# States CP Supplement

## 2NC Solvency- Generic

#### Devolving control over implementation of Transportation infrastructure is both feasible and supported by the literature- better than the federal government

Utt, 2012, Herbert and Joyce Morgan Senior Research Fellow in the Thomas A. Roe Institute for Economic Policy Studies at The Heritage Foundation, (February 7, Ronald, Ph D., “Turn Back” Transportation to the States”, <http://www.heritage.org/research/reports/2012/02/turn-back-transportation-to-the-states>) EG

The federal transportation program has lost its way: It is less and less about transportation and mobility and, for the most part, has evolved into a costly spending program distributing financial rewards to a growing number of influential constituencies on a pay-to-play basis. One reform proposal that could substantially change this legislation is to “turn back” the federal highway program to the states, where it once was lodged. Arguing that the program was created to build the interstate highway system—a goal that was met in the early 1980s—turnback advocates believe it is time to declare victory and shift the resources back to the states, recognizing that today’s surface transportation problems are largely local or regional in nature and that a Washington-based, centrally planned, command-and-control program has little to offer in the way of solutions. Also, as the record of the past few authorizations reveals, a Washington-based program is more vulnerable to a wheeling-and-dealing political process that has contributed to many of the existing diversions and regional inequities as elected officials pander to influential constituencies at the expense of the taxpaying motorist. Under the turnback proposals that have been introduced in Congress since 1997, the federal government would incrementally shift to the states, over a period of five or six years, both the highway responsibilities and the financial resources to fulfill them. Most proposals would accomplish this by reducing the federal gas tax by annual increments—say four cents per year—and allowing the state to add that amount to the gas tax that the state collects on its own. The total tax paid by the motorist stays the same, but the allocation of that revenue shifts to the states year by year until the collection of all 18.3 cents per dollar of the federal fuel tax is shifted to the states and all federal collections cease.[3] Currently, the most direct legislation to implement turnback is the Transportation Empowerment Act, introduced in the Senate as S. 1164 by Senator Jim DeMint (R–SC) and in the House as H.R. 3264 by Representative Tom Graves (R–GA). Under the act, states would still be responsible for interstate maintenance and improvement, as they are today, but would now be free to do it in a way that best suits their interests, whether through tolls, partnerships, privatization, competitive contracting, or some combination of means. Now free of the federal one-size-fits-all program, states could tailor their spending and investment strategies to their particular needs, not those of a Washington bureaucracy or the privileged constituencies appended to it like barnacles on an aging ship. States would also be free of the costly and time-consuming regulatory mandates that the federal program now imposes on their transportation programs. Finally, as a consequence of these improvements and the more efficient use of resources that turnback would yield, transportation service for the traveling public would improve at a much lower cost than the attainment of that same measure of improvement would have required under the old system. At the same time, and once an improved economy restores fuel tax revenues to their long-run trend, donor states that lose money under the current system would be made whole, while donee states would no longer benefit from undeserved subsidies

#### Only the states breed competition, efficiency, and avoid large scalem. The plan’s use of the FG makes these problems inevitable

Edwards, 11 [Chris Edwards, “The Downside of Federal Infrastructure Spending”, CATO Institute, Chris Edwards is the director of tax policy studies at Cato and editor of www.DownsizingGovernment.org. He is a top expert on federal and state tax and budget issues. Before joining Cato, Edwards was a senior economist on the congressional Joint Economic Committee, a manager with PricewaterhouseCoopers, and an economist with the Tax Foundation. Edwards has testified to Congress on fiscal issues many times, and his articles on tax and budget policies have appeared in the Washington Post, Wall Street Journal, and other major newspapers. He is the author of Downsizing the Federal Government and co-author of Global Tax Revolution. Edwards holds a B.A. and M.A. in economics, and he was a member of the Fiscal Future Commission of the National Academy of Sciences., <http://www.downsizinggovernment.org/downside-federal-infrastructure-spending> MF]

My Washington Post op-ed on federal infrastructure yesterday elicited a large and vigorous response. The comments on the WaPo site and emails to my inbox were about 80 percent in opposition to my views. Here are some critiques of my article and my responses: Critique: My view of devolving infrastructure funding to the states is unrealistic because only the federal government has enough “resources” to do big projects. Response: The federal government has no magical source of money. All “federal dollars” ultimately come from taxpayers who live in the 50 states. It is true that the federal government can run larger deficits that state governments, but that’s a reason not to give the Feds responsibility for spending activities because they tend to go hog wild. Critique: Maybe the federal government screws up, but so do state governments and private companies. Response: Of course. But as the op-ed noted, when the Feds screw-up they botch it for the entire country, often for many decades. The federal government is a monopoly, and monopolies breed inefficiency. By contrast, the states compete with each other and learn from each other to an extent. And when private companies screw up repeatedly, they go belly up. Critique: Maybe the federal government screws up, but we should just try to make it work better. Response: The histories of the Corps and Reclamation illustrate patterns of failure for more than a century. And we’ve explored similar patterns with other federal agencies at www.downsizinggovernment.org. Federal problems are often deep-rooted and systematic, and they defy the many well-meaning efforts at reform, such as Al Gore’s “reinventing government” initiative in the 1990s. So it’s time to try something different—like exploring privatization. Critique: We need the federal government for things like the Interstate Highway System because infrastructure crosses state lines. Response: Numerous people made this point regarding my op-ed, but I’m afraid they didn’t put their thinking caps on. Private energy pipelines cross state and international borders, and so do the huge systems of the private freight railroads, such as Union Pacific. Critique: Federal agencies, such as the Corps, often contract-out work to private companies that do the actual construction, so failures like Hurricane Katrina are private failures. Response: Hurricane Katrina represented a failure of government on many levels, as I’ll address in an upcoming essay on the Corps. The American Society of Civil Engineers concluded that “a large portion of the destruction from Hurricane Katrina was caused by …engineering and engineering-related policy failures.” So that’s the fault of the Corps, not private contractors. Anyway, the volume of negative, snarky, and knee-jerk responses to my suggesting that the federal government doesn’t work very well is rather depressing. I criticized Rachel Maddow for “thinking big” about federal spending. But the nation is going to have to “think big” about government reforms to avert the looming federal fiscal disaster. Devolution and privatization offer part of the solution both to reduce debt and to revive U.S. economic growth in coming years.’

#### States Best- More responsive to local conditions

Calabresi 95 (Steven, Professor of Constitutional Law, Formerly Law Clerk, Supreme Court Justice Antonin Scalia, Court of Appeals Judge Robert H. Bork, and Ralph K. Winter, and Served in the Reagan and Bush Administrations, December, “A Government of Limited and Enumerated Powers: In Defense of United States v. Lopez” – Michigan Law Review, p. lexis)

a. Responsiveness to Local Tastes and Conditions. The opening argument for state power is that social tastes and preferences differ, that those differences correlate significantly with geography, and that social utility can be maximized if governmental units are small enough and powerful enough so that local laws can be adapted to local conditions, something the national government, with its uniform lawmaking power, is largely unable to doX.  Consider here the following example offered by Professor McConnell: Assume that there are only two states, with equal populations of 100 each. Assume further that 70 percent of State A, and only 40 percent of State B, wish to outlaw smoking in public buildings. The others are opposed. If the decision is made on a national basis by a majority rule, 110 people will be pleased, and 90 displeased. If a separate decision is made by majorities in each state, 130 will be pleased, and only 70 displeased. The level of satisfaction will be still greater if some smokers in State A decide to move to State B, and some anti-smokers in State B decide to move to State A.  As McConnell's example shows, federalism can produce, at least in some admittedly abstract situations, a net gain in social utility. This lends credence to the argument made above that federalism sometimes can alleviate the problem of raw majority rule, the key problem generated by democratic government.

#### States best for monitoring, enforcement, and efficiency

Calabresi 95 (Steven, Professor of Constitutional Law, Formerly Law Clerk, Supreme Court Justice Antonin Scalia, Court of Appeals Judge Robert H. Bork, and Ralph K. Winter, and Served in the Reagan and Bush Administrations, December, “A Government of Limited and Enumerated Powers: In Defense of United States v. Lopez” – Michigan Law Review, p. lexis)

d. Improved Quality of Governmental Decision making and Administration. Decentralized governments make better decisions than centralized ones for reasons additional to the whip they feel from competition. Decentralization ensures that "those responsible for choosing a given social policy are made aware of the costs of that policy."  This helps ensure a more informed weighing of costs and benefits than often occurs at the national level where taxpayers often may be less cognizant of the social costs of particular legislation. In addition and just as importantly, governmental agency costs often may be lower at the state level than at the national level because monitoring costs may be lower where fewer programs, employees, and amounts of tax revenue are involved. The smaller size of the state governmental jurisdictions thus makes it far easier for citizens to exercise a greater and more effective degree of control over their government officials.  For this reason, it often makes sense to lodge dangerous and intrusive police powers over crime and over controversial social issues in the states where government officials may be monitored more easily by the citizenry. Conversely, state governments also may find that they are able to enforce criminal laws and regulations of social mores less coercively than the national government because of the lower costs and greater ease of monitoring citizen behavior in a smaller jurisdiction.  Indeed, ideally small jurisdictional size will lead to less populous state legislative districts, thus producing a greater congruence between the mores of the legislators and of the people than can exist in a continental-sized national republic that necessarily must have enormously large legislative districts and other units of representation.  The greater congruence of mores between citizens and representatives in state governments in turn may produce greater civic mindedness and community spirit at the state level. This might ameliorate the highly corrosive decline of public spiritedness at the national level that has occurred as a result of the current perception that there exists a discongruence of mores between members of Congress and the public. Finally, decentralization improves the quality of governmental decisionmaking by improving the information flow from the populace to the relevant government decisionmakers. Centralized command and control decisionmaking is often economically inefficient beyond a certain point in all social organizations. This point holds true for the military, for corporations that contract out for many goods and services, and for government as well. Large, multilayered bureaucracies cannot process information successfully.  Decentralization alleviates this crucial problem by leading to better informed decisionmaking. As our society and economy grow in complexity, the amount of information that government must process increases as well.  This is why overly centralized, top-down command and control mechanisms are even less desirable in today's complex modern economy than they were during the Model-T era of Franklin Roosevelt's New Deal. Ironically, the decentralized federalism of the horse-and-buggy era is better suited to the needs of our information economy than is the overly centralized, outmoded nationalism of the New Deal.

## 2NC Solvency- Infrastructure

#### Transportation policy devolved to the states results in more efficient cost effective policy

Holler 2012 (Dan C*ommunications Director for Heritage Action for America*, Found in Paying For It, Transportations Experts Blog, Fawn Johnson, April 4th http://transportation.nationaljournal.com/2012/04/paying-for-it.php#2190872) AS

When it comes to the problem of how to pay for our nation’s transportation needs, the temptation in Washington is to view Washington as the solution. After tens of billions in Highway Trust Fund bailouts and nine short-term extensions, it is clear Washington does not hold the answer. The real answer is outside the beltway. Former Pennsylvania Governor Ed Rendell recently scoffed at the idea of looking beyond Washington for transportation funding solutions, saying proponents of such a move “haven’t looked at any of the state budgets recently.” But the Governor misses the point. It is not that states are awash in cash (the federal government isn’t either), but rather that states are much more efficient. Last year, Indiana Governor Mitch Daniels explained his state “can build in 1/2 the time at 2/3 the cost when we use our own money only and are free from the federal rulebook.” Literally just outside the Washington Beltway, a private company is adding four high-occupancy toll lanes for half the cost the government projected, and the lanes are better designed, too.

