

ACIR AT 35 - ANNIVERSARY ISSUE

**Protecting the Environment:
A New Generation**

Carol M. Browner

**National Felon Registry:
Priority for Fighting Crime**

Byron L. Dorgan

**Improving Criminal Records:
Problems and Progress**

Kent Markus

**Federally Induced Costs:
Mandate Relief Comes of Age**

Bruce D. McDowell

**Assessing Mandate Effects
on State and Local Governments**

Philip M. Dearborn

SEC Proposes Disclosure Mandate

Philip M. Dearborn

Special Features:

**Public Attitudes on Governments
and Taxes 1994**

ACIR Membership 1959-1994

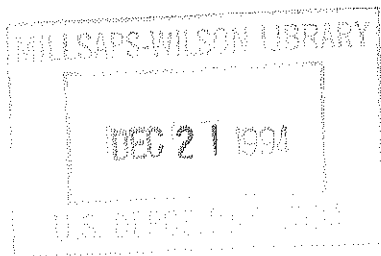
ACIR Publications 1960-1994



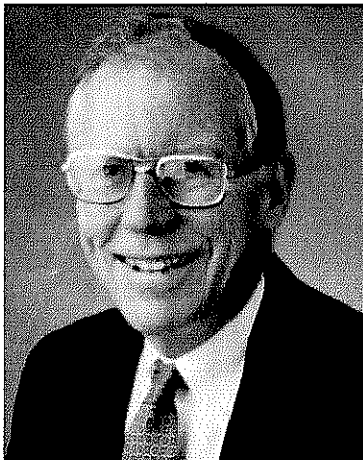
V 3. RD 9/8:11/

V. 20/NO. 3

#1049-D



Chairman's View



If there were ever any doubt about the importance of ACIR's role in enhancing the performance of our federal system, that doubt should now be relieved by the events of recent months. Beginning with the meeting at the White House last December with the President, the Commission is involved in a series of assignments that represent perhaps the most extensive agenda ever undertaken by ACIR. Ironically, this substantially enlarged responsibility has come at a time of diminished funding and drastically reduced staff.

What this expanded order of business means, though, is that coming as it has at the instance of the President, the Vice President, the Congress, and the leaders of a number of political subdivisions across the country, there is a renewed recognition of the unique function of ACIR.

Because it occupies the official status of an "honest broker" amid competing political interests, the Commission is being looked to more than ever to perform its role of providing objective analysis and recommendations free from partisan bias on diverse, complex issues.

Because the governmental decisionmaking process has become almost overloaded and now involves so many disparate and conflicting interests, there has developed the perception among many in the body politic that our federal system is not functioning as well as it should. As a consequence, public confidence in our governmental institutions is diminishing. This is where I believe ACIR now has an unusual opportunity to bring to the table credible information and thoughtful ideas that can lead to acceptable solutions to some of the seemingly intractable problems that confront us today.

Responding to this challenge, the Commission has set an agenda that, in addition to its research activities, includes the following specific objectives:

- 1) To monitor and evaluate the impact of federal mandates on state and local government, including an assessment of their costs, benefits, and methods of financing.
- 2) To strengthen intergovernmental goal-setting and performance measurement as envisioned by the National Performance Review.
- 3) To restore fiscal balance to the federal system.
- 4) To stimulate the implementation of a national felon registry system.
- 5) To aid in the relief of metropolitan fiscal disparities and highlight models of intergovernmental fiscal cooperation.

It is obvious that this is a large order that will tax both the energies and resources of ACIR. I

(continued on page 10)

Intergovernmental Summer/Fall 1994, Vol. 20, No. 3
PERSPECTIVE

- 11 **Protecting the Environment:
A New Generation**
Carol M. Browner
- 13 **National Felon Registry:
Priority for Fighting Crime**
Byron L. Dorgan
- 14 **Improving Criminal Records:
Problems and Progress**
Kent Markus
- 17 **Federally Induced Costs:
Mandate Relief Comes of Age**
Bruce D. McDowell
- 22 **Assessing Mandate Effects
on State and Local Governments**
Philip M. Dearborn
- 27 **SEC Proposes Disclosure Mandate**
Philip M. Dearborn
- 29 **Public Attitudes on Governments
and Taxes 1994**
- 31 **ACIR at 35:
Achievements in Perspective**
- 34 **ACIR Membership 1959-1994**
- 37 **Publications of ACIR 1960-1994**
-

Staff

William E. Davis III
Executive Director

Joan A. Casey
Editor

Intergovernmental Perspective
(ISSN 0362-8507) is published
four times a year by the
U.S. Advisory Commission
on Intergovernmental Relations
Washington, DC 20575
(202) 653-5540

- 2 **Chairman's View**
- 4 **From the Director**
- 7 **ACIR News**

The Chairman of the Advisory Commission on Intergovernmental Relations has determined that the publication of this periodical is necessary in the transaction of the public business required by law of this Commission. Use of funds for printing this document has been approved by the Director of the Office of Management and Budget.

From the Director



At the time I interviewed for the position of the Advisory Commission's new Executive Director, I discussed with members of the Commission what I referred to as "ACIR's strengths, weaknesses, problems, and opportunities." I want to share some of my views on these matters with the larger intergovernmental community because these concerns will be guiding our actions over the next months and years as we go about the business of "reinventing" ACIR.

Over its 35-year history, ACIR has built its well deserved national reputation largely on the basis of consistently high quality, objective research and analysis covering an extraordinarily broad subject area. There are few of us in the public sector who have not depended at one time or another on ACIR's work. Thus, the quality and integrity of ACIR's research must be protected.

But what makes ACIR a unique institution is its ability to convene key local, state, and federal government representatives around the same table—as equals—for reasoned and informed deliberation on complex and often controversial national issues. The ability to convene such discussions is a powerful tool to surface and critique ideas, debate policy alternatives, and

forge agreements for improving the quality of government in America. **In my view, this "convening" role of the Commission must be expanded.** This means both finding additional opportunities to create such deliberations and broadening the range and number of individuals at the table. We are doing both.

This month alone, ACIR is convening three intergovernmental task forces, two of which deal with providing relief to state and local governments from unfunded federal mandates. The third is focused on finding additional financial resources for investment in the nation's public works. In each of these meetings, we are bringing together representatives of relevant House and Senate committees, members of Congress, state and local public interest groups, the research community, state municipal leagues and county associations, and other national organizations to struggle with issues. One of the mandates task forces is focusing on establishing definitions, principles, and processes. The other will deal with estimating the costs of federal mandates. The infrastructure task force is meeting to plan a Capitol Hill Summit Conference on Financing Public Works. We will be doing more of this, and you will be reading about the results of these efforts in future ACIR publications.

Everywhere I have gone during my four months as Executive Director—to state capitols, city halls, and in Washington among state and local government associations, foundations, and the nonprofit community—I find a community of individuals truly concerned about intergovernmental issues and the nature of relations among levels and branches of government. Most important for ACIR, I find a vast reservoir of interest, concern, and support for its work.

Yet, I am repeatedly struck with how little

our collaborators, customers, and clients know about ACIR's current work. This is particularly true among *policymakers* at federal, state, and local levels. For many, the Commission's deliberations seem to occur behind closed doors; its staff work is largely hidden from view. Our reports move too quickly from in-baskets to bookshelves of national, state, and local government policymakers who are our principal clientele. As one of my journalist friends has described it, "ACIR is Washington's best kept secret."

Good works do not speak for themselves. They need to be communicated effectively; they need to be promoted; they need to be marketed. We will be committing a much larger effort to getting ACIR's activities, its findings, conclusions, and recommendations, out to the larger policymaking world, both directly and through intermediaries. We are exploring new ways to accomplish this task more quickly and more effectively. You will be hearing more about this in the near future.

Regardless of the extent of the support for ACIR—in colleges and universities, state capitals, cities and towns—there is a disconnect between those who receive the principal benefit from ACIR's work and those who pay most of our bills. The Commission's authorizing legislation specifies that its principal clients are the Congress and the Administration. Most of ACIR's annual budget is derived from a congressional appropriation. With tremendous pressure on the Congress to cut spending, eliminate programs and disestablish governmental entities that are not essential, **ACIR must strengthen its services specifically directed to the assist the Congress** if it is going to continue to enjoy the support of that body.

I have begun working directly with our congressional members on the Commission to identify specific activities through which ACIR can provide assistance on particularly vexing intergovernmental issues. I referred earlier to a Capitol Hill Summit. This effort will focus on helping the Congress and various interests come together to explore future options for increasing

the amount of investment in the nation's public infrastructure. We will be looking at earmarked taxes, user fees, trust funds, infrastructure banks, the bond market, and other potential mechanisms.

Another issue that has recently surfaced is the need to establish a national felon registry. ACIR is taking on the effort to help sort out the barriers and impediments to establishing such an information system. Senator Byron Dorgan (D-ND), a member of the Commission, will lead ACIR's work in this area. You will read more about the subject elsewhere in this issue.

We also are working with our congressional members on federal mandates legislation. HR 5128, the "Federal Mandates Relief for State and Local Government Act," reported out by the House Government Operations Committee, directed that ACIR conduct specific studies, make recommendations to the President and the Congress, and continuously monitor implementation of the legislation. Those who support this and a similar bill on the Senate side are confident that such legislation will be passed during the next session of Congress. Assuming that this happens, ACIR will not only be of substantial assistance to the Congress, we will have been handed another major responsibility for monitoring the intergovernmental system.

At the time I was offered the position as ACIR's Executive Director, I talked to many people in and out of Washington about the future of the Commission. To be honest, some had buried ACIR. Yet, when I surveyed the landscape of intergovernmental issues that continue to confound us at all levels, when I could see no other institution more potentially effective in addressing them, and when I heard the commitment of Commission members to "reinvent" this enterprise and make it succeed, my decision was clear. ACIR must succeed! Our challenge is to make ACIR once again an enterprise so compellingly *useful* to the government policymaking community that it is viewed as absolutely essential. I look forward to that challenge and hope you will join me in addressing it.

William E. Davis III

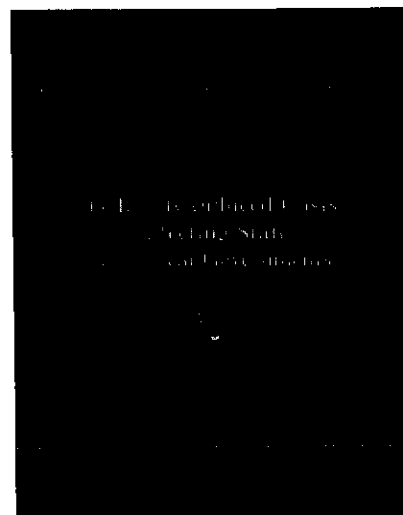
Federally Induced Costs Affecting State and Local Governments

In **Federally Induced Costs Affecting State and Local Governments**, ACIR develops a new concept to explore (1) the fiscal dimensions of federal actions affecting state and local governments and (2) the ways in which the federal government assists state and local governments. The Congress and the Executive Branch have begun to focus greater attention on mandates and possible strategies for relief, including some form of reimbursement. One of the principal objectives of this report is to develop a framework for investigating the issues in establishing and operating a reimbursement process.

M-193

1994

\$20



Local Government Responsibilities in Health Care

Local governments spend an estimated \$85 billion annually to supply health services, according to **Local Government Responsibilities in Health Care**. ACIR found that approximately one of every eight dollars spent by local governments is for health-related activities, including (1) protecting the health of the community, (2) providing health care for low-income and uninsured residents, (3) providing health benefits for their employees and retirees, and (4) helping states finance Medicaid. ACIR reviewed expenditures for health care, their relation to health care reform, and needs for additional information.

M-192

1994

\$10

Local Government Responsibilities In Health Care



U.S. Advisory Commission
on Intergovernmental Relations
Washington, DC 20576

M-192
July 1994

(see page 43 for order form)

Vice President Al Gore Meets with ACIR

Vice President Gore met with the Commission on September 26, 1994, to ask that ACIR "actively consider helping the federal government develop a specific series of performance measures" as the National Performance Review moves into its second year with the publication of 1,500 customer service standards for the federal government.

The Vice President said that the customer service standards "serve as a concrete sign that the federal government is moving toward the measurement of outputs and not inputs, and is beginning to focus on results." He added:

Of all the areas we have staked out for reinvention, none requires the active cooperation of state and local governments more than the effort to transform government throughout America from one that measures inputs to a government that focuses on the results.

Noting that there are some state and local "pioneers in outcome-based government that are far ahead of the federal government," Vice President Gore requested that ACIR survey these efforts because "we need to know where state and local performance standards can lead to a change in the way the federal government relates to [those] governments," and places "where the federal government can make a . . . contribution to better state and local performance just by doing something differently."

He concluded that the federal, state, and local governments, together, "have to find a way to make this shift toward performance measurement, to concentrate not on how we get to a particular result in infinite detail, but rather on whether we are getting there and how we can ensure that we do get there. . . ." ACIR, he said, "can be extremely important in accelerating that transition."



Vice President Al Gore speaks at ACIR meeting. Pictured are (from left around table): Bob Miller, Bruce Todd, Victor Ashe, Barbara Sheen Todd, Executive Director Bill Davis, William Winter, Vice President Gore, Richard Nathan, NPR Staff Chief Elaine Kamarck, Keith Mason, Samuel Nunez, James Moran, Joyce Cohen, and Henry Smith. Photos by Dunn Photographic Associates.

Mayor Rendell Cites ACIR in MPO Congressional Testimony

Commission Member Edward G. Rendell, Mayor of Philadelphia, testified on October 6, 1994, before the Subcommittee on Investigations and Oversight of the House Committee on Public Works and Transportation regarding the capacity of metropolitan planning organizations (MPOs) to perform new functions as required by the *Intermodal Surface Transportation Efficiency Act of 1991* (ISTEA).

He cited ACIR's analysis of the governing board structures and voting arrangements of 86 of the largest MPOs, pointing out that representation by central cities on MPO boards has become increasingly important "under ISTEA because the MPOs now have the lead in planning the allocation of a substantial portion of the federal transportation funds to be spent in the nation's major metropolitan areas." (See *Intergovernmental Perspective*, Spring 1994, page 31.)

Mayor Rendell added:

The need for change in this aspect of MPO structures is clear. . . . We are going to have to compete . . . for [limited federal program] funds if we are to meet the congestion mitigation and air quality goals of ISTEA. And if we do not have a level playing field we are going to lose that competition every time.

Those losses, he said, "will not be good for America. This nation needs to keep its big cities fiscally strong, uncongested, and environmentally clean . . . to meet the challenges of international competition and provide a thriving economy and rising standard of living. . . ."

Commission Hears Briefings on Benchmarking Programs

The Commission is beginning to prepare its response to the recommendation of the Vice President's National Performance Review that ACIR "develop appropriate benchmarks and per-

formance measures to improve the understanding of public service delivery effectiveness." At its meeting on September 26, 1994, the Commission was briefed by state and federal officials on three performance measurement efforts that are considered by many to be pioneers in the field.

Lt. Gov. Olene Walker of Utah briefed the Commission on the success and challenges of "Utah Tomorrow," the strategic planning and performance measurement effort launched in 1990. Through this joint legislative-executive program, Utah is setting goals for 20 years and taking a proactive approach to the future.

Oregon State Senator Joyce Cohen reported to the Commission on "Oregon Benchmarks," the state program for goal setting, budget priorities, and performance measurement, which includes local governments, businesses, nonprofits and other organizations, and a comprehensive proposal for a federal-state partnership for benchmarking human services.

Assistant Secretary Henry M. Smith of the U.S. Department of Education reviewed for the Commission the department's experience in implementing a federal-state consensus building process to develop national goals for improving student achievement.



