# Unfunded Mandates CP

## File Notes

The CP has the USFG mandate that the states do the plan, but doesn’t invest in the plan.

The internal net benefit is a federalism bad DA.

The permutation: do both doesn’t solve the internal federalism net benefit, because the plan funds the unfunded mandate.

Reading an argument “T-Investment requires spending” might be necessary in order to beat permutation: do the CP. However, some of the negative solvency evidence does speak to the distinction between unfunded mandates and investment.

# Neg

### 1NC—Unfunded Mandates CP

#### Text—

#### The United States federal government should, through an unfunded mandate, [mandate the plan].

#### That solves—empirically proven

May & Burby 96 (Peter May, Professor of political science at the University of Washington AND Raymund Burby, Assistant Professor of Planning and Research Associate at the University of North Carolina, “Coercive versus Cooperative Policies: Comparing Intergovernmental Mandate Performance”, Journal of Policy Analysis and Management, Vol. 15, No. 2 (Spring, 1996), pp. 171-201 JSTOR // Veevz)

Our study sheds light on the strengths and limitations of the two polar intergovernmental policy approaches. The coercive intergovernmental ap- proach, as implemented in Florida mixed with a certain degree of cooperation, has several advantages. First, the coercive policy proved to be much more successful in securing the compliance of local governments with procedural requirements. With a coercive mandate, state governments are better able to get local governments marching to the state's tune. (This, of course, as- sumes that the policy does not unravel because of substantial backlash by local officials.) With a cooperative approach, local governments that do not suffer much from the problem the mandate is addressing are likely to ignore procedural prescriptions. Second, the coercive policy seems to have an edge-at least in the short run-in building the commitment of elected offi- cials to state policy objectives, thereby providing a basis for substantive policy compliance. Third, although the evidence is weaker, the Florida policy appears to have had success in increasing the capacity of local governments to work toward state policy aims.

### Solvency—Timeframe

#### CP solves in the short term

May & Burby 96 (Peter May, Professor of political science at the University of Washington AND Raymund Burby, Assistant Professor of Planning and Research Associate at the University of North Carolina, “Coercive versus Cooperative Policies: Comparing Intergovernmental Mandate Performance”, Journal of Policy Analysis and Management, Vol. 15, No. 2 (Spring, 1996), pp. 171-201 JSTOR // Veevz)

Coercive mandates have greater short-run influence on commitment, but cooperative policies have long-run potential. The presumption is that be- cause they directly impact calculations made by local officials about commitment, coercive mandates will have more influence on the commit- ment of lower-level governments than cooperative mandates; that is, assuming strong monitoring and enforcement. This, however, is a short- run argument. The promise of cooperative mandates is that in allowing greater flexibility they can sustain and enhance commitment. Over time commitment may erode under coercive mandates, particularly as moni- toring and enforcement ease. This is a contrasting longer-run argument

### Solvency—States Say Yes

#### They’ll Agree to Mandates – standard of precedent

Posner 96 (Paul L. Posner, director of the public administration program at George Mason University and a former president of the American Society for Public Administration, GAO director federal budget and intergovernmental relations, “Unfunded Mandates Reform Act: 1996 and Beyond”, Published in Oxford Journals – Oxford University Press, JSTOR // Veevz)

Facing this array of groups, state and local governments have their own associations in Washington, D.C. and these groups have great power poten- tial when they are able to marshal a unified and active lobbying presence. Indeed, previous state and local victories on revenue sharing in the 1970s, Fair Labor Standards overtime rules in the 1980s and UMRA in the 1990s show that, although no longer structurally deferential to state and local interests, Congress will respond favorably to state and local governments as an interest group. However, specific mandate proposals present state and local associations with difficult internal political problems, which often constrain these organizations from being an effective, unified voice on specific mandates. First, state and local officials often agree with the goals of mandates, partly because many mandates are based on initiatives already in place in numerous states and localities. Thus, mandates often garner state and local support, or at least ambivalence. As DanielJ. Elazar notes, many states have little problem adjusting to federal standards when they have themselves often adopted these standards in similar form earlier.35 The new welfare man- dates, for instance, were developed with the support of Republican gover- nors whose states were already implementing work requirements and other welfare limitations. Mandates can be useful for these officials in protecting themselves from opposing political constituencies within the jurisdiction. For instance, local public water officials have used federal drinking water standards as a ceiling on local responsibility when dealing with local groups seeking total removal of drinking water contaminants.

#### States Follow Fed govt. Regs – mandatory

TPF No Date (Texas Project First,“Federal Regulations, State Rules, State Laws? Which Is Which?”, [http://www.texasprojectfirst.org/FedRulesLaws.html //](http://www.texasprojectfirst.org/FedRulesLaws.html%20/) veevz)

Once federal regulations are adopted, each state develops and adopts its own rules implementing new IDEA requirements. State rules help school districts understand how to implement federal requirements. In Texas, the rules governing special education are developed by both the State Board of Education (SBOE) and the Commissioner of Education. Currently, the majority of Texas’ special education rules are Commissioner’s Rules.

#### CP solves the case – factually

ALONSO-ZALDIVAR 12 (RICARDO, Associated Press, 3/22/12, “Supreme Court to weigh federal power over states in Medicaid case”, <http://www.tulsaworld.com/news/article.aspx?subjectid=13&articleid=20120322_13_A9_CUTLIN397574> // Veevz )

Bigby, appointed by Democratic Gov. Deval Patrick, says part of the expansion costs will be offset with savings from accounts used to reimburse hospitals caring for the uninsured. Even with Romney's health insurance overhaul, some Massachusetts residents lack coverage. As for the feds telling the states what to do, Bigby says it's nothing new. "States have always been obligated to follow federal rules and regulations in order to participate in Medicaid," she said. "I don't see this as any different, quite frankly."

#### Especially in the context of Transportation

ACEC 04 (AMERICAN COUNCIL OF ENGINEERING COMPANIES, “Federal Programs”, 8/16/04, [http://www.acec.org/advocacy/committees/qbs\_matrix\_8-16-04.cfm //](http://www.acec.org/advocacy/committees/qbs_matrix_8-16-04.cfm%20/) Veevz)

Section 307 of the National Highway System Designation Act of 1995 requires states to follow the standard Federal Acquisition Regulations, including QBS. Section 174 of the 2006 Transportation Appropriations Act requires that contracts funded in whole or in part with Federal-aid highway funds shall be performed and audited in compliance with the FAR. Two states (Minnesota and West Virginia) were exempted.

