

Intergovernmental
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“Big Questions” about Intergovernmental Relations
and Management: Who Will Address Them?

Fiscal, administrative, and political tensions among the partners in the federal system have not eased, and perhaps have grown, since the demise of the U.S. Advisory Commission on Intergovernmental Relations in 1996. Yet no governmental organizational capacity exists to address big intergovernmental questions in an ongoing manner through nonpartisan or bipartisan research, data collection, deliberation, and policy formulation.

Since the death of the U.S. Advisory Commission on Intergovernmental Relations (ACIR) in 1996, important intergovernmental issues have remained on the country's agenda. Shortly after the 2008 presidential election, for example, the Federal Systems Panel (2008) of the National Academy of Public Administration delivered an “Intergovernmental Agenda” to the incoming administration asserting a need to “restructure intergovernmental management across the federal system” on the basis of “collaboration rather than command and control.” The agenda cited such policy challenges as health care access (e.g., Medicaid) and cost reductions, housing, natural disasters, terrorism, energy consumption, unemployment, and infrastructure. The agenda disappeared in the bowels of the White House.

Yet continuing intergovernmental process issues deserve attention. These include, among others, fiscal pressures on all governments; declining federal aid for such place-based functions as infrastructure and economic development; escalating social welfare costs for state and local governments; increasing conditions of federal aid; the proliferation of grants to more than 900; federal programs designed poorly for efficiency, effectiveness, and equity; coercive intergovernmental regulations and federal preemptions; unfunded and underfunded federal and state mandates; tensions in state–local jurisdictional and fiscal relations; impediments to multistate and substate regional collaboration; the nationalization of state criminal law; federal restrictions on state and local taxes; and federal court orders (Kincaid 2008; Posner and Conlan 2008).

The following 15 questions—which are not exhaustive and do not include constitutional questions such as those posed by the Patient Protection and Affordable Care Act of 2010 and by calls to repeal the Seventeenth Amendment—are derived from the contributions to this symposium as well as recent literature. In framing these questions, it is difficult to distinguish consistently between intergovernmental relations (IGR) and intergovernmental management (IGM). In the main, we take “intergovernmental relations” to be a term that encompasses all types of interactions between elected and nonelected officials of federal, state, and local governments. The especially important dimension of IGR is policy making—both lawmaking and regulation promulgation—in which elected officials and agency heads are important actors. We take “intergovernmental management” to be a less comprehensive term, encompassing the implementation and management of intergovernmental policies. Politics cannot, of course, be divorced from management, but the especially important dimension of IGM is administration, in which nonelected officials from agency heads to street-level bureaucrats are prime actors.

We do not seek to answer the following questions, but rather to pose them, sometimes provocatively, for discussion.

1. Can intergovernmental relations generate more effective and efficient policies and implementation without restoring the primacy of the “governmental” in intergovernmental? The U.S. ACIR was founded on the democratic premise that elected government officials legitimately represent the people. The ACIR also was founded on the constitutional premise that American democracy is federal. The people's democratic representatives, therefore, are principally the elected executive and legislative officials of the nation's general-purpose federal, state, and local governments, with federal and state officials each presiding over a sovereign order of government. Consequently, intergovernmental initiatives should be formulated and overseen by elected federal, state, and

local officials. In this respect, assembling these officials (and from both political parties) in a peak intergovernmental advisory organization made eminent sense. The ACIR reflected the *sine qua non* of the idea of cooperative federalism.

However, the rise of “governance” as a theoretical perspective and empirical reality brought into play a competing organizational dynamic rooted in the private sector. This dynamic reflected disenchantment with government as well as enchantment with the thought of a more porous, pluralistic polity made wiser, more effective, and more democratic by networks of “governing” organizations in which government is one among many actors and in which government officials enjoy no presumption of primacy, even though they are the only democratically elected representatives of the people within governance networks. Furthermore, because the federal government is the preeminent source of fiscal and regulatory resources for such networks, it is not clear that the governance paradigm even values state and local officials and, thereby, intergovernmental relations. Given that state and local governments are entrenched constitutionally, intergovernmental relations remain a necessary—and perhaps, for the paradigm’s proponents, a lamentably frictional—component of governance, but not a component necessarily valued as a principle of democratic self-government and multigovernmental negotiation to enhance policy outcomes.