#### States are the best way to fix the nation’s infrastructure problem—federal handouts restrict success

Nichols and Holleywell 11 [Russel and Ryan, June 2011, Governing.com Transportation and Infrastructure section, “Six ideas for Fixing the Nation’s Infrastructure Problems”, <http://www.governing.com/topics/transportation-infrastructure/six-ideas-for-fixing-the-nations-infrastructure-problems.html> MF]

States pay for about two-thirds of surface transportation spending. With less money available from the feds, their portion may need to grow -- an increasingly familiar storyline in all areas of funding right now. Given that dynamic, states and localities are asking for more flexibility on how they can spend federal dollars and are endorsing plans that would allow the federal government to leverage the limited funds that are available. One idea that has received bipartisan support is a plan known as America Fast Forward. It’s a proposal to expand a federal program of the Transportation Infrastructure Finance and Innovation Act (TIFIA) that provides low-interest loans for transportation projects. The proposal’s biggest cheerleader is Los Angeles Mayor Antonio Villaraigosa. In 2008, Angelinos approved a sales-tax hike for a set of highway and transit projects; but rather than funneling that revenue into new projects outright, Villaraigosa’s goal is to use the money to pay debt on a federal transportation loan. An upfront loan would allow the city to complete its projects rapidly while using the proceeds of its 30-year sales-tax hike to pay it back over time. Currently TIFIA isn’t big enough to accommodate such large-scale plans, which is why Los Angeles has backed a national push to expand the program from $122 million annually to $375 million, and to raise its cap from 33 percent of project costs to 49 percent. “It’s an idea that’s different from a grant program,” says L.A. Deputy Mayor for Transportation Jaime de la Vega. “We’re coming to the table with money and saying we need a partnership. It’s not a handout.” State leaders are also backing a plan to reduce the number of federal highway programs from 55 to five, in an effort to gain greater flexibility in how the dollars are spent. That would help clear up what some people see as troublesome inconsistencies in how funds are meted out. For example, federal aid can be used for preventive maintenance of highways, but routine maintenance is considered a state responsibility. Rhode Island Transportation Director Michael Lewis recently testified before Congress that his state has to take on debt just to get the required match to receive transportation funds, when that money could have been used to perform maintenance. “Now is not the time to tie our hands and limit the use of transportation dollars and assets,” Lewis told Congress. Other options that would grant more power to states have been gaining traction in D.C., including creating an infrastructure bank, expanding public-private partnerships and allowing tolling on interstate highways (an idea LaHood has said he’s open to). However, flexibility can be a double-edged sword, cautions Leslie Wollack, program director for infrastructure and sustainability at the National League of Cities. “If flexibility means a state doesn’t want to spend any [of its own] money on transportation enhancement or transit or to collaborate on what’s going on at the local level, then we see that as a problem.”

#### **State demand based infrastructure solves best – efficient implementation**

O’Toole, 11, senior fellow at the CATO institute, (Randal, May 23rd, “Transportation: Top down or Bottom Up?” <http://www.cato-at-liberty.org/transportation-top-down-or-bottom-up/>) EG

The real problem with America’s transportation system is not a lack of vision but too many people with visions trying to impose them on everyone else through lengthy and expensive planning processes. A bridge or road that once might have taken five years to plan and build now takes twenty or more, if it ever gets built at all, thanks to all these visions. (Of course, when it comes to expensive rail transit projects, Puentes thinks Congress should waive environmental impact statements and other expensive planning processes.) The real solution is not more top-down planning but a bottom-up system that responds to actual user needs rather than to inside-the-beltway visions. That means funding transportation out of user fees and not out of infrastructure banks, which–no matter how “merit-based” in intent–will alway end up being politically driven. In a bottom-up system, individual transit and highway agencies (or better yet transit and highway companies) would be funded by their users, so they would have incentives to provide and expand service where needed by those users. Such a system would be far more likely to relieve congestion, save energy, and meet Puentes’ other goals. Thanks to our heavily planned and heavily subsidized transit industry, the average urban transit bus uses 80 percent more energy per passenger mile than Amtrak. But that’s not because Amtrak is energy-efficient: the average Amtrak train uses 60 percent more energy per passenger mile than intercity buses. Unlike both Amtrak and urban transit buses, private intercity buses aim to meet market demand, not political demand, so they tend to fill about two-thirds of their seats while Amtrak fills only half and transit buses less than a quarter. Achieving a bottom-up transportation system means getting the federal government out of transportation decision-making. One way would be to have states take over federal gas taxes as proposed by New Jersey Representative Scott Garrett. To the extent that the federal government distributes any transportation funds to states at all, they should be distributed using formulas, not grants, because formulas are much harder to politically manipulate. Ideally, the formulas should give heavy weight to the user fees collected by each state to reinforce, rather than distract from, the bottom-up process. Puentes’ top-down vision will waste hundreds of billions of dollars on little-needed transportation projects while it does little to relieve congestion, save energy, or reduce auto emissions. A bottom-up process will save taxpayers money and increase mobility, which should be the real goals of any transportation policy

#### States set better model- they can act as laboratories of innovation

Goff, 2012, Research Associate at the Thomas A. Roe Institute for Economic Policy Studies, ( Emily, May 24, “State Can't Afford "Free" Rail Money”, <http://www.heritage.org/research/commentary/2012/05/state-cant-afford-free-rail-money>) EG

The federal-state transit courtship ritual is by now a well-rehearsed dance. Washington’s alluring checkbook tempts states enough that they commit matching funds to projects they otherwise would not even dream of pursuing on their own. Take high-speed rail and other passenger rail projects—they are expensive to build and maintain, and states are faced with many other pressing infrastructure needs but limited resources to pay for them. So, “free” money from Washington seems too good to be true. Then come project delays and construction cost overruns. Federal grants also have strings attached, such as union wage requirements, which send costs skyward. Soon, the price tag of an HSR project is substantially more than what states signed up for. Once the HSR line is built, another pesky fact materializes: Actual rail ridership rates do not necessarily equal capacity estimates. Poor ridership translates into large funding gaps, and befuddled states then have trouble covering operating expenses, let alone capital costs. Taxpayers are on the hook subsidizing the rail line long after the federal money train has left the station. For example, passenger rail lines in Japan and the United Kingdom required significant government subsidies, which prompted these countries to begin privatizing the rail systems. In the United States, new Governors of Wisconsin and Ohio rejected federal funds for HSR projects once it became clear that HSR’s up-front costs and long-term financial liabilities far outweighed any potential benefits. A glaring flaw in the prevailing approach to transportation is that it is increasingly Washington-centered; bureaucrats make decisions about projects hundreds of miles away, in which they have little or no vested interest. This trend is based on the belief that Washington knows best, and therefore every cent of every transportation dollar must flow through Washington. By this logic, President Obama’s so-called livability proposals, such as building street cars and forcing high-density living arrangements, can be cast as a wise use of transportation dollars. In reality, such transportation technology is 19th century nostalgia wrapped in 21st century packaging. This approach also generates misleading incentives for states to commit limited resources to costly projects like HSR, which do not deliver on promises to mitigate road congestion and improve air quality. Instead, they threaten to stain state budget ledgers with unsightly amounts of red ink. Rather than hoarding transportation funds and keeping decision-making in Washington, Congress should give states more control over how to spend the transportation dollars their motorists pay in federal gas taxes. Doing so will pave the way for turning over responsibility for transportation to the states, who know their transportation priorities much better than Washington. With full devolution, states would no longer see funds diverted to transit and enhancement projects they may not find useful. Instead, they would be able to identify and meet their unique infrastructure needs efficiently and cost-effectively. When in a hole, sometimes it is hard to put the shovel down and quit digging. Governor Brown’s recent statement, “I am a buoyant optimist…We’re going to build high-speed rail,” is a case in point. If the Governor’s words ring true, the unfortunate California taxpayers will have to pay for a transit boondoggle they can ill afford. The only consolation will be that California serves as lesson for other states—in what not to do in budgeting and transportation.

## ----Ext. Implementation

#### States best at implementing TII

McGuigan, 2011, award-winning journalist, senior editor at The City Sentinel, and capitol editor for Tulsa Today, (Patrick B, July 29, 2011, CapitolBeakOK: Transportation Federalism -- and Flexibility -- Proposed in New Bill from Coburn, Lankford, <http://lankford.house.gov/index.php?option=com_content&task=view&id=756&Itemid=100023>) EG

In Oklahoma, a vice president at the Oklahoma Council of Public Affairs (OCPA) immediately applauded the bill's introduction. In his statement, sent to CapitolBeatOK, Sen. Coburn said, “Washington’s addiction to spending has bankrupted the Highway Trust Fund. For years, lower-priority projects like earmarks have crowded out important priorities in our states, such as repairing crumbling roads and bridges. “Instead of burdening states and micromanaging local transportation decisions from Washington, states like Oklahoma should be free to choose how their transportation dollars are spent. I have no doubt that Oklahoma’s Transportation Director Gary Ridley will do a much better job deciding how Oklahoma’s transportation dollars are spent than bureaucrats and politicians in Washington.” Lankford applauded Coburn's leadership in the matter, observing, “This has been one of my top priorities since coming to Congress, and I’m happy to join Senator Coburn in this effort. This bill is a giant step for states by increasing transportation flexibility while improving efficiency. “By allowing states to opt-out of the federal bureaucracy, they will be able to take more control of their own resources. It will free Oklahoma to keep our own federal gas taxes and to fund new projects at our own discretion.” Joel Kintsel, executive vice president at OCPA, told CapitolBeatOK, "I am so proud of the leadership shown by Senator Coburn and Congressman Lankford. Hopefully, this is the beginning of a broader effort by Congress to return to federalism and withdraw from areas of activity rightfully belonging to the States.” Sen. McCain, the 2008 Republican nominee for president, said, “As a Federalist, I have long advocated that states should retain the right to keep the revenue from gas taxes paid by drivers in their own state. This bill would allow for this to happen and prevent Arizonans from returning their hard earned money to Washington. Arizonans have always received 95 cents or less for every dollar they pay federal gas taxes. This continues to be unacceptable, and for that reason I am a proud supported of the State Highway Flexibility Act.” Sen. Vitter asserted, “It’s very apparent how badly Congress can mismanage tax dollars, especially the Highway Trust fund which has needed to be bailed out three times since 2008. The states know their transportation needs better than Congress, so let’s put them in the driver’s seat to manage their own gas tax.” Hatch contended, “The federal government’s one-size-fits all transportation policies and mandates are wasting billions of taxpayer dollars and causing inexcusable delays in the construction of highways, bridges and roads in Utah and across the nation.

## ----Ext. Efficient

#### States can implement transportation policy efficiently- any failure at the federal level gets duplicated 50 times amongst the states

Snider and Everett 2012 (Adam a transportation reporter for POLITICO Pro. Before joining POLITICO, he covered transportation issues for nearly four years at BNA, where his work won the company’s Beltz Award for Editorial Excellence. and Burgess Transportation reporter for POLITICO Pro. He previously was a Web producer, helping run POLITICO’s Twitter and Facebook accounts, and a contributor to the On Media blog, GOP paves way for states to retake road funding, March 19th http://www.politico.com/news/stories/0312/74196.html) AS

Congress may be on the road to re-upping the transportation bill, but there’s still a cadre of lawmakers who say it’s not too late to get the federal government out of the road-building and gas tax business. If anything, some Republicans say they are excited about finally getting some votes on what has long been a conservative dream. Sen. Jim DeMint (R-S.C.) got a vote last week on his amendment to the Senate-passed bill that would send many transportation policy and funding decisions back to the states. The amendment was the first time in years senators got a serious chance to weigh in on the issue, and 30 senators (all Republicans) supported the long-shot attempt. A second devolution offering from Sen. Rob Portman (R-Ohio) failed but also got 30 votes. In the House, GOP Reps. Tom Graves of Georgia, and Jeb Hensarling and Kevin Brady, both of Texas, hope to vote on a similar amendment whenever the House takes up a highway bill. “We’re going to continue the debate in the House,” Graves told POLITICO. “It’s going to be a new debate about how you fund transportation. Do you continue [a program] that adds to the deficit or do you do one that empowers the states? Conservatives see DeMint’s vote and Graves’s offering as good starting points, reminiscent of the long-fought battle over earmarks, now banned for the 112th Congress. Dan Holler, communications director of Heritage Action for America, said the conversation has been changed already. “A floor of 30 senators is a great place to start,” he said. Sen. Barbara Boxer (D-Calif.), who took the lead on both selling and writing the two-year Senate bill, acknowledged, “That vote was too close for my liking.” DeMint says his amendment would cut government redundancy while keeping services intact and efficiently returning spending to the states. “Every time we have a bureaucracy and an administration [in Washington], every state duplicates that. Fifty state highway departments following federal rules and then their own,” DeMint said in an interview. “We can begin to downsize that. So the point is, if we ever want to balance our budget, the way to do it is not to just cut a little, but off every federal function.”

## 2NC Solvency- Disaster Relief

#### States Solve Disaster Relief

Wisconsin Emergency Management 09 (WEM, “State Disaster Assistance Programs,” WEM, 2009, http://74.125.113.132/search?q=cache:4ZHRoRjg9yoJ:emergencymanagement.wi.gov/docview.asp%3Fdocid%3D12158%26locid%3D18+Wisconsin+Disaster+Fund+Wisconsin+Emergency+Management+Contact+Diane+Kleiboer+or+Dave+LaWall+at+608-242-3232&hl=en&ct=clnk&cd=1&gl=us)

Wisconsin Disaster Fund Wisconsin Emergency Management Contact Diane Kleiboer or Dave LaWall at 608-242-3232This funding is made available when the state or counties are denied federal disaster assistance or do not meet the federal eligibility criteria.  Communities that meet an established per capita threshold in damages can request assistance through the county emergency management director who applies to the Administrator of Wisconsin Emergency Management.  Tribes can apply directly to WEM.