### Federalism Internal Net Benifit

#### Unfunded mandates destroy federalism

Jaber 96 (Makram, JD, Emory University School of Law, First Honor Graduate, “UNFUNDED FEDERAL MANDATES: AN ISSUE OF FEDERALISM OR A "BRILLIANT SOUND BITE"?” Winter 1996 Emory Law Journal, lexis // Veevz)

3. The Impact of Unfunded Federal Mandates on the Values Underlying Federalism Concerns about the costs, efficacy, and goals of regulations viewed as unfunded federal mandates are not divorced from another, perhaps more important, concern: that unfunded federal mandates undermine federalism, one of the central premises underlying the structure of government in the United States. n58 The gist of this argument is that, at all times, local governments should be free to devote their resources to address issues that are most important to their constituents. n59 Therefore, in every instance in which the federal government requires these governments to comply with a regulation, it is effectively requiring them to divert a portion of their resources to address issues that they feel are not as pressing as others. n60 Thus, mandates displace local preferences. n61 [\*297] A closely related argument is that the lines of political accountability are blurred when the federal government dictates costly policy, and state and local governments are saddled with the burdens of complying with that policy. According to this view, unfunded federal mandates allow members of Congress to reap the political benefit of passing popular legislation, while state and local officials are held accountable for raising taxes--or cutting spending in another area--to pay for implementing or complying with the legislation. Thus, a federal government that does not fund its mandates is not accountable, and leaves local politicians to take the heat for costly regulations. n62 A third argument relating to federalism is based on the premise that, even where a national policy addresses a subject that is deemed important by the local government, locally devised policy is most often superior to (i.e., better-suited than) a "one-size-fits-all" national solution. n63 Proponents of this view assess the expansion of the power of the federal government ushered in by the New Deal as antithetical to principles of federalism, even if all federal programs were fully funded by the federal treasury. n64 They are therefore critical of all federal regulatory strategies, including conditions on assistance and state-federal cooperative programs. n65 [\*298]

#### The counterplan is the death of federalism

Super 05 (David Super, A.B., Princeton; J.D., Harvard.—Georgetown Law Department, “Rethinking Fiscal Federalism”, Harvard Law Review, Vol. 118, No. 8 (Jun., 2005), pp. 2544-2652, JSTOR // Veevz)

Among the most analytically bankrupt concepts is that of the unfunded mandate.132 Some of the programs that spark the strongest complaint are in fact those programs in which the federal government provides the most money to states. The concern, then, is not about the lack of total funding, but about the lack, or insufficiency, of marginal funding. 133 Yet an approach that measures the appropriateness of changes to mandates in terms of the availability of full incremental funding tied to a given activity is inherently arbitrary. First, it presumes that the federal government's current level of financial support is an irreducible minimum. Not only is this across-the-board presumption unsupported, it also creates perverse incentives: in effect, it tells the federal government not to increase support for the states in advance of deciding what conditions, if any, to impose on that support. It also treats as unfunded mandates the federal government's efforts to close loopholes through which some states may shift costs unilaterally to the federal government.134 Second, this approach ignores the fungibility of money and the breadth of federal-state fiscal relations. Even if a mandate raises the net costs of one particular federal-state pro- gram, the state will suffer no loss of fiscal capacity - that is, it will not have to cut programs or raise taxes - if federal support increases a comparable amount in other areas. Third, this approach seriously impinges upon the sovereignty of the federal government. Put simply, the federal government cannot and should not be expected to continue grant programs indefinitely or to refrain from reformulating those pro- grams in order to meet changing needs or preferences. Most importantly, judging unfunded mandates by their incremental effects ignores the dramatic effects of the business cycle. Federal aid to states, both in absolute terms and as a fraction of states' budgets, increases substantially as the national economy declines. Taken to its logical conclusion, this approach would allow the federal government to burden states with a host of intrusive requirements as a condition of providing countercyclical aid during recessions, with states entitled to throw off these shackles each time the economy recovers. A cyclical reduction in state autonomy is difficult to justify under any coherent theory of federalism.

#### Bush proves—kills federalism

Posner 10 (Paul L. Posner, director of the public administration program at George Mason University and a former president of the American Society for Public Administration, GAO director federal budget and intergovernmental relations “Mandates: Fiscal Accountability Issues”,http://www.oecd.org/dataoecd/25/54/48170537.pdf // Veevz)

Notwithstanding these forces, the period of the Bush presidency in fact witnessed the continuation of the centralisation and nationalisation of priorities and policies that had characterised previous administrations, both Republican and Democrat alike. During this period, federal goals and priorities were extended to new intergovernmental service arenas heretofore primarily controlled by states and localities. Educational testing, election administration, fire protection and emergency response, and tax policy were important arenas that were once relatively off-limits for federal officials but that fell under the influence of major new national programmes. The persistence of centralising and coercive national policy decisions during the Bush presidency reflects the continued attenuation of federalism as a value commanding loyalty from elites and publics in the face of numerous other more politically compelling national values and interests. President Obama has followed a high-level profile as a national policy activist. National leaders with ambitious policy agendas generally increase the national government’s power and authority in relation to subnational governments. Thus, it is less surprising that Obama has continued previous centralising trends. As noted earlier, the health reform legislation alone features major new mandates and roles for states both in extending coverage to new groups and in managing new health exchanges. Pending climate change legislation would serve to pre-empt emerging state-based initiatives, causing significant costs for the states according to the Congressional Budget Office. While strengthening the role of the national government, the Obama administration has provided significant additional grant funds to state and local governments as part of the economic stimulus programme. Indeed, over the past two years, states have received more than USD 100 billion in new and relatively unrestricted federal funds.