2. Should local governments have a more prominent seat at the intergovernmental table? Although local governments are not constitutional partners of the federal system, as a practical matter, they are vital to IGR and IGM. Local governments gained a seat at the intergovernmental table during the New Deal, largely because of their Democratic political clout, especially that of big-city mayors. Hence, federal aid often flowed directly to local governments, and local officials cooperated and competed with their state superiors in the federal arena. Local officials sometimes distrusted state governors and legislators, and they argued that federal funds for local, especially urban, needs and the poor would not reach their targets if they were passed through state agencies. This concern triggered a debate, which was addressed by the ACIR, about whether federal aid bypassing state capitals was beneficial or detrimental to federalism and public policy, and under what conditions federal aid should go through the states.

However, three developments largely unseated local governments from being influential intergovernmental lobbyists. First, President Ronald Reagan and subsequent Republican presidents defined IGR as primarily a federal–state relationship. Democratic presidents have been more attentive to local governments, but only insofar as it has been politically advantageous to do so. Second, after 1987, federal aid shifted sharply from places to persons, significantly reducing federal funding for local place functions such as economic development, urban renewal, housing, education, transportation, and government operations. Third, the ACIR was eliminated in 1996. Local governments occupied 27 percent of the ACIR’s seats. By the

late 1990s, local governments were relegated, perhaps, to a back seat in Washington, D.C.

Even though about 63 percent of federal aid is dedicated to social welfare benefits for individuals, which is predominantly a state

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responsibility, the health of “places” remains vital to the social welfare of all citizens. As a Canadian initiative put it, “We are rediscovering that economic competitiveness, social well-being, and ecosystem resilience depend, in large part, on collective behaviour in specific ‘places’” (Shugart and Townsend 2010, 4). Furthermore, some other federal countries have strengthened the intergovernmental roles of local governments, and several have even recognized local, usually municipal, governments as the third order of government in their constitution (Steytler 2009).

3. How will efforts to induce national economic growth and remedy the intergovernmental system’s unsustainable fiscal condition affect state and local revenues

and services? Studies by the U.S. Government Accountability Office (GAO), Congressional Budget Office, Peterson Foundation, National Academy of Public Administration, and others point to the unsustainability of current federal, state, and local spending. The GAO (2010b) has projected a \$9.9 trillion fiscal gap between state and local expenditures and revenues for 2009 to 2058 that could require state and local spending reductions or tax increases of about 12.3 percent every year for the next 50 years. Under current policies, the GAO also expects that demographic changes (mainly a growing senior citizen population), rising health care costs, and deficit spending will require the federal government’s major entitlement programs, plus net interest payments, to consume “93 cents of every dollar of federal revenue” by 2030 (2010a, 6). These projections, if accurate, have grave implications for intergovernmental programs and state and local finances. In turn, the possibility of reviving a program such as General Revenue Sharing (e.g., Shiller 2010) is virtually out of the question.

No agreement has been reached on solutions, although Medicare, Medicaid, Social Security, defense, and deficit spending have been identified as prime targets for federal budget reform. Given the high-profile politics associated with these budget items and the “sacred cow” status of the major programs, lower-profile programs could bear the brunt of initial cutbacks. For example, discretionary spending for both place (e.g., infrastructure) and person (e.g., social services) functions carried out by states and localities could be reduced. Also, the federal government could enact new taxes, such as a national sales tax or value-added tax (VAT). A federal consumption tax likely would place downward political pressure on state and local sales tax rates. Conceivably, the states could be pressured or mandated to abolish their sales taxes and join a national VAT regime, which would make them dependent on revenues distributed by the federal government from its VAT. The tax-exempt status of state and local bonds could be reduced further, too. There is a need to identify and measure the possible impact of such federal initiatives on state and local finances.

4. What design features should accompany federal economic stimulus programs, health care and financial regulation reform, and other national policy initiatives in order to facilitate more effective state and local implementation in times of austerity?