## 2NC Solvency- Highways

#### States control highway development and repair- NOT a federal controlled entity

Shatz et al. 11 – Ph. D in public policy from Harvard University (Howard J., “Highway Infrastructure and the Economy”, RAND Corporation, 2011, <http://www.rand.org/pubs/monographs/2011/RAND_MG1049.pdf>, accessed June 22, 2012) MG

U.S. transportation programs are in many ways the quintessential embodiment of federalism. Although a partnership between different levels of government is well established in practical terms, it has never been carefully described in federal legislation nor formally designated as a “national transportation policy.” What we understand to be U.S. policy has evolved through a long series of disconnected federal and state legislative actions, most of which were accommodations at specific times to particular problems. This evolution has resulted in more than 100 federal surface transportation funding programs, many of which appear to embody limited concern about the economic effects of infrastructure investment. The intellectual model of highway programs in particular is that the states own and operate the major roads—even the interstates. The Summary xiii federal government “aids” the states through grants or loan subsidies, but in principle, as a matter of state sovereignty, the states plan and decide where the highways will go and then operate and manage them. The result is that the federal government recognizes the overall highway program as a state program and gives the states money if they meet design or safety standards and follow certain planning procedures.

#### Federal inefficiencies in implementation means states are best fit to implement highway investment

Wall Street Journal, 2012, (April 12th, Why Your Highway Has Potholes, <http://online.wsj.com/article/SB10001424052702303815404577333631864470566.html?mod=WSJ_Opinion_LEADTop> EG

Transit is the biggest drain. Only in New York, San Francisco and Washington, D.C. does public transit account for more than 5% of commuter trips. Even with a recent 2.3% gain in bus and rail use due to high gas prices, public transit still accounts for a mere 2% of all inner-city trips and closer to 1% outside of New York. Since 1982 government mass-transit subsidies have totaled $750 billion (in today's dollars), yet the share of travelers using transit has fallen by nearly one-third, according to Heritage Foundation transportation expert Wendell Cox. Federal data indicate that in 2010 in most major cities more people walked to work or telecommuted than used public transit. Brookings Institution economist Cliff Winston finds that "the cost of building rail systems is notorious for exceeding expectations, while ridership levels tend to be much lower than anticipated." He calculates that the only major U.S. rail system in which the benefits outweigh the government subsidies is San Francisco's BART, and no others are close to break-even. One reason roads are shortchanged is that liberals believe too many Americans drive cars. Transportation Secretary Ray LaHood has been pushing a strange "livability" agenda, which he defines as "being able to take your kids to school, go to work, see a doctor, drop by the grocery or post office, go out to dinner and a movie, and play with your kids in a park, all without having to get in your car." This is the mind of the central planner at work, imagining that Americans all want to live in his little utopia. The current scheme also creates giant inequities. Politically powerful cities get a big chunk of the money, while many Western and Southern states get less back than they pay in. But why should people in Akron, Ohio or Casper, Wyoming have to pay gas taxes to finance the New York subway or light rail in Denver? One reason there is so much overspending on inefficient urban transit is that federal matching dollars require residents in other states to foot up to half the bill. The best solution would be to return all the gas tax money to the states, roughly in proportion to the money each pays in. This would allow states and localities to determine which roads and transit projects they really need—and are willing to pay for. California could decide for itself if it wants more roads, whether it can afford high-speed rail, and whether it wants to use congestion-pricing on crowded roads. The House Transportation Committee has found that getting a permit for a new road costs twice as much, and takes three times as long, when federal money is included than when financed with private or local dollars. Less federal control would also allow states to lure billions of dollars of private financing for new roads, which experts like Mr. Winston believe is the next big thing in transportation financing but is now generally prohibited. One of the worst features of Ms. Boxer's Senate bill is that she would exacerbate the funding shortage by adding new penalties if states leverage private dollars to build new toll roads and bridges. The Senate's highway-fund bailout will only perpetuate the spending misallocation that has contributed to traffic nightmares. It will also run up the deficit. If Congress really wants to enhance the livability of cities and suburbs, it will pass a highway bill that builds more roads.

#### Ending federal control over highways allows the states to innovate- plan fails

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)AS

There are many exciting technological developments in highways, and ending federal intervention would make state governments more likely to seek innovative solutions. Technological advances—such as electronic tolling—have made paying for road services as simple as paying for other sorts of goods. In a world where a fuel tax that is levied on gasoline is an imperfect measure of the wear-and-tear each driver puts on roads, it is vital to explore better ways to finance highways.

## -----Ext Innovation

#### State implementation creates labs of innovation

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)EG

Conclusions Americans are frustrated by rising traffic congestion. In the period 1980 to 2008, the vehicle-miles driven in the nation increased 96 percent, but the lane-miles of public roads increased only 7.5 percent. The problem is that U.S. road systems are run by governments, which do not respond to the wishes of road users but to the preferences of politicians. Transportation markets need to be liberated from government control so that road users can directly finance the needed highway improvements that they are prepared to pay for. We need to recognize "road space" as a scarce resource and allow road owners to increase supply and charge market prices for it. We should allow the revenues to stimulate investment in new capacity and in technologies to reduce congestion. If the market is allowed to work, profits will attract investors willing to spend their own money to expand the road system in response to the wishes of consumers. To make progress toward a market-based highway system, we should first end the federal role in highway financing. In his 1982 State of the Union address, President Reagan proposed that all federal highway and transit programs, except the interstate highway system, be "turned back" to the states and the related federal gasoline taxes ended. Similar efforts to phase out federal financing of state roads were introduced in 1996 by Sen. Connie Mack (R-FL) and Rep. John Kasich (R-OH). Sen. James Inhofe (R-OK) introduced a similar bill in 2002, and Rep. Scott Garrett (R-NJ) and Rep. Jeff Flake (R-AZ) have each proposed bills to allow states to fully or partly opt out of federal highway financing.47 Such reforms would give states the freedom to innovate with toll roads, electronic road-pricing technologies, and private highway investment. Unfortunately, these reforms have so far received little action in Congress. But there is a growing acceptance of innovative financing and management of highways in many states. With the devolution of highway financing and control to the states, successful innovations in one state would be copied in other states. And without federal subsidies, state governments would have stronger incentives to ensure that funds were spent efficiently. An additional advantage is that highway financing would be more transparent without the complex federal trust fund. Citizens could better understand how their transportation dollars were being spent. The time is ripe for repeal of the current central planning approach to highway financing. Given more autonomy, state governments and the private sector would have the power and flexibility to meet the huge challenges ahead that America faces in highway infrastructure.

## ----AT: Highway Trust Fund Good

#### The numbers lie- federal spending to states on highways is inefficient and creates massive disparities

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)AS

However, the receipts-and-allocations data presented in Highway Statistics are misleading. The FHWA divides the dollar amounts of the apportionments and allocations for each state by the amount of revenue paid into the fund by each state. The result is a ratio that overstates the benefits of the federal highway system to individual states for a number of reasons: Interest. Larger amounts are taken out of the trust fund than paid in —in other words, the grand total ratio exceeds 100 percent. For the whole period 1956–2008, the excess from the FHTF was around 13 percent, and for 2008 it was 32 percent.32 The excess is the result of interest earned on the fund's balances. But the interest on unspent balances does not represent additional resources that the federal government provides to the states. Minimum guarantee. The 1998 TEA-21 legislation included a "minimum guarantee" that no state would receive less than 90.5 percent of the amount it paid into the trust fund. The 2005 SAFETEA-LU reauthorization raised the minimum guarantee to 92 percent. To implement the guarantee from 1998, $35 billion—16 percent of the total authorized—was set aside to increase the shares of those states that, under the traditional formulas, received less than 90.5 percent of what they paid into the fund. Yet some of this money also went to states that were already receiving more than they paid into the fund, thereby doing little to remedy prior disparities. As there was no such guarantee before 1998, this rule's effect on total distributions over time cannot be gauged from data provided by the Federal Highway Administration. Exclusion of Mass Transit Account and non-road uses. The FHWA data excludes payments that are transferred to the Mass Transit Account and to other non-road uses. As these make up over 30 percent of fuel tax revenues, the data from the FHWA overstate the benefits of the federal highway program.

#### Federal highway spending creates winners and losers amongst the states, no benefit to federal financing

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)AS

A better way of showing the inequities between the states is to compare each state's share of money taken out of the highway trust fund as a ratio of the share it paid in.33 If a state's receipts were 3 percent of the whole, and its contribution 2 percent, the share ratio would be 1.5. I have presented such calculations elsewhere and found that there are substantial winner and loser states from the Highway Trust Fund.34 Similarly, a recent analysis by Ronald Utt found that half of the states are shortchanged by the current highway trust fund allocations.35 The Congressional Research Service notes that struggles over recent highway bills have focused on these interstate inequities (rather than on ways to make federal expenditures more productive), with the donor states tending to be in the South and Midwest and the donee states tending to be in the Northeast, Pacific Rim, and West.36 Finally, note that these analyses do not take into account the increased costs in every state from federal regulations and administrative costs. If these were taken into account, road users in very few states would derive any net benefits from federal highway financing.

## 2NC Solvency- Railways

#### SQ proves- States solve Railways

Kilgannon 2009 (Corey Kilgannon, “Mystery Freight Train Out of Queens? It May Soon Be a Familiar Sight,” The New York Times, 01/31/09, http://www.nytimes.com/2007/01/31/nyregion/31freight.html?n=Top/Reference/Times%20Topics/Organizations/L/Long%20Island%20Rail%20Road&pagewanted=all)

Mr. Materka, 30, an engineer for the New York & Atlantic Railway, one of the few remaining short-line rail freight companies in the region, was running two screaming 120-ton diesel locomotives towing a string of sooty boxcars from Queens out to eastern Long Island. Well-dressed commuters looked up from their newspapers and coffee and stared as the smoky train roared by and transformed the suburban station into Tumbleweed Junction.The line uses obscure rail tracks in Queens and Brooklyn and tracks of the Long Island Rail Road in Nassau and Suffolk Counties. Since freight trains are far outnumbered by commuter trains, few people glimpse the bulky, graffiti-covered boxcars as they lumber past the sleek silver commuter cars rushing passengers to or from Pennsylvania Station.But passengers can expect to see more of these trains soon. Transportation experts, government officials and rail freight advocates say conditions are suddenly in their favor. New York’s new governor, [Eliot Spitzer](http://topics.nytimes.com/top/reference/timestopics/people/s/eliot_l_spitzer/index.html?inline=nyt-per), a Democrat, favors expanding rail freight, as does United States [Representative Jerrold Nadler](http://topics.nytimes.com/top/reference/timestopics/people/n/jerrold_nadler/index.html?inline=nyt-per), a Democrat whose district includes parts of Manhattan and Brooklyn. Mr. Nadler, a longtime champion of building a rail freight tunnel under New York Harbor to reduce truck traffic, helped obtain $100 million in federal money in 2005 to study the tunnel project, and his power has increased now that the Democrats have a majority in Congress. Given that political climate, and the effect high fuel costs have on prices of goods trucked in, experts say they expect a huge increase in rail cargo in the New York area. The city gets roughly 2 percent of its goods by rail, compared with a 40 percent average figure nationally, experts say.Also, a new waste management plan for New York City calls for more reliance on rail freight to ship waste out. The city is set to activate a rail freight line on Staten Island and is seeking to expand rail activity in Bay Ridge, where a short-line railroad floats rail cars from New Jersey across New York Harbor to Brooklyn to be picked up by New York & Atlantic. Since taking over the Long Island Rail Road’s freight operation in 1997, New York & Atlantic has managed to navigate the tricky, obscure rail tracks in Queens and Brooklyn and dodge the thick traffic of the Long Island Rail Road, the busiest commuter line in the country. Annual totals have increased to about 22,000 carloads last year from 9,000 in 1997. This little-noticed suburban rail line has become the little engine that could, and proposed increases in rail freight could thrust it into a much larger role, as would plans to create new depots on Long Island to reduce truck traffic on the Long Island Expressway.“Rail freight is expanding here and we’re going to grow with it,” said New York & Atlantic’s general manager, Mark Westerfield.