Lt. Governor Walker, Senator Cohen, and Henry Smith answer questions on benchmarking.

State Contributions to ACIR

The Commission would like to express its thanks to the following states that have contributed to its work so far this year. The state contributions are enormously important to the continuation of ACIR's programs, and we are grateful to all those who make them possible.

Arizona	Michigan
Arkansas	Minnesota
California	Missouri
Colorado	New Hampshire
Connecticut	New Mexico
Florida	North Dakota
Hawaii	Ohio
Illinois	Oklahoma
Indiana	Pennsylvania
Kansas	Rhode Island
Kentucky	South Carolina
Louisiana	Tennessee
Maryland	Virginia
Wisconsin	

Summary of ACIR Actions at June Meeting

At its meeting on June 17, 1994, the Commission agreed to:

(1) Send a letter to OMB Director Leon Panetta, in response to his request, stating that ACIR will attempt to (a) define the term mandates as it pertains to legislation being considered, (b) recommend ways to estimate costs, and (c) recommend ways to monitor implementation and structure for legislative/executive coordination in compliance.

(2) Authorize publication of the report on **Federally Induced Costs**, to be made available to the principal Members of Congress and the executive branch working on mandate relief legislation, after a final Commission review.

(3) Conduct a research project that relates to

the establishment of a national registry of felons and encourage all levels of government to cooperate and participate in the Interstate Identification Index as a national priority.

(4) Authorize publication of **Local Government Responsibilities in Health Care**.

(5) Authorize the staff to seek outside funding for a Fiscal Disparities Project.

ACIR Names Kincaid Kestnbaum Fellow

The Commission, on June 17, 1994, named John Kincaid as 1994-1995 Kestnbaum Fellow in recognition of his service.

The Commission also adopted a resolution thanking Dr. Kincaid for his service as Executive Director of ACIR since 1988. The Commission noted that he upheld the

highest principles of public service, fairness, and diversity; . . . brought the Commission through unprecedented . . . challenges; . . . worked . . . successfully to ensure a continuing output of extraordinarily high quality work despite the most severe constraints in fiscal resources; and . . . upheld the credibility and objectivity of the Commission's research, strengthened the staff, increased productivity, helped pioneer new research fields, improved relations with constituent groups, and established the Commission's international presence.

ACIR Appropriation Passes for FY 1995

The Congress passed the Treasury, Postal Service, and General Government appropriations bill for FY 1995 on September 28, 1994, with an appropriation of \$1 million for ACIR.

In June, the House Appropriations Committee included funding for ACIR in its bill, but the full House eliminated the appropriation. The Senate restored the funding at \$1 million. The House-Senate Conference Committee approved the appropriation in September.

New ACIR Members

Richard P. Nathan, Provost of the Nelson A. Rockefeller College of Public Affairs and Policy, and Professor of Political Science and Public Policy, State University of New York at Albany, was appointed to a two-year term on the Commission by President Clinton on September 23, 1994.

Bob Graham, U.S. Senator from Florida, was appointed to the Commission for two years by Vice President Al Gore on October 7, 1994.

State ACIR Conference

The state ACIRs will meet November 17-19, 1994, in Chicago. The Illinois Commission on Intergovernmental Cooperation is hosting the meeting. The conference agenda will focus on federal and state mandates, state action strengthening local government, regional cooperation, and new state initiatives in revenue diversification.

ACIR Member John H. Stroger, Jr., a Cook County Commissioner, will be the luncheon speaker. Chicago Mayor Richard Daley, the Michigan State Treasurer, and representatives of the National Conference of State Legislatures and the Congressional Budget Office also will participate in the program.

Governor Michael O. Leavitt (left) talks about environmental issues with ACIR Senior Analyst Charles Griffiths, Carol Browner, and Senator Byron Dorgan.

Chairman's View

(continued from page 2)

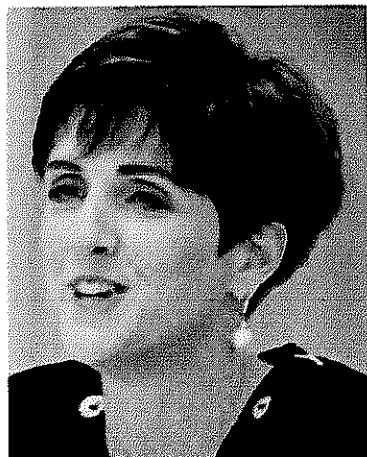
have never worked with a more dedicated and conscientious group of men and women than those who make up the 12-member staff of the Commission. With a new executive director in Bill Davis, who came from a respected career with the National League of Cities, ACIR is poised to play an important role in addressing these issues. Its membership consists of some of the most distinguished political leaders in the nation. The Commission must, however, receive the necessary support if it is to make its most effective contribution.

As chairman, I know from my 20-odd years as an elected state official how difficult it is to make our democratic processes function efficiently and equitably. That has never been simple. Today, in a more diverse and demanding society, it is harder than ever. There are no silver bullets. There usually are no clear-cut solutions. What is essential is the creation of a process whereby decisions can be made based on credible and reliable information and results can be achieved that will strengthen the confidence of the people in the integrity of their government.

Without exaggerating what ACIR has the capacity to do, I believe that its opportunity for meaningful service is greater than it ever has been.

William F. Winter





Protecting the Environment: A New Generation

Carol M. Browner

The federal, state, and local governments all have responsibilities to the people of the United States. Each government brings to this responsibility some strengths and, inevitably, some weaknesses. We need to be able to agree on these strengths and on how responsibilities can be delegated.

There is a real desire on the part of state and local governments to fulfill their responsibilities to protect their citizens. I believe that environmental decisions generally are best made at the local level, and that we have to move away from the "one size fits all" approach that is inherent in many environmental statutes. The magnitude of the problems is such that this approach cannot be successful.

We also have to look at entire industries to secure the best environmental compliance, and not send states, local governments, and industry in different directions simultaneously, as some regulations do now.

The Environmental Protection System

The environmental protection scheme of the United States is 25 years old, relatively new compared to other systems. In those 25 years, EPA came into existence, the federal and state governments passed environmental legislation, and many local governments created environmental protection programs. We have created an infrastructure of programs, laws, and agencies to protect the air and land and our water resources.

There have been many significant accomplishments. We no longer have rivers that catch on fire. The skies are cleaner. There still are problems, however. For example, one out of five Americans lives in a city where air quality does not meet federal air quality standards. Twenty-five years after passage of the *Clean Water Act*, 40 percent of our rivers, lakes, and streams are not suitable for fishing and swimming. Despite the progress in dealing with industrial-type discharge into our waters, solving some problems unmasked more. Fourteen years after Superfund, one out of four Americans lives within four miles of a toxic dump site.

Tools for a New Generation of Protection

We need a new generation of environmental protection that moves beyond piecemeal regulation. We need environmental regulation that is based on strong standards that allow flexibility in

implementation, so that if states can find solutions that work for them, there is an opportunity to pursue those solutions.

In many instances, the federal statutes dictate not only a standard but also a very narrow path for achieving the standard. The effect is that we are losing the innovation, the creativity that we are known for in this country. We are holding high the cost of compliance. If ten solutions are available, why not take advantage of that?

There are three principles that I think should guide us in these efforts:

1) *We have to trust democracy.* We have to allow the people who will be affected by environmental decisions to be a real part of the decision-making process. Superfund is a great example of how people have not been involved. Months, sometimes years, are spent developing a cleanup solution. Then, people who live next to the site are told how it will be done. They feel no ownership. It may be the right solution, but because they were not part of the decision, they delay and sue, and costs spiral upward.

2) *We must recognize that nature is a system and that the solutions need to be better integrated.* The piecemeal approach is not going to work. EPA was formed from various agencies, but the committee oversight structure was not changed, so EPA is covered by more than 70 congressional subcommittees. This means that new laws get passed that are not integrated with existing laws, and we end up going in several directions at once. We also wind up in many instances moving pollutants around rather than creating the incentives and opportunities for solving problems.

3) *We must transcend the adversarial process.* The courts are not the place for resolving tough environmental issues. We have to look for agreements. A system based on tough standards, on flexibility and partnership among governments should be the goal.

Building Flexibility in the System

In the industrial area, EPA's "Common Sense Initiative" will look at individual industries

to find a way to work with them, state officials, and environmentalists to figure out an "environmental blueprint" for compliance in terms of air, water, waste, permitting, reporting, and monitoring. It is the best and most likely way we have of preventing pollution, and perhaps of moving beyond implementing environmental statutes as if they did not have any relation to each other.

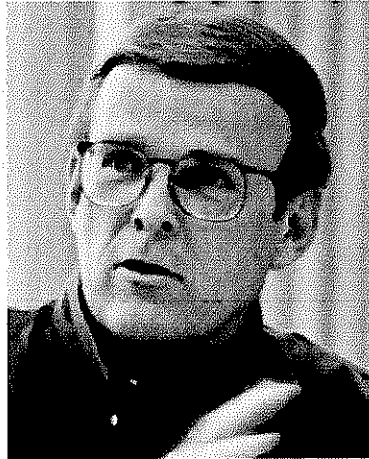
In terms of specific statutes, the original *Clean Water Act* (which was 40 pages long compared to the one being written now that is between 500 and 600 pages) is widely viewed as probably one of the most successful environmental laws. We did not understand all the problems and we did not solve everything, but in terms of what was known then and the tools that were available, and the great flexibility that the states were given, it has done a good job. Flexibility doesn't mean diminishing standards.

In the proposed *Clean Water Act*, it would be up to the states to decide whether to undertake a watershed approach to protection. If they do, in exchange, they will be granted longer compliance deadlines. We have to look for those kinds of incentives.

With drinking water, the Congress passed the *Safe Drinking Water Act* several years ago, which provided for setting standards for 25 contaminants every three years. That makes no scientific sense. Instead, EPA has requested that we be allowed to work with the states to decide what contaminants need to be regulated, and EPA would do the science to determine the appropriate levels.

For example, we want to give states and local governments the flexibility to decide if drinking water *source protection* would be a wiser investment of resources, that is, preventing pollution rather than cleaning it up. States would be required to create a program, which local governments could decide to use. EPA is not suggesting that this be mandated, but that local governments should be allowed to use their resources as they see fit. This is difficult to do with the existing law.

(continued on page 15)



National Felon Registry: High Priority for Fighting Crime

Byron L. Dorgan

As the United States addresses the crime issue, it is essential that we create a national registry of convicted felons. This should be one of our highest crime-fighting priorities because it can be one of the most effective.

If a person has a credit card, they can find out in 20 seconds in a department store whether the card is good. We should be able to use the same technology to find out if a person has committed six felonies in six states in six years. Today, it is very rare for this information to be accessible to a law enforcement official or a judge anywhere in this country.

Approximately two-thirds of violent crimes in the United States are committed by about 7 percent of the offenders. These are people who were in the criminal justice system and were released for various reasons. Many convicted felons who are now released on bail would remain in prison if we had access to their complete criminal histories.

A start was made ten years ago with the creation of the Interstate Identification Index (III). This index of those who commit crimes or are accused of crimes is maintained by the FBI. It allows law enforcement and judicial officials to find out if an offender has committed felonies in other states. Twenty-seven states now belong to III, but even participating states do not necessarily send accurate, complete information in a timely manner. At this time, approximately 40 million out of 50 million criminal records do not include case dispositions, and are not computerized and accessible.

The criminal justice system is overwhelmed in many places. Therefore, the priority is to dispose of cases and move on to the next one. It is not a priority to make sure that criminal records are transmitted to a common data network quickly, in the right format, and with complete information. It should, however, be an urgent national priority to construct a national criminal history records data bank that is accessible to all who need the information.

It will not require a massive investment of money to develop the data system, but it will require the commitment and cooperation of all governments, especially states, counties, and the federal government. The benefits of such a system

(continued on page 30)



Improving Criminal Records: Problems and Progress

Kent Markus

The decision to have a system by which we can conduct nationwide computerized checks of individuals with criminal backgrounds took a major turn about ten years ago. The system that emerged in 1984 is the Interstate Identification Index (III). Twenty-seven states are members of III, but all states need to participate. Developing the system further and making it a high priority will require the cooperation of federal, state, and local governments, including their executive, judicial, and legislative branches.

The Criminal History Records System

The criminal history records system is voluntary. Thus, the content and form of information in the records, and whether it is sent to the FBI, varies widely among the states. The goal is to make sure that the state systems contain high quality records. Some state systems are good, but the major problem is developing a reliable interstate records system and getting access to the information.

The decentralized III system was chosen as a way to assure that the states' records are complete and accurate, with the FBI assisting the states in linking the system electronically. The other option would have been for the FBI to gather data about all felons and their criminal history records, basically duplicating state records.

Interstate Identification: How It Is Used

The records in the Interstate Identification Index are fingerprint based. The Integrated Automatic Fingerprint Identification System, which transmits and stores fingerprints electronically, will permit faster, more accurate searches. When a person commits a crime, the state authorities notify the FBI. They do not send the entire record, just the fact that the individual has committed a crime in the state. When a national search is done for an individual, the index indicates the state or states where the complete records will be found and hooks the searcher into those state systems.

The use of the data is wide ranging, for example, by the judge trying to determine a sentence or the amount of a bond, or the prosecutor trying to make a decision to charge an individual based on past criminal history. The lack of this kind of information, especially case dispositions, has tremendous implications for prosecutors dealing with statutes like the armed career criminal law or three-strikes-you're-out. If law enforcement and judicial officials don't know about prior convictions, they can't use these laws.

It is an efficient system, but it needs improvement. Criminal history records are worthless

if they do not include the disposition. This is a frequently encountered flaw in the system. Only about 18 to 20 percent of the criminal records available nationally are computerized, sharable, and include dispositions. Thus, a computer search will yield accurate, reliable results only one out of five times. Ensuring that case dispositions are included in III will require substantial cooperation between law enforcement and judicial authorities.

Financing the System

There is a requirement that 5 percent of grant money be used for criminal history record improvements. In addition, a special criminal record funding system was set up about four years ago with \$27 million, but most of that money has not been spent. Additional funding is expected to become available from the new crime law. Thus, the problem is not money, but getting the states to assign a high priority to this activity.

The *Brady Law* also authorized about \$200 million in grant funding to improve criminal history record systems, and the President's FY 1995 budget requested the first \$100 million. It is hoped that these will help the Department of Justice work with the states that need to improve their systems the most, and on problems, like dispositions, that traditionally have been more neglected.

Progress in the III System

Nearly half of the states have not participated in III because they lack the equipment and human resources, or institutional and political priority. Nevertheless, membership is increasing, probably because there is more attention being paid to crime issues, and there is more concern that we have to make faster progress.

The *Brady Law* required the Attorney General to do a state-by-state analysis of the quality of criminal records and, based on the results, to develop a timetable for each state to become a member of III and to achieve 25 percent, 50 percent, 75 percent, and 80 percent coverage. The timetables were announced on June 1, 1994.

Progress is being made toward bringing every state in as a member of III and toward achieving above 80 percent complete, accurate reporting, at least for crimes committed in the last five years.

Kent Markus is Counsel to the Deputy Attorney General, U.S. Department of Justice. This article is excerpted from his remarks to the Advisory Commission on Intergovernmental Relations, June 17, 1994.

Protecting the Environment

(continued from page 12)

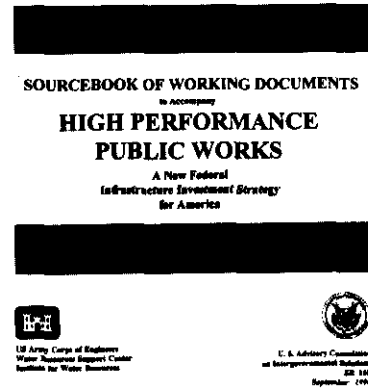
We have to stop looking for quick-fix solutions for today, and create flexibility and opportunities for the long term. We are going to be managing our resources forever. As the nation continues to grow and become more urbanized, we will need to manage our resources more wisely. EPA cannot do the job alone. There are some things that the federal government can do best, and some things the states and local governments can do best. We need to work together because environmental problems don't recognize political boundaries.