Federal responses to the 2007–9 national recession, banking and securities failures, stock market collapse, housing crisis, and soaring health care costs have focused more on money than on management. While this is understandable, little attention has been given to the implementation of national remedial actions by state and local governments, many of which have reduced managerial capacity in the wake of retirements, hiring freezes, and personnel cutbacks. For example, from September 2009 to September 2010, state and local government employment declined by 1.3 percent, while federal employment grew by 3.4 percent (Cauchon 2010). Traditional channels for awarding funds have usually been followed, producing delays and distortions, and performance measures have been modest or nonexistent, as exemplified by the sole metric of the American Recovery and Reinvestment Act (ARRA): the number of jobs created by stimulus funds, an indicator developed by auditors, not managers (Posner 2010, 26–27). The success of these national initiatives is largely in the hands of state and local public administrators who are operating with minimal guidance and support, whose ranks are stretched thin, and whose oversight abilities are diminished. Having an organizational capacity to anticipate and prepare for the IGM dimensions of national policy making could improve implementation and avoid micromanagement and “horror stories.”

The experience with ARRA also suggests that the federal government has not developed a capacity to provide effective counter-cyclical aid to states and localities. Generally, ARRA’s economic outcomes are consistent with analyses of previous federal efforts to assist states and localities during recessions, which suggest that such programs are less than optimal because they are not usually timed well, triggered adequately, or targeted effectively (Mattoon 2009).

5. How can state and local governments be viable intergovernmental partners without greater fiscal capacity and fiscal responsibility?

One characteristic of contemporary federalism is federal preemption of state taxes through legislation and judicial action usually undertaken pursuant to the commerce clause, beginning especially with the enactment of limits on tax-exempt private activity bonds in 1984. Federal judicial and statutory prohibitions of state taxation of Internet services and interstate mail-order sales are among the most prominent constraints. In October 2007, President George W. Bush signed a seven-year extension of the moratorium on state and local taxation of Internet access.

A number of states negotiated the Streamlined Sales and Use Tax Agreement to collect taxes on interstate mail-order sales. The agreement was implemented voluntarily among consenting states in October 2005. Although several large retailers comply voluntarily with the agreement, Congress has not sanctioned the agreement or otherwise authorized states to require sales tax collections by out-of-state vendors.

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In 2005, the President’s Advisory Panel on Federal Tax Reform recommended eliminating income tax deductions for state and local taxes. Most state and local officials oppose the elimination. This issue has a partisan dimension, though: in 2005, for instance, the average state and local tax payment in Democratic states was \$7,487, compared to \$4,834 in Republican states (Maggs 2005). Because most state income taxes are coupled to the federal tax code, state officials fear that changes in federal tax laws, especially tax cuts and retroactive changes, will reduce state tax revenues. Federal officials feel no obligation to coordinate tax policies with state and local officials.

At the same time, many state and local governments have been less than fiscally responsible. The GAO found, for instance, that tax increases boosting state and local own-source revenues increased faster than the growth of personal income in 43 states during 1977–2007. State and local general expenditures increased faster than personal income growth in 47 states during 1977–2007 (GAO 2010b). Although most states are formally complying with their balanced budget rules, some are making questionable choices or unwarranted fiscal assumptions in order to do so. Many states also have exhausted their “rainy day” funds. It has become evident, as well, that most state and local governments have underfunded pension programs and health care benefits for their employees, placing a potentially huge fiscal burden on taxpayers in future years. There is a need to monitor the complex interactions of federal and state tax laws and revenues, as well as trends in funding commitments and capacities to meet obligations.

6. Should functional responsibilities be “sorted out” with turn-backs or partial de-intergovernmentalization in order to achieve greater efficiency and effectiveness?

Attempts to “divide the job” of service delivery among intergovernmental actors originated in the early days of cooperative federalism, but efforts to do so have not been undertaken since President Reagan’s unsuccessful “swap” initiative in 1981–82. Some observers contend that “sorting out” is futile because of the complexity of intergovernmental management, the resilience of functional picket-fence silos, the widely varying appetites for taxes and services among states and localities, and the lack of political rewards. Others contend that sorting out is unrealistic because of the complex intergovernmental interdependence of most policy functions. Still others add that “bigger is not necessarily better.”

To these skeptics, consolidation or integration of services and better coordination among state, regional, and local agencies are more practical and promising ways to bolster the performance of governmental functions. Yet these modest steps might not be sufficient. If revenue constraints and spending cutbacks prove to be long-term IGM conditions that cause public officials to fundamentally rethink

their service delivery strategies, then bold “idea federalism” studies could help challenge the status quo and highlight innovations from across the world for consideration by federal, state, and local policy makers.