#### The state of Pennsylvania is investing in building of more freight lines. They also have the funding to do so.

Pittsburg Business Times 2009 (Pittsburgh Business Times, “Pennsylvania Governor Rendell Announces $38.5 Million Investment in Rail Freight,” Pittsburgh Business Times, 12/11/09, http://www.bizjournals.com/pittsburgh/prnewswire/press\_releases/Pennsylvania/2008/12/11/DC51770)

Investments to Benefit Nearly 50 CommunitiesHARRISBURG, Pa., Dec. 11 /PRNewswire-USNewswire/ -- Governor Edward G. Rendell today announced the investment of $30 million as part of PennDOT's Rail Freight Capital Budget/Transportation Assistance program and a separate $8.5 million in Rail Freight Assistance grants."Pennsylvania's rail industry is a staple of our economy, supplying thousands of jobs and billions of dollars in revenue," Governor Rendell said. "These funds will be invested in safety and efficiency upgrades that will help stimulate local economies and better serve businesses."Governor Rendell added $10 million to this year's Capital program, bringing the total to $30 million. The program is funded through state capital bond dollars in the General Fund. The grants, authorized by the General Assembly, are administered by PennDOT's Bureau of Rail Freight, Ports & Waterways.In addition, PennDOT administers a separate grant program paid for with General Fund dollars.All of these grants were approved Thursday by the 15-member State Transportation Commission.Railroad companies, transportation organizations, municipalities, municipal authorities and users of rail freight infrastructure with a line item on an active capital budget act are eligible for the funding.Pennsylvania has more than 6,000 rail miles and more than 7,000 Pennsylvanians are employed by freight railroads.

## 2NC Solvency- Waterways

#### Not Illegal to repair waterways- Bureau of Waterways proves state solvency

Pennsylvania DEP 12, [Department of Environmental Protection, 2012, “Waterways Engingeering”. Pennsylvania State Portal, <http://www.portal.state.pa.us/portal/server.pt/community/waterways_engineering/10499> MF]

The Bureau of Waterways Engineering contains two main programs: Dam Safety and Flood Protection. The mission of both the Flood Protection Program and the Dam Safety Program is to protect the health and safety of the public while being sensitive to environmental impacts in fulfilling this mission. The Bureau of Waterways Engineering operates one of the few state-level comprehensive flood protection programs in the United States. The program evaluates flood prone areas, designs stream improvement and flood protection facilities, and manages the construction of these projects. It also coordinates the planning, design and construction of federal flood control and bank stabilization projects. The program provides protection to communities during high water events by ensuring that Pennsylvania's existing flood protection projects are in a state of readiness and will function as designed. The Dam Safety Program oversees the regulation and safety of approximately 3200 dams and reservoirs throughout the Commonwealth in order to protect the health, safety and welfare of its citizens and property downstream of dams. The goal is to assure proper planning, design, construction, maintenance, operation, monitoring and supervision of dams and reservoirs. Dam Safety also oversees removal of dams that are no longer needed by their owners and develops strategies to address legacy sediment issues across Pennsylvania, particularly as they relate to current and proposed dam removal projects.

#### States Own operate and control the waterways- Supreme Court Proves

NORS, 02 [National Organization for Rivers, 9/16/02, http://www.nationalrivers.org/us-law-who-owns.htm]MF

Which rivers are owned by the public? The U.S. Supreme Court has held that the bed and banks under all rivers, lakes, and streams that are navigable, for title purposes, are owned by the states, held in trust for the public. Title in this context means ownership. This public-trust ownership extends up to the ordinary high water line, (or ordinary high water mark,) encompassing what is commonly referred to as the submerged and submersible land, as opposed to the upland. This type of navigability is called title navigability. 2. How did the public come to own these rivers and lands? The Supreme Court has held that navigable rivers, lakes, and streams have been public since ancient times in all civilized societies, and that in colonial America they were held for the public by the King of England. When the original thirteen states took sovereignty of their land from the British after the American Revolution, **those states became owners of the land underlying navigable waters.** States that subsequently entered the Union have the same ownership rights as the original thirteen states under the Equal Footing Doctrine, and became owners of the land underlying navigable waters as of the date of statehood. 3. What does navigable, for title purposes, mean? Through various court cases, federal courts have articulated the following test, which is known as the federal test of navigability for title purposes: The waterway must be capable of or susceptible to use as a highway for the transportation of people or goods; The waterway must be usable for transportation conducted in customary modes of trade and travel on water; Waters must be navigable in their natural and ordinary condition; and Navigability is determined as of the date of statehood. The courts have determined that the use or potential for use by almost any type of watercraft is sufficient to determine this type of navigability. The use did not have to occur at the time of statehood; it is enough that it could have occurred (i.e., susceptibility.) Modern-day usefulness of a river that has not been artificially modified helps prove navigability for purposes of state title, as do historical uses that no longer exist, such as log drives. Note that this "federal test" is not found in any one Supreme Court document or other government publication; it is just the sum of the relevant passages and phrases in various court decisions. Congress has never passed legislation defining navigability for title purposes, so the court decisions are the applicable law on the subject.

## 2NC Modeling

#### Federal government models state action

Golden ’99 (Dylan, JD Candidate – UCLA Law, UCLA Journal of Environmental Law & Policy, Lexis)

Individual states vary widely in their fossil fuel consumption and in the amount of carbon dioxide they release into the atmosphere. California emits as much carbon dioxide as all of Scandinavia combined. [46](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n46) Texas is the seventh largest carbon dioxide producer. [47](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n47) Some states emit a globally negligible amount of carbon dioxide. Some conservative interests may therefore oppose the CCTI on the grounds that it involves a further expansion of federal power into an area which is properly under the jurisdiction of states. Those who believe firmly in strong state governments are similar to the "Greens" (discussed below) in that the "rent", in this case the penalty, at stake in the CCTI is non-economic.  [\*188]  This group does have some justification for their position. Attempted state action involving manipulating markets, generally through the tax system, in the name of the environment tells us a great deal about how various stakeholders - such as business entities, environmental interest groups, and political groups - might respond to federal or international action. [48](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n48) State legislatures also provide a forum to raise issues and change perceptions. [49](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n49) State environmental policy frequently influences Congress. [50](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n50) State action increases the feasibility of federal action because: familiarity aids the political process, legislators understand the politics in terms of income, consumption and their regional interests, administrative agencies know how to  [\*189]  administrate and may estimate impacts, interest groups know where they stand, and practical experience can guide legislative drafting. [51](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n51) Such grassroots action may also stimulate support among the populous by encouraging people to take personal responsibility for the environment. [52](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n52) Action at the state level may also spur more informed federal action, which in turn could spur international action. State-federal agreements are possible on the carbon tax issue and the commerce clause does not prohibit joint or unilateral action. [53](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n53) Energy taxes have already been implemented jointly in the case of gasoline taxes. [54](http://www.lexis.com/research/retrieve?_m=4ba1af09603a4e5554183423d9d7d4ed&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=8779af90cf411f93f281e0061e470f36#n54)

#### State action is modeled by the federal government

Halberstam and Hills, 1- assistant professor law at the University of Michigan Law School specializing in U.S. constitutional law and \*\*professor of law at the University of Michigan Law School, specializing in U.S. constitutional law, local government law, the law of federalism and intergovernmental relations (Daniel Halberstam and Roderick M. Hills, Jr., The American Academy of Political and Social Science, “State Autonomy in Germany and the United States,” 03-2001, Leixs-Nexis Academic)

The states may exploit this power to initiate programs as a practical means to counteract Congress's constitutional authority to federalize policy areas. For example, before Congress generates enough political will to legislate in any given area, states may step into the field with their own policy proposals. One result is that state policy initiatives may be quite influential in the federal lawmaking process by providing the initial impetus and sometimes even blueprint for federal action (Elliot, Ackerman, and Millian 1985). To bypass or overrule the states, not only must Congress often demonstrate that its proposed regulatory scheme is politically desirable, but it must do so by arguing specifically against the continued existence of active state regulation.

## AT: Perm

#### The Perm fails—it forces needless back and forth over monetary issues that ultimately kill the program. Empirics prove.

DeHaven 11, [Tad DeHaven, , Tad DeHaven is a budget analyst on federal and state budget issues for the Cato Institute. Previously he was a deputy director of the Indiana Office of Management and Budget. DeHaven also worked as a budget policy advisor to Senators Jeff Sessions (R-AL) and Tom Coburn (R-OK). In 2010, he was named to Florida Governor Rick Scott's Economic Advisory Council.,, 3/19/11, “Federal Gas Taxes and Federalism”, CATO, <http://www.downsizinggovernment.org/federal-gas-taxes-and-federalism> MF]

Last week I discussed the Obama administration’s decision to redistribute federal high-speed rail money rejected by Florida Gov. Rick Scott. I noted that “**Florida taxpayers were spared their state’s share of maintaining the line, but they’re still going to be forced to help foot the bill for passenger-rail projects in other states**.” My underlying point was that **the states should be allowed to make their own transportation decisions with their own money**. Two Michigan state policymakers — both Republican — want to send the same message to Washington. **State representatives** Paul **Opsommer and** Tom **McMillin** have **introduced resolutions that call on the federal government to allow the states to keep the federal gasoline taxes that they send to Washington.** (Opsommer’s resolution would have to pass both state chambers, whereas McMillin’s resolution would only need to pass in the Michigan House**.) Michigan would no longer send its money to Washington so that it can be washed through Congress and the federal bureaucracy and sent back to Michigan (and the other states) with costly federal strings attached.** Instead, highway financing and control would be left to the states. As a Cato essay on federal highway funding argues**, re-empowering the states is clearly preferable to the current top-down approach: With the devolution of highway financing and control to the states, successful innovations in one state would be copied in other states.** And without federal subsidies, state governments would have stronger incentives to ensure that funds were spent efficiently. An additional advantage is that **highway financing would be more transparent without the complex federal trust fund**. **Citizens could better understand how their transportation dollars were being spent**. The time is ripe for repeal of the current central planning approach to highway financing. Given more autonomy, **state governments** and the private sector **would have the power and flexibility to meet the huge challenges ahead that America faces in highway infrastructure**. **Some** people, particularly those with an interest in the current convoluted arrangement, **argue** that **it’s necessary for the enlightened beings in Washington to provide us with a national “vision” or “plan**.” But the **redirection of Florida’s high-speed rail allotment to other states shows that** decision-making in Washington usually has more to do with politics than economics. Conspicuously left out of the Obama administration’s re-spreading of high-speed cheese was Wisconsin, which tried to grab some of the Florida money for an intercity rail line that connects the state to Chicago. Reason’s Sam Staley points out that **Wisconsin** Gov. Scott Walker also **said “no thanks” to the administration’s high-speed rail money**. Staley says “the snubbing of the State of Wisconsin smells a lot like political payback,” and links to a piece from a Milwaukee Journal-Sentinel columnist who doesn’t have any doubts. If either or both of the Michigan resolutions pass, Congress can simply choose to ignore the message. **Hopefully, more states will take a cue from Michigan, which could make it harder for the folks in Washington to simply look the other way**. Regardless, Opsommer and McMillan deserve a round of applause for trying to score one for fiscal federalism.

#### The perm fails—federal funding leads to failure because of lack of motivation

Glasser 2/13 [Edward Glasser, Bloomberg View, A professor of economics at Harvard, he is the author of "Triumph of the City: How Our Greatest Invention Makes Us Richer, Smarter, Greener, Healthier and Happier." Glaeser directs Harvard's Taubman Center for State and Local Government and the Rappaport Institute for Greater Boston. He is also a senior fellow at the Manhattan Institute and a contributing editor to City Journal. His areas of research include the economics of cities, housing, segregation, obesity, crime and innovation. Glaeser received his B.A. from Princeton and his Ph.D. from the University of Chicago., “Spending Won’t Fix What Ails U.S. Infrastructure: Edward Glaeser”, 2/13/12, <http://www.bloomberg.com/news/2012-02-14/spending-won-t-fix-what-ails-u-s-transport-commentary-by-edward-glaeser.html> MF]

DE-FEDERALIZE TRANSPORT SPENDING: Most forms of transport infrastructure overwhelmingly serve the residents of a single state. Yet the federal government has played an outsized role in funding transportation for 50 years. Whenever the person paying isn’t the person who benefits, there will always be a push for more largesse and little check on spending efficiency. Would Detroit’s People Mover have ever been built if the people of Detroit had to pay for it? We should move toward a system in which states and localities take more responsibility for the infrastructure that serves their citizens. The federal government does have a role. It should ensure coordination in nationwide networks. It can embrace smart policies, such as the Education Department’s Race to the Top initiative, that provide incentives for innovation and reform, and the president’s budget seems to move in that direction. The government must go beyond just being the big spender cutting checks. Our current approach has produced a highway system in which, as the Office of Management and Budget once noted, “funding is not based on need or performance and has been heavily earmarked.” The House’s new highway bill may be earmark-free, but it does little to tie spending to need or performance.

