37 important that Congress and the administration provide researchers access to cannabis  
38 in the quantity, quality, and type necessary to research the health effects of cannabis  
39 use and that adequate funding sources are made available to support cannabis and  
40 cannabinoid research that explores the health benefits and risks of cannabis use.

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1 **COMMITTEE: LAW AND PUBLIC SAFETY**

2 **POLICY: DEFERRED ACTION FOR CHILDHOOD ARRIVALS**  
3 **PROGRAM CODIFICATION**

4 **TYPE: RESOLUTION**

5 **WHEREAS**, the Deferred Action for Childhood Arrivals (DACA) program, established by  
6 executive order in 2012, safeguarded individuals who applied for protection under the  
7 program from deportation. These individuals entered the country under the age of 16  
8 prior to June 15, 2012, have continuously resided in the United States since 2007, have  
9 no prior serious criminal history, and have either served in the United States Armed  
10 Forces, completed, or are currently enrolled in high school or a GED program; and

11 **WHEREAS**, Dreamers are a broader category of young people who entered the United  
12 States as children but have not yet applied for or received DACA program protections.  
13 Both Dreamers and DACA recipients are most familiar with and loyal to the United  
14 States, not their birth country; and

15 **WHEREAS**, These young immigrants are hardworking and educated individuals who  
16 are tax paying members of the American workforce, annually contributing about \$5.7  
17 billion in federal taxes and \$3.1 billion in state and local taxes according to the Center  
18 for American Progress; and

19 **WHEREAS**, DACA has been subject to near constant litigation in the federal court  
20 system regarding the constitutionality of the program. Congress has failed to pass  
21 legislation addressing this population causing instability that forces Dreamers and  
22 DACA recipients to live in fear of someday being arrested and deported to a country  
23 which, in many cases, they do not remember living in; and

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24 **NOW, THEREFORE, BE IT RESOLVED**, the National Conference of State Legislatures  
25 urges Congress to pass legislation that grants Dreamers and DACA recipients a  
26 pathway to citizenship.

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1 **COMMITTEE: LAW AND PUBLIC SAFETY**

2 **POLICY: HUMANE TREATMENT OF ASYLUM SEEKERS AT**  
3 **SOUTHERN BORDER AND PORTS OF ENTRY**

4 **TYPE: RESOLUTION**

5 **WHEREAS**, the United States has a vested interest in securing its borders; and

6 **WHEREAS**, promoting legal immigration is paramount to the prosperity of the United  
7 States; and

8 **WHEREAS**, the right to seek and enjoy asylum from persecution is a commonly  
9 accepted human right in the international community that the United States upholds;  
10 and

11 **NOW, THEREFORE, BE IT RESOLVED**, the National Conference of State Legislatures  
12 urges Congress and the Administration to invest in procedural and technological  
13 improvements to its ports of entry and judicial system in order to facilitate a safe,  
14 efficient, timely, and humane immigration process for asylum seekers.

1 **COMMITTEE: LAW AND PUBLIC SAFETY**

2 **POLICY: INCREASING VISA CAPS AND LEGAL IMMIGRATION**  
3 **TO END LABOR SHORTAGE**

4 **TYPE: RESOLUTION**

5 **WHEREAS**, the U.S. is experiencing a tight labor market and increased cultural and  
6 ethnic diversity is a recognized benefit to our society; and

7 **WHEREAS**, the pandemic highlighted the need for a diverse and robust workforce able  
8 to withstand shocks and unforeseen circumstances, particularly in industries such as  
9 healthcare, manufacturing, agriculture, education, and trade industries; and

10 **WHEREAS**, immigrants tend to be of optimal working age and eager to find  
11 employment; and

12 **WHEREAS**, employment-based visa holders are non-citizen workers that complement  
13 U.S. workers and help to fill labor gaps in critical industries; and

14 **WHEREAS**, employment-based visa holders benefit the country not only with their  
15 gainful employment but also by contributing to the tax base, as they pay federal, state,  
16 Social Security, and Medicare taxes proportional to their wages; and