#### CP undermines cooperative federalism

Kincaid 90 (John Kincaid—executive director of the U.S. Advisory Commission on Intergovernmental Relations, associate professor of political science on leave from the University of North Texas, Denton; an editor of Publius: The Journal of Federalism; and general editor of the University of Nebraska book series "Politics and Governments of the American States. ", May 1990, “From Cooperative to Coercive Federalism”, JSTOR // Veevz)

ABSTRACT: Cooperative federalism, the reigning conception of American federalism from about 1954 to 1978, was a political response to the policy challenges of market failure, postwar affluence, racism, urban poverty, environmentalism, and individual rights. Having social equity as its primary objective, cooperative federalism significantly transformed American society, but when the conditions underlying cooperation changed during the 1970s, the pressure to expand national power inherent in cooperative federalism gave rise to coercive federalism, in which the federal government reduced its reliance on fiscal tools to stimulate intergovernmental policy cooperation and increased its reliance on regulatory tools to ensure the supremacy of federal policy. The erosion of federal fiscal power and of constitutional and political limits on federal regulatory power in the 1970s and 1980s has produced a more coercive system of federal preemptions of state and local authority and unfunded mandates on state and local governments. This system undermines governmental responsibility and public accountability; yet state and local governments may not possess sufficient constitutional or political leverage to alter the system. Thus cooperative federalism has not been replaced by a new consensus on federalism. In light of contemporary conditions, a new consensus may have to be forged from elements of cooperative equity, competitive efficiency, and dual accountability

### Federalism Bad—Competitiveness/Governance

#### Federalism creates ineffective governance—impedes economic recovery/hurts competitiveness

Meyerson 9 Harold Meyerson, the editor-at-large at The American Prospect and a columnist for The Washington Post, November 19, 2009 (“Fed Up With Federalism,” The American Prospect, Accessed online at <http://prospect.org/article/fed-federalism-0>, Accessed on 7/28/12)

Conversely, liberals have argued for the right of the nation to move beyond its federalist constraints during those periods when they controlled the national government (the 1930s and, especially, the 1960s). And during the late, lamentable Bush presidency, conservative justices on the Supreme Court frequently forbade the states from enacting stricter regulations on [business](http://prospect.org/article/fed-federalism-0" \o "Powered by Text-Enhance)than those that Bush's administration had put in place.

The love of federalism is a sometime thing; its critics and champions switch places depending on who is in power at which level of government. But the problem with our allegedly ingenious federal system is not simply that half the time, if not more, it is an effective way to protect all that is biased and unfair in the American nation. The problem is also that federalism inherently subverts a coherent national response to many fundamental challenges the United States faces, at a time when other major nations -- our competitors in an increasingly global economy -- face no such structural impediment.

Given the sheer size of America and the distinct cultural identity of its many regions, federalism has always made a certain amount of sense. The abolition of the slave trade and the legalization of gay marriage had [to begin](http://prospect.org/article/fed-federalism-0)somewhere. As the rise of national government, transportation, and media have eroded regional identities, traditions, and isolation, however, more conservatives than liberals have found a refuge in federalism.

But even though federalism is more often the refuge of reactionaries than of visionaries, it has an even deeper flaw: setting the nation at cross-purposes with itself, and never more so than during a recession.

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There is a classic algebra problem in which water pours into a bathtub from the tap at a specified rate but also exits the tub at a different rate because someone has neglected to stop the drain. If you know the rates, you should be able to figure when the water will rise to a certain level. During a recession, the United States becomes a version of that bathtub. The federal government is the tap. The state and local governments are the drain.

That's no way to fight a recession. When [investment](http://prospect.org/article/fed-federalism-0), production, and consumption are all in decline, the only way to keep the economy from shrinking is for the federal government to deficit spend and create a stimulus. But while the federal government pours money in, the state and local governments, which cannot deficit spend, see their tax revenue shrinking, so they cut spending, raise taxes, or both -- taking money out of the economy. America's distinct brand of federalism inherently impedes an economic recovery.

Consider the state with the biggest tap and the biggest drain: California. The sum total of the federal tax cuts for Californians included in last year's Bush administration stimulus legislation and this year's Obama administration stimulus came to $15.5 billion for the years 2008 to 2010 -- money desperately needed to boost consumer spending in the midst of the worst downturn since the Depression, says Jean Ross, executive director of the California Budget Project. But the sum total of state tax increases enacted by the California Legislature and signed into law by Gov. Arnold Schwarzenegger in 2008 and 2009, Ross says, came to $12.5 billion for the years 2008 to 2010 -- money desperately needed to keep public services in California from grinding to a halt in the midst of the worst downturn since the Depression. "The state negated 80 percent of the feds' tax cut," Ross says. "And the cuts and the increases pretty much targeted the same lower-income groups."

Nor were the negations limited to tax cuts. Ross calculates the federal government's direct aid to education, its block-grant programs and other education-related expenditures for California total $9.5 billion from 2008 to 2010. The state government's cuts to K-12 schools, community colleges, the California State University, and the University of California add up to $17.4 billion for the same years.

California leads the fiscal--disaster pack, but it is anything but alone. A September paper from the Center on Budget and Policy Priorities reports that since the recession began, at least 41 states and the District of Columbia have slashed their budgets for a wide range of services -- 27 for health care, 25 for aid to the elderly and disabled, 26 for K-12 education, 34 for higher education, and some states for all of these. Forty-two states have reduced wages to state workers through layoffs, furloughs, and salary cuts. At least 30 states have raised taxes during the same period. "All of these steps remove demand from the economy," the center concludes. They "reduce the purchasing power of workers' families, which in turn affects local businesses."

Without the Obama stimulus, which appropriated roughly $140 billion to the states to reduce their budgetary shortfalls during 2009 and 2010, these numbers would be even worse -- though keep in mind that $140 billion in federal funds isn't engendering growth; it's merely offsetting state cutbacks. The center estimates that the federal bailout enabled states to reduce their budget gaps by 40 percent. But with state financial shortfalls in those two years coming to a whopping $350 billion, that leaves $210 billion in unrecompensed state budget shortfalls, which the states have to make up by cutbacks or tax hikes or financial gimmicks. Dean Baker and Rivka Deutsch of the Center for Economic and Policy Research estimate that the cutbacks and tax hikes of cities, counties, and school districts in 2009 and 2010 will come to an additional $15 billion.

So how much does the government's stimulus come to when we subtract the amount the states and localities are taking out of the economy from the amount the feds are putting in? The two-year Obama stimulus amounted to $787 billion, of which $70 billion was really just the usual taxpayers' annual exemption from the alternative minimum tax, and $146 billion was actually appropriated for the years 2011 to 2019. That leaves $571 billion that the federal government is pumping into the economy during 2009 and 2010. Subtract the amount that state and local governments are withdrawing from the economy (they have a combined shortfall of around $365 billion, but let's say they do enough fiscal finagling so that the total of their cutbacks and tax hikes is just $325 billion), and we're left with $246 billion.