Although the federal government has a poor track record of approving turnbacks, they are still worth considering. For example, some observers have long regarded surface transportation (and motor fuels taxes) as a prime candidate for a federal turnback to the states (see, e.g., ACIR 1987a). Nothing intrinsic to federalism requires a federal role. In Canada, for example, since 1867, “the provision of highways has been mainly a provincial responsibility, with only a small role played by the federal government” (Turgeon and Vaillancourt 2002, 179).

Is education a candidate for partial de-intergovernmentalization? (Kincaid 1992). Since 1965, the federal regulatory role in K–12 education has increased tremendously, while the federal fiscal role has grown modestly; yet education outcomes remain unacceptably low, and President Barack Obama acknowledged on NBC’s *Today Show* in early October 2010 that “our per-pupil spending has gone up during the last couple of decades even as results have gone down” (quoted in McGurn 2010, 10). To what extent has the federal role increased the bureaucratization, legalization, unionization, and nationalization of education to the detriment of the state- and, especially, local-specific factors associated with better outcomes, such as teacher qualifications, rewards for good teaching, principal and superintendent leadership, challenging curriculum, and parental involvement? By contrast, K–12 and postsecondary education are predominantly provincial responsibilities in Canada (Simeon and Papillon 2006) and cantonal responsibilities in Switzerland (Fleiner 2006); in each case, the federal government plays small fiscal and regulatory roles. What other policy fields might be candidates for turnbacks or partial de-intergovernmentalization?

Some governors have argued that “a crisis is a terrible thing to waste.” Current economic conditions and fiscal projections might signal an opportunity to reconsider the Reagan swap proposal with respect to Medicaid. Federal assumption of fiscal responsibility for the long-term care component of Medicaid would relieve the states (and local governments in states that require a local contribution to Medicaid) of a huge fiscal burden. Perhaps the swap could be even larger: Medicaid and children’s health care entirely could become a federal responsibility in exchange for turnbacks of education, transportation, housing, community development, and other human services. Such a swap would be about fiscally even overall (Harkness 2010), although its impacts would vary from state to state, the prospect of which would generate conflict between expected winners and losers in any swap.

7. Should federal categorical grants-in-aid be consolidated in order to reduce overlap, target resources, and improve results?

For most of its life, the ACIR called on Congress to consolidate grant programs, especially those of relatively small fiscal size, on the grounds that they are overlapping and duplicative. The rise of block grants potentially offered elected state and local officials both more discretion and more authority over program design and implementation. However, congressional policy entrepreneurs, working with interest groups and federal agencies, resisted these calls, leading to de facto recategorization of many block grants, severe limits on the amount of funds delivered through block grants, and a steady increase in the number and costs of categorical grants, with only two exceptions during the presidencies of Jimmy Carter and Ronald Reagan. Although the multiplication of grants offers state and local

officials a cornucopia of choices, it also creates problems, such as the limited capacity of most local governments to access grants or manage multiple grants, time-consuming grant seeking, difficulties coordinating grant activities within states and localities, distortions of recipient priorities, and negligible impacts of small grants on long-term state and local capacities.

There also is a growing need to coordinate grants across federal agencies such as housing, environmental protection, and transportation so as to promote sustainable communities, among other things. To what extent are systems performance approaches to policy programming frustrated by a stovepiped grant system, and how can public officials be held adequately accountable for producing results under such conditions?

If worsening federal budget conditions make discretionary programs targets for cutbacks, it would be valuable to have impartial information about where to begin and what impacts will result. Reviews under the Government Performance and Results Act and Program Assessment Rating Tool (PART) provide some data about program effectiveness, and GAO evaluations offer additional insights, but these are federal perspectives that sometimes fail to consider state and local management conditions. For instance, block grants have been ranked relatively low in PART reviews relative to accomplishing national goals, even though these instruments are intended to maximize recipient flexibility in achieving their objectives and are popular with state and local officials and managers (Radin 2008).

8. How can the flexibility, discretion, and innovative aspects of block grants be balanced against the performance and transparency expectations of Congress and the presidency?