Our current efforts are directed toward providing the tools for the next generation of environmental protection. We are developing a system based on shared goals and strong standards designed to protect the public's health, and providing greater flexibility for state and local governments in achieving national standards.

Carol M. Browner is Administrator of the U.S. Environmental Protection Agency. She is a member of the Advisory Commission on Intergovernmental Relations. This article is excerpted from her remarks at the meeting of the Commission on June 17, 1994.

This new **Sourcebook of Documents** presents selected documents and excerpts from materials judged to be the most useful references for planning, designing, and implementing infrastructure policies. It is intended to be used in conjunction with ACIR's report **High Performance Public Works** (SR-16, November 1993). The material is organized under six issues: improving the quality of infrastructure investments; applying benefit-cost analysis more consistently to investment options; improving infrastructure maintenance; making federal regulation of infrastructure more effective, efficient, and equitable; improving environmental decisionmaking for public works; and improving the financing of infrastructure.

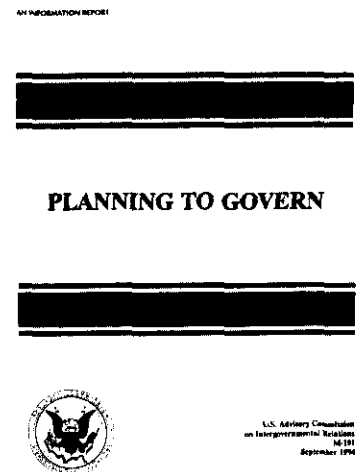
SR-16S 1994 \$30



Planning to Govern

Planning to Govern helps bring the planning and governing processes together to pave the way for improvement in the quality and results of governmental decisionmaking. The report synthesizes the complex subject of planning—specifically for drought—within the democratic process. The report examines the five types of knowledge necessary to the success of any public policy planning process; the five types of groups that need to be involved; the steps necessary for participation; intergovernmental and interagency coordination processes; barriers to be overcome; developing the political elements of plans; and getting key decisionmakers to take responsibility for action.

M-191 1994 \$10



(see page 43 for order form)

Federally Induced Costs: Mandate Relief Comes of Age

Bruce D. McDowell

Federal mandates to state and local governments are a built-in feature of American federalism. For decades, the federal government's use of mandates was relatively limited. The federal relationship with state and local governments typically revolved around aid programs that provided substantial funding for implementing federal requirements. In recent years, however, the federal government's use of mandates has grown rapidly. By 1993, the term "unfunded federal mandates" had become the rallying cry for one of the most contentious intergovernmental issues. This commonly used term, however, has different meanings to different participants in the debate.

In its new report *Federally Induced Costs Affecting State and Local Governments*, ACIR developed the concept of federally induced costs to explore more completely and without the pejorative connotations associated with the term "mandates" (1) the fiscal dimensions of federal actions affecting state and local governments and (2) the ways in which the federal government assists state and local governments, which can be thought of as an offset to induced costs.

Growing Number and Impact of "Mandates"

Whether defined conservatively or broadly, the number of federal intergovernmental regulations has increased dramatically since 1960.¹

As the number of mandates has grown, so have the costs to state and local governments. Medicaid and environmental protection programs have been particularly costly. At the same time, many state and local governments have been facing taxpayer revolts and revenue-depleting reverses in their economies. These pressures have led many state and local government officials to make mandate relief their top intergovernmental reform priority.

The Federal Response

This year, the Congress and the Executive Branch focused attention on mandate relief. In one of his first intergovernmental initiatives, President Bill Clinton issued Executive Order 12866 (September 30, 1993), which requires federal agencies to consult more actively and fully with their state and local counterparts before promulgating intergovernmental regulations and mandates. This order was followed by Executive Order 12875 (October 26, 1993), which limits unfunded mandates arising from agency rule promulgation.

Many state and local officials would like to go further; they made reimbursement of federally mandated expenditures their top priority for congressional action. In the 103rd Congress, 34 mandate relief bills were introduced, including 10 that would require federal reimbursement.²

Difficulties in Reimbursing Mandates

Establishing and operating a workable reimbursement process will be difficult. Studies of state mandate reimbursement programs for local governments have found that most of them provide relatively little funding relief and some are completely ineffective.³

The states' experience suggests that federal policymakers will face a series of complex issues in designing effective reimbursement programs. For example, precision is needed to determine which types of regulatory requirements and which costs will qualify for federal reimbursement, which federal programs provide full or partial cost reimbursement to state and local governments, how such programs differ from each other, and their advantages and disadvantages.

Other questions pertain to the benefits of federal mandates and the relationship between benefits and costs. Although compliance with mandates may require additional expenditures, state and local governments also may derive increased revenues; economic, social, or environmental benefits; and/or reduced costs. Thus, netting out costs and benefits is an important consideration. Determining benefits is no less difficult than determining costs, however, especially when indirect costs and benefits are included.

Many obstacles to mandate reimbursement are conceptual in nature. For example, definitions of "mandates" often are unworkable or inappropriate. According to common usage, mandates encompass any federal statutory, regulatory, or judicial instruction that (1) directs state or local governments to undertake a specific action or to perform an existing function in a particular way, (2) imposes additional financial burdens on states and localities, or (3) reduces state and local revenue sources.

Three problems interfere with utilizing this definition as a basis for financial reimbursement: (1) nonfiscal dimensions of mandates, (2) problems of defining mandates, and (3) impacts other than mandates.

The Nonfiscal Dimension. Many of the problems associated with mandates are not primarily fiscal. For example, objections to provisions establishing a uniform speed limit on the nation's highways, and to many other rules, have little to do with cost. These mandates, however, raise important issues of legitimacy, accountability, and political representation. "Political costs" such as these would remain even if the financial costs are minimal or fully reimbursed by the Congress.

Problems of Definition. There is no universally accepted definition of a federal mandate and surprisingly little consensus on the matter. Consequently, attempts to estimate the total number of federal mandates, and thus define the universe of programs that might be subject to reimbursement, vary greatly.

Financial Impacts Other than Mandates. Some of the most costly federal financial impacts on states and localities do not fit the standard definition of a federal mandate, for example, the costs to local school systems that occur as an incidental consequence of the location of a major federal installation, or immigration or other federal policies that create significant incidental fiscal impacts.

The Scope of Federal Financial Impacts

It is clear that many federal policy instruments can impose financial impacts on state and local governments. They may include traditional direct mandates, various forms of grant conditions, federal preemptions, tax policy provisions, incidental and implied federal policy impacts, and federal exposure of state and local governments to legal and financial liabilities. Although these instruments vary considerably in their degree of compulsion and regulatory intent, intergovernmental dialogue about federal "mandates" is often complicated by the varying definitions used.

Many of the problems associated with mandates and other federally induced costs are relatively recent. They have become politically significant gradually as the scope and character of

federal policy initiatives evolved from a traditional reliance on grants and other subsidies to a greater emphasis on unfunded regulation. This relatively new development has been encouraged by changing federal judicial doctrines and increasingly constrained federal budgets.

Intergovernmental Tensions and Federally Induced Costs

From the federal government's perspective, requiring state and local governments to undertake activities, provide benefits, or enact laws can appear to be an effective and efficient way to achieve desirable policy objectives. Few citizens or state and local governments would disagree with the objectives of equal employment opportunities for the handicapped, clean air, safe drinking water, and curbing alcohol abuse by teenagers. They produce many benefits, some of which would be impossible or unlikely to occur without federal action.

Nevertheless, concerns have been raised by state and local governments about:

- Excessive costs due to complex and rigidly specified implementation mechanisms;
- Inadequate consideration of costs and benefits;
- Distortion of state and local budgets and policy priorities;
- Erosion of state and local initiative and innovation;
- Inefficiencies due to the application of single, uniform solutions to geographically diverse problems;
- Inadequate consideration of varying state and local financial and personnel resources;
- Attenuated accountability to citizens, due to the separation of responsibilities for policy direction and public finance; and
- A double standard, whereby the federal

government exempts itself from compliance, or complies only partially, with the regulations it imposes on state and local governments.

Growing numbers of states and communities have launched independent efforts to inventory and assess the costs associated with federal mandates. Some notable examples include studies conducted by the cities of Anchorage, Columbus (Ohio), and Chicago, and the states of Tennessee, Ohio, and Virginia (see page 22).

ACIR Examines the Issue

ACIR's concern for the intergovernmental implications of mandates and federally induced costs began almost 20 years ago. In its 1977 report *Categorical Grants: Their Role and Design*, the Commission focused early attention on crosscutting grant requirements, maintenance-of-effort requirements, and other forms of grant conditions. The following year, the Commission examined financial issues arising from state mandates affecting local governments in *State Mandating of Local Expenditures*. ACIR's 1984 report *Regulatory Federalism: Policy, Process, Impact and Reform* traced the growth in federal mandates during the 1960s and 1970s.

Reports on *Federal Statutory Preemption of State and Local Authority* in 1992 and *Federal Regulation of State and Local Governments* in 1993 traced the growth of federal mandates and preemptions during the 1980s and began the difficult task of identifying the financial costs of intergovernmental regulations. The Commission added to knowledge about the field with reports on disability rights, medicaid, environmental decisionmaking, state mandates, and public works.

Through these and other efforts, ACIR has developed a growing body of recommendations, which include:

- Elimination of crossover sanctions as an enforcement tool in federal statutes (1984);

- Full federal reimbursement for all additional direct costs imposed by new legislative mandates (1984);
- Establishment of a "preemption notes" process (1) in the Congress to analyze the impacts of proposed preemption legislation prior to enactment, and (2) in the Executive Branch as part of the rulemaking process (1992);
- Reexamination by the Supreme Court of the constitutionality of federal mandating (1993);
- A two-year moratorium on unfunded or underfunded legislative, executive, and judicial mandates (1993); and
- Enactment of a Mandate Relief Act that would require (1) regular inventory and cost estimation of all existing and proposed federal mandates, (2) analysis of the incidence of costs and the ability to pay of those parties on whom the costs fall or would fall, and (3) equitable federal sharing of the mandated costs or an affordable prioritization and scheduling of compliance by the nonfederal parties (1994).

Congress Considers Federally Induced Costs

In 1993, the question of what to do about federally induced costs began to be considered seriously by the Congress. The 34 "mandate relief" bills introduced in the 103rd Congress resulted in hearings in the Senate and the House and a compromise bill that would provide:

- Definition of mandates as federal legislation and regulation that requires state, local, and tribal government participation in a federal program, or that would compel state and local spending for participation (major entitlement programs).
- Exclusion of legislation and regulations implementing civil rights; individual

constitutional rights; waste, fraud, and abuse prevention in grant programs; emergencies; and national security.

- A requirement for CBO to (1) estimate the impact on state, local, and tribal governments; (2) state whether it should be funded; (3) identify existing and new sources of federal financial assistance; (4) describe other costs and benefits; and (5) state whether there is an intention to preempt.
- A point of order procedure on legislation containing mandates estimated to cost state, local, and tribal governments more than \$50 million per year unless new or additional financial assistance is authorized.
- A requirement for federal regulatory agencies to (1) develop a process for state, local, and tribal input into the development of regulations; (2) provide greater outreach and assistance to small governments; (3) evaluate costs and benefits of major regulations with an expected cost over \$100 million.
- Prohibition of judicial review of actions taken pursuant to the act.
- A two-year study to establish a baseline methodology for determining costs and benefits.

Questions Raised

In the process of holding hearings on a number of these bills, it became apparent that many hard-to-grasp details are crucial to finding workable solutions to the mandate relief issue. Questions raised by the hearings fall into the following categories:

- What is a "mandate" and who is responsible for funding it?
- How should reimbursement amounts be calculated?
- Who should determine the amounts to be reimbursed?

• Should the Congress take further action to reform the executive rulemaking process to help provide mandate relief?

Elements of the "Mandate-Relief" Solution

Solutions are needed to three broad problems: (1) informing the process, (2) disciplining the system, and (3) funding federally induced costs.

Informing the Process. Estimates of the total annual cost impact of federal actions on state and local government budgets range from 2 or 3 percent to 20 percent or more. There is no good fix on these figures, either nationwide or for individual state and local governments, yet they are at the heart of the issue.

Three potential means of better informing the process are frequently discussed: (1) better cost estimates for proposed federal actions, (2) cost accounting standards to facilitate the collection of reliable information, and (3) an inventory of federally induced costs updated annually to track their total impact over time.

Disciplining the System. Information alone may not be enough to limit added federal costs on state and local governments. Any additional disciplining of the mandate process probably must come from the Congress.

There are several ways to introduce greater discipline into the processes to limit or reverse unfunded federal requirements: (1) process improvements, (2) criteria for federal funding, (3) caps, (4) realignment of the federal system, and (5) moratoria.

Funding Federally Induced Costs. It is not enough to know how much a new federal requirement will cost. It also should be demonstrated how the costs can be met. Direct reimbursement through the federal budget is simplest, but it is limited by the deficit. Thus, the search for financial partners, "creative financing" techniques, and affordability analyses is increasingly attractive.

Beyond appropriation of funds for grants or loans, there is a growing interest in shared reve-

nues, payments in lieu of taxes, user fees, mixed public and private funds, in-kind contributions, tax expenditures, longer schedules for compliance, and waivers.

The issues outlined above are difficult, and objective research alone is not likely to resolve them. Additional intergovernmental dialogue also is needed.

Bruce D. McDowell is ACIR Director of Government Policy Research.

NOTES

¹ See, for example, Susan A. MacManus, "'Mad' about Mandates: The Issue of Who Should Pay for What Resurfaces," *Publius: The Journal of Federalism* 21 (Summer 1991): 59-76; and National Conference of State Legislatures, *Mandate Catalogue* (Washington, DC, 1993).

² Several bills attracted considerable support. Early in 1994, a bill introduced by Rep. James P. Moran to improve the congressional process for estimating mandate costs (H.R. 1295) had 243 cosponsors. Among the bills that would waive compliance with unfunded federal mandate requirements, H.R. 140, introduced by Rep. Gary A. Condit, had 219 cosponsors in the House of Representatives and S. 993, sponsored by Sen. Dirk Kempthorne, had 53 co-sponsors in the Senate.

³ For analyses of state mandate reimbursement programs, see U.S. Senate, Subcommittee on Intergovernmental Relations, *1985 Hearings*; U.S. General Accounting Office, *Legislative Mandates: State Experiences Offer Insights for Federal Action* (Washington, DC, 1988); and U.S. Advisory Commission on Intergovernmental Relations (ACIR), *Mandates: Cases in State-Local Relations* (Washington, DC, 1990).

Assessing Mandate Effects on State and Local Governments

Philip M. Dearborn

Many questions have been raised about the financial consequences of federal mandates to state and local governments. To help answer these questions, ACIR has reviewed and summarized several recent studies of mandate costs. The costs reported were related to state and local budgets to the extent feasible, and some of the difficulties in interpreting the impacts were identified.

Several state and local governments have sought to provide comprehensive information about federal mandate costs and their budgetary effects, but there are still gaps and unresolved issues. Some studies have concentrated solely or primarily on environmental mandates, while others have considered a sample of mandates. These studies raise questions about methodology and interpretation, including:

- Should the definition of mandates be limited to outright unfunded directives or should grant conditions and the effects of federal tax actions be included?
- When both state and federal laws or regulations require similar action, which government should be considered responsible for the unfunded mandate?
- Should costs that local governments pass through to users in the form of fees or charges be differentiated from costs payable from general taxes?
- Should mandate costs incorporated in budget bases or rate schedules be differentiated from future costs that will add to spending or rates?
- Should the effects of mandates be shown as a percentage of budgets, own-source revenues, or costs per household, or on some other basis?
- How should known but unscheduled and unfinanced future mandate costs be shown to illustrate effects on annual budgets?
- How should these and other issues be treated in mandate relief legislation?