At $787 billion, the stimulus came to 2.6 percent of the nation's gross domestic product for 2009 and 2010 -- not big enough, but a respectable figure. At $246 billion -- the net of the federal stimulus minus the state and local anti-stimulus -- it comes to just 0.8 percent of GDP, a level lower than those of many of the nations that the U.S. chastised for failing to stimulate their economies sufficiently.

But other major nations don't have federal systems that turn them into unstopped bathtubs in times of recession. They have states and municipalities, to be sure, but either the responsibility for funding most functions of government resides with the national government, or, as in Japan, state and local governments are not required to run annual balanced budgets. In China, which probably has had the most robust recovery of any major nation, taxes and spending for everything are set in Beijing (including the lower tax rates for provinces in which manufacturing for export is the main economic activity). In France, taxing and spending has been controlled by the national government at least as far back as Louis XIV. In Britain, funding for local government also comes from the national government; "local taxation," says Thomas Barry, first secretary for economic affairs in the British Embassy in Washington, D.C., "is a very small fraction of the total tax burden in the U.K."

Such is obviously not the case in the U.S. The national government alone funds defense and the two great social programs, Social Security and Medicare, created at moments (1935 and 1965) when liberals controlled both Congress and the White House. But state and local governments, which can't run deficits, remain the primary funders of education, transportation, local infrastructure, and public safety and split the cost of health care for the poor with the feds. What this means is that the governmental impediments the United States encounters during a recession are far greater than those encountered by the other major nations with which we compete in the ever more global economy. What this means is that our federal system is, in this very significant particular, massively dysfunctional.

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This September, the Los Angeles County Metropolitan Transportation Authority, the agency that runs LA's growing subway system and its far-flung bus lines, struck a novel deal with an Italian rail manufacturer. In return for its purchase of 100 light-rail cars from the company, the MTA got the company to agree to locate a unionized factory in Los Angeles. Problems with the manufacturer caused the deal to collapse, though, and the MTA is now searching for another company that will build the trains in Los Angeles. The agency's attempt to bolster local industry with a Buy-LA policy has encountered opposition, however, from the Los Angeles Times, which noted in an editorial that federal funds available for buying clean, green rail transport are denied to states and cities that insist on making the product locally. To be sure, the Obama administration has allotted billions of dollars to incubate an electric-car industry. But it is not insisting on domestic content, nor has it cut a deal with a foreign manufacturer to locate a factory here, as Los Angeles is trying to do with rails and as Southern states have done for years with foreign automakers.

The federal government doesn't do that. Well, our federal government doesn't do that. Foreign federal governments do that all the time. China has spared no expense to attract foreign manufacturers, routinely abating their taxes, holding wages in check, offering help to construct new facilities. In the U.S., states and cities woo foreign and domestic investors with an array of tax and zoning incentives; right-to-work states promise to hold down wages, too. But the kinds of sweeping guarantees that national governments can offer are beyond the capacity of states and localities to promise, much less deliver.

China, for instance, is halfway through a stunningly ambitious project to build 100 university science parks roughly modeled on North Carolina's fabled Research Triangle. On average, the parks, according to the testimony of attorney Alan Wolff to the U.S.?China Commission, are 150 percent the size of North Carolina's triangle. "China has taken our model and expanded dramatically on it," Rick Weddle, CEO of the Research Triangle Foundation, testified to the commission. "We toured a research park in Suzhou that is a joint venture between the Chinese government and Singapore. We wouldn't even think about that."

The industrial policies of American states are dwarfed by those of foreign nations, while the one entity with the resources to compete with foreign nations -- the federal government -- stays out of the game. States seek new factories while the federal government shuns domestic content requirements. As with stimulus policy during recessions, state and federal industrial policies seem totally at cross-purposes.

Federalism also enables federal and state governments to punt the responsibility for funding politically contentious programs to each other -- a pretty good way of ensuring that the programs will end up underfunded. A quick way to grasp the contrasting levels of political power wielded by the elderly (considerable) and the poor (negligible), for instance, is to look at how the government funds their health care. Medicare, for seniors, is entirely federally funded. Medicaid, for the poor, has the responsibility for its funding split between the federal government and the states. Despite the fact that Medicaid is nominally a national program, the levels of financial support that states allot it vary considerably. During the current recession, many states have opted to slash Medicaid benefits, even as federal Medicare benefits have largely stayed intact.

The perverse consequences of this hybrid funding have seldom been clearer than during the health-care reform battle, in which the Senate Finance Committee's bill to open Medicaid rolls to more Americans without pledging full federal funding for the program has presented recession-wracked states with a problem they could do without. After Gov. Schwarzenegger stated that the increased cost to his state could amount to $8 billion annually, Sen. Dianne Feinstein of California, who backs the health-reform efforts, announced that she couldn't support a bill that increased the state's costs. (In the House bill, the federal government picks up almost all of the states' increased Medicaid costs.) Federal mandates on states that must balance their budgets during recessions are problematic policy, and they illustrate the buck-passing that is inherent in the federal system. Historically, the price for this feature of federalism has been paid neither by the federal nor state governments but by the poor.

In regulatory matters, the gap between federal and state standards can work as Brandeis thought it should, but it can also enable businesses to comparison shop for the lowest level of regulations. While federalism is an effective way to create multiple governmental power centers in a nation, it creates a system that powerful private players can game. The diffusion of power inherent in federalism works best when power in the private economy and civil society is also diffused, so that, for instance, business will get push-back from labor when it attempts to arbitrage the gaps between state and federal law.

The boundary between federal and state functions in the United States has always been a flexible one, and one that has moved slowly and haltingly toward the federal level throughout most of the nation's history. By the standards of nearly every other major nation, however, and increasingly by the standard of common sense, the United States retains a system of government that frequently subverts its own policies and enables federal and state governments to negate each other's endeavors. Federalism has its points, but in a growing number of ways, and especially during a recession, it makes no damn sense at all.

### Federalism Bad—Disaster Response

#### Federalism prevents effective natural disaster response

Schneck 9 Debra Schneck, Graduate Student at the University of Indiana, April 24, 2009 (“Federalism and Its Impact on Emergency Response

to Disasters and Catastrophes,” Accessed online at <http://www.indiana.edu/~workshop/publications/materials/conference_papers/Schneck_Spring%202009.pdf>, Accessed on 7/28/12)

There is preliminary evidence, supported in this paper by network analysis and anecdotal evidence, to reach the conclusion that the general reluctance of the Mayor of New Orleans and the Governor of Louisiana to relinquish control, based on their perceived role within the American federalist system, led to further chaos and confusion, complicating even further the emergency response to a devastating hurricane and its consequences. The institution of federalism, so important in the American political system, and which supports in essence local and state response without federal interference to routine and smaller emergencies, can be one of the critical challenges to an effective response to a major disaster or catastrophe. Local and state authorities, literally and figuratively, in the eye of the storm, may be reluctant to turn over responsibilities for dealing with an emergency to federal entities, thus “federalizing” the response.