#### The permutations involvement of the federal government dooms it—states can do it on their own and they only risk inefficiency

Edwards 2/15, [ Christ Edwards, 2/15/12, CATO Institute, Chris Edwards is the director of tax policy studies at Cato and editor of www.DownsizingGovernment.org. He is a top expert on federal and state tax and budget issues. Before joining Cato, Edwards was a senior economist on the congressional Joint Economic Committee, a manager with PricewaterhouseCoopers, and an economist with the Tax Foundation. Edwards has testified to Congress on fiscal issues many times, and his articles on tax and budget policies have appeared in the Washington Post, Wall Street Journal, and other major newspapers. He is the author of Downsizing the Federal Government and co-author of Global Tax Revolution. Edwards holds a B.A. and M.A. in economics, and he was a member of the Fiscal Future Commission of the National Academy of Sciences., “Reporters Should Think Big on Budget Reforms”, <http://www.downsizinggovernment.org/reporters-should-think-big-budget-reforms> MF]

The Washington Post did a great job last week comparing spending earmarks by members of **Congress** with the locations of property they own in their states. Some **members are apparently using our tax dollars to expand infrastructure near their homes and businesses, thus gaining a personal benefit from federal spending**. Washington Post reporters usually do great research on the spending behaviors of politicians, but they often don’t ask the big-picture questions**. The Post has uncovered waste and corruption in earmarking, housing programs, and other federal activities, but the paper usually only suggests superficial reforms such as better ethics rules.** When you read the Post story on earmarks, the obvious problem with all the projects identified is that they are properly state, local, and private activities**. The story summarized questionable earmarks for 30 members of Congress, and the spending activities included repaving roads, expanding highways, building parking lots, replenishing beaches, dredging harbors, improving traffic signals, and building light rail projects. States, cities, and private businesses can and should finance these sorts of activities by themselves**. There is no economic or technical reason why the federal government needs to be involved. Indeed, **there are many disadvantages of federal involvement—including** the **pork barrel politics** that the Post does a great job researching. Today in the Post, I see the same problem with Walter Pincus’s interesting article on port dredging, which is carried out by the Corps of Engineers**. Members of Congress have been battling to secure Corps’ projects in their districts for 150 years, and it’s always been a wasteful process.** (Watch for my forthcoming essay on DG). Pincus hints that port dredging is a subsidy to the “multibillion-dollar import-export business,” and he is right. But he doesn’t then proceed to address the obvious big-picture question: **Can businesses support these activities by themselves without subsidies?** The answer is **yes**. Seaports and seaport dredging can be privatized. Hong Kong has **the world’s best seaport** according to the World Economic Forum (p. 391), and it is **privately financed and operated.** By contrast, **U.S. seaports**—which **are** **generally government-owned**—**ranked just 23rd** in the world, according to the WEF. So let me suggest that when reporters are investigating problems with federal programs they ask a few big-picture questions. Is the program really needed? Can state governments or the private sector do it? What can we learn from reforms in other countries? After all, the federal government is running ongoing trillion-dollar deficits. **To solve its giant fiscal problems, it will need much more than ethics and earmark reforms**. For background, see essays on privatization, fiscal federalism, and transportation.

#### Federal funding to states maximizes state debt because they undertake expensive projects with the hope of some federal handouts—kills the perm

Brownfield, 10 [Mike Brownfield, October 24, 2010, Senior Digital Communications Associate at The Heritage Foundation Website Designer at Freelance Website Design Director of Public Affairs at Michigan Attorney General Campaign Manager at Knollenberg for Congress Associate at Hirst & Chanler LLP Judicial Extern at Federal Magistrate Jeffrey Cole, Northern District of Illinois Law Clerk at LaRose & Bosco, Ltd. Media relations intern at Michigan Attorney General Mike Cox Staff Assistant at U.S. Representative Joseph Knollenberg Campaign Manager at John Akouri for State Representative Reporting and Editing Intern at Ann Arbor News, The Foundry, <http://blog.heritage.org/2010/10/14/free-money-its-a-nifty-gift-from-the-federal-government/> MF]

Would you like a $14-billion taxpayer-funded tunnel in your town? How about a $500 million light rail train to nowhere? **As state and local governments are under crushing budget constraints, mega-sized infrastructure boondoggles are cropping up all over the country**. **With the promise of “free money” from the federal government, these projects are proving too tempting for state governments to turn down.** In the City of Detroit, a $500 million light rail train is being built to connect the downtown area with outlying suburbs. Critics say that the train is inadequate because it’s not part of a regional transportation system and that it will, in effect, be a train to nowhere. Detroit News reporter Charlie LeDuff complains that of all the things Detroit needs — ambulances, for example **— is a light rail train really on top of the list? So why build it? Well, why the heck not?** The federal government is footing most of the bill for the Detroit light rail, thanks to “a nifty Congressional agreement,” as MLive’s Jonathan Oosting describes it**. If you see federal dollars as “nifty” play money that falls from the sky, it doesn’t seem like that bad of a deal,** right? Michigan State Representative Marie Donigan (D), who was interviewed about the train for a Reason.tv video (above), is all for taking the free money. She scoffed at the notion that there is only so much cash to go around: So we have a limited pool of money, right? Is that what you’re saying? There’s only so much money in the world ever? Obviously that’s not true.” Note to Rep. Donigan: **Detroit, which has to chip in $55 million for the rail, has a deficit of $85 to $125 million and in April faced a budget deficit of $331 million**. Meanwhile, the State **of Michigan will see a $1.6 billion budget shortfall next year.** It seems **there IS a limited supply of money for state and local governments,** after all. Not every state official in America is jumping at the prospect of free money. In New Jersey, Gov. Chris Christie faces the choice of whether to continue an over-budget, under-construction rail tunnel under the Hudson River from New Jersey to Manhattan. The project was to have cost anywhere from $8.7 billion to $14 billion or more, with the State of New Jersey picking up the tab on any cost overruns and possibly tripling the state’s bill. Christie last week chose to pull the plug, though some are lobbying him to revisit his decision. The plain-talking governor said the high cost of the project is a price his state can’t afford, even with the federal government kicking-in $3 billion: I have made a pledge to the people of New Jersey that on my watch I will not allow taxpayers to fund projects that run over budget with no clear way of how these costs will be paid for. Considering the unprecedented fiscal and economic climate our State is facing, it is completely unthinkable to borrow more money and leave taxpayers responsible for billions in cost overruns. Proponents of the project argue that the tunnel will create 6,000 construction jobs, reduce greenhouse gas emissions, and give the region’s transit system a much-needed lift. But that might not all be true. Wendell Cox writes at newgeography.com that the need for the project has been exaggerated based on “questionable population and employment projections,” and that its cost could skyrocket even further than estimated. The debate rages amid the backdrop of President Barack Obama’s renewed call for a $50 billion jobs and infrastructure plan. But Reuters notes, just after Obama first announced his plan in September, a Rasmussen poll “found a majority of U.S. voters thought cutting government spending and deficits was a better way to create new jobs than the president’s proposal.” That’s with good reason. The Heritage Foundation’s Ronald Utt, Ph.D., notes that the first Obama stimulus, which included $48.1 billion for infrastructure, “did little to spur the recovery and nothing to create new jobs,” leaving us only with massive deficits. Why take another spin on the infrastructure spending scheme, given the historical failure of transportation spending to create jobs? Even if the tunnel project has real value for the region, it still has to be paid for, and therein lies the problem. As Christie said, “The bottom line is this. New Jersey has gone for too long … ordering things that it can’t pay for. When weighing all the interests I simply cannot put the taxpayers of the state of New Jersey on what would be a never-ending hook [for cost increases].” In other words, the taxpayers aren’t an ATM, and there are limits to how much government can withdraw. **It’s a lesson of restraint that government leaders around the country would be well-advised to learn, as the Washington Free Money Express rolls into town.**

## ----Perm Links to Ptix

#### The perm links to politics

DeHaven, 10 [Tad Dehaven, August 23, 2010, Tad DeHaven is a budget analyst on federal and state budget issues for the Cato Institute. Previously he was a deputy director of the Indiana Office of Management and Budget. DeHaven also worked as a budget policy advisor to Senators Jeff Sessions (R-AL) and Tom Coburn (R-OK). In 2010, he was named to Florida Governor Rick Scott's Economic Advisory Council., “States Shy From HSR Money”, CATO institute, <http://www.downsizinggovernment.org/states-shy-from-hsr-money> MF]

The president’s stimulus package contained an $8 billion downpayment on a national system of high-speed rail. The money came with no state matching requirements, which generated state applications totaling $102 billion. When Congress added a 20 percent state matching requirement to an additional $2.3 billion for high-speed rails grants in this year’s budget, state applications only totaled $8.5 billion. According the Wall Street Journal, federal officials blamed the drop in state interest in high-speed rail money on several factors. But state official confirmed to the Journal that the 20 percent match requirement was the primary reason**. The states already have dedicated revenue sources for federal highway aid matching requirements** (also 20 percent**). With state tax revenues flat due to the recession, where would the money come from to pay for high-speed rail projects?** **Proposing new taxes to fund high-speed rail would probably be political suicide. A**nd most state policymakers recognize that **shifting money away from more popular programs to pay for high-speed rail won’t be any more politically rewarding.** The issue is even affecting elections in states that are in line to receive federal funding for high-speed rail. Scott Walker**, a Republican candidate for governor** in Wisconsin, recently **said he’d send back the $810 million in stimulus funds** the state has received for a rail line between Madison and Milwaukee. Walker appears to understand that his state has more pressing infrastructure needs and that high-speed rail could become **a fiscal black hole**.

## AT: States don’t have $

#### History proves states overcome budget challenges on issues of transportation infrastructure

Freeman 3/6 [Robert Freeman, 3/6/12, “United States: This Week in Infrastructure”, In addition to work on numerous annual appropriation and authorization bills, Robert’s legislative experience includes the Intermodal Surface Transportation Efficiency Act, the Transportation Equity Act for the 21st Century, the Norman Y. Minetat Research and Special Programs Act, the USA Patriot Act, and drafting and moving to passage the Maritime Transportation Security Acts of 2002 and 2004. In his tenure with the Senate, he worked closely with the Department of Transportation, the Department of Commerce, the Department of Homeland Security, the Department of Defense, the Federal Maritime Commission, the Federal Trade Commission, the Federal Communications Commission, and the White House. Robert also served on a number U.S. delegations negotiating and implementing bilateral and international transportation and security agreements., [http://www.mondaq.com/unitedstates/x/167502/Government+Statutory+Law/This+Week+in+Infrastructure](http://www.mondaq.com/unitedstates/x/167502/Government%2BStatutory%2BLaw/This%2BWeek%2Bin%2BInfrastructure) MF]

New York: On February 9, the New York State Thruway Authority and the New York State Department of Transportation released the list of qualified competitive bidders for the new Tappan Zee Hudson River Crossing Project. The four qualified consortiums are the Hudson River Bridge Constructors, Kiewit-Skanska-Weeks Joint Venture, Tappan Zee Bridge Partners (a Bechtel/Tutor Perini Joint Venture), and Tappan Zee Constructors. These qualified groups will have the opportunity to bid on both the design and construction contract for the new bridge. The Infrastructure Investment Act, passed by the New York State legislature in late 2011, allows certain state agencies to use design-build for capital projects relating to physical infrastructure projects. Maryland: Maryland Governor Martin O'Malley has introduced a six percent increase in the state gas tax as a way to raise money for the state's transportation infrastructure needs. The proposed legislation would be phased in over the span of three years and could potentially generate over $600 million for the state. However, so far the plan has received a "chilly" reception with state lawmakers.

#### States are taking giant budgetary issues into their own hands—proves CP solvency

Hamby, 11 [Chris Hamby, 2/25/11, “Ambitious governors shift political power, focus to states”, CNN, <http://articles.cnn.com/2011-02-25/politics/governors.political.power_1_nikki-haley-first-female-governor-chris-christie?_s=PM:POLITICS> MF]

The battle over union rights in Wisconsin, Ohio and Indiana has dramatically shifted the budget debate from Capitol Hill to the states, almost overshadowing the threat of a government shutdown in Washington next week. Wisconsin Gov. Scott Walker garnered national attention as one of a handful of Republican governors emboldened by the midterm elections who now are trying to enact ambitious but controversial cost-cutting measures. While most Democratic governors face similar budget challenges as their Republican colleagues, their divergent approaches will be in stark contrast this weekend in Washington for the National Governors Association's winter meeting and other partisan gatherings. Walker is not expected to make the trip to Washington, but the ongoing spectacle in his state is sure to consume the debate at the conference. Early Friday morning, the Republican-controlled Wisconsin Assembly voted to strip most state employees of their collective bargaining rights, even as Democrats in the Senate remain out of state to block a quorum and a final vote. Still, similar struggles over government spending are unfolding in other states with newly-energized and aggressive Republican leaders. In Ohio, thousands of labor-backed demonstrators have descended on Columbus to protest another bill curtailing union rights, this one backed by another new GOP governor, John Kasich. In Florida, Gov. Rick Scott rejected $2.4 billion in federal funding last week for a high-speed rail project between Tampa and Orlando, arguing that the state could not afford the long-term maintenance costs. Then there is New Jersey. Gov. Chris Christie's blunt style and camera-ready confrontations with unionized teachers have made him a media darling and GOP celebrity. Even in South Carolina, a "right to work" state where union membership is not necessarily required to get most jobs, Gov. Nikki Haley has clashed with organized labor, though not public employee unions. "What you are seeing right now is a whole lot of political talk in D.C. and a whole lot of work in the states," said Haley, who was sworn in as the state's first female governor a little more than six weeks ago. "These governors get it. Washington, D.C., has totally lost the message. We are taking our governments back and giving it to the people."