Some of the problems encountered in making comprehensive financial assessments of the costs of unfunded federal mandates and interpreting the results can be illustrated by the reports from Tennessee, Ohio, Columbus (Ohio), Lewiston (Maine), Chicago, and Anchorage.

Tennessee

Tennessee's Department of Finance and Administration compiled a list of every new federal mandate that had caused additional state expenditures from the General Fund since FY 1986-87, reported in *The Impact of Federal Mandates*. The estimated costs of these mandates in 1993 and 1995 are shown in Table 1.

Table 1
State of Tennessee
Federal Mandate Costs
(millions)

	1993	1995	Increase
Medicaid	\$113.4	\$141.6	\$28.2
Non-Medicaid	24.0	36.6	12.6
Loss of Sales Tax on Food Stamps	16.3	16.3	0.0
Total	\$153.7	\$194.5	\$40.8
Percentage of 1991 Own-Source General Revenues (\$5,612.4 million)	3.5%	2.7%	0.7%

The estimated mandate costs of \$153.7 million for 1993 were equal to about 2.7 percent of the state's \$5.6 billion own-source revenues in 1991, as reported by the Bureau of the Census. The projected cost increase of \$40.8 million from 1993 to 1995 is equivalent to about 0.7 percent of 1991 revenues. Only general fund mandates were included in the study. The percentages might be somewhat higher if special fund mandates, such as transportation, were included.

The Tennessee report raises two important issues in evaluating cost effects. First, for Medicaid, the estimates include only state costs resulting from federal directives issued since 1987. This represents a middle ground between counting all Medicaid matching (about \$750 million in 1991 for Tennessee) and not counting any of the matching as a mandate because states are not required to participate in Medicaid.

The second issue is whether the 20 states that tax food sales should, like Tennessee, count as a mandate the revenues not received on food stamp purchases, which are exempt from sales taxes.

Ohio

Ohio, in an August 1993 report, *The Need for a New Federalism: Federal Mandates and Their Impact on the State of Ohio*, estimated the cost of unfunded federal mandates on the state government for 1992 to 1995 (see Table 2). The 1992 estimated cost of \$260.1 million is about 1.7 percent of own-source revenues in fiscal year 1991. The increase of \$129.1 million from 1992 to 1995 is equivalent to about 0.8 percent of 1991 own-source revenues. Although the bases for calculating the Ohio and Tennessee estimates are somewhat different, the percentages of own-source revenues spent on mandates are remarkably similar.

For Medicaid, Ohio also estimated the mandate cost of federal requirements enacted since 1987, which reflects a small portion of state Medicaid spending (about \$1.8 billion in 1991).

Table 2
State of Ohio
Federal Mandate Costs
(millions)

	1992	1995	Increase
Medicaid	\$185.4	\$262.7	\$77.3
Other Human Services	48.7	68.5	19.8
Clean Water Act	16.6	26.7	10.1
Transportation	4.9	31.3	26.4
Other	4.5		-4.5
Total	\$260.1	\$389.2	\$129.1
Percentage of 1991 Own-Source General Revenues (\$15,623.0 million)	1.7%	2.5%	0.8%

Note: These figures do not include \$430 million in costs to comply with the *Americans with Disabilities Act*, which will be incurred over several years.

Ohio, unlike Tennessee, estimated some transportation mandate costs that result primarily from federal requirements to (1) use rubberized asphalt, (2) follow the International Registration Plan, and (3) change requirements for commercial drivers' licenses.

Although Ohio estimates \$430 million in costs from the *Americans with Disabilities Act*, it was not possible to allocate the costs by years. Most of these costs involve nonrecurring capital expenditures over several years, perhaps funded by bond issues requiring debt-service payments over an extended period. The additional annual mandate costs that should be added will depend on when and how these costs are ultimately incurred.

Columbus, Ohio

The City of Columbus, in a 1991 report by the Department of Health, *Environmental Legislation: The Increasing Costs of Regulatory Compliance*, identified estimated mandate costs it would incur from 1991 to 2000. The costs are estimated for each year from 1991 to 1995, but are summarized in total amounts for 1996 to 2000. The study includes federal and state mandates. In most instances, the state laws either parallel or implement federal laws, with the federal law providing the underlying mandate.

However, in the case of solid waste disposal and infectious waste, the state appears to be the principal source of the mandate. The estimated costs for 1991 and 1995 are shown in Table 3.

The city estimates that the \$62.1 million in 1991 mandate costs represented about 10.6 percent of the \$591.5 million budget, with this percentage increasing to 18.3 percent in 1995. If the solid waste disposal and infectious waste costs are considered state mandates, then the remaining federal mandates are 10.4 percent in 1991 and 15.0 percent for 1995.

In preparing the estimates, the city surveyed every municipal department for costs incurred under 13 federal mandates. Just three programs (*Clean Water Act*, *Safe Drinking Water Act*, and

Table 3
City of Columbus, Ohio
Federal and State Environmental Mandate Costs
(millions)

	1991	1995	Increase
Clean Water Act	\$54.7	\$75.5	\$20.8
Resource Conservation	4.2	2.8	-1.4
Safe Drinking Water	1.4	7.5	6.1
Solid Waste Disposal	0.5	18.9	18.4
Other	1.3	2.7	1.4
Total	\$62.1	\$107.4	\$45.3
Percentage of City Budget (\$591.5 million)	10.6%	18.3%	7.7%
Percentage without State Mandates	10.4%	15.0%	4.6%

solid waste regulations) account for 95 percent of the total 1995 costs.

The Columbus study provides additional perspective on mandate cost estimates by separating those supported by sewer and water charges from those supported by general taxes and converting both types to costs per household (see Table 4).

By 1995, nearly 80 percent of the estimated costs of mandates will be charged to sewer and water users, leaving a relatively small amount, almost entirely for solid waste, to be charged to

Table 4
Columbus Mandate Costs
by Source of Payments and Household Costs

	1991	1995	Increase
<i>Source of Payments:</i> (millions)			
Sewer and Water	\$56.6	\$84.8	\$28.2
General Taxes	5.5	22.6	17.1
Total	\$62.1	\$107.4	\$45.3
<i>Payments per Household:</i> (dollars)			
Sewer and Water	\$163	\$244	\$81
General Taxes	21	86	65
Total	\$184	\$330	\$146

general taxpayers. In some local governments, solid waste costs are also charged to users.

Chicago, Illinois

The City of Chicago, in conjunction with the Institute for Metropolitan Affairs at Roosevelt University, surveyed all city departments for the 1991 costs of federal and state unfunded mandates and regulations. Reported in *Putting Federalism to Work for America: Tackling the Problems of Unfunded Mandates and Burdensome Regulations*, the federal costs totaled \$191.2 million, or the equivalent of 8.3 percent of the city's 1991 own-source revenues (see Table 5).

Table 5
City of Chicago, Illinois
Unfunded Federal Mandates
(millions)

	1991 Costs
Agency Direct	\$88.2
Indirect Administrative	27.3
Airport Restrictions	12.7
Arbitrage Rebate	18.0
Bond Refinancing Restrictions	45.0
Total	\$191.2
Percentage of 1991 Own-Source General Revenues (\$2,307.9 million)	8.3%

A separate estimate for environmental mandates projects the costs as declining from \$95.1 million in 1991 to \$68.2 million in 1995. Unlike the other cities, most Chicago environmental costs result from the *Resource Conservation and Recovery Act* and clean air requirements, not from water-related regulations. City agencies are not responsible for drinking water and sewage treatment. As a result, the environmental costs to residents are undoubtedly much higher than shown in this analysis.

There are several unique features in the Chicago study. The city estimates that it incurs annual costs as a result of federal limitations on slots at O'Hare Airport. The city also considers

the costs of arbitrage rebates a federal mandate. These costs stem from the 1986 federal tax reform that prohibited state and local governments from profiting by investing federally tax-exempt bond funds in higher yielding taxable securities. Similarly, the 1986 law permits only one advance refunding of tax-exempt bonds, secured by escrowed higher interest federal securities. In both instances, the city believes its debt management has been impaired by federal laws intended to eliminate an abuse of the federal income tax laws.

Lewiston, Maine

The City of Lewiston, in a 1992 report, *Testimony on the Review of Existing Regulations: The Regulatory Flexibility Act for the U.S. EPA*, analyzed the capital, operational, and maintenance costs of complying with federal mandates. Lewiston's estimates include the amounts (1) actually budgeted in 1992, (2) projected based on existing requirements, and (3) needed to meet proposed federal regulations (see Table 6).

Table 6
Lewiston, Maine
Cost of Federal Mandates
(thousands)

	Current	Projected	Proposed
<i>Safe Drinking Water</i>			
Debt Service	\$305.1	\$ 392.3	\$1,107.2
Operation & Maintenance	30.0	300.0	1,250.0
<i>Clean Water</i>			
Debt Service	18.4	453.4	4,322.6
Operation & Maintenance	10.0	410.0	1,000.0
<i>Occupational Safety</i>			
Debt Service	10.5	5.2	0.0
Operation & Maintenance	40.0	70.0	0.0
Totals			
Debt Service	334.0	850.9	5,429.8
Operation & Maintenance	80.0	700.0	2,250.0
Grand Total	\$414.0	\$1,630.9	\$7,679.8
Percent of 1992 Budget (\$53 Million)	0.8%	3.1%	14.5%

Note: Debt service is based on projected capital costs amortized with level debt service over 20 years at 6 percent.

These results do not include solid waste costs that the city considers to be state requirements, even though they may relate indirectly to federal requirements. It also was necessary to estimate annual debt-service costs based on the lump-sum capital spending estimates.

The \$414,000 currently budgeted for federal mandates represents about 0.8 percent of Lewiston's budget. Complying with projected requirements at a cost of \$1.6 million would add 3.1 percent, and complying with all proposed regulations would add 14.5 percent. Thus, at some time in the future, the costs of complying with all potential federal requirements could equal about 18.4 percent of the city budget. Because most of the anticipated costs are associated with safe drinking water and clean water activities, it appears they would result mainly in increased sewer and water charges.

Anchorage, Alaska

The City of Anchorage estimated the costs of federal mandates in 1992 in *Paying for Federal Environmental Mandates: A Looming Crisis for Cities and Counties*, using a method similar to that used by Columbus (see Table 7). Expressed

as a percentage of own-source revenues, the costs were less than 1 percent in 1993 and are expected to increase to only 1 percent by 1996. This impact is much lower than the Columbus and Lewiston estimates, and Anchorage cautions that it should not be viewed as representative of other cities or counties for several reasons. These reasons include limited industrial development problems, relatively new infrastructure, and considerable wealth from oil production.

Issues in Evaluation

Future efforts to evaluate the fiscal effects of federal mandates will have to contend with a variety of difficult issues, which are noted at the beginning of this article. Perhaps the most troublesome will be how comprehensive the studies should be and how to allocate costs. Definitions of mandates range from a very narrow inclusion of unfunded directives to including all grant programs and tax effects. Federal mandates and state policies also have become intertwined in many instances, making it difficult to determine which government is responsible for the costs, especially those incurred by local governments.

Philip M. Dearborn is ACIR Director of Government Finance Research.

Table 7
Anchorage, Alaska
Costs of Federal Environmental Mandates
(millions)

	1993	1996	Increase
Clean Water	\$4.4	\$13.1	\$8.7
Clean Air	3.9	11.0	7.1
Resource Conservation and Recovery	7.8	6.0	-1.8
Toxic Substances	1.2	1.1	-0.1
All Other	5.2	6.4	1.2
Total	\$22.5	\$37.6	\$15.1
Percentage of 1991 Own-Source General Revenues (\$386.9 million)	0.6%	1.0%	0.4%

**Significant Features
of Fiscal Federalism
1994 Edition**

Volume I—Budget Processes and Tax Systems

Significant Features of Fiscal Federalism, Vol. I, includes federal and state budget processes; federal individual income tax rates; state and local individual income taxes rates updated through November 1993; tax rate and base information on social security and unemployment insurance; general sales tax rates and exemptions; state severance taxes; property tax relief programs; federal and state excise tax rates; estate, inheritance, and gift taxes; state and local property transfer taxes; and automobile fees and taxes.

M-190 June 1994 \$24.95

(see page 43 for order form)

SEC Proposes Disclosure Mandate

Philip M. Dearborn

The U. S. Securities and Exchange Commission (SEC), on March 17, 1994, published a proposed rule that would impose substantial accounting, auditing, financial reporting, and other disclosure requirements on virtually all state and local governments issuing \$1 million or more of debt. SEC indicated that the proposed requirements are necessary to protect investors from fraudulent, deceptive, or manipulative practices by state and local governments.

The SEC Proposed Rule

The proposed rule would require that an underwriter, before purchasing or selling state or local government securities, must secure a written agreement that the state or local government will comply with a list of required filings with a securities information repository. The principal filing requirements are "financial information. . . including annual audited financial statements and pertinent operating information," and notice in timely manner, if any of 11 events occur that would affect the finances of the government.

SEC said that information released to the public by a city is reasonably expected to reach investors, and those disclosures are subject to the anti-fraud provisions. The governments also would be required to specify their accounting principles, the information that will be made available in addition to the audited statements, and when the information would be provided.

Organizations Oppose Rule

Ten national organizations representing a cross section of market participants, including the National Association of Counties, Government Finance Officers Association, and National Association of State Auditors, Comptrollers, and Treasurers, made a joint response in which they raised a number of general and specific objections to the proposed rule. The National League of Cities, in a separate response, strongly objected to the proposed SEC rule. The following summary of these two responses provides a general overview of the issues. To date, there has been no SEC response or action.

The Joint Response. The ten organizations found that the proposed rule would indirectly preempt state regulatory processes to achieve federal purposes and would "effectively regulate state and local governments and impose direct costs upon them." They found that the rule may violate basic principles of federalism and statutory interpretation. They asked that SEC respect the precepts of federalism and that it be sensitive to the concerns of state and local governments.

The organizations viewed the proposed rule as a "significant new federal mandate" because of the additional compliance costs many governments would incur for consultants and increased staff dedicated to disclosure efforts. These costs were predicted to fall disproportionately on smaller governments. The justification for these additional costs was felt to be weak because state and local governments:

- Have no record of defaults on debt;
- Are public entities that operate in the public domain and are governed by elected officials who are accountable to voters and subject to public scrutiny;
- Make information available routinely to the public; and
- Provide current information to bond rating agencies.

The respondents concluded that before imposing the rule the SEC should "compute a cost-benefit analysis concerning the scope of the proposed rule."

The organizations concluded that it is *virtually impossible to define uniform national rules with any specificity given the different types of governments and the debt they issue*. No single, inflexible rule can take into account the various accounting, auditing, and financial reporting practices that are followed either voluntarily or in response to state laws. Flexibility is needed so that governments do not have to provide large amounts of information that is irrelevant to investors or needlessly adds staff or incurs costs.

While the organizations recognized that governments should be willing to provide financial and operational data at least annually to an outside repository, they said it is not appropriate for SEC to define the form and content of the information. Therefore, the information requirement should be modified. At most, the SEC could urge governments to comply with nationally recognized standards or guidelines.

National League of Cities (NLC). NLC opposed "the imposition of federal government

mandates specifying exactly what, how, and when local governments must issue disclosure documents." It urged (1) a cost-benefit analysis to assess the costs imposed on communities in comparison with the potential benefits to investors, and (2) that any rule focus on specifically identified problems. There is no reason to create "cumbersome rules and new liabilities to prevent imaginary problems."