### **Federalism Bad—Economic Recovery/Power Grid**

#### Federalism k2 economic recovery, power grid—turns the case

The New Yorker 9 [James Surowiecki](http://www.newyorker.com/magazine/bios/james_surowiecki/search?contributorName=james%20surowiecki), The Financial Page staff writer for The New Yorker, July 27, 2009 (Fifty Ways To Kill Recovery,” The New Yorker, Accessed online at <http://www.newyorker.com/magazine/bios/james_surowiecki/search?contributorName=james%20surowiecki>, accessed on 7/28/12)

If you came up with a list of obstacles to economic [recovery](http://www.newyorker.com/talk/financial/2009/07/27/090727ta_talk_surowiecki) in this country, it would include all the usual suspects—our still weak banking system, falling house prices, overindebted consumers, cautious companies. But here are fifty culprits you might not have thought of: the states. Federalism, often described as one of the great strengths of the American system, has become a serious impediment to reversing the downturn.

It’s easy enough, of course, to mock state governments nowadays, what with California issuing I.O.U.s to pay its bills and New York’s statehouse becoming the site of palace coups and senatorial sit-ins. But the real problem isn’t the fecklessness of local politicians. It’s the ordinary way in which state governments go about their business. Think about the $787-billion federal stimulus package. It’s built on the idea that during serious economic downturns the government can use spending increases and tax cuts to counteract the effects of consumers who are cutting back on spending and businesses that are cutting back on [investment](http://www.newyorker.com/talk/financial/2009/07/27/090727ta_talk_surowiecki). So fiscal policy at the national level is countercyclical: as the economy shrinks, government expands. At the state level, though, the opposite is happening. Nearly every state government is required to balance its budget. When times are bad, jobs vanish, sales plummet, investment declines, and tax revenues fall precipitously—in New York, for instance, state revenues in April and May were down thirty-six per cent from a year earlier. So states have to raise taxes or cut spending, or both, and that’s precisely what they’re doing: states from New Jersey to Oregon have raised taxes in the past year, while significant budget cuts have become routine and are likely to get only deeper in the year ahead. The states’ fiscal policy, then, is procyclical: it’s amplifying the effects of the downturn, instead of mitigating them. Even as the federal government is pouring money into the economy, state governments are effectively taking it out. It’s a push-me, pull-you approach to fighting the recession.

Now, state cutbacks have not been as severe as they might have been, thanks to the stimulus plan, which includes roughly $140 billion in aid to local governments. That aid, according to a recent study by the Center on Budget and Policy Priorities, has covered thirty to forty per cent of the states’ budget shortfalls. Money for the states translates directly into [jobs](http://www.newyorker.com/talk/financial/2009/07/27/090727ta_talk_surowiecki) not lost and services not cut—which is why you can make a good case that more of the stimulus should have gone to state aid. Yet there’s no sign that those budget gaps are getting smaller, and, as the federal money runs out, state tax increases and spending cutbacks are only going to become more common. In the midst of this downturn, some of the biggest players in the economy—state and local governments together account for about thirteen per cent of G.D.P.—will be doing precisely the wrong thing.

Fiscal federalism also makes it harder to spend the stimulus money efficiently. Much of the tens of billions of dollars that will be spent on roads, for instance, will be funnelled through the states. As a result, a disproportionate amount of the money will be spent in rural areas (which exert disproportionate influence on state governments), leaving cities—which happen to have most of the people and most of the traffic—shortchanged. The top eighty-five metropolitan areas in the country are responsible for about three-quarters of the country’s G.D.P. Yet less than half of the road money will be invested there. The billions in stimulus money that’s going to high-speed rail will likely be spent more sensibly, since the Obama Administration has placed a premium on interstate coöperation in building the network. Still, whether we end up with true regional, let alone national, rapid-transit networks will depend largely on decisions made at the state, rather than the national, level. In other words, you may be able to get from Miami to Orlando quickly, but it could be a slow train (at best) to the rest of the country.

Even more important, federalism is getting in the way of the creation of a “smart” American power grid. This would involve turning the current hodgepodge of regional and state grids into a genuinely national grid, which would detect and respond to problems as they happen, giving users more information about and control over their electricity use, and so on. It could also dramatically reduce our dependence on oil. Wind power could eventually produce as much as twenty per cent of the energy that America consumes. The problem is that the places where most of that wind power can be generated tend to be a long way from the places where most of that power would be consumed. A new grid would enable us to get the power to where it’s needed. But since nobody likes power lines running through his property, building the grid would require overriding or placating the states—and the prospects of that aren’t great.

# Aff

### Solvency Deficit—Roll Back

CP gets rolled back – SC decision

Super 05 (David Super, A.B., Princeton; J.D., Harvard.—Georgetown Law Department, “Rethinking Fiscal Federalism”, Harvard Law Review, Vol. 118, No. 8 (Jun., 2005), pp. 2544-2652, JSTOR // Veevz)

The Court's jurispruence on funding conditions has developed as an offshoot of its decisions on direct federal regulation of states. This tie has led the Court to ask whether funding conditions are, in fact, tantamount to direct regulation. In South Dakota v. Dole,'42 the Court held that they are not because states are free to decline the federal aid, freeing themselves from the conditions imposed.'43 The Court has thereby roughly mimicked UMRA's exemption for mandates with costs that the state can offset through other programmatic changes.