#### Defer negative on spending claims—the federal government’s disconnect from the states themselves leads to serial over spending

Edwards 09, [Christ Edwards, March 2009, “Government Cost Overruns”, CATO Institute, Chris Edwards is the director of tax policy studies at Cato and editor of www.DownsizingGovernment.org. He is a top expert on federal and state tax and budget issues. Before joining Cato, Edwards was a senior economist on the congressional Joint Economic Committee, a manager with PricewaterhouseCoopers, and an economist with the Tax Foundation. Edwards has testified to Congress on fiscal issues many times, and his articles on tax and budget policies have appeared in the Washington Post, Wall Street Journal, and other major newspapers. He is the author of Downsizing the Federal Government and co-author of Global Tax Revolution. Edwards holds a B.A. and M.A. in economics, and he was a member of the Fiscal Future Commission of the National Academy of Sciences., <http://www.downsizinggovernment.org/government-cost-overruns> MF]

Transportation. **Large cost overruns are routine on federally funded transportation projects**. A good example was **the** Springfield, **Virginia, highway** interchange project. When initiated, **Virginia officials claimed that the project would cost $241 million, but it ended up costing $676** million by the time it was completed in 2007.1 **To add insult to injury, Virginia officials said that the project was finished "on time and under budget,"** but the Washington Post correctly pointed out that **"the final cost was nearly three times what was first projected**."2 The most infamous budget buster in highway history was probably Boston's "Big Dig," or Central Artery project. In 1985, **government officials claimed that the Big Dig would cost $2.6 billion** and that it would be completed by 1998. **The project's cost ballooned to $14.6 billion** and it was finally completed in 2005.3 The federal share of the cost was $8.5 billion. What happened? **The Big Dig was grossly mismanaged**, as the Boston Globe revealed in a detailed investigation.4 One problem was that **the state government bailed out bungling Big Dig contractors on more than 3,000 separate occasions rather than demanding accountabilit**y from them. **Contractors** **were** essentially **rewarded for delays and overruns** with **added payments and guaranteed profits**. Auditors warned state politicians about developing problems, but they did not seem to care.5 As a final blow to the public, **hundreds of leaks were found in the project's tunnels after it was completed, and a tunnel ceiling collapsed on a motorist**. Not all government highway projects are as mismanaged as the Big Dig, but cost overruns and delays are routine. A Government Accountability Office study found that half of the federal highway projects it examined had cost overruns of more than 25 percent.6 Similar problems plague other government transportation projects. One example was the grossly over-budget **Denver International Airport**. In 1989, both **Congress and Denver voters agreed to the construction of a new $1.7 billion airport**. But by the time the airport was opened in 1995 **the cost had mushroomed to $4.8 billion**.7

#### Money’s already been allocated

Slone 2008 –(Sean, transportation policy analyst at The Council of State Governments “TRANSPORTATION & INFRASTRUCTURE FINANCE,”a csg national report http://www.csg.org/knowledgecenter/docs/TransportationInfrastructureFinance.pdf) AS

The commission points out that any funding mechanism is unlikely to score well on all the criteria, so the choice of an optimal approach will require value judgments to be made by policymakers on the goals they most want to advance.12 Ultimately, the most significant item in this list for many policymakers may be political viability. Regardless of how a funding mechanism may look on paper, decisions about how to enhance revenue to fund transportation are never made in a vacuum. Political considerations always play an important role in determining the direction a state ultimately takes. Nevertheless, drawing on important lessons learned over the years in many states, a consensus appears to have emerged about the steps necessary to successfully propose and enact new or enhanced revenue measures to fund transportation. As the Transportation Research Board’s National Cooperative Highway Research Program points out in a 2007 report, most funding initiatives come about either through legislative actions or through ballot initiatives and referenda. But regardless of how they are generated, the same steps are required to achieve success. They include: Developing a consensus on the scope of current and future transportation needs and on the importance of acting to address them; Developing a specific plan and program of investments for which additional funding is needed and demonstrating what benefits are expected from the proposed investments; Identifying clearly established roles, responsibilities and procedures for executing the plan and implementing the proposed improvements; Describing the revenue sources in detail and providing the rationales for their use; Designing and carrying out a public education and advocacy plan and campaign; Developing sustained leadership and demonstrable, sustained support; and Planning for and laying out a clear and reasonable timetable.23 Assessing the political landscape, researching the options, educating the electorate and implementing new revenue-enhancing measures will occupy a substantial amount of time for state governments in the next few years. The choices and the efforts they make will determine whether our nation’s transportation system ends up on the road to success.

## AT: Constitution Proves States Have no Control

#### Constitution gives states the right to regulate transportation- the federal government usurped these powers.

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)AS

Article 1, Section 8 of the Constitution gives Congress the power "to establish Post Offices and post Roads." In 1806, Congress approved funding from the proceeds of land sales to construct the "National Road" westward from Maryland.9 But there were doubts about whether the federal government was allowed to fund such "internal improvements" under the limited powers granted it under the Constitution. President Thomas Jefferson requested Congress to amend the Constitution to allow such expenditures, but Congress declined to do so. In 1817, President James Madison vetoed a bill that would have provided federal aid to construct roads and canals.10 He was followed by Presidents Monroe, Jackson, Tyler, Polk, Pierce, and Buchanan, who all vetoed transportation bills on the grounds that they were unconstitutional. However, by the late 19th century the federal government was occasionally providing grants of land to the states to raise funds for road construction.11 The highway laws of 1916 and 1921 were the first major federal interventions into road financing. These laws authorized regular federal grants to the states for highways and established the Federal Bureau of Public Roads, the predecessor to the Federal Highway Administration. The laws were passed after years of intense lobbying by road building companies and state highway interests.12 With the federal grants came the beginning of top-down regulatory controls of America's roads from Washington.13 The origins of the Interstate Highway System can be traced to the presidency of Franklin Roosevelt. The Federal-Aid Highway Act of 1938 directed the Bureau of Public Roads to study the feasibility of a six-route toll network. The subsequent report rejected toll highways and proposed a non-toll interregional highway network which was later established as the 41,250-mile "Interstate and Defense Highway System."14 President Dwight Eisenhower had long been interested in national highways and participated in a 1919 transcontinental motor convoy from Washington D.C. to San Francisco. Subsequently he was impressed by the German autobahn network, which he saw and used during World War II. In 1954 the Eisenhower administration unveiled a $50 billion proposal to create a national highway network within a 10-year period. The subsequent Federal-Aid Highway Act of 1956 was designed to create a national 41,250-mile highway system to be completed by 1969. The law authorized $25 billion to finance 90 percent of the cost, with funds disbursed to the states by Congress from a federal Highway Trust Fund created for the purpose. The powers under the 1956 Act were supposed to expire in 1972, but that sun never set. The highway program was repeatedly renewed and the length of the Interstate Highway System was increased.15 Construction was formally completed in 1996, but federal financing was then directed to a brand new 160,000-mile "National Highway System."16 The primary sources of federal highway funds are fuel taxes. After a number of initiatives to establish a federal gas tax beginning in 1914, a tax was enacted in 1932 at 1 cent per gallon. The tax was supposed to be a one-year source of funds to deal with a temporary federal budget deficit, but like many "temporary" government measures, the gasoline tax became part of permanent federal law.17 Congress increased the gasoline tax rate over the years, and it reached the current 18.4 cents per gallon in 1994.18 The tax rate on diesel fuel is currently 24.4 cents per gallon. State governments impose their own fuel taxes, and in 2009 the average state gasoline tax was 18.5 cents per gallon.19 Initially, revenues from the gasoline tax flowed into the federal government's general fund. But in 1956, the Federal Highway Trust Fund (FHTF) was established to finance the construction of the Interstate Highway System. However, Congress has increasingly spent FHTF monies on non-highway uses, such as urban transit. The sources and uses of revenues in the FHTF have become ever more complicated, and the spending allocations across the 50 states and different types of activities illustrate central planning run amok.20

## Federal Fails Frontline

#### Federal government fails at implementation – proves states superior

Edwards and DeHaven 10, [“Privatize Transportation Spending”, 6/17/10, CATO Institute, Chris Edwards director of tax policy studies at Cato and editor of www.DownsizingGovernment.org. He is a top expert on federal and state tax and budget issues. Senior economist on the congressional Joint Economic Committee, a manager with PricewaterhouseCoopers, and an economist with the Tax Foundation. Holds a B.A. and M.A. in economics, and he was a member of the Fiscal Future Commission of the National Academy of Sciences., , Tad DeHaven is a budget analyst on federal and state budget issues for the Cato Institute. Previously he was a deputy director of the Indiana Office of Management and Budget. DeHaven also worked as a budget policy advisor to Senators Jeff Sessions (R-AL) and Tom Coburn (R-OK). In 2010, he was named to Florida Governor Rick Scott's Economic Advisory Council., <http://www.cato.org/publications/commentary/privatize-transportation-spending> MF]

After the 2008 election, President **Obama** **promised** **to** "go through our federal budget — page by page, line by line — **eliminat**ing **those programs we don't need**." We haven't seen much of that from the president so far, but at the Cato Institute we are going page by page and finding whole agencies to abolish**. If the president ever gets serious** about eliminating programs, **the $91 billion Department of Transportation would be a good place to start.** The DOT should be radically chopped. America's mobile citizens would be better off for it. **Rising federal control over transportation has resulted in the political misallocation of funds, bureaucratic mismanagement and costly one-size-fits-all regulations of the states.** **The solution is to devolve most of DOT's activities back to state governments** and the private sector. We should follow the lead of other nations that have turned to the private sector to fund their highways, airports, air traffic control and other infrastructure. The first reform is to **abolish federal highway aid** to the states and related gasoline taxes**. Highway aid is tilted toward states with powerful politicians, not necessarily to the states that are most in need**. It also often goes to boondoggle projects like Alaska's "Bridge to Nowhere." Furthermore, **federal highway aid comes with costly regulations like the Davis-Bacon labor rules, which raise state highway costs**. For their part, the states should seek out private funding for their highways. Virginia is adding toll lanes on the Capitol Beltway that are partly privately financed, and Virginia is also home to the Dulles Greenway, a 14-mile private highway in operation since 1995**. Ending federal subsidies would accelerate the trend toward** such **innovative projects**. Another DOT reform is to end subsidies to urban transit systems. **Federal aid favors light rail and subways, which are much more expensive than city buses. Rail systems are sexy, but they eat up funds that could be used for more flexible and efficient bus services**. Ending federal aid would prompt local governments to make more cost-effective transit decisions. There is no reason why, for example, that cities couldn't reintroduce private-sector transit, which was the norm in U.S. cities before the 1960s. To government planners, intercity high-speed rail is even sexier than urban rail systems. The DOT is currently dishing out $8 billion for high-speed rail projects across the country, as authorized in the 2009 stimulus bill. Most people think that the French and Japanese fast trains are cool, but they don't realize that the price tag is enormous. For us to build a nationwide system of bullet-style trains would cost up to $1 trillion. The truth about high-speed trains is that even in densely-populated Japan and Europe, they are money losers, while carrying few passengers compared to cars, airlines and buses**. The fantasy of high-speed rail in America should be killed before it becomes a huge financial drain on our already broke government.** Through its ownership of Amtrak, the federal government also subsidizes slow trains. The government has dumped almost $40 billion into the company since it was created in 1971. **Amtrak has a poor on-time record, its infrastructure is in bad shape, and it carries only a tiny fraction of intercity passengers.** Politicians prevent Amtrak from making cost-effective decisions regarding its routes, workforce polices, capital investment and other aspects of business. Amtrak should be privatized to save taxpayer money and give the firm the flexibility it needs to operate efficiently. A final area in DOT to make budget savings is aviation. **Federal aid to airports should be ended and local governments encouraged to privatize their airports and operate without subsidies.** In recent decades, dozens of airports have been privatized in major cities such as Amsterdam, Auckland, Frankfurt, London, Melbourne, Sydney and Vienna. Air traffic control (ATC) can also be privatized. The DOT's Federal Aviation Administration has a terrible record in implementing new technologies in a timely and cost-effective manner. Many nations have moved toward a commercialized ATC structure, and the results have been very positive. Canada privatized its ATC system in 1996 in the form of a nonprofit corporation. The company, NavCanada, has a very good record on both safety and innovation. Moving to a Canadian-style ATC system would help solve the FAA's chronic management and funding problems, and allow our aviation infrastructure to meet rising aviation demand. **There are few advantages in funding transportation infrastructure from Washington, but many disadvantages. America should study the market-based transportation reforms of other countries and use the best ideas to revitalize our infrastructure while ending taxpayer subsidies.**