As noted earlier, research suggests a mismatch between PART expectations and the design of block grants. Yet there has been no effort to reconcile the conflict between discretion and flexibility for state and local recipients with the accountability and transparency needed by federal officials (Stenberg 2008). At the same time, the original vision of many block grant promoters that block grants would foster more systems-wide planning and programming has, for the most part, not seen the light of day, although the surface transportation program has moved somewhat toward systems-wide thinking.

Similarly, since the demise of the ACIR, little attention has been given to the effects of “recategorization” of existing block grants on intergovernmental management. This trend has been in response to congressional, federal agency, and interest group concerns about the priorities and projects chosen by state and local recipients, and it undercuts the intent of this instrument and the spirit of cooperative federalism. The rise of earmarking also has reinforced narrow project-by-project thinking and, at times, even distorted or contradicted systemic plans prepared by state or local governments pursuant to federal grant requirements. An example is the Water Resources Act of 1986, which largely displaced project initiation rooted in river basin planning in favor of locally initiated projects and congressional earmarks (NAPA 2007). Assuming that one strategy for cutting federal discretionary spending might be to consolidate functionally related categorical programs into block grants, analyses of the redesign features and management issues would be useful.

9. How has the “state” of state–local relations changed, and what actions might be taken to improve these relationships?

Competition for grants, funding cutbacks, unfunded mandates, and restrictions on local authority continue to strain state–local relations. The ACIR devoted substantial research and recommendations to actions that states could take to reduce tensions and strengthen relationships with their local units, including granting more “home rule” or discretionary authority; devolving more power over functions, personnel, and finances; providing more state grants and discretionary financial assistance to cities and counties; restraining state mandates; providing compensatory aid for regulations with statewide impacts; assuming greater fiscal and operational authority from local governments for social welfare, courts, mental health, elementary and secondary education, corrections, transportation, and other functions; and creating a state ACIR equivalent to consider state–local issues, conduct research on intergovernmental topics, and provide technical assistance. Although each state monitors its own state–local relations in various ways, there is a need for a nationwide overview and comparative perspective on state–local relations in order to discern trends, spot emerging problems, and disseminate useful innovations.

10. Should incentives or requirements be provided in federal and state grant and regulatory programs to promote greater interlocal collaboration?

For decades, the structures of local governments in metropolitan areas have been debated, and research has not confirmed the superiority of the public choice, consolidationist, or middle-ground positions. The ACIR moved away from a more consolidationist (ACIR 1982) to a less consolidationist position (e.g., ACIR 1987b). What is known is that local structure is resistant to change and that federal incentives and requirements have had minimal impacts. Beginning in the 1950s, the federal government provided financial incentives to encourage regional organizations to facilitate planning, provide technical assistance, and conduct program reviews. Management circulars from the president’s Office of Management and Budget complemented these efforts, and several states regionalized planning and program administration. A few states offered financial incentives for interlocal program cooperation. Most of these efforts no longer exist, other than those in transportation, where metropolitan planning organizations are a federal requirement, and in economic development, where economic development districts assist distressed communities in rural areas and small metropolitan regions.

Needs to work across jurisdictional and sector boundaries have grown (Agranoff and McGuire 2001), but new ways of doing so effectively and efficiently while preserving the people’s preferences for local self-government have not kept pace. Experiments in collaborative governance are under way across the country, and it would be useful to know more about the successes and failures of these innovations. This is a good example of the need for an ACIR-type capacity because research on such experiments requires considerable and costly data collection, which is usually beyond the reach of academics.

11. Under what circumstances are unfunded federal or state mandates warranted or unwarranted, and when and how should the federal government preempt state and local authority or provide waivers for state and local exemptions and experiments?

Intergovernmental regulation, including mandates and preemptions, has replaced grants-in-aid as the focal point for state and local lob-

bying, given the substantial impacts of these regulatory tools on the flexibility and resources of states and localities. However, the demise of the ACIR, resulting in part from its 1995–96 work on federal mandates, had a chilling effect on studies seeking to assess the benefits and costs of regulatory federalism. One exception to this regulatory trend is the Unfunded Mandates Reform Act of 1995, which, despite significant loopholes in coverage such as homeland security, welfare, and education, seems to have reduced unfunded mandate enactments while also acting as a useful lobbying tool for the state and local interest groups and a procedural tool for the Congressional Budget Office to monitor mandate initiation and fiscal impacts. Few studies of state mandates on local governments have been undertaken recently (although the Pennsylvania Local Government Commission was mandated by the state senate in 2010 to undertake such a study), perhaps because of their politically volatile nature and the decrease in state ACIRs, which sometimes were charged with conducting such studies. Furthermore, the federal government is, arguably, circumventing the Unfunded Mandates Reform Act by enacting more conditions of aid that are unfunded or underfunded de facto mandates. Given the currently anemic economy and the dismal long-term financial prospects for state and local governments, rigorous analysis of the benefits and costs of mandates would seem to be imperative.