#### Cp is unconstitutional – kills state sovereignty.

Super 05 (David Super, A.B., Princeton; J.D., Harvard.—Georgetown Law Department, “Rethinking Fiscal Federalism”, Harvard Law Review, Vol. 118, No. 8 (Jun., 2005), pp. 2544-2652, JSTOR // Veevz)

Moreover, the Supreme Court's reliance on states' consent creates serious problems in itself. We do not allow individuals to sell them- selves into slavery during times of economic desperation, after all, and one can reasonably argue that states similarly should not be extorted into giving away the essentials of their sovereignty. Perhaps in recognition of this problem, some commentators have suggested that certain conditions could be so inherently intrusive as to be constitutionally impermissible, even with the state's consent.146 One can imagine, for example, that denying a state participation in Medicaid unless it moves its state capital might so offend the state's dignity and sovereignty as to be intolerable. Applying this principle, however, raises problems of its own - specifically, the delineation of the essential at- tributes of state sovereignty. The absence of a clear consensus identifying those attributes invites tendentious definitions and ad hoc deci- sionmaking of the kind the Court has repeatedly attempted with little Success.147 Concerns about possible federal extortion have led some scholars to suggest that federal conditions should be broadly disallowed as presumptively intrusive on state sovereignty.148 This proposal is in some ways even more myopic than approaches relying on states' consent, and it risks savaging the states in the name of saving them. Although disallowance would shield states from unpleasant conditions, it likely would deprive them of considerable revenue.

### Solvency Deficit—Bureaucracy

#### Bureaucratic Fights DA kills solvency

May & Burby 96 (Peter May, Professor of political science at the University of Washington AND Raymund Burby, Assistant Professor of Planning and Research Associate at the University of North Carolina, “Coercive versus Cooperative Policies: Comparing Intergovernmental Mandate Performance”, Journal of Policy Analysis and Management, Vol. 15, No. 2 (Spring, 1996), pp. 171-201 JSTOR // Veevz)

Both types of mandates influence capacity, but through somewhat different means. We expect both forms of intergovernmental policy to enhance the capacity of local governments to carry out the mandated policies. This is directly influenced through the capacity-building features (e.g., technical assistance, funding) that are incorporated into cooperative poli- cies. Coercive policies also may incorporate capacity-building features, particularly when prescribed actions are likely to be onerous or novel to lower-level governments. In other cases, coercive policies affect capacity only indirectly in assuming that lower-level governments will commit the resources required to comply in order to avoid penalties for noncom- pliance. This, of course, is the source of complaints about unfunded mandates. The key differences are in the means of inducing capacity and in the resultant impact on intergovernmental relations. Cooperative policies, with their focus on capacity building, should enhance the abilities of lower-level governments to pursue mandated policies. Coercive policies that lack capacity-building features may also induce capacity, but at the potential price of intergovernmental conflict. When coercive policies include capacity-building features, however, they may have more impact on capacity than cooperative policies, since both direct and indirect influences on lower-level government capacity will be at work.

### Solvency Deficit—Regs/Say No

leads to bad regs kills econ

AGC No Date (The Associated General Contractors of America, “THE CASE FOR INFRASTRUCTURE & REFORM Why and How the Federal Government Should Continue to Fund Vital Infrastructure in the New Age of Public Austerity”, [http://www.agc.org/galleries/news/Case-for-Infrastructure-Reform.pdf//](http://www.agc.org/galleries/news/Case-for-Infrastructure-Reform.pdf/) Veevz )

In other cases, the federal government has an obligation to invest in infrastructure to avoid imposing costs on U.S. businesses and imposing unfunded mandates on state and local governments. For example, local governments had long been responsible for paying to maintain and operate water systems. That meant only major cities and wealthy towns had access to modern water systems. Much of that changed when the federal government began mandating quality standards for drinking water and wastewater discharge through legislation like the Clean Water Act and Safe Drinking Water Act. These standards were in the best interest of the nation, ensuring protection of public health and environmental quality. By mandating quality standards, however, the federal government forces local governments to spend billions of dollars to upgrade equipment and comply with regulatory burdens. The federal government must not foist the burden of maintaining national standards onto local ratepayers alone. Given that it is in the federal interest to set water quality standards, then so too must it be in the federal interest to provide – primarily in the form of state revolving loan funds – financing help to operators so they can meet those standards. Federal investments in infrastructure also are often the best way to ensure the health, safety and economic vitality of sparsely populated rural communities. Many rural communities, indeed many rural states, lack the resources needed to finance the construction of major infrastructure projects like interstate highways, safe drinking water systems, irrigation facilities or floodwater protection. The federal government is uniquely suited to supporting infrastructure investments in these rural communities, especially when so much of our nation depends on the commercial traffic that travels through them and the agricultural products that come from them.6 Perhaps counter intuitively, regular federal investments in infrastructure also save taxpayers money. That is because it costs a lot less to maintain infrastructure than it does to repair it. Either we can make regular investments in maintaining the quality and integrity of our existing infrastructure, or we can make significantly larger investments in repairing infrastructure once it is broken. In addition to having to pay more to repair that infrastructure, Americans are likely to bear the burden of lost or damaged lives and lost economic opportunity that inevitably come when vital pieces of infrastructure fail.

#### Regs means they say no

Melling 95 (Tom, Law Clerk to the Honorable Jerome Farris “Bruce Babbitt's Use of Governmental Dispute Resolution: A Mid-Term Report Card”, Ninth Circuit Court of Appeals, Land and Water Law Review // Veevz)

**Making a unilateral decision and then informing a group** (whose members are already irritated about some public policy matter) that they will work for consensus probably **does little to predispose people to be agreeable**. It would be better to convey to the group a sense of the alternative approaches available for decision making given the specific situation (e.g. type of issue, time constraints, numbers of stakeholders, etc.), and then have the group come to a decision about which path to pursue. 26 In addition, voluntariness means that the interested parties, not outsiders, must set the agenda. 27 **Each side must have** the autonomy to pursue **alternatives that** are in their self-interest--alternatives that **they can genuinely support. If a dispute resolution process is not voluntary, conflict will very likely continue.**

#### Double bind – either the CP doesn’t develop concensus so states say no, or they consult too many states – kills solvency

Melling 95 (Tom, Law Clerk to the Honorable Jerome Farris “Bruce Babbitt's Use of Governmental Dispute Resolution: A Mid-Term Report Card”, Ninth Circuit Court of Appeals, Land and Water Law Review // Veevz)