#### Federal government Fails- inefficient and wasteful spending and implementation

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)EG

The federal government plays a large role in transportation policy through subsidy programs for state governments and a growing array of regulatory mandates. Modern federal highway aid to the states began in 1916. Then the interstate highway system was launched in 1956 and federal involvement in transportation has been growing ever since. Today, the interstate highway system is long complete and federal financing has become an increasingly inefficient way to modernize America's highways. Federal spending is often misallocated to low-value activities, and the regulations that go hand-in-hand with federal aid stifle innovation and boost highway costs. The Department of Transportation's Federal Highway Administration will spend about $52 billion in fiscal 2010, of which about $11 billion is from the 2009 economic stimulus bill.1 FHWA's budget mainly consists of grants to state governments, and FHWA programs are primarily funded from taxes on gasoline and other fuels.2 Congress implements highway policy through multi-year authorization bills. The last of these was passed in 2005 as the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU). Congress will likely be reauthorizing highway programs in 2011, and it is currently pursuing many misguided policy directions in designing that legislation. One damaging policy direction involves efforts to reduce individual automobile travel, which will harm the economy and undermine mobility choice. Another damaging policy direction is the imposition of federal "livability" standards in transportation planning. Such standards would federalize land-use planning and pose a serious threat to civil liberties and the autonomy of local communities. Finally, ongoing federal mandates to reduce fuel consumption have the serious side effect of making road travel more dangerous. The federal government pursues these misguided goals by use of its fiscal powers and regulatory controls, and by diverting dedicated vehicle fuel taxes into less efficient forms of transportation. This essay reviews the history of federal involvement in highways, describing the evolution from simple highway funding to today's attempts to centrally plan the transportation sector. It describes why federal intervention reduces innovation, creates inefficiencies in state highway systems, and damages society by reducing individual freedom and increasing highway fatalities. Taxpayers and transportation users would be better off if federal highway spending, fuel taxes, and related regulations were eliminated. State and local governments can tackle transportation without federal intervention. They should move toward market pricing for transportation usage and expand the private sector's role in the funding and operation of highways.

#### Federal fails- one size fits all and high levels of regulations drive up costs

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government http://www.downsizinggovernment.org/transportation/highway-funding/)EG

3. Federal Intervention Increases Highway Costs. The flow of federal funding to the states for highways comes part-in-parcel with top-down regulations. The growing mass of federal regulations makes highway building more expensive in numerous ways. First, federal specifications for road construction standards can be more demanding than state standards. But one-size-fits-all federal rules may ignore unique features of the states and not allow state officials to make efficient trade-offs on highway design. A second problem is that federal grants usually come with an array of extraneous federal regulations that increase costs. Highway grants, for example, come with Davis-Bacon rules and Buy America provisions, which raise highway costs substantially. Davis-Bacon rules require that workers on federally funded projects be paid "prevailing wages" in an area, which typically means higher union wages. Davis-Bacon rules increase the costs of federally funded projects by an average of about 10 percent, which wastes billions of dollars per year.27 Ralph Stanley, the entrepreneur who created the private Dulles Greenway toll highway in Virginia, estimated that federal regulations increase highway construction costs by about 20 percent.28 Robert Farris, who was commissioner of the Tennessee Department of Transportation and also head of the Federal Highway Administration, suggested that federal regulations increase costs by 30 percent.29 Finally, federal intervention adds substantial administrative costs to highway building. Planning for federally financed highways requires the detailed involvement of both federal and state governments. By dividing responsibility for projects, this split system encourages waste at both levels of government. Total federal, state, and local expenditures on highway "administration and research" when the highway trust fund was established in 1956 were 6.8 percent of construction costs. By 2002, these costs had risen to 17 percent of expenditures.30 The rise in federal intervention appears to have pushed up these expenditures substantially.

## ----Ext. Inefficient Spending

#### Federal implementation fails- political earmarking and inefficient spending means the project is doomed to faiure

Roth, 2010, Research Fellow at The Independent Institute, (Gabriel, June, Federal Highway Funding, “Downsizing the Federal Government <http://www.downsizinggovernment.org/transportation/highway-funding/>) EG

Funds Used Inefficiently and Diverted to Lower-Priority Projects Federal aid typically covers between 75 and 90 percent of the costs of federally supported highway projects. Because states spend only a small fraction of their own resources on these projects, state officials have less incentive to use funds efficiently and to fund only high-priority investments. Boston's Central Artery and Tunnel project (the "Big Dig"), for example, suffered from poor management and huge cost overruns.21 Federal taxpayers paid for more than half of the project's total costs, which soared from about $3 billion to about $15 billion.22 Federal politicians often direct funds to projects in their states that are low priorities for the nation as a whole. The Speaker of the House of Representatives in the 1980s, "Tip" O'Neill, represented a Boston district and led the push for federal funding of the Big Dig. More recently, Representative Don Young of Alaska led the drive to finance that state's infamous "Bridge to Nowhere," discussed below. The inefficient political allocation of federal dollars can be seen in the rise of "earmarking" in transportation bills. This practice involves members of Congress slipping in funding for particular projects requested by special interest groups in their districts. In 1982, the prohibition on earmarks in highway bills in effect since 1914 was broken by the funding of 10 earmarks costing $362 million. In 1987, President Ronald Reagan vetoed a highway bill partly because it contained 121 earmarks, and Congress overrode his veto.23 Since then, transportation earmarking has grown by leaps and bounds. The 1991 transportation authorization bill (ISTEA) had 538 highway earmarks, the 1998 bill (TEA-21) had 1,850 highway earmarks, and the 2005 bill (SAFETEA-LU) had 5,634 highway earmarks.24 The earmarked projects in the 2005 bill cost $22 billion, thus indicating that earmarks are consuming a substantial portion of federal highway funding. The problem with earmarks was driven home by an Alaska bridge project in 2005. Rep. Don Young of Alaska slipped a $223 million earmark into a spending bill for a bridge from Ketchikan—with a population of 8,900—to the Island of Gravina—with a population of 50. The project was dubbed the "Bridge to Nowhere" and created an uproar because it was clearly a low priority project that made no economic sense.

## Funding Planks- Common Shared Sales Tax

#### Text addition: The 50 states should establish a common shared sales tax.

#### The 50 States can uniformly form common taxes, pool resources and pay for Transportation Infrastructure

Rivlin, 92- an economist, a former U.S. Cabinet official, and an expert on the budget.
(Alice Rivlin, “Reviving the American Dream”; Brookings Institute Pg. 126-127)

I have argued that the states should have clear responsibility for a specific set of services, including education and other public investments needed to increase the productivity of the American economy. States are better able to experiment and adapt to the special needs and strengths of their areas. They are more apt to command citizen loyalty and participation than faraway Washington. Anyone who advocates increased reliance on states to improve public services, however, must address the question: Where will the states get the money? State governments have been struggling to meet the rising cost of public programs and have often encountered strenuous public resistance to tax increases. Budgetary stress in state capitals reached crisis proportions in the recession of 1990-92, when a large number of states were forced to cut spending and raise taxes in the face of mounting deficits. Even in good times, states face two obstacles in raising the revenue needed to provide high-quality public services; First, states have unequal resources, and the poorer ones would have trouble financing adequate services even if their tax rates were high. Second, states compete with each other. They are reluctant to let their taxes get out of line with those of other states, especially neighboring states, for fear of losing businesses, sales, or people across the state line. A new proposal that I call "common shared taxes" could mitigate both problems. A simple example would be a common sales tax shared by all the states. The tax rate would be identical in each state and would apply to the same types of sales. No one would have an incentive to shop in another state in order to avoid the tax. If the revenue were divided on the basis of state population-each state receiving the same amount per resident-poorer states would get back somewhat more than their own collections, because their per capita sales are below average. WHERE THE MONEY COMES FROM In 1990 state and local revenue totaled $740 billion-about 14 percent of GNP.! About 18 percent of state and local revenue came from the federal government. Property, sales, and income taxes accounted for most of the rest (figure 8-l). State and local funding also comes from an astonishing variety of other sources, such as lotteries, parking meters, fishing licenses, liquor store profits, water sales, bridge tolls, and university tuition.

## ----Ext. Common Shared Tax

#### A common tax would raise state revenue and would prevent tax payers from escaping taxation

Rivlin, 92- an economist, a former U.S. Cabinet official, and an expert on the budget. (Alice Rivlin, “Reviving the American Dream”; Brookings Institute Pg. Page 152)

Interest in reducing the diversity of tax systems is growing around the world as economies become more interdependent and taxpayers move more easily across borders. The countries of the European Community are making their taxes more uniform as they eliminate trade barriers among themselves. The American states, by contrast, have never made serious efforts to harmonize their taxes, although they have been part of a common market for more than 200 years. The most frequently voiced objection to the idea of common shared taxes in the United States is political infeasibility. Skeptics allege that Congress would not enact a major tax whose proceeds would be spent by other levels of government and that states do not have the tradition of cooperation that would permit them to form an interstate compact to share one or more common taxes. Even if they cooperated to the extent of putting a common tax into operation, the rich states would certainly want to retain all the revenue generated in their jurisdiction and not share it with less affluent states. These objections may well be valid, but many policies initially labeled "politically infeasible" have eventually come to pass. The need for additional state revenue is great, even without devolution of federal functions, and states are increasingly conscious of the need to find a way of taxing growth sectors of the economy, especially services. They are also increasingly aware of the mobility of taxpayers and tax sources across borders in an increasingly interlinked national and global economy. Cooperation on common taxes might start in a small way-say with catalog sales or professional services-and then spread to a larger portion of the tax base. Acceptance of a formula for dividing revenues, such as by population, would have the appeal of simplicity, even if it involved some redistribution. Moreover, redistribution is easier to swallow if the whole revenue pie is growing, as it would be if common taxation allowed the states to tax sources that are now escaping taxation altogether by moving, or threatening to move, across borders.

#### A corporate common tax would ensure the closing of loopholes

Rivlin, 92- an economist, a former U.S. Cabinet official, and an expert on the budget. (Alice Rivlin, “Reviving the American Dream”; Brookings Institute Pg. Page 145)

The federal government taxes corporate income, as do most states. Because state corporate income taxes differ widely in rate and definition of income, multistate corporations have to file different tax returns in each state in which they operate. Corporate tax accountants try to find ways of allocating the corporation's total income in a way that minimizes the tax paid. States, for their part, try to get as much as possible. Corporations allege that they are paying tax on the same income in more than one jurisdiction. The evidence, however, indicates that some corporate income escapes any taxation at the state level.14 A common shared corporate income tax would reduce compliance and enforcement costs and tax corporate income fairly and only once. The common shared state tax could be separate from the federal corporate income tax or combined with it. A single national tax shared by the federal government with the states (the German model) has some appeal.)

## AT: Multiple Planks Bad

Neg flexibility: the negative should not be confined to defending a single course of action

Aff ground: the planks magnify the Aff’s links to state spending or politics. Additionally, the aff could impact turn any of the planks.

Most real world- meaning that the counterplan is both educational and predictably grounded in the literature

Arbitrary: no objective way to distinguish our CP from a single plank CP. The planks of our counterplan are enacted as a single policy

Reciprocal: the aff plan contains multiple planks. \_\_\_\_\_\_\_\_\_\_\_\_\_\_ and\_\_\_\_\_\_\_\_\_\_ could be construed as distinct planks.

Defend your plan: The aff was able to pick their plan text and what planks they wanted to include, first. They should be prepared to defend it.

Side bias: the aff is able to speak first and last on one of the largest high school topics in history.

Reject the argument not the team

## Theory Booster- Lit Proves

#### Here is evidence which supports our claim – literature supports a devolution to the states.

McGuigan, 2011, award-winning journalist, senior editor at The City Sentinel, and capitol editor for Tulsa Today, (Patrick B, July 29, 2011, CapitolBeakOK: Transportation Federalism -- and Flexibility -- Proposed in New Bill from Coburn, Lankford, <http://lankford.house.gov/index.php?option=com_content&task=view&id=756&Itemid=100023>) AS

A bill giving greater authority and control over transportation funding was introduced in Congress yesterday, with U.S. Sen. Tom Coburn of Muskogee and U.S. Rep. James Lankford of Oklahoma City as leading proponents. Governor Mary Fallin and Oklahoma Secretary of Transportation Gary Ridley applauded the proposal, as did a representative of the state's leading free market “think tank.” According to a press release from advocates in the nation's capital, “the State Transportation Flexibility Act that would allow state transportation departments to opt out of the Federal-Aid Highway and Mass Transit programs. Instead, these states would be able to manage and spend the gas tax revenue collected within their state on transportation projects without federal mandates or restrictions.” A total of of 14 members of the Senate and 24 members of the House of Representatives have joined as co-sponsors. Besides the pair of Oklahomans, supporters included Sens. John McCain of Arizona, David Vitter of Louisiana, Orrin Hatch of Utah, John Cornyn of Texas, Johnny Isakson of Georgia, Daniel Coats of Indiana, Mike Lee of Utah, and Rob Portman of Ohio. Rep. Jeff Flake of Arizona is advocating for the bill in Congress, alongside Lankford.