17 **WHEREAS**, employer control of these visa programs can constrain workers' rights and  
18 may result in abuse and exploitation; and

19 **WHEREAS**, employment visa programs across industries have been shown to create  
20 captive employment dynamics, undercut wages and working conditions, and drive down  
21 labor standards; and

22 **WHEREAS**, according to the United States Department of State, permanent

23 employment-based immigration is statutorily limited to 140,000 principals and  
24 dependents annually, number of H-2B visas statutorily limited to 66,000, and the  
25 number of H-1B visas limited to 65,000 with an additional 20,000 visas available for  
26 those with a master's degree or doctorate.

27 **WHEREAS**, these visa caps are often met within the first few months of each year; and

28 **WHEREAS**, many visa recipients must reapply yearly and these applications can be  
29 lengthy and burdensome; and

30 **NOW, THEREFORE, BE IT RESOLVED**, the National Conference of State Legislatures  
31 urges Congress to significantly increase the statutory visa caps and simplify the  
32 application and reapplication processes to allow employment-based visa recipients to  
33 easily maintain their visa status; and

34 **LET IT BE FURTHER RESOLVED**, that NCSL shall call for reforms to work visa  
35 programs to promote employer accountability, high labor standards, fair wages, safe  
36 working conditions, and ensure rights and protections for U.S. and immigrant workers  
37 alike; and

38 **LET IT BE FURTHER RESOLVED**, the National Conference of State  
39 Legislatures urges Congress and the Administration to create legal pathways to  
40 immigration and streamline the process for immigration into our country in order to  
41 fortify the labor market and achieve economic prosperity.



1 **COMMITTEE: LAW AND PUBLIC SAFETY**

2 **POLICY: PATHWAY TO CITIZENSHIP FOR REFUGEES**

3 **TYPE: RESOLUTION**

4 **WHEREAS**, Temporary Protected Status (TPS) is a crucial designation that allows  
5 those whose home countries have been ravaged by natural disasters and war to gain  
6 lawful entry and temporary residency in the United States; and

7 **WHEREAS**, violence and instability in Afghanistan, Yemen, Ukraine, Myanmar, Syria,  
8 and many other regions worldwide have created a global refugee population of over 30  
9 8 million people, half of them being children according to the United Nations High  
10 Commissioner for Refugees; and

11 **WHEREAS**, nationals from qualifying countries are currently eligible to apply for TPS in  
12 11 the United States through the stringent and thorough application process, consisting  
13 of 12 background checks and application fees; and

14 **WHEREAS**, the majority of TPS holders have resided in the country for over a decade;  
15 and

16 **WHEREAS**, the Center for Migration Studies reports TPS holders have labor  
17 participation rates of over 80% and are thus beneficial to the economy, projected to  
18 contribute \$164 billion to the economy over the next decade; and

19 **WHEREAS**, TPS recipients often do not have a clear pathway to citizenship. Those who  
20 19 have resided in the United States for long periods of time and have built a life for  
21 themselves in the country would face an uncertain future. Pursuant to *Sanchez v.*  
22 *Mayorkas*, the Supreme Court held that TPS recipients who entered the US without

23 inspection must return to their country of origin to have their visa application processed  
24 by a consular post. This is a process that would prevent most TPS holders from gaining  
25 approval to re-enter the US for multiple years; and

26 **WHEREAS**, the Department of Homeland Security has the authority to designate  
27 countries for TPS, leaving TPS protections largely in the hands of the executive branch,  
28 which can change drastically in terms of priorities depending on the administration; and

29 **NOW, THEREFORE, BE IT RESOLVED**, the National Conference of State Legislatures  
30 urges Congress to pass legislation granting those in the United States with TPS a  
31 pathway to citizenship.

32 **NOW THEREFORE BE IT FURTHER RESOLVED**, the National Conference of State  
33 Legislatures urges Congress and the Administration to develop a fair and consistent  
34 process to evaluate and approve TPS applications on an expedited basis, without  
35 forcing applicants to return to the dangers in their home country while they await the  
36 outcome of their application.