A major objection regarding the proposal that information releases be subject to anti-fraud provisions is the chilling effect this could have on written and oral statements by public officials. Information intended to inform constituents or as part of a political dialogue could come within this limitation, even if the information was not for the purpose of informing investors. NLC suggests that fraud provisions should be limited to an official of the government designated to provide information to investors.

NLC also noted that there are constitutional issues. The Tenth Amendment may preclude the proposed rule, since there is ambiguous statutory authority and states are not represented by SEC. In addition, NLC said, the proposed rule is not reasonably designed because it will burden state and local governments far more than is necessary to achieve the rule's objective.

NLC concludes that the proposed rule has repercussions for intergovernmental relations far beyond the scope of SEC's jurisdiction. The proposals "affect the way local governments not only budget and finance for their citizens and taxpayers, but also impose restrictions on the means by which public elected officials may communicate to their citizens." The NLC response includes specific recommendations, including deferring any action until receipt of comments from the Advisory Commission on Intergovernmental Relations.

Philip M. Dearborn is director of Government Finance Research at ACIR.

Public Attitudes on Governments and Taxes 1994

In its 1994 annual survey of public attitudes toward governments and taxes, ACIR asked two long-term trend questions:

- *Which do you think is the worst tax - that is, the least fair: federal income tax, federal Social Security tax, state income tax, state sales tax, or local property tax?*
- *From which level of government do you feel you get the least for your money?*

The federal government drew the highest number of responses on both questions. The federal income tax is in a virtual tie with the local property tax as worst, and the federal government far outweighed state and local governments as giving the least for taxpayers' money (see Table 1).

Although the local property tax was rated as unfair as the federal income tax, local governments were judged as giving the least for taxpayers' money much less frequently than the federal government and slightly less than state governments.

As in past years, the fewest Americans think state income and sales taxes are worst. The Social Security tax is in the same range as the state taxes.

The Long-Range Trends

The worst-tax question including Social Security has been asked five times beginning in 1988. The least-for-your-money question has been asked four times beginning in 1989. Over these years, the comparisons among the governments and their taxes have remained fairly stable. The only consistent trend has been a decline in the number of respondents judging the Social Security tax to be worst.

Responses by Different Population Groups

Various subgroups in the population respond to these questions differently. For the 1994 questions, for example:

- Most Americans ranking the *federal income tax* as worst are aged 25 to 44, college graduates, residents of the South, and those in the category of

Table 1
**The Public's 1994 Ratings
of Federal, State, and Local Governments**

Government	Taxes (percent)				Least for Money
	Income	Social Security	Sales	Property	
Federal	27	12			46
State	7		14		21
Local				28	19

professionals/managers/owners. The fewest ranking this tax as worst are among 18-24 year-olds, those over age 65, those without a high school diploma, unemployed persons, and residents of the Northeast.

- The *local property tax* is ranked worst most by those over age 65, persons living in the North and the Northeast (about even), and those living in non-metropolitan areas. The fewest rating this tax as worst are under age 35, white collar/sales/clerical employees, employed persons, persons living in the West, and those in large central cities.
- Most Americans who believe they *get the least for their money from the federal government* are men, male heads of household, aged 35-44, college graduates, employed persons, white collar/sales/clerical employees, those living in the North, and those in large central cities.

Details of the Survey responses and the methodology are available from ACIR in Changing Public Attitudes on Governments and Taxes (S-23) for \$10. To order the report, contact Stephanie Richardson, FAX (202) 653-5429, or mail to ACIR, 800 K Street, NW, Suite 450 South Building, Washington, DC 20575. ACIR accepts Master Card and VISA.

National Felon Registry

(continued from page 13)

will be enormous in responding to the current epidemic of violent crime. The federal government just passed a major crime bill. Some states also are trying to enact new crime laws. They cannot be effective if we don't know who the violent offenders are and what they have done, and where and when.

The central registry would be in the FBI and the Justice Department. The financial resources exist to do this if the federal, state, and local governments can be persuaded that we have common priorities and goals in this area, **and if they will make it a priority to achieve those goals.** We have to establish a sense of urgency and then work with jurisdictions to determine the resources that are necessary to meet the goals.

ACIR can play a major role as a facilitator in developing the necessary intergovernmental cooperation and the sense of urgency we need to achieve the goal of creating the national felon registry. Crime is a real, vexing problem that is on the minds of most Americans and that deeply involves all levels of government. ACIR is the ideal place in which to work out methods to help coordinate the intergovernmental effort to create a national criminal records data base because of its statutory mission of providing a forum for discussing programs that require intergovernmental cooperation, and its 20-year history of studying various aspects of the criminal justice system.

The Honorable Byron L. Dorgan is a United States Senator from North Dakota. He is a member of the Advisory Commission on Intergovernmental Relations. This article is excerpted from his remarks at the meeting of the Commission on June 17, 1994.

ACIR at 35: Achievements in Perspective

As the Advisory Commission on Intergovernmental Relations marks its 35th anniversary, it has been "reinvented." Its historic roles have been redefined and resources reallocated to support and assist the Congress, the Administration, and state and local governments in working together to achieve effective, equitable results.

This transformation is in line with the recommendation of the National Performance Review (NPR) to strengthen ACIR and "charge it with responsibility for continuous improvement in federal, state, and local partnership and intergovernmental service delivery." NPR cited ACIR's statutory charter as "a framework for true intergovernmental collaboration."

The statute that created the Commission (P.L. 86-380) has guided its work for 35 years in convening federal, state, and local officials in a forum to discuss federal grant and other programs requiring intergovernmental cooperation; reviewing proposed federal legislation to determine its overall effect on the federal system; encouraging early discussion of emerging intergovernmental problems; recommending the most desirable allocations of functions, responsibilities, and revenues among governments; and recommending methods of achieving balance in the intergovernmental fiscal system.

The Commission's 35-year record of identifying and researching intergovernmental issues of emerging and long-term importance has established it as a major forum and source of ideas for developing policies to strengthen all elements of the federal system.

ACIR has played a significant role in clarifying and resolving intergovernmental issues affecting the federal government directly and having an impact on state and local governments. The Commission monitors the federal system; recommends ways of strengthening the fiscal

position of state and local governments, promotes balance in the federal system, and advocates government accountability.

Following are highlights of the Commission's achievements.

1960s

As ACIR was getting organized in the 1960s, the nation was facing issues stemming from suburbanization, metropolitan development, and the problems of urban areas in dealing with rural-dominated state legislatures.

To help governments deal with these challenges, ACIR recommended federal assistance for comprehensive local and metropolitan planning, coordination of federal aid in metropolitan areas, advance federal approval of interstate compacts for interstate metropolitan areas, and an intergovernmental review and comment process for the authorization of federal aid (the A-95 review process).

For state and local governments, ACIR suggested reapportionment of state legislatures, which became law with *Baker v. Carr* in 1963; annual legislative sessions and modernization of committee structures; executive budgets and four-year terms for governors; local home rule; annexation; county modernization; local consolidation and dissolution powers; supervision of special districts; interlocal agreements; and multijurisdictional organizations.

ACIR began its survey of the fiscal character of the federal, state, and local governments, which evolved into the widely used annual *Significant Features of Fiscal Federalism*. The Commission also pioneered the Representative Tax System (RTS), a method for measuring the fiscal capacities of state and local governments. The RTS estimates are still part of ACIR's program of monitoring the federal system.

1970s

As ACIR moved into the 1970s, its program focused on improved management of the expanding federal grant-in-aid system. This work contributed significantly to enactment of general revenue sharing and the establishment of several block grants. ACIR also supported the development of standard grant administration procedures. As part of the grant studies program, ACIR produced a *Catalog of Federal Grant-in-Aid Programs to State and Local Governments*, another continuing monitoring service that tracks the changing characteristics of the grant system.

ACIR's first study of state and local roles in the criminal justice system was undertaken in the 1970s, as was its study of the Safe Streets block grant. Work on the criminal justice system continues at the Commission.

ACIR's work contributed to the establishment and operation of regional organizations, the use of interstate compacts, the development of methods to deal with state mandates on local governments, creation of comprehensive state transportation departments, and the establishment of state ACIRs.

Other recommendations promoted techniques for improving the administration of state income and sales taxes, establishing guidelines for targeted property tax relief and local revenue diversification, and using broad-based taxes to strengthen the fiscal system. ACIR made contributions to the study of city financial emergencies and efforts to equalize state school finance systems.

Two other programs were begun in the 1970s that continue today. In 1972, ACIR conducted its first annual poll on public attitudes on governments and taxes, and in 1975, began publication of *Intergovernmental Perspective*.

1980s

In the 1980s, ACIR recommended and provided technical assistance for a systematic sorting out of federal, state, and local responsi-

bilities and revenue sources, including the long-term turnback to the states of non-Interstate highway programs along with an equivalent portion of the federal gasoline tax.

The Commission also pioneered the study of a new field of regulatory federalism, federal preemption of state and local authority, and the related issue of federally mandated costs to state and local governments. This work also continues.

Based on the regulatory study, ACIR supported efforts to provide greater flexibility in complying with federal regulations, simplification of regulations, and waivers of some regulations for small governments. The Commission initiated and the Congress enacted a fiscal notes process to help dramatize the state and local cost implications of federal actions.

ACIR also made important contributions to indexation of the personal income tax and recommended that states be permitted to tax interstate mail order sales. ACIR continued to study local revenue diversification, with reports on user charges, local sales taxes, and local income taxes.

The Commission began playing a major role in attempting to restore constitutional balance to the federal system. ACIR also chronicled the resurgence of state governments and promoted the study of state constitutional law, publishing the first 50-state textbook of law cases and other materials on the subject. This textbook now is used throughout the nation.

In light of federal proposals to preempt state and local regulation of the nation's growing service economy, ACIR highlighted the advantages of the system of dual federal-state regulation of banking and telecommunications, and taxation of banking. This work continued in the 1990s with recommendations for the insurance industry.

ACIR devoted substantial attention to the workings of metropolitan governance structures to achieve the benefits of regional cooperation without loss of citizen empowerment and local government efficacy.

ACIR also addressed the intergovernmental dimensions of welfare reform, examined the emergence of residential community associations and alerted state and local governments to the need to establish intergovernmental relations with them, issued recommendations based on state and local innovations in dealing with the homeless, and examined federal and state compliance with disability rights mandates.

1990s

In the first years of the decade, ACIR focused attention on the importance of forging a better balance between the nation's needs for environmental protection and public works, and cooperated with the U.S. Army Corps of Engineers to develop a federal infrastructure investment strategy that has begun to be implemented by the Administration and to be discussed in the Congress.

The Commission also urged substantial intergovernmental reforms in governance of the nation's water resources; and worked with federal, state, and local officials to improve sharing of the geographic data essential to many functions of government.

In addition, ACIR published new research on the pros and cons of interjurisdictional tax and policy competition; recommended reforms for Medicaid to help ease the rapid rise in state and local costs; recommended increased roles for general government elected officials in making the criminal justice system more effective; focused attention on the continuing importance of the state and national roles of the National Guard in the face of defense downsizing; inventoried federal statutory preemptions of state and local authority; focused attention on the need for greater local government autonomy; and urged intergovernmental reforms in child care programs to improve service delivery.

To complement its Representative Tax System, ACIR developed a new Representative Expenditure System measure. ACIR continues to report regularly on the intergovernmental fiscal

system, add to its local revenue diversification series (travel taxes and rural economies), track the effects of state aid to public elementary and secondary schools, revise estimates of potential revenue from taxation of interstate mail order sales, and track the changing characteristics of the federal grant system.

ACIR completed its 35th year by publishing new research quantifying the very large financial responsibilities of local governments in health care and the need to consider how that would be affected by health care reform, setting forth strategies for improving government effectiveness (focusing on drought preparedness), and describing ways to provide relief to state and local governments from the effects of unfunded federal mandates.

As its 36th year gets under way, the Commission is addressing intergovernmental implementation of the *Intermodal Surface Transportation Efficiency Act of 1991*, the *Government Performance and Results Act of 1993*, and the federal mandate relief legislation pending in the Congress.

A complete listing of members and publications of the Commission begins on page 34.

Coming in November

**Significant
Features
of Fiscal
Federalism**

1994 Edition—Volume II
Revenues and Expenditures

ACIR Membership 1959-1994

Private Citizens

Frank Bane, *Chairman* (Virginia, D)
John E. Burton (New York, R)
 James K. Pollock (Michigan, R)
 Howard K. Bowen (Iowa, D)
Don Hummel (Arizona, D)
 Thomas H. Eliot (Missouri, D)
 Adelaide Walters (North Carolina, D)
Farris Bryant, Chairman (Florida, D)
 Dorothy I. Cline (New Mexico, D)
 Price Daniel (Texas, D)
Alexander Heard (Tennessee, D)
 Howard (Bo) Callaway (Georgia, R)
 Robert E. Merriam, *Chairman* (Illinois, R)
 Edward C. Banfield (Massachusetts, D)
 Robert H. Finch (California, R)
 John H. Altorfer (Illinois, R)
 F. Clifton White (Connecticut, R)
 Richard W. Riley (South Carolina, D)
 Bill G. King (Alabama, D)
 Abraham D. Beame, *Chairman* (New York, D)
 Mary Eleanor Wall (Illinois, D)
 Eugene Eidenberg (Washington, DC, D)
 Robert B. Hawkins, Jr., *Chairman* (California, R)
 James S. Dwight, Jr. (Virginia, R)
 Mary Kathleen Teague (Washington, DC, R)
 Daniel J. Elazar (Pennsylvania, R)
 Mary Ellen Joyce (Virginia, R)
 William F. Winter, *Chairman* (Mississippi, D)
 Richard P. Nathan (New York, D)

United States Senators

Sam J. Ervin (North Carolina, D)
 Karl E. Mundt (South Dakota, R)
 Edmund S. Muskie (Maine, D)
 Charles H. Percy (Illinois, R)
 Ernest F. Hollings (South Carolina, D)
 William V. Roth (Delaware, R)
 William Hathaway (Maine, D)
 Lawton Chiles (Florida, D)
 James R. Sasser (Tennessee, D)
 Dave Durenberger (Minnesota, R)
 Carl Levin (Michigan, D)
 Charles S. Robb (Virginia, D)
 Daniel K. Akaka (Hawaii, D)
 Byron L. Dorgan (North Dakota, D)
 Bob Graham (Florida, D)

U.S. Representatives

Florence P. Dwyer (New Jersey, R)
 L.H. Fountain (North Carolina, D)
 Wilbur D. Mills (Arkansas, D)
 Frank Ikard (Texas, D)

Appointed

1959 Eugene J. Keogh (New York, D)
 1959 Al Ullman (Oregon, D)
 1959 Clarence J. Brown, Jr. (Ohio, R)
 1959 James C. Corman (California, D)
 1962 Richard Vander Veen (Michigan, D)
 1962 Charles B. Rangel (New York, D)
 1964 Barney Frank (Massachusetts, D)
 1964 Robert S. Walker (Pennsylvania, R)
 1967 Ted Weiss (New York, D)
 1967 Sander Levin (Michigan, D)
 1967 Jim Ross Lightfoot (Iowa, R)
 1967 Larkin Smith (Mississippi, R)
 1969 Richard K. Armev (Texas, R)
 1969 Donald M. Payne (New Jersey, D)
 1971 Craig Thomas (Wyoming, R)
 1973 James P. Moran (Virginia, D)
 1975 Steven H. Schiff (New Mexico, R)
 1976
 1977
 1978
 1978
 1980
 1981
 1981
 1983
 1983
 1986
 1989
 1993
 1994