#### Debates in the congress prove devolution rooted in the literature

Snider and Everett 2012 (Adam a transportation reporter for POLITICO Pro. Before joining POLITICO, he covered transportation issues for nearly four years at BNA, where his work won the company’s Beltz Award for Editorial Excellence. and Burgess Transportation reporter for POLITICO Pro. He previously was a Web producer, helping run POLITICO’s Twitter and Facebook accounts, and a contributor to the On Media blog, GOP paves way for states to retake road funding, March 19th http://www.politico.com/news/stories/0312/74196.html) AS

Congress may be on the road to re-upping the transportation bill, but there’s still a cadre of lawmakers who say it’s not too late to get the federal government out of the road-building and gas tax business. If anything, some Republicans say they are excited about finally getting some votes on what has long been a conservative dream. Sen. Jim DeMint (R-S.C.) got a vote last week on his amendment to the Senate-passed bill that would send many transportation policy and funding decisions back to the states. The amendment was the first time in years senators got a serious chance to weigh in on the issue, and 30 senators (all Republicans) supported the long-shot attempt. A second devolution offering from Sen. Rob Portman (R-Ohio) failed but also got 30 votes. In the House, GOP Reps. Tom Graves of Georgia, and Jeb Hensarling and Kevin Brady, both of Texas, hope to vote on a similar amendment whenever the House takes up a highway bill. “We’re going to continue the debate in the House,” Graves told POLITICO. “It’s going to be a new debate about how you fund transportation. Do you continue [a program] that adds to the deficit or do you do one that empowers the states? Conservatives see DeMint’s vote and Graves’s offering as good starting points, reminiscent of the long-fought battle over earmarks, now banned for the 112th Congress. Dan Holler, communications director of Heritage Action for America, said the conversation has been changed already. “A floor of 30 senators is a great place to start,” he said. Sen. Barbara Boxer (D-Calif.), who took the lead on both selling and writing the two-year Senate bill, acknowledged, “That vote was too close for my liking.” DeMint says his amendment would cut government redundancy while keeping services intact and efficiently returning spending to the states. “Every time we have a bureaucracy and an administration [in Washington], every state duplicates that. Fifty state highway departments following federal rules and then their own,” DeMint said in an interview. “We can begin to downsize that. So the point is, if we ever want to balance our budget, the way to do it is not to just cut a little, but off every federal function.”

# AFF

## Permutation

#### Perm solves best—federal involvement is critical to ensure success of the program

Kavinoky 2/16 [Janet Kavinoy, “5 Answered Questions about Federal Transportation”, Free Enterprise, 2/16/12, Executive Director, Transportation & Infrastructure U.S. Chamber of Commerce Vice President, Americans for Transportation Mobility Coalition, Janet F. Kavinoky is a nationally recognized expert in transportation policy, funding, and finance and leads the U.S. Chamber’s efforts related to maintaining, modernizing, and expanding transportation and infrastructure. <http://www.freeenterprise.com/infrastructure/5-answered-questions-about-federal-transportation-infrastructure-investment>, MF]

Some members of Congress want to eliminate federal transportation programs altogether and leave the responsibility to states. Is that a good idea? Absolutely not. States need a strong federal partner to ensure that interstate commerce, international trade policies, interstate passenger travel, emergency preparedness, national defense, and global competitiveness are adequately supported by the nation’s infrastructure. Without federal support for an interconnected transportation system, several large, less-populated rural states would be unable to afford the costs of sustaining their roads and bridges. Many of our nation’s conservative visionaries, including Alexander Hamilton, Thomas Jefferson, Abraham Lincoln, Dwight Eisenhower, and Ronald Reagan, understood the proper role of the federal government in meeting these needs, as Pete Ruane, president of the American Road and Transportation Builders Association, notes in today’s Washington Times. Even today, some of the most vocal opponents of federal spending recognize the importance of transportation investment. Rep. Paul Ryan points out in A Roadmap for America’s Future that transportation is a core government responsibility: “Governments must provide for a limited set of public goods: they must build roads and other infrastructure, foster the protection of property rights, and maintain internal and external security… this ‘core’ government spending tends to foster economic growth.” If we accept that the federal government must play a role in transportation, aren’t existing revenues sufficient? Without new revenue, the federal programs will need to be cut by over a third. What would be the economic impact if the federal programs were cut back? The federal government is responsible for about 45% of all investments in highways and public transportation around the country, and this funding directly supports hundreds of thousands of jobs. It’s not even an option at this point in time. In the past five years, not one, but two Congressionally-mandated blue ribbon commissions have come to the same conclusion regarding federal highway and public transportation investment: it needs to be growing. We have to adopt policies, including an increase in users fees, to bolster revenues. President Reagan himself recognized the economic importance of the federal programs and approved an increase in the gas tax to support them. What about claims that there’s lots of waste in the federal transportation program? We agree that Congress needs to cut waste, and both the Senate and House bills address the issue. The Senate bill would eliminate or consolidate programs that are duplicative or not in the national interest, slicing the number of highway programs by two-thirds – from nearly 90 to less than 30. It would also establishes performance measures and targets to help focus transportation investments on outcomes. For its part, the House bill would consolidate or eliminates nearly 70 duplicative programs, streamline the cumbersome environmental review process, and allow states to fund their most critical infrastructure needs.

#### Perm do both—while fostering the state level is important federal leadership is key to solvency

ASCE 2012, [American Society of Civil Engineers, “Solutions”, Report Card for America’s Infrastructure,http://www.infrastructurereportcard.org/solutions MF]

Raising the Grades: Five Key Solutions ASCE's Report Card for America's Infrastructure seeks to inform the public and policymakers about the condition of the nation's infrastructure and how best to improve it. Americans owe their economic prosperity, public safety, and high quality of life to the infrastructure that serves them everyday. While the Report Card points out serious needs facing the nation's infrastructure including focused and visionary leadership and adequate funding, these can be solved. The Key Solutions offered by ASCE are ambitious and will not be achieved overnight, but Americans are capable of real and positive change. ASCE urges all those who want to continue our tradition of a strong and prosperous nation to begin by maintaining and improving the infrastructure that makes us great. 1. Increase Federal Leadership in Infrastructure America's infrastructure needs bold leadership and a compelling national level vision. During the 20th Century, the federal government led the way in building our nation's greatest infrastructure systems from the New Deal programs to the Interstate Highway System and the Clean Water Act. Since that time, federal leadership has decreased, and the condition of the nation's infrastructure suffered. Currently most infrastructure investment decisions are made without the benefit of a national vision. That strong national vision must originate with strong federal leadership and be shared by all levels of government and the private sector Without a strong national vision, infrastructure will continue to deteriorate. 2. Promote Sustainability and Resilience America's infrastructure must meet the ongoing needs for natural resources, industrial products, energy, food, transportation, shelter and effective waste management, and at the same time protect and improve environmental quality. Sustainability and resiliency must be an integral part of improving the nation's infrastructure. Today's transportation systems, water treatment systems, and flood control systems must be able to withstand both current and future challenges. Both structural and non-structural methods must be applied to meet challenges. Infrastructure systems must be designed to protect the natural environment and withstand both natural and man-made hazards, using sustainable practices, to ensure that future generations can use and enjoy what we build today, as we have benefitted from past generations. Additionally, research and development should be funded at the federal level to develop new, more efficient methods and materials for building and maintaining the nation's infrastructure. Sustainable development will not only preserve the high quality of life and environment we enjoy today, but improve conditions in the future. 3. Develop Federal, Regional, and State Infrastructure Plans Infrastructure investment at all levels must be prioritized and executed according to well conceived plans that both complement the national vision and focus on system wide outputs. Goals of the plan should center on freight and passenger mobility, intermodality, water use, environmental stewardship and encouraging resiliency and sustainability. The plans must reflect a better defined set of federal, state, local, and private sector roles and responsibilities and instill better discipline for setting priorities and focusing funding to solve the most pressing problems. The plans should also complement our broad national goals of economic growth and leadership, resource conservation, energy independence, and environmental stewardship. Infrastructure plans should be synchronized with regional land use planning and related regulation and incentives to promote non-structural as well as structural solutions to mitigate the growing demand for increased infrastructure capacity.

## CP Links to Politics

#### Turning back control to the states sparks backlash in congress- powerful lobbies support federal control

Utt, 2012, Herbert and Joyce Morgan Senior Research Fellow in the Thomas A. Roe Institute for Economic Policy Studies at The Heritage Foundation, (February 7, Ronald, Ph D., “Turn Back” Transportation to the States”, <http://www.heritage.org/research/reports/2012/02/turn-back-transportation-to-the-states>) AS

Abstract: Wasteful, inequitable, and bristling with burdensome regulations, the Federal Highway Program is in dire need of reform. Although Members of Congress have attempted to enact changes in the past, the influence of many lobbyists and influential constituencies continues to thwart the process. By maintaining this predictable money morass, Congress and the President are ignoring the needs of the motorists who pay the taxes to fund the program—as well as the needs of an economy that depends on cost-effective mobility. Yet some legislators remain committed to reform and have proposed that Congress “turn back” some or all of the federal highway program to the states, where it once was lodged. Arguing that the program was created to build the interstate highway system—a goal that was met in the early 1980s—turnback advocates believe it is time to declare victory and shift the resources back to the states.

## Solvency Deficit- Economy

#### State spending has no or a negative effect on the econ- prefer federal spending

Shatz et al. 11 – Ph. D in public policy from Harvard University (Howard J., “Highway Infrastructure and the Economy”, RAND Corporation, 2011, <http://www.rand.org/pubs/monographs/2011/RAND_MG1049.pdf>,) AS

We separately reviewed papers that studied highway infrastructure at the national level, the state level, and the substate level and in other countries. Studies of highway infrastructure at the national level tended to find high rates of return and strong productivity effects, at least in the initial building phase of the national highway system. One way this was manifested was through lower costs to industries, especially those that most heavily used the highway network. Likewise, some of the research at the state level found positive effects of highways, or broader measures of public capital, on a variety of economic outcomes. However, these effects tended to be lower than those of private capital investment when the two were compared. In addition, some papers found no effect. Although some research identified positive effects of infrastructure in one state on the economy of neighboring states, more identified zero or even negative effects. Taken together, this evidence is consistent with the idea that some highway infrastructure investment can lead to positive productivity or output outcomes. However, there is a possibility that such investment can have negative effects on neighboring states.

## Solvency Deficit Uniformity

#### No coordination amongst the states- means no CP uniformity

EPIC 2012 –(Energy Policy Information Center, “You say you want a devolution; transportation policy and energy security,” March 8th http://energypolicyinfo.com/2012/03/you-say-you-want-a-devolution-transportation-policy-and-energy-security/)AS

That’s an interesting idea, but misguided. States do determine their own transportation priorities today, except when Congress earmarks — DeMint and others are right in their opposition to that practice. But in general, construction priorities aren’t dictated to the states — but national needs and priorities are given additional national funding that the states then spend in accordance with those needs. And while Senator DeMint is correct when he says that the system “is plagued by thousands of wasteful earmarks, bureaucratic red tape, and outdated funding formulas that pick winners and losers,” that’s a good reason to reform the system, not throw up our hands and just let individual states decide our national transportation policy through 50+ disparate and uncoordinated efforts. This is especially the case given the huge macro and microeconomic toll inflicted by our transportation-driven dependence on petroleum. While there are others, that’s reason enough for a national transportation policy and reason enough to be wary of seductive calls for devolution.

#### Too uncoordinated to solve

Maki 2012 –(Wilbur R. professor at the University of Minnesota, Department of Agricultural and Applied Economics “Infrastructure: Rural America,” March 7th http://american-business.org/3423-infrastructure-rural-america.html) AS

State and local infrastructure planning efforts remain piecemeal and uncoordinated. There still is no clear consensus about the implications of these changes on the varying local demands for the many different kinds of infrastructure investments that most clearly affect the well-being of rural residents and their local economic base. Spending for broadband and related capital facilities are still being excluded from current infrastructure development initiatives.