1 **COMMITTEE: LAW AND PUBLIC SAFETY**

2 **POLICY: IMPROVING H-2A VISA POLICY TO END**  
3 **AGRICULTURAL LABOR SHORTAGES**

4 **TYPE: RESOLUTION (NEW)**

5 **WHEREAS**, U.S. agricultural industries are currently experiencing labor shortages and  
6 the U.S. agricultural workforce is experiencing a reduction in available labor; and

7 **WHEREAS**, the H-2A visa is a temporary work visa for foreign agricultural laborers and  
8 does not provide a path to U.S. citizenship; and

9 **WHEREAS**, H-2A visa holders are foreign agricultural laborers that can help temporarily  
10 fill labor gaps in the agricultural industry; and

11 **WHEREAS**, the pandemic highlighted the need for a diverse and robust workforce able  
12 to withstand shocks and unforeseen circumstances, particularly in essential industries  
13 experiencing labor shortages such as agriculture; and

14 **WHEREAS**, agricultural employers turn to employing H-2A visa holders when they can  
15 demonstrate during the application process that there are no domestic laborers  
16 available to fill needed positions;

17 **WHEREAS**, H-2A visa holders are valuable employees in the domestic and global  
18 agricultural communities who desire and deserve opportunities, protections,  
19 employment certainty and dignity; and

20 **WHEREAS**, agricultural employers and employees endure a costly and complex  
21 employer-sponsored application process, fulfill burdensome reporting requirements and

22 comply with federally mandated wage requirements for both H-2A visa holders and  
23 domestic laborers, as well as fulfill transportation, meal and housing requirements; and

24 **WHEREAS**, the H-2A visa program is the largest U.S. temporary work visa program,  
25 despite the associated costs, and the number of applications by U.S. agricultural  
26 employers to hire H-2A visa holders has been increasing dramatically over the past  
27 decade, underscoring the severity of the current agricultural labor shortage; and

28 **WHEREAS**, current H-2A visa program rules prohibit the employment of H-2A visa  
29 holders in any agricultural position that is not classified as temporary or seasonal in  
30 nature, which disqualifies H-2A laborers from filling most positions in dairy, livestock,  
31 forestry and other year-round agricultural industries; and

32 **WHEREAS**, current H-2A visa program rules prohibit the employment of H-2A visa  
33 holders for longer than one year, forcing employers to find replacement workers often  
34 which is costly and burdensome for agricultural employers and employees; and

35 **WHEREAS**, H-2A visa holders are prohibited from extending their visa for more than  
36 three years and H-2A visa holders must wait outside of the U.S. for a period of no less  
37 than three months before they can reapply for a H-2A visa; and

38 **NOW, THEREFORE, BE IT RESOLVED**, the National Conference of State Legislatures  
39 urges Congress to extend H-2A visa holders' eligible length of employment by a single  
40 agricultural employer to 12 months and further urges Congress to allow for an extension  
41 of up to 12 months past the original term length when a verification of employment is  
42 provided by the employer to decrease the burden on agricultural employers and H-2A  
43 visa holders; and

44 **LET IT BE FURTHER RESOLVED**, the National Conference of State Legislatures  
45 urges Congress and the Administration to expand the eligibility of H-2A visa labor to all  
46 agricultural industries, including dairy, livestock, forestry and other year-round  
47 agricultural industries; and

48 **LET IT BE FURTHER RESOLVED**, the National Conference of State Legislature urges  
49 applicable federal agencies collaborate to streamline and modernize the H-2A visa  
50 application and reapplication process and requirements, to allow greater flexibility,  
51 increase efficiency and to reduce the financial and resource burdens on H-2A  
52 employers and employees; and

53 **LET IT BE FURTHER RESOLVED**, the National Conference of State Legislatures  
54 urges the U.S. Department of Labor, the U.S. State Department, the U.S. Department of  
55 Homeland Security, the U.S. Department of Agriculture and other applicable agencies to  
56 consult with the National Conference of State Legislators on any proposed changes to  
57 the H-2A visa application or program; and

58 **LET IT BE FURTHER RESOLVED**, the National Conference of State Legislatures  
59 urges Congress and the Administration to expand the eligibility of temporary H-2A visa  
60 labor to temporarily fulfill year-round and non-seasonal agricultural positions, including  
61 production, preparation, processing or manufacturing of agricultural commodities, in all  
62 agriculture industries during the requested length of employment within the valid work  
63 period of the H-2A visa.