Similarly, preemption is a hot-button issue in Washington, D.C., and in some state capitals. In a global economy especially, debate over whether the nation should have a single national standard or 50 standards on commerce, health and safety, banking and finance, the environment, natural resources, and many other matters has been contentious. Generally speaking, many conservatives and Republicans who once championed states’ rights now favor federal preemption in a number of fields; many liberals and Democrats who once championed federal preemption now oppose it in a number of fields or support partial preemption in certain policy fields, such as environmental and consumer protection. (Under partial preemption, the federal government usually establishes a minimum national standard to which all states and localities must adhere but allows state and local governments to enact higher, more rigorous standards.)

Another regulatory device, waivers, has become more prevalent since the ACIR’s demise. This executive tool is also politicized. Presidents Reagan and George H. W. Bush, for example, issued some waivers, but they were constrained by Democratic Congresses fearing that these presidents would deploy waivers to gut social programs. President Bill Clinton faced a Democratic Congress and then Republican Congresses more friendly to waivers, especially in social policy. Under Clinton, several Republican governors (e.g., Tommy Thompson of Wisconsin) became national figures by using waivers to reform welfare and lay the groundwork for the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Although waivers can facilitate innovation, little attention has been given to their constitutional and normative problematics insofar as “[t]hey jeopardize the integrity of the rule of law and potentially enhance executive power over legislative power . . . pose issues of democratic accountability insofar as they are negotiated and implemented by executive officials outside of floodlit legislative processes . . . raise questions of equity . . . insofar as they introduce variability in the implementation of law and, thus, equal-protection concerns, and insofar as they politicize law enforcement” (Kincaid 2001, 22).

Much like the State and Local Legal Center has identified pending U.S. Supreme Court cases affecting federalism and state and local interests and prepared briefs to argue its clients' positions, an intergovernmental organization could monitor trends, conduct inventories of regulatory tools, and collect cost estimates to compare with those provided by the Congressional Budget Office so as to help Congress make better-informed decisions.

12. How could social equity be better reflected in aid formulas and administrative arrangements? During the past 15 years or so, equity has joined efficiency and effectiveness as the third leg of the intergovernmental management stool (Frederickson 2010)—from the design of programs (e.g., eligibility) to delivery (e.g., assisting elderly, disabled, poor, and non-English-speaking residents during natural disasters). Yet it remains unclear how social equity can be better embedded in the design and implementation of federal and state aid formulas and management systems, especially in light of Congress's penchant for spreading money around. Geographic targeting has been a weak feature of federal as well as state grants for many years. Despite increases in the number and dollar amounts of grants since the late 1980s, federal aid programs remain small compared to those of most other federal countries; nearly all aid programs contain no explicit fiscal or jurisdictional equalization or tax capacity objectives; they remain basically input based rather than performance based; and they are characterized by increasing proportions dedicated to people-oriented rather than place- or project-oriented programs. Some intergovernmental welfare programs, especially Medicaid, also pose significant intergenerational equity dilemmas, particularly as states reduce funding for education, infrastructure, and economic development in order to finance senior citizen programs.

13. How do the new ways to engage citizens in governance affect transparency, accountability, and effectiveness? Thanks to developments in communications technology, old-style approaches to citizen outreach and engagement such as public hearings, advisory bodies for federally funded programs, community surveys, and citizen advisory boards have been supplemented and, in some ways, surpassed by electronic government and social media. Citizens now have tools to make direct contact with government agencies, monitor in real time performance data and information provided to grantors, as well as share their views on government operations and personnel through blogs. To this extent, government has become more transparent and accessible; yet intergovernmental relations have grown more complex and interconnected. Public managers need help to find ways to untangle the intergovernmental management web and to more clearly explain what their agencies do, who is responsible, and how their capacity to deliver services is affected by “new normal” conditions. At the same time, analysis is

needed of the impacts of these new forms of participation. In what ways do they enhance and diminish governmental efficiency and effectiveness?