Appointed

1959
 1959
 1959
 1972
 1973
 1975
 1977
 1977
 1979
 1981
 1988
 1989
 1991
 1993
 1994

Appointed

1959
 1959
 1959
 1961

1962 Eugene J. Keogh (New York, D)
 1967 Al Ullman (Oregon, D)
 1973 Clarence J. Brown, Jr. (Ohio, R)
 1975 James C. Corman (California, D)
 1976 Richard Vander Veen (Michigan, D)
 1977 Charles B. Rangel (New York, D)
 1982 Barney Frank (Massachusetts, D)
 1983 Robert S. Walker (Pennsylvania, R)
 1983 Ted Weiss (New York, D)
 1985 Sander Levin (Michigan, D)
 1987 Jim Ross Lightfoot (Iowa, R)
 1989 Larkin Smith (Mississippi, R)
 1990 Richard K. Armev (Texas, R)
 1991 Donald M. Payne (New Jersey, D)
 1991 Craig Thomas (Wyoming, R)
 1993 James P. Moran (Virginia, D)
 1993 Steven H. Schiff (New Mexico, R)

Members of the Federal Executive Branch

Appointed

1959 Robert B. Anderson (Secretary, Treasury, R)
 Arthur S. Fleming (Secretary, Health, Education and Welfare, R)
 1959 James P. Mitchell (Secretary, Labor, R)
 1961 C. Douglas Dillon (Secretary, Treasury, R)
 Abraham A. Ribicoff (Secretary, Health, Education and Welfare, D)
 1961 Arthur J. Goldberg (Secretary, Labor, D)
 1961 Anthony J. Celebrezze (Secretary, Health, Education and Welfare, D)
 1962 Robert C. Weaver (Secretary, Housing and Urban Development, D)
 1962 Orville L. Freeman (Secretary, Agriculture, D)
 1965 Henry H. Fowler (Secretary, Treasury, D)
 1965 Farris Bryant (Director, Office of Emergency Planning, D)
 1967 Ramsey Clark (Attorney General, D)
 1967 Price Daniel (Director, Office of Emergency Planning, D)
 1967 Robert P. Mayo (Director, Budget Bureau, R)
 1969 George H. Romney (Secretary, Housing and Urban Development, R)
 1969 Robert H. Finch (Secretary, Health, Education and Welfare, R)
 1970 George P. Shultz (Director, Office of Management and Budget, R)
 1972 Kenneth R. Cole, Jr. (Assistant to the President for Domestic Affairs, R)
 1972 Caspar W. Weinberger (Secretary, Health, Education and Welfare, R)
 1973 James T. Lynn (Director, Office of Management and Budget, R)
 1975 James M. Cannon (Assistant to the President for Domestic Affairs, R)
 1975

Carla A. Hills (Secretary, Housing and Urban Development, R)	1975	Buford Ellington (Tennessee, D)	1967
Thomas B. Lance (Director, Office of Management and Budget, D)	1977	James A. Rhodes (Ohio, R)	1967
W. Michael Blumenthal (Secretary, Treasury, D)	1977	Spiro T. Agnew (Maryland, R)	1968
Juanita M. Kreps (Secretary, Commerce, D)	1977	Raymond P. Shafer (Pennsylvania, R)	1969
James T. McIntyre (Director, Office of Management and Budget, D)	1978	Warren F. Hearnes (Missouri, D)	1969
Moon Landrieu (Secretary, Housing and Urban Development, D)	1979	Ronald Reagan (California, R)	1970
G. William Miller (Secretary, Treasury, D)	1980	Dale Bumpers (Arkansas, D)	1971
Samuel R. Pierce (Secretary, Housing and Urban Development, R)	1981	Richard B. Ogilvie (Illinois, R)	1971
James G. Watt, <i>Chairman</i> (Secretary, Interior, R)	1981	Richard F. Kneip (South Dakota, D)	1972
Richard S. Williamson (Assistant to the President for Intergovernmental Affairs, R)	1981	Daniel J. Evans (Washington, R)	1973
Lee L. Verstandig (Assistant to the President for Intergovernmental Affairs, R)	1983	Robert D. Ray (Iowa, R)	1973
William P. Clark (Secretary, Interior, R)	1984	Philip W. Noel (Rhode Island, D)	1975
Raymond J. Donovan (Secretary, Labor, R)	1984	Otis R. Bowen (Indiana, R)	1976
William E. Brock, III (Secretary, Labor, R)	1985	Reubin O'D. Askew (Florida, D)	1977
Mitchell E. Daniels, Jr. (Deputy Assistant to the President/Director, Office of Intergovernmental Affairs, R)	1985	Richard A. Snelling (Vermont, R)	1977
Edwin Meese, III (Attorney General, R)	1985	Bruce Babbitt (Arizona, D)	1978
Gwendolyn S. King (Deputy Assistant to the President/Director, Office of Intergovernmental Affairs, R)	1987	John N. Dalton (Virginia, R)	1979
Andrew H. Card (Special Assistant to the President for Intergovernmental Affairs, R)	1987	Richard W. Riley (South Carolina, D)	1979
Ann McLaughlin (Secretary, Labor, R)	1988	Lamar Alexander, <i>Vice Chairman</i> (Tennessee, R)	1981
Richard L. Thornburgh (Attorney General, R)	1988	Forrest H. James, Jr. (Alabama, D)	1981
Debra Rae Anderson (Deputy Assistant to the President/Director, Office of Intergovernmental Affairs, R)	1989	Scott M. Matheson (Utah, D)	1983
Samuel K. Skinner (Secretary, Transportation, R)	1989	Richard L. Thornburgh (Pennsylvania, R)	1983
Karen Spencer (Special Assistant to the President for Intergovernmental Affairs, R)	1989	John H. Sununu, <i>Vice Chairman</i> (New Hampshire, R)	1984
Lamar Alexander (Secretary, Education, R)	1991	John Carlin (Kansas, D)	1985
Andrew H. Card (Secretary, Transportation, R)	1992	Ted Schwinden (Montana, D)	1985
Bobbi Kilberg (Special Assistant to the President/Director of Intergovernmental Affairs, R)	1992	John Ashcroft (Missouri, R)	1986
Carol M. Browner (Administrator, Environmental Protection Agency, D)	1993	George A. Sinner (North Dakota, D)	1989
Marcia L. Hale (Assistant to the President/Director of Intergovernmental Affairs, D)	1993	Booth Gardner (Washington, D)	1990
Richard W. Riley (Secretary, Education, D)	1993	Stan Stephens (Montana, R)	1990
		Arne Carlson (Minnesota, R)	1993
		Howard Dean (Vermont, D)	1993
		Michael O. Leavitt (Utah, R)	1993
		Robert Miller (Nevada, D)	1993
Governors	Appointed	State Legislators	Appointed
Ernest F. Hollings (South Carolina, D)	1959	Elisha Barrett (New York Senate, R)	1959
Abraham A. Ribicoff (Connecticut, D)	1959	Leslie Cutter (Massachusetts Senate, R)	1959
Robert E. Smylie (Idaho, R)	1959	John W. Noble (Missouri Senate, D)	1959
William G. Stratton (Illinois, R)	1959	Hal Bridenbaugh (Nebraska Senate, R)	1960
John Anderson, Jr. (Kansas, R)	1961	Robert A. Ainsworth, Jr. (Louisiana Senate, D)	1961
Michael V. DiSalle (Ohio, D)	1961	Robert B. Duncan (Oregon House, D)	1962
Carl E. Sanders (Georgia, D)	1963	John E. Powers (Massachusetts Senate, D)	1962
Terry Sanford (North Carolina, D)	1963	Graham S. Newell (Vermont Senate, R)	1962
John N. Dempsey (Connecticut, D)	1964	Harry King Loman (Kentucky House, D)	1963
Nelson A. Rockefeller (New York, R)	1965	Marion H. Crank (Arkansas House, D)	1964
John A. Volpe (Massachusetts, R)	1967	Charles R. Weiner (Pennsylvania Senate, D)	1964
		C. George DeStefano (Rhode Island Senate, R)	1965
		Ben Barnes (Texas House, D)	1967
		Jesse M. Unruh (California House, D)	1967
		W. Russell Arrington (Illinois Senate, R)	1969
		Robert P. Knowles (Wisconsin Senate, R)	1969
		B. Mahlon Brown (Nevada Senate, D)	1969
		Charles F. Kurfess (Ohio House, R)	1973
		John H. Briscoe (Maryland House, D)	1974
		Martin O. Sabo (Minnesota House, D)	1977
		Fred E. Anderson (Colorado Senate, D)	1978
		Jason Boe (Oregon Senate, D)	1979
		Leo T. McCarthy (California House, D)	1979

Ross O. Doyen (Kansas Senate, R) 1981
 Richard Hodes (Florida House, D) 1981
 David E. Nething (North Dakota Senate, R) 1982
 William F. Passannante (New York Assembly, D) 1983
 Miles Ferry (Utah Senate, R) 1984
 John T. Bragg (Tennessee House, D) 1985
 Ted L. Strickland (Colorado Senate, R) 1988
 David E. Nething (North Dakota Senate, R) 1991
 Samuel B. Nunez, Jr. (Louisiana Senate, D) 1990
 Paul Bud Burke (Kansas Senate, R) 1993
 Art Hamilton (Arizona House, D) 1993

Mayors

Anthony J. Celebrezze (Cleveland, D)
 Gordon S. Clinton (Seattle, R)
 Don Hummel (Tucson, D)
 Norris Poulson (Los Angeles, R)
 Richard Y. Batterton (Denver)
 Leo T. Murphy (Santa Fe, D)
 Neal S. Blaisdell (Honolulu, R)
 Arthur Naftalin (Minneapolis, D)
 Raymond R. Tucker (St. Louis, D)
 Arthur L. Selland (Fresno, R)
 Herman W. Goldner (St. Petersburg, R)
 Richard C. Lee (New Haven, D)
 Theodore R. McKeldin (Baltimore, R)
 Jack D. Maltester (San Leandro, D)
 William F. Walsh (Syracuse, R)
 Richard G. Lugar (Indianapolis, R)
 C. Beverly Briley (Nashville, D)
 Lawrence F. Kramer, Jr. (Paterson, NJ, R)
 Harry G. Haskell, Jr. (Wilmington, R)
 John D. Driggs (Phoenix, R)
 Edwin J. Garn (Salt Lake City, R)
 John H. Poelker (St. Louis, D)
 Harry E. Kinney (Albuquerque, R)
 Tom Moody (Columbus, Ohio, R)
 Thomas Bradley (Los Angeles, D)
 Richard E. Carver (Peoria, R)
 John P. Rousakis (Savannah, D)
 Margaret T. Hance (Phoenix, R)
 Richard Hatcher (Gary, D)
 James Inhofe (Tulsa, R)

Appointed

1959
 1959
 1959
 1959
 1962
 1962
 1962
 1962
 1962
 1963
 1964
 1965
 1967
 1967
 1967
 1969
 1969
 1970
 1972
 1973
 1974
 1974
 1975
 1976
 1978
 1978
 1981
 1981
 1981

Joseph P. Riley, Jr. (Charleston, SC, D) 1981
 Ferd Harrison (Scotland Neck, NC, D) 1983
 William H. Hudnut, III (Indianapolis, R) 1984
 Robert Martinez (Tampa, R) 1984
 Henry W. Maier (Milwaukee, D) 1987
 Robert M. Isaac (Colorado Springs, R) 1987
 Donald M. Fraser (Minneapolis, D) 1987
 Arthur J. Holland (Trenton, D) 1989
 Victor Ashe (Knoxville, R) 1990
 Joseph A. Leaf (Norfolk, D) 1990
 Bruce Todd (Austin, D) 1992
 Edward G. Rendell (Philadelphia, D) 1993

County Officials

Edward O'Connor (Wayne Co., Michigan, D) 1959
 Clair Donnerwirth (Plumas Co., California, D) 1959
 Edwin G. Michaelian (Westchester Co., New York, R) 1959
 Barbara A. Wilcox (Washington Co., Oregon, R) 1962
 Angus McDonald (Yakima Co., Washington, R) 1962
 William O. Beach (Montgomery Co., Tennessee, D) 1966
 Gladys N. Spellman (Prince George's Co., Maryland, D) 1967
 John F. Dever (Middlesex Co., Massachusetts, D) 1968
 Edwin G. Michaelian (Westchester Co., New York, R) 1969
 Lawrence K. Roos (St. Louis Co., Missouri, R) 1969
 Conrad M. Fowler (Shelby Co., Alabama, D) 1970
 John H. Brewer (Kent Co., Michigan, R) 1974
 William E. Dunn (Salt Lake Co., Utah, R) 1975
 Doris W Dealaman (Somerset Co., New Jersey, R) 1976
 Lynn G. Cutler (Black Hawk Co., Iowa, D) 1977
 William O. Beach (Montgomery Co., Tennessee, D) 1978
 Roy Orr (Dallas Co., Texas, D) 1981
 Peter F. Schabarum (Los Angeles Co., California, R) 1981
 Gilbert Barrett (Dougherty Co., Georgia, D) 1982
 William J. Murphy (Rensselaer Co., New York, R) 1983
 Sandra R. Smoley (Sacramento Co., California, R) 1983
 Philip B. Elfstrom (Kane Co., Illinois, R) 1985
 Harvey Ruvin (Dade Co., Florida, D) 1988
 James J. Snyder (Cattaraugus Co., New York, R) 1989
 Ann Klinger (Merced Co., California, D) 1990
 D. Michael Stewart (Salt Lake Co., Utah, R) 1990
 Barbara Sheen Todd (Pinellas Co., Florida, R) 1992
 Gloria Molina (Los Angeles Co., California, D) 1993
 John H. Stroger, Jr., Cook Co., Illinois, D) 1993

Appointed

Publications of ACIR 1960-1994

POLICY REPORTS

1960s

- Coordination of State and Federal Inheritance, Estate and Gift Taxes (A-1, 1961)
- Modification of Federal Grants-in-Aid for Public Health Service (A-2, 1961)
- Investment of Idle Cash Balances by State and Local Governments (A-3, 1961)
- Intergovernmental Responsibilities for Mass Transportation Facilities and Services (A-4, 1961)
- Governmental Structure, Organization, and Planning in Metropolitan Areas (A-5, 1961)
- State and Local Taxation of Privately Owned Property Located on Federal Areas: Proposed Amendment to the Buck Act (A-6, 1961)
- Intergovernmental Cooperation in Tax Administration (A-7, 1961)
- Periodic Congressional Reassessment of Federal Grants-in-Aid to State and Local Governments (A-8, 1961)
- Local Non-Property Taxes and the Coordinating Role of the State (A-9, 1961)
- State Constitutional and Statutory Restrictions on Local Government Debt (A-10, 1961)
- Alternative Approaches to Governmental Organization in Metropolitan Areas (A-11, 1962)
- State Constitutional and Statutory Restrictions upon the Structural, Functional, and Personnel Powers of Local Governments (A-12, 1962)
- Intergovernmental Responsibilities for Water Supply and Sewage Disposal in Metropolitan Areas (A-13, 1962)
- State Constitutional and Statutory Restrictions on Local Taxing Powers (A-14, 1962)
- Apportionment of State Legislatures (A-15, 1962)
- Transferability of Public Employee Retirement Credits among Units of Government (A-16, 1963)
- The Role of the States in Strengthening the Property Tax (A-17, 1963)
- Industrial Development Bond Financing (A-18, 1963)
- The Role of Equalization in Federal Grants, and Grant-in-Aid Programs Enacted by the Second Session of the 88th Congress (A-19, 1964)
- Impact of Federal Urban Development Programs on Local Government Organization and Planning (A-20, 1964)
- Statutory and Administrative Controls Associated with Federal Grants for Public Assistance (A-21, 1964)
- The Problem of Special Districts in American Government (A-22, 1964)
- The Intergovernmental Aspects of Documentary Taxes (A-23, 1964)
- State-Federal Overlapping in Cigarette Taxes (A-24, 1964)
- Metropolitan Social and Economic Disparities: Implications for Intergovernmental Relations in Central Cities and Suburbs (A-25, 1965)
- Relocation: Unequal Treatment of People and Businesses Displaced by Governments (A-26, 1965)
- Federal-State Coordination of Personal Income Taxes (A-27, 1965)
- Building Codes: A Program for Intergovernmental Reform (A-28, 1966)
- Intergovernmental Relations in the Poverty Program (A-29, 1966)
- State-Local Taxation and Industrial Location (A-30, 1967)
- Fiscal Balance in the American Federal System (A-31, 1967)
- Urban and Rural America: Policies for Future Growth (A-32, 1968)
- Intergovernmental Problems in Medicaid, and Hearings before ACIR (A-33, 1968)
- State Aid to Local Government (A-34, 1969)
- Labor-Management Policies for State and Local Government (A-35, 1969)