1 **COMMITTEE: LAW AND PUBLIC SAFETY**

2 **POLICY: VOTER REGISTRATION LIST MAINTENANCE**

3 **TYPE: RESOLUTION**

4 **WHEREAS**, the official record of all eligible voters in a state, voter registration rolls are  
5 the foundation of free, fair, and secure elections;

6 **WHEREAS**, voters move or die every day; election officials may not get this information  
7 in a timely manner;

8 **WHEREAS**, maintaining accurate and updated voter rolls through a nonpartisan,  
9 nondiscriminatory, and effective system is vital to strengthening trust and confidence in  
10 election results;

11 **WHEREAS**, Federal/State coordination can help identify and remove ineligible or  
12 deceased voters and update eligible voters' records;

13 **LET IT BE RESOLVED**, to increase voter confidence, NCSL urges the United States  
14 Congress to collaborate with the states to ensure fair and effective list maintenance.

1 **COMMITTEE: LAW AND PUBLIC SAFETY**  
2 **BANKING, FINANCIAL SERVICES, & INSURANCE**  
3 **POLICY: RECOGNIZING AN INCREASE IN CONSUMER FRAUD**  
4 **AND SCAMS AND URGING ACTION TO PROTECT**  
5 **THE PUBLIC**  
6 **TYPE: RESOLUTION (NEW)**  
7

8 **WHEREAS**, Federal Trade Commission data shows that 2.6 million consumers filed  
9 fraud reports and that consumers lost more than \$10 billion to fraud in 2023; and

10 **WHEREAS**, the most reported schemes were impostor scams; online shopping scams;  
11 scams involving prizes, sweepstakes and lotteries; investment scams; and business  
12 and job opportunity scams; and

13 **WHEREAS**, consumers lost more money to investment scams and imposter scams in  
14 2023 than any other category and the biggest losses were through bank transfers and  
15 cryptocurrency; and

16 **WHEREAS**, in addition to robocalls and spoofing, digital tools such as emails, text  
17 messaging, and social media are making it easier than ever to target hard-working  
18 Americans; and

19 **WHEREAS**, while a smaller percentage of older people report being victims of scams  
20 than younger people, they tend to lose far more money to these crimes. Fraud victims in  
21 their 70s lost a median of \$800. Fraud victims in their 80s lost a median of \$1,450, while  
22 those in their 20s lost about \$480; and

23 **WHEREAS**, veterans are victims of scams and fraud more often than the general public  
24 because of their hard-earned benefits and resources, as well as their general good will.

25 According to data from the FTC, there were more than 93,000 military reports of fraud  
26 with a median reported loss of about \$600 in 2023; and  
27 **WHEREAS**, fraud in all forms is a crime and policymakers should encourage reporting  
28 of fraudulent acts to law enforcement; and  
29 **NOW, THEREFORE, BE IT RESOLVED** that the National Conference of State  
30 Legislatures urges the federal government to work with state and local governments,  
31 law enforcement, and private industry to develop policies and practices that prevent,  
32 curtail, and stop fraud and, where possible, provide victims of fraud some options for  
33 relief and recovery. Congress and federal agencies should support and not preempt  
34 states' ability to adopt their own laws to curtail and stop fraud and scams in the best  
35 interests of their residents; and  
36 **BE IT FURTHER RESOLVED** that a copy of this resolution be sent to the President of  
37 the United States, all members of Congress, and all relevant federal and state officials.