In order to develop consensus, interested parties must have an opportunity to partake in the process that creates the consensus. n37 If a party is excluded from a process, any proclaimed resolution almost certainly [\*65] will not satisfy their interests. n38 For example, at the Northwest Timber Summit, environmentalists never had a chance to participate in the negotiations that produced the "compromise." n39 They had no stake in the final result and consequently not only refused to support it, but also fought it in the courts. n40 The requirement that all groups must have an opportunity to participate in the process, however, can cause complications. If a large number of parties are involved, collaborative dispute resolution becomes infinitely more complicated and often fails. n41 For example, agency rulemaking by mediation may not be appropriate for disputes concerning more than fifteen groups. n42 A related problem arises with the selection of appropriate representatives for large decentralized groups. Members of a large group may have differing viewpoints that cannot be expressed by a single voice or representative. If a group does not have a binding process to select a representative, various factions may not consent to the final outcome. n43

### Taxes/Budget DA

#### Forces tax raises that results in delays and other budget cuts

Etzkorn 11 (Lars, National League of Cities, “Local Government Call on Congress to Limit Unfunded Mandates”, <http://www.nlc.org/news-center/nations-cities-weekly/articles/2011/february/local-government-call-on-congress-to-limit-unfunded-mandates>, // Veevz)

Patricia Douglas, mayor of the city of Edmond, Okla., testified on behalf of local governments this week at a hearing on unfunded mandates and regulatory overreach. The hearing, the first held by the new House Subcommittee on Technology, Information Policy, Intergovernmental Relations and Procurement Reform, was chaired by Rep. James Lankford (R-Okla.). “With apparently little check and balance, federal regulators can dramatically affect the budgets and staff structure of state and local governments,” Lankford said. Mayor Douglas agreed, saying “each time cities face an unfunded mandate, we are forced to choose between raising taxes, cutting services or delaying needed infrastructure projects.” However, the ranking minority member of the subcommittee, Rep. Gerald Connolly (D-Va.) cautioned that it was important to distinguish between unfunded mandates imposed on state and local governments, which he doesn’t support, and regulations of businesses. Connolly cited limits on power plant emissions as an example: “when the private sector is engaged in activity that places public health or safety at risk, those actions should be regulated.” Much of the hearing focused on the current effectiveness of the Unfunded Mandates Reform Act of 1995, which sought to limit the growth of federal legislation that imposed costs on state and local governments by creating a Congressional point of order that could be used to help prevent the enactment of bills creating them.

#### The counterplan chokes off the recovery—state spending cuts and tax increases compound shortfalls in aggregate demand.

Backman 11 — Daniel Backman, Staff Writer for the *Harvard Political Review*, undergraduate political science student at Harvard University, 2011 (“The State Budget Squeeze,” *Harvard Political Review*, December 10th, Available Online at http://hpronline.org/united-states/the-state-budget-squeeze/, Accessed 06-27-2012)

As America’s economic recovery crawls forward, its states suffer from depleted revenues and large spending commitments. Experts project between $30 billion and $40 billion in combined state budget deficits for fiscal year 2012. Though the federal government runs deficits during recessions to fund expansionary policies, many states are constrained by constitutional balanced budget requirements. They must close deficits by cutting spending and raising taxes, choking recovery with behaviors that compound macroeconomic problems.

Kills State Budgets

Conlan AND Ray 96 (Marcella Ridlen Ray is a doctoral candidate in the Institute of Public Policy, George Mason University, Timothy J. Conlan is associate professor of government and politics at George Mason University, “At What Price? Costs of Federal Mandates since the 1980s”, JSTOR, Winter 1996 // Veevz)

Viewed as a whole, these regulations represent substantial costs on affected state and local jurisdictions. Nevertheless, costs of this magnitude fall short of the crushing burden often claimed by some participants in the mandate cost debate. For example, the Na? tional Conference of State Legislatures has estimated that bills directly attributable to federal mandates can account for up to 25 percent of a state's annual general fund bud? get (Wnuk 1993,13). And the Williamsburg Resolve, adopted by the 1994 Republican Governors Conference, states that unfunded mandates will commandeer one-fourth of all local revenues by 1998 (Hittinger 1995). In contrast, the 15 programs we examined imposed combined costs totaling less than one percent of state and local revenues in 1992. How should we account for such disparities It is important to recognize, first, that efforts to quantify the financial costs of federal mandates are fraught with difficulty. Currently available estimates vary dramatically, depending on the definition of mandate that is used, the specific expenditures that are included, the method of estimating those expenditures, the quality of those estimates, the jurisdictions included in the sample, and other factors. To date, most attempts to quantify federal mandate costs have been incomplete or open to serious question. Recognizing these difficulties, the estimates we have generated are almost certainly too low. Our figures do not include a number of smaller, nonmajor regulations for which cost estimates were not available. Nor do they reflect other costly regulations that were imposed before or after our period of study, such as clean water requirements from the 1970s or the Clean Air Act Amendments of 1990.

### Federalism Good—Democracy

#### Federalism k2 democracy­—Latin America proves

Meng 8 Joyce Meng, Wharton Research Scholars,4/25/2008 (“Impact of Governance Structure on Economic and Social Performance: A Case Study of Latin American Countries,” Accessed online at <http://www.joycemeng.com/writings/federalism.pdf>, Accessed on 7/28/12)

1. Diffusion of political power improves rights performance and democratic accountability, of which federalism provides an important institutional framework. In Mexico, the strengthening of federal institutions opened up new electoral spaces that promoted political party competition that eventually led to reform and democratization. In addition, the federal reforms bred coalitions that provided an important institutional check against existent power structures and PRI domination (Pages 32‐36, 50‐52). Likewise in Argentina and Brazil, federalism played an important role in strengthening democratic institutions after a long period of military rule (Pages 7‐8, 11‐12, 14‐15, 18‐19, 50‐52). The constitutional structure of democratic federalism provided an important check on government to ensure representation at local levels, which military rule had suppressed (Pages 7‐8). Federalism also provided an essential constraint on presidential or executive power – a mechanism to prevent political rights abuses that had occurred under military rule (Page 11).

In unitary governments such as Chile and Uruguay, increasing municipalization – a form of decentralization – has strengthened political voice, participation, and representation at the local level (Pages 27‐29, 38‐39). As Uruguay implemented elections at the municipal level and improved the institutions of direct democracy, traditions of direct and participatory democracy have considerably progressed, from direct citizen referendums to the rise of civil society organizations aiming to engage municipal governments (Pages 27‐31). In fact, despite the Constitution’s declaration of unitary governance, the government of Uruguay reflects a high degree of political and fiscal decentralization, similar to that of federal republics (Page 27). Likewise in Chile, the rising appeal and predominance of local office has created new channels of political participation in plebiscitary politics and increased the level of representation at the local level (Page 42).