1970s

- Making the Safe Streets Act Work: An Intergovernmental Challenge (A-36, 1970)
- Federal Approaches to Aid State and Local Capital Financing (A-37, 1970)
- State-Local Relations in the Criminal Justice System (A-38, 1971)
- Multi-State Regionalism (A-39, 1972)
- Financing Schools and Property Tax Relief (A-40, 1973)
- Regional Governance: Promise and Performance (A-41, 1973)
- City Financial Emergencies: The Intergovernmental Dimension (A-42, 1973)
- Regional Decision Making: New Strategies for Substate Districts (A-43, 1973)
- Hearings on Substate Regionalism (A-43a, 1973)
- The Challenge of Local Governmental Reorganization (A-44, 1974)
- Governmental Functions and Processes: Local and Areawide (A-45, 1974)
- A Look to the North: Canadian Regional Experience (A-46, 1974)
- Local Revenue Diversification: Income, Sales Taxes & User Charges (A-47, 1974)
- General Revenue Sharing: An ACIR Reevaluation (A-48, 1974)
- Toward More Balanced Transportation: New Intergovernmental Proposals (A-49, 1975)
- State Taxation of Military Income and Store Sales (A-50, 1976)
- The Intergovernmental Grant System: An Assessment and Proposed Policies (14 volumes)
- Block Grants: A Roundtable Discussion (A-51, 1976)
- Categorical Grants: Their Role and Design (A-52, 1978)
- A Catalog of Federal Grant-in-Aid Programs to State and Local Governments (A-52a, 1977)
- Improving Federal Grants Management (A-53, 1977)
- The Intergovernmental Grant System as Seen by State, Local, and Federal Officials (A-54, 1977)
- Safe Streets Reconsidered: The Block Grant Experience, 1968-1975 (A-55, 1977)

- Safe Streets Reconsidered: The Block Grant Experience, 1968-1975, Case Studies (A-55a, 1977)
- The Partnership for Health Act*: Lessons from a Pioneering Block Grant (A-56, 1977)
- Community Development: The Workings of a Federal Local Block Grant (A-57, 1977)
- The Comprehensive Employment and Training Act*: Early Readings from a Hybrid Block Grant (A-58, 1977)
- The States and Intergovernmental Aids (A-59, 1977)
- Block Grants: A Comparative Analysis (A-60, 1977)
- Federal Grants: Their Effects on State-Local Expenditures, Employment Levels, and Wage Rates (A-61, 1977)
- Summary and Concluding Observations (A-62, 1978)
- Inflation and Federal and State Income Taxes (A-63, 1976)
- State Limitations on Local Taxes and Expenditures (A-64, 1977)
- Cigarette Bootlegging: A State and Federal Responsibility (A-65, 1977)
- Regionalism Revisited: Recent Areawide and Local Responses (A-66, 1978)
- State Mandating of Local Expenditures (A-67, 1978)
- The Adequacy of Federal Compensation to Local Governments for Tax Exempt Federal Lands (A-68, 1978)
- Countercyclical Aid and Economic Stabilization (A-69, 1978)
- State-Local Finances in Recession and Inflation: An Economic Analysis (A-70, 1979)
- 1980s**
- State and Local Pension Systems: Federal Regulatory Issues (A-71, 1980)
- A Catalog of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1978 (A-72, 1979)
- Citizen Participation in the American Federal System (A-73, 1980)
- Regional Growth: Historic Perspective (A-74, 1980)
- Regional Growth: Flows of Federal Funds, 1952-76 (A-75, 1980)
- Regional Growth: Interstate Tax Competition (A-76, 1981)
- The Federal Role in the Federal System: The Dynamics of Growth (10 volumes)
- A Crisis of Confidence and Competence (A-77, 1980)
- The Condition of Contemporary Federalism: Conflicting Theories and Collapsing Constraints (A-78, 1981)
- Public Assistance: The Growth of a Federal Function (A-79, 1980)
- Reducing Unemployment: Intergovernmental Dimensions of a National Problem (A-80, 1982)
- Intergovernmentalizing the Classroom: Federal Involvement in Elementary and Secondary Education (A-81, 1981)
- The Evolution of a Problematic Partnership: The Feds and Higher Ed (A-82, 1981)
- Protecting the Environment: Politics, Pollution, and Federal Policy (A-83, 1981)
- Federal Involvement in Libraries (A-84, 1980)
- The Federal Role in Local Fire Protection (A-85, 1980)
- An Agenda for American Federalism: Restoring Confidence and Competence (A-86, 1981)
- Hearings on the Federal Role (A-87, 1980)
- State and Local Roles in the Federal System (A-88, 1982)
- The Federal Influence on State and Local Roles in the Federal System (A-89, 1981)
- Payments in Lieu of Taxes on Federal Real Property (A-90, 1981)
- Payments in Lieu of Taxes on Federal Real Property: Appendices (A-91, 1982)
- State Taxation of Multinational Corporations (A-92, 1983)
- 1981 Tax Capacity of the Fifty States (A-93, 1983)
- Jails: Intergovernmental Dimensions of a Local Problem (A-94, 1984)
- Regulatory Federalism: Policy, Process, Impact and Reform (A-95, 1984)
- Financing Public Physical Infrastructure (A-96, 1984)
- Strengthening the Federal Revenue System: Implications for State and Local Taxing and Borrowing (A-97, 1984)
- The Question of State Government Capability (A-98, 1985)
- Bankruptcies, Defaults and Other Local Government Financial Emergencies (A-99, 1985)
- Cigarette Tax Evasion: A Second Look (A-100, 1985)
- The States and Distressed Communities: Final Report (A-101, 1985)
- Fiscal Management of Federal Pass-Through Grants: The Need for More Uniform Requirements and Procedure (A-102, 1981)
- Intergovernmental Service Agreements for Delivering Local Public Services: Update 1983 (A-103, 1985)
- Devolving Federal Program Responsibilities and Revenue Sources to State and Local Governments (A-104, 1986)
- State and Local Taxation of Out-of-State Mail Order Sales (A-105, 1986)
- Fiscal Discipline in the Federal System: National Reform and the Experience of the States (A-107, 1987)
- Devolving Selected Federal-Aid Highway Programs and Revenue Bases: A Critical Appraisal (A-108, 1987)
- The Organization of Local Public Economies (A-109, 1987)
- State Regulation of Banks (A-110, 1988)
- Disability Rights Mandates: Federal and State Compliance with Employment Protection and Architectural Barrier Removal (A-111, 1989)
- Residential Community Associations: Private Governments in the Intergovernmental System? (A-112, 1989)
- State Constitutions in the Federal System: Selected Issues and Opportunities for State Initiatives (A-113, 1989)
- 1990s**
- State and Local Initiatives on Productivity, Technology, and Innovation: Enhancing a National Resource for International Competitiveness (A-114, 1990)
- Intergovernmental Regulation of Telecommunications (A-115, 1990)
- State-Local Relations Organizations: The ACIR Counterparts (A-117, 1991)
- Coordinating Water Resources in the Federal System: The Groundwater-Surface Water Connection (A-118, 1991)
- Medicaid: Intergovernmental Trends and Options (A-119, 1992)
- Toward a Federal Infrastructure Strategy: Issues and Options (A-120, 1992)

Federal Statutory Preemption of State and Local Authority: History, Inventory, and Issues (A-121, 1992)
Intergovernmental Decisionmaking for Environment and Public Works (A-122, 1992)
State Solvency Regulation of Property-Casualty and Life Insurance Companies (A-123, 1992)
The National Guard: Defending the Nation and the States (A-124, 1993)
The Role of General Government Elected Officials in Criminal Justice (A-125, 1993)
Federal Regulation of State and Local Governments: The Mixed Record of the 1980s (A-126, 1993)
Local Government Autonomy: Needs for State Constitutional, Statutory, and Judicial Clarification (A-127, 1993)
Child Care: The Need for Federal-State-Local Coordination (A-128, 1994)

INFORMATION REPORTS

1960s

First Annual Report (M-1, 1960)
Second Annual Report (M-2, 1961)
Comparative Summary of Recommendations on Intergovernmental Relations by Previous Commissions and State Groups (M-3, 1960)
Briefing Paper: On Taxation and Revenue (M-4, 1960)
Briefing Paper: Local Non-Property Tax Sources (M-5, 1961)
Briefing Paper: Acquisition Features of Federal Grant Programs (M-6, 1961)
Summary of Government Finances by Levels of Government: 1948 and 1959 (M-7, 1961)
1961 State Tax Legislation (M-8, 1961)
County Areas of Declining Population, 1950-1960 (M-9, 1961)
Letter from Frank Bane, Chairman, ACIR, to John L. McClellan, Chairman, Committee on Government Operations (M-10, 1961)
Tax Overlapping in the United States (M-11, 1961)
Information Paper: Municipal Annexations, 1950-1960 (M-12, 1961)
Information Paper: Major State Tax Changes Enacted in 1961 (M-13, 1962)
Third Annual Report (M-14, 1962)
Factors Affecting Voter Reactions to Governmental Reorganization in Metropolitan Areas (M-15, 1962)
Measures of State and Local Fiscal Capacity and Tax Effort (M-16, 1962)
The Advisory Commission on Intergovernmental Relations (M-17, 1962)
A Directory of Federal Statistics for Metropolitan Areas (M-18, 1962)
Fourth Annual Report (M-19, 1963)
State Legislative Program (M-20, 1963)
Performance of Urban Functions (M-21, 1963)
Fifth Annual Report (M-22, 1964)
Tax Overlapping in the United States (M-23, 1964)
1965 State Legislative Program of ACIR (M-24, 1965)
Sixth Annual Report (M-25, 1964)
State Technical Assistance to Local Debt Management (M-26, 1965)

1966 State Legislative Program (M-27, 1965)
Seventh Annual Report (M-28, 1966)
A Handbook for Interlocal Agreements and Contracts (M-29, 1967)
Catalogs and Other Information Sources on Federal and State Aid Programs: A Selected Bibliography (M-30, 1967)
Metropolitan America: Challenge to Federalism (M-31, 1966)
Metropolitan Councils of Governments (M-32, 1966)
1967 State Legislative Program (M-33, 1966)
Eighth Annual Report (M-34, 1967)
1968 State Legislative Program (M-35, 1967)
Ninth Annual Report (M-36, 1968)
State and Local Taxes, Significant Features, (M-37, 1968)
State Legislative and Constitutional Action on Urban Problems in 1967 (M-38, 1968)
New Proposals for 1969: ACIR State Legislative Program (M-39, 1968)
Sources of Increased State Tax Collections: Economic Growth v. Political Choice (M-41, 1968)
Tenth Annual Report (M-42, 1969)
State and Local Finances, Significant Features, 1966-1969 (M-43, 1968)
Federalism and the Academic Community (M-44, 1969)
New Proposals for 1970: ACIR State Legislative Program (M-45, 1969)
The Advisory Commission on Intergovernmental Relations (M-46, 1969)
Urban America and the Federal System (M-47, 1969)
1970 Cumulative ACIR State Legislative Program (M-48, 1969)

1970s

Eleventh Annual Report (M-49, 1970)
State and Local Finances, Significant Features, 1967-1970 (M-50, 1969)
The Commuter and the Municipal Income Tax (M-51, 1970)
The Gap between Federal Aid Authorizations and Appropriations, Fiscal Years 1966-1970 (M-52, 1970)
New Proposals for 1971: ACIR State Legislative Program (M-53, 1970)
Revenue Sharing: An Idea Whose Time Has Come (M-54, 1970)
State Involvement in Federal-Local Grant Programs: A Case Study in the "Buying-In Approach" (M-55, 1970)
A State Response to Urban Problems: Recent Experience under the "Buying-In" Approach (M-56, 1970)
State-Local Finances and Suggested Legislation (M-57, 1970)
Measuring the Fiscal Capacity and Effort of State and Local Areas (M-58, 1971)
Twelfth Annual Report (M-59, 1971)
State Action on Local Problems: 1970 (M-60, 1971)
County Reform (M-61, 1971)
The Quest for Environmental Quality: Federal and State Action, 1969-70 (M-62, 1971)
Court Reform (M-63, 1971)
Correctional Reform (M-64, 1971)
Police Reform (M-65, 1971)