### Federalism Good—Disease

#### Decentralization allows for increased access to public goods—solves health care/immunization

Meng 8 Joyce Meng, Wharton Research Scholars,4/25/2008 (“Impact of Governance Structure on Economic and Social Performance: A Case Study of Latin American Countries,” Accessed online at <http://www.joycemeng.com/writings/federalism.pdf>, Accessed on 7/28/12)

3. Decentralization improves access to public goods, in both federal and unitary governments.

Throughout the past two decades, the World Bank, United Nations, USAID, and Inter‐ American Development Bank have all emphasized the importance of decentralization in social welfare programs. In theory, decentralization of social services increases the efficiency and impact of public goods and resources because local agents are often more attuned to the preferences and priorities of the local population. As confirmed in the indicators and analysis of historical evolution, decentralization and administrative federalism have increased access to social goods, lowered regional inequities, and improved efficiency in resource allocation by taking into account local priorities (Pages 56‐62). For example, in Argentina, decentralization reduced intra‐regional disparities and increased on aggregate the level of human development in the areas of health and education (Page 19).

Decentralization benefits both unitary and federal governments. Most notably, under Pinochet’s unitary government, the municipalization of the hospital system contributed to high rates of immunization – well above the performance of all other Latin American countries which had adopted centralized health systems (Page 56‐57). In fact, all the case study countries – Brazil, Argentina, Mexico, Uruguay, Venezuela, and Chile – have pursued health care decentralization reforms in the past twenty years. As shown in the indicators, life expectancy at birth, immunization, and poverty headcount reflect a connection between decentralization and increased access to health care and services (Pages 56‐60). Acting like ‘service delivery agents’, municipal governments in Chile provided local public service on a cost‐effective basis, without having local governing power (Page 38‐39). In Uruguay, the reorganization of municipal administration increased the level of social accountability, thus facilitating social investment and access to urban public goods (Pages 28‐29).

In regards to federalism’s unique contribution, federal governments generally require a political structure of decentralization. In most cases, sub‐national actors in federal countries have significant administrative responsibilities and greater fiscal latitude, thus providing an institutional framework that facilitates an optimal structure of delivery of public goods and information. Nevertheless, decentralization reforms can still be effectively carried out in unitary governments, which use municipal channels and other regional government networks. Conversely, federal governments that have a degree of fiscal centralization and limited administrative responsibilities at the sub‐national level, such as in Mexico before the 1990s, do not harness the full benefits of decentralization (Pages 32‐33, 36).

### Federalism Good—Disaster Response

#### Federalism k2 disaster response

Landy 8 Mark Landy, Boston College, December 2008 (“Mega-Disasters and Federalism,” Public Administration Review, Accessed online at <http://www.disasterrecoveryresources.net/PAR-Nov2008.htm.pdf>, Accessed on 7/28/12)

In the face of a terrible emergency, the saving grace of federalism is supposed to be its greater ﬂexibility, responsiveness, and capacity to mobilize mutual aid. It presumably beneﬁts from the unique virtues that each level of government and that the citizen himself of herself possesses. These virtues compensate for its inherent complexity and redundancy. The exercise of personal responsibility and neighborly concern is a superior substitute for government intervention. As Alexis de Tocqueville recognized, government cannot hope to match the energy and resourcefulness of citizens cooperating informally or through voluntary associations. If people build their houses to withstand storms and ﬂoods, respond promptly to evacuation orders, and oﬀer rides to elderly or disabled neighbors, they eliminate the need for response assistance and enable scarce governmental and philanthropic resources to be expended elsewhere.

Mayors and chiefs of police and ﬁre know their cities. They should be able to use this local knowledge to ensure that disaster response plans reﬂect actual circumstances. They know which roads and bridges are best suited for escaping a densely populated island under attack, how best to coordinate police and ﬁ re activities, where disabled and elderly people live, and how to work with neighborhoods and church groups to establish buddy systems linking those with cars to those without.

The national government has resources and technical capacity that hardly any locality can aﬀord. It has the ﬂeets of helicopters and transport planes and the corps of technicians needed to respond to massive natural or man-made disasters. The national government is also best suited to perform the ongoing research and training functions necessary to improve response and recovery techniques and capabilities.

As always, the states ﬁt somewhere in between. Their role is less clearly deﬁned than that of the federal or local government, but it is no less essential. Mega-disasters do not respect local boundaries. As the next-highest level of constituted authority, the states need to provide leadership for response and planning eﬀorts that cross municipal boundaries, coordinate those eﬀorts with other states when problems cross state lines, and work with their congresspersons to represent the concerns of all aﬀected regions and communities in Washington. Because both the Constitution and federal statutes limit the law enforcement powers of the national government, states also have primarily responsibility for backing up the law enforcement eﬀorts of beleaguered city and county police departments.

### Federalism Good—Economic Growth

#### Federalism correlates w/ faster economic growth

Brueckner 6 Jan K. Brueckner, Department of Economics, University of California, Irvine March 2006 (Fiscal Federalism and Economic Growth,” Accessed online at <http://www.ifigr.org/workshop/IFIR-CESifo/papers/brueckner.pdf>, Accessed on 7/28/12)

The analysis in this paper suggests that faster economic growth may constitute an additional beneﬁt of ﬁscal federalism beyond those already well recognized. This result, which matches the conjecture of Oates (1993) and the expectations of most empirical researchers who have studied the issue, arises from an unexpected source: a greater incentive to save when public-good levels are tailored under federalism to suit the diﬀering demands of young and old consumers. This eﬀect grows out of a novel interaction between the rules of public-good provision, which apply cross-sectionally at a given time and involve the young and old consumers of diﬀerent generations, and the savings decision of a given generation, which is intertemporal in nature. This cross-sectional/intertemporal interaction yields the link between federalism and economic growth.

While it is encouraging that the paper’s results match recent empirical ﬁndings showing a positive growth impact from ﬁscal decentralization, additional theoretical work exploring other possible sources of such a link is clearly needed. In contrast to the present model, a link could emerge because federalism is correlated with a second force that independently aﬀects growth. For example, federalism may reduce corruption, as suggested by the results of Fisman and Gatti (2002) and Arikan (2004), and lower corruption may raise growth (see Mauro (1995)). Or federalism could limit income redistribution, which in turn may enhance growth. While the present results emerge from a model based on very minimal assumptions, exploration of richer models admitting diﬀerent pathways from federalism to growth could be fruitful.