- Prosecution Reform (M-66, 1971)
- New Proposals for 1972: ACIR State Legislative Program (M-67, 1971)
- In Search of Balance: Canada's Intergovernmental Experience (M-68, 1971)
- Who Should Pay for Public Schools? (M-69, 1971)
- Special Revenue Sharing: An Analysis of the Administration's Grant Consolidation Proposals (M-70, 1971)
- The New Grass Roots Government: Decentralization and Citizen Participation in Urban Areas (M-71, 1972)
- Profile of County Government (M-72, 1972)
- Thirteenth Annual Report (M-73, 1972)
- State-Local Finances: Significant Features and Suggested Legislation (M-74, 1972)
- State Action on Local Problems: 1971 (M-75, 1972)
- Fourteenth Annual Report (M-76, 1973)
- State Action on Local Problems: 1972 (M-77, 1973)
- The Value-Added Tax and Alternative Sources of Federal Revenue (M-78, 1973)
- Federal-State-Local Finances: Significant Features of Fiscal Federalism (M-79, 1974)
- Fifteenth Annual Report (M-80, 1974)
- Federalism in 1983: The System under Stress (M-81, 1974)
- State Actions 1973: Toward Full Partnership (M-82, 1974)
- The Property Tax in a Changing Environment: Selected State Studies (M-83, 1974)
- The Expenditure Tax: Concept, Administration and Possible Applications (M-84) 1974
- American Federalism: Into the Third Century (M-85, 1975)
- Trends in Fiscal Federalism, 1954-74 (M-86, 1975)
- Property Tax Circuit Breakers (M-87, 1975)
- Sixteenth Annual Report (M-88, 1975)
- Federalism in 1974: The Tension of Interdependence (M-89, 1975)
- State Actions 1974: Building on Innovation (M-90, 1975)
- ACIR State Legislative Program (M-91-101, 1975)
- ACIR State Legislative Program: A Guide
- State Government Structure and Processes
- Local Government Modernization
- State and Local Revenues
- Fiscal and Personnel Management
- Environment, Land Use, and Growth Policy
- Housing and Community Development
- Transportation
- Health
- Education
- Criminal Justice
- State Actions in 1975 (M-102, July 1976)
- In Respect to Realities: A Report on Federalism in 1975 (M-103, 1976)
- Understanding the Market for State and Local Debt (M-104, 1976)
- Pragmatic Federalism: The Reassignment of Functional Responsibilities (M-105, 1976)
- Significant Features of Fiscal Federalism, 1976: Part I Trends (M-106, 1976)
- Improving Urban America: A Challenge to Federalism (M-107, 1976)
- Trends in Metropolitan America (M-108, 1977)
- State Actions in 1976 (M-109, 1977)
- Significant Features of Fiscal Federalism, 1976-77, Part II: Revenue and Debt (M-110, 1977)
- Measuring the Fiscal Blood Pressure of the States 1964-1975 (M-111, 1977)
- Understanding State and Local Cash Management (M-112, 1977)
- Significant Features of Fiscal Federalism: 1976 (M-113, 1977)
- Michigan Single Business Tax (M-114, 1978)
- Significant Features of Fiscal Federalism: 1978-79 (M-115, 1979)
- State Community Assistance Initiatives: Innovations of the Late '70s (M-116, 1979)
- 1980s**
- The Inflation Tax: The Case for Indexing Federal and State Income Taxes (M-117, 1980)
- Recent Trends in Federal and State Aid to Local Governments (M-118, 1980)
- Central City-Suburban Fiscal Disparity and City Distress (M-119, 1980)
- State Administrators' Opinions on Administrative Change, Federal Aid, Federal Relationships (M-120, 1980)
- The State of State-Local Revenue Sharing (M-121, 1980)
- Awakening the Slumbering Giant: Intergovernmental Relations and Federal Grant Law (M-122, 1980)
- Significant Features of Fiscal Federalism: 1979-80 (M-123, 1980)
- State-Local Relations Bodies: State ACIRS and Other Approaches (M-124, 1981)
- The States and Distressed Communities: The 1980 Annual Report (M-125, 1981)
- The Future of Federalism in the 1980s (M-126, 1981)
- Studies in Comparative Federalism (M-127-130, 1981)
- Canada
- West Germany
- Australia
- Australia, Canada, The United States, and West Germany
- Measuring Local Discretionary Authority (M-131, 1981)
- Significant Features of Fiscal Federalism 1980-81 (M-132, 1981)
- A Catalog of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1981 (M-133, 1982)
- The States and Distressed Communities: The 1981 Annual Report (M-133-HUD, 1982)
- Tax Capacity of the Fifty States: Methodology and Estimates (M-134, 1982)
- Significant Features of Fiscal Federalism: 1981-82 (M-135, 1983)
- The States and Distressed Communities: The 1982 Annual Report (M-136, 1983)
- Significant Features of Fiscal Federalism: 1982-83 (M-137, 1984)
- Fiscal Disparities: Central Cities and Suburbs, 1981 (M-138, 1984)
- A Catalog of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1984 (M-139, 1984)

The States and Distressed Communities: State Programs to Aid Distressed Communities (M-140, 1985)
Significant Features of Fiscal Federalism: 1984 (M-141, 1985)
1982 Tax Capacity of the Fifty States (M-142, 1985)
Emerging Issues in American Federalism: Papers Prepared for ACIR's 25th Anniversary (M-143, 1985)
The Condition of American Federalism: Hearings Held in ACIR's 25th Anniversary Year (M-144, 1986)
Significant Features of Fiscal Federalism: 1985-86 (M-146, 1986)
Reflections on *Garcia* and Its Implications for Federalism (M-147, 1986)
1983 Tax Capacity of the States (M-148, 1986)
A Framework for Studying the Controversy Concerning the Federal Courts and Federalism (M-149, 1986)
Measuring State Fiscal Capacity: Alternative Methods and Their Uses (M-150, 1986)
Significant Features of Fiscal Federalism: 1987 (M-151, 1987)
Federalism and the Constitution: A Symposium on *Garcia* (M-152, 1987)
A Catalog of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded in FY 1987 (M-153, 1987)
Is Constitutional Reform Necessary to Reinvigorate Federalism? A Roundtable Discussion (M-154, 1987)
Significant Features of Fiscal Federalism, 1988 (M-155, 155-II, 1988)
Measuring State Fiscal Capacity, 1987 Edition (M-156, 1987)
Interjurisdictional Competition in the Federal System: A Roundtable Discussion (M-157, 1988)
Metropolitan Organization: The St. Louis Case (M-158, 1988)
State Constitutional Law: Cases and Materials (M-159, 1988)
Devolution of Federal Aid Highway Programs: Cases in State-Local Relations and Issues in State Law (M-160, 1988)
Assisting the Homeless: State and Local Responses in an Era of Limited Resources. Papers from a Policy Conference (M-161, 1988)
Federal Preemption of State Banking Authority: Good or Bad for the Nation's Dual Banking System? A Roundtable Discussion (M-162, 1988)
Significant Features of Fiscal Federalism, 1989 (M-163, 163-II, 1989)
Hearings on Constitutional Reform of Federalism: Statements by State and Local Government Association Representatives (M-164, 1989)
1986 State Fiscal Capacity and Effort (M-165, 1989)
Residential Community Associations: Questions and Answers for Public Officials (M-166, 1989)
A Catalog of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded in FY 1989 (M-167, 1989)
State Taxation of Banks: Issues and Options (M-168, 1989)

1990s
Significant Features of Fiscal Federalism, 1990 (M-169 and 169-II, 1990)
1988 State Fiscal Capacity and Effort (M-170, 1990)
The Volume Cap on Tax Exempt Private-Activity Bonds: State and Local Experience in 1989 (M-171, 1990)

State Constitutional Law: Cases and Materials. 1990-91 Supplement (M-172, 1990)
Mandates: Cases in State-Local Relations (M-173, 1990)
Representative Expenditures: Addressing the Neglected Dimension of Fiscal Capacity (M-174, 1990)
The Structure of State Aid to Elementary and Secondary Education (M-175, 1990)
Significant Features of Fiscal Federalism, 1991 (M-176 and 176-II, 1991)
Interjurisdictional Tax and Policy Competition: Good or Bad for the Federal System? (M-177, 1991)
The Changing Public Sector: Shifts in Governmental Spending and Employment (M-178, 1991)
State Taxation of Interstate Mail Order Sales: 1990-1992 Revenue Estimates (M-179, 1991)
Significant Features of Fiscal Federalism, 1992 Edition (M-180 and 180-II, 1992)
Metropolitan Organization: The Allegheny County Case (M-181, 1992)
Characteristics of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1991 (M-182, 1992)
Local Boundary Commissions: Status and Roles (M-183, 1992)
Guide to the Criminal Justice System for General Government Elected Officials (M-184, 1993)
Significant Features of Fiscal Federalism, 1993 (M-185 and 185-II, 1993)
State Laws Governing Local Government Structure and Administration (M-186, 1993)
RTS 1991: State Revenue Capacity and Effort (M-187, 1993)
Characteristics of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1993 (M-188, 1994)
State and Local Travel Taxes (M-189, 1994)
Significant Features of Fiscal Federalism, 1994, Volume I (M-190, 1994)
Planning to Govern (M-191, 1994)
Local Government Responsibilities in Health Care (M-192, 1994)
Federally Induced Costs Affecting State and Local Governments (M-193, 1994)

STAFF REPORTS

The Agricultural Recession: Its Impact on the Finances of State and Local Governments (SR-1, 1986)
Preliminary Estimates of the Effect of the 1986 Federal Tax Reform Act on State Personal Income Tax Liabilities (SR-2, 1986)
Summary of Welfare Reform Hearings (SR-3, 1987)
Local Perspectives on State-Local Highway Consultation and Cooperation (SR-4, 1987)
Estimates of Revenue Potential from State Taxation of Out-of-State Mail Order Sales (SR-5, 1987)
Local Revenue Diversification: User Charges (SR-6, 1987)
Governments at Risk: Liability Insurance and Tort Reform (SR-7, 1987)

The Tax Reform Act of 1986: Its Effect on Both Federal and State Personal Income Tax Liabilities (SR-8, 1988)
 State-Local Highway Consultation and Cooperation: The Perspective of State Legislators (SR-9, 1988)
 Local Revenue Diversification: Local Income Taxes (SR-10, 1988)
 Readings in Federalism: Perspectives on a Decade of Change (SR-11, 1989)
 Local Revenue Diversification: Local Sales Taxes (SR-12, 1989)
 Local Revenue Diversification: Rural Economies (SR-13, 1990)
 Federal Grant Programs in FY 1992: Their Numbers, Sizes, and Fragmentation Indexes in Historical Perspective (SR-14, 1993)
 Metropolitan Organization: Comparisons of the Allegheny and St. Louis Case Studies (SR-15, 1993)
 High Performance Public Works: A New Federal Infrastructure Investment Strategy for America (SR-16, 1993)
 1993 Directory of Intergovernmental Contacts (SR-17, 1993)
 Taxation of Interstate Mail Order Sales: 1994 Revenue Estimates (SR-18, 1994)
 1994 Directory of Intergovernmental Contacts (SR-19, 1994)
 Sourcebook of Documents to Accompany High Performance Public Works (SR-16S, 1994)

PUBLIC OPINION SURVEYS

Public Opinion and Taxes (S-1, 1972)
 Revenue Sharing and Taxes: A Survey of Public Attitudes (S-2, 1973)
 Changing Public Attitudes on Governments and Taxes (S-3 through S-23, 1974-1994)

**The National Guard:
 Defending the Nation and the States**

This study focuses on intergovernmental issues concerning the control and operation of the National Guard. The role of the Guard in the 1991 Persian Gulf operations highlighted its place in the nation's defense system. Equally important is the Guard's role in domestic affairs (i.e., emergency preparedness and civil disturbances) under the control of the governors. The report contains recommendations on dual control of the Guard by the federal and state governments, the future of the Guard in the context of national security and state needs, and opportunities for improved intergovernmental cooperation.

A-124 1993 \$15

(see page 43 for order form)

**High Performance Public Works:
 A New Federal
 Infrastructure Investment Strategy
 for America**

In this report, ACIR and the U.S. Army Corps of Engineers present the strategy developed through consultations with federal, state, and local governments and the private sector. While most public works are state, local, or private, the federal government has a pervasive influence through financial assistance and regulations. ACIR established six task forces, whose statements of principles and guidelines are included in the report along with a four-point strategy for (1) high quality investments, (2) cost-effective maintenance, (3) effective, efficient, and equitable regulations, and (4) affordable facilities. The consultations also produced an action agenda calling for Presidential and congressional leadership, guidance on infrastructure and investment, and support for infrastructure agencies.

SR-16 1993 \$10

**Toward a Federal Infrastructure Strategy:
 Issues and Options**

Toward a Federal Infrastructure Strategy documents the progress of an interagency initiative to develop a federal infrastructure strategy through a partnership including the Department of the Army, the Environmental Protection Agency, the Department of Energy, other federal agencies, state and local governments, and the private sector. Emphasis was placed on planning, design, finance, construction, operation, and maintenance.

The Advisory Commission on Intergovernmental Relations convened a series of workshops for representatives from more than 25 congressional and other federal agencies and departments, and more than 70 organizations representing state and local governments, public works providers, and related research, advocacy, professional, and user groups.

Based on the consultations, a broad consensus emerged around five infrastructure issues that should be addressed by the federal government: (1) rationales for federal investment, (2) regulations, (3) technology, (4) financing, and (5) management.

A-120 1992 \$8

(see page 43 for order form)

**Selected Publications of the
Advisory Commission on Intergovernmental Relations**

Child Care: The Need for Federal-State-Local Coordination, A-128, 1994	\$10.00
Local Government Autonomy, A-127, 1993	\$10.00
Federal Regulation of State and Local Governments, A-126, 1993	\$15.00
The Role of General Government Elected Officials in Criminal Justice, A-125, 1993	\$20.00
The National Guard: Defending the Nation and the States, A-124, 1993	\$15.00
Federally Induced Costs Affecting State and Local Governments, M-193, 1994	\$20.00
Local Government Responsibilities in Health Care, M-192, 1994	\$10.00
Planning to Govern, M-191, 1994,	\$10.00
Significant Features of Fiscal Federalism, Vol. 1, M-190, 1994	\$24.95
State and Local Travel Taxes, M-189, 1993	\$ 8.00
Characteristics of Federal Grant-in-Aid Programs to State and Local Governments: Grants Funded FY 1993, M-188, 1993	\$10.00
RTS 1991: State Revenue Capacity and Effort, M-187, 1993	\$20.00
State Laws Governing Local Government Structure and Administration, M-186, 1993	\$10.00
Guide to the Criminal Justice System for General Government Elected Officials, M-184, 1993	\$ 8.00
1994 Directory of Intergovernmental Contacts, SR-19, 1994	\$10.00
Taxation of Interstate Mail Order Sales: 1994 Revenue Estimates, SR-18, 1994	\$ 8.50
Sourcebook of Working Documents to Accompany High Performance Public Works, SR-16S, 1994	\$30.00
High Performance Public Works: A New Federal Infrastructure Investment Strategy for America, SR-16, 1993	\$10.00

ORDER FORM 20-3

Mail form, with credit card or PO number, or check, to
ACIR Publications, 800 K Street, NW, Suite 450 South, Washington, DC 20575
FAX form, with credit card or PO number, to ACIR at (202) 653-5429

Report	Quantity	Price	Amount	Report	Quantity	Price	Amount
M-193	_____	\$20	_____	A-128	_____	\$10	_____
M-192	_____	\$10	_____	A-127	_____	\$10	_____
M-191	_____	\$10	_____	A-126	_____	\$15	_____
M-190	_____	\$24.95	_____	A-125*	_____	\$20	_____
M-189	_____	\$ 8	_____	A-124	_____	\$15	_____
M-188	_____	\$10	_____	SR-19	_____	\$10	_____
M-187	_____	\$20	_____	SR-18	_____	\$ 8.50	_____
M-186	_____	\$10	_____	SR-16	_____	\$10	_____
M-184*	_____	\$ 8	_____	SR-16S	_____	\$30	_____
*SET	_____	\$23	_____				

Total Enclosed _____

Name _____
(please print or type)

Organization _____

Address _____

City, State, Zip Code _____

Phone Number _____

VISA/MASTERCARD NUMBER _____

Expiration Date _____

Signature _____

**Members of the
U.S. Advisory Commission on Intergovernmental Relations
(October 1994)**

Private Citizens

Mary Ellen Joyce, Arlington, Virginia
Richard P. Nathan, Albany, New York
William F. Winter, *Chairman*, Jackson, Mississippi

Members of the U.S. Senate

Byron L. Dorgan, North Dakota
Dave Durenberger, Minnesota
Bob Graham, Florida

Members of the U.S. House of Representatives

James P. Moran, Virginia
Donald M. Payne, New Jersey
Steven H. Schiff, New Mexico

Officers of the Executive Branch, U.S. Government

Carol M. Browner, Administrator,
U.S. Environmental Protection Agency
Marcia L. Hale, Assistant to the President
and Director of Intergovernmental Affairs
Richard W. Riley, U.S. Secretary of Education

Governors

Arne H. Carlson, Minnesota
Howard Dean, Vermont
Michael O. Leavitt, Utah
Robert J. Miller, Nevada

Mayors

Victor H. Ashe, Knoxville, Tennessee
Robert M. Isaac, Colorado Springs, Colorado
Edward G. Rendell, Philadelphia, Pennsylvania
Bruce Todd, Austin, Texas

Members of State Legislatures

Paul Bud Burke, President, Kansas Senate
Art Hamilton, Minority Leader,
Arizona House of Representatives
Samuel B. Nunez, Jr., President, Louisiana Senate

Elected County Officials

Gloria Molina, Los Angeles County
Board of Supervisors, California
John H. Stroger, Jr., Cook County Commission, Illinois
Barbara Sheen Todd, Pinellas County
Board of Commissioners, Florida

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS
WASHINGTON DC 20575

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

**BULK RATE
U.S. POSTAGE
PAID
PERMIT 827
WASHINGTON, DC**