14. What trends have taken place during the past two decades in intergovernmental relations and in tools for transacting intergovernmental business? A valuable service rendered by the ACIR to researchers, policy analysts, and students was to regularly track the number and types of tools used to implement intergovernmental programs. This included collecting and interpreting data on general and special-purpose governments, categorical and block grants, regulations and preemptions, and interlocal contracts and service agreements. The annual *Significant Features of Fiscal Federalism* was one of the ACIR's most popular publications. The ACIR also mounted annual surveys (1972–94) of public opinion on federalism and taxes. After the ACIR's demise, the void in this literature was filled partly by the GAO, Congressional Budget Office, Census Bureau, Rockefeller Institute, and *Publius: The Journal of Federalism*, but there is no one-stop shop for this information. Many of the new providers of information do so only intermittently and sometimes inconsistently, some lack the credibility and policy audiences of the ACIR, and some information has not been collected at all.

15. Who will answer the “big questions?” In the post-ACIR world, other than a few federal agencies, no intergovernmental organization has risen to provide continual nonpartisan or bipartisan research, data collection, deliberation, and policy formulation. Think tanks and scholars investigate some of these subjects, but often with limited resources, narrow foci, or a particular political or philosophical point of view. Yet many people (e.g., Brunori 2001; Harkness 2010) who study or practice intergovernmental relations express the need for ongoing impartial or balanced attention to intergovernmental management issues, as well as to emerging trends and their implications. As Senator Daniel Patrick Moynihan (D-NY) remarked during the debate on the ACIR's final appropriation, “the ACIR does important, if largely unheralded, work. And we stand on the brink of terminating it. This is a mistake, which we will regret . . . without the ACIR, our knowledge of important matters will never be anything more than meager. The action we are about to take will harm our capacity to govern effectively” (quoted in McDowell 1997, 127).

Was Moynihan right? In the absence of an ACIR-type capacity in Washington, D.C., and in many states, will the “big questions” of IGR and IGM remain largely unanswered or not answerable at all?

As this symposium has underscored, the odds do not favor proponents of a new ACIR-type institution. Perhaps only a truly dramatic event, one that could prove a significant “game

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changer” in the dynamics of intergovernmental relations, is required to rejuvenate support and momentum for an ACIR-type entity. Perhaps the current economic crisis, and responses to it, will have transformative impacts on intergovernmental relations. Leadership from the president and federalism proponents in Congress, support from the Big 7, and advocacy by IGM practitioners and students could greatly enhance the prospects for intergovernmental institutional redevelopment.

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References

- Agranoff, Robert, and Michael McGuire. 2001. American Federalism and the Search for Models of Management. *Public Administration Review* 61(6): 671–81.
- Advisory Commission on Intergovernmental Relations (ACIR). 1982. *State and Local Roles in the Federal System*. Washington, DC: U.S. Government Printing Office.
- . 1987a. *Devolving Selected Federal-Aid Highway Programs and Revenue Bases: A Critical Appraisal*. Washington, DC: U.S. Government Printing Office.
- . 1987b. *The Organization of Local Public Economies*. Washington, DC: U.S. Government Printing Office.
- Brunori, David. 2001. Advice to the New Congress—Bring Back the ACIR. *State Tax Notes*, January 15, 189.
- Cauchon, Dennis. 2010. Government Workforce Slashed at Local Levels. *USA Today*, October 29.
- Federal Systems Panel. 2008. *An Intergovernmental Agenda for the Obama Administration*. Washington, DC: National Academy of Public Administration.
- Fleiner, Thomas. 2006. Swiss Confederation. In *Distribution of Powers and Responsibilities in Federal Countries*, edited by Akhtar Majeed, Ronald L. Watts, and Douglas M. Brown, 266–94. Montreal: McGill-Queen's University Press.
- Frederickson, H. George. 2010. *Social Equity and Public Administration: Origins, Development, and Applications*. Armonk, NY: M. E. Sharpe.
- Harkness, Peter. 2010. A Grand Swap Meet. *Governing* 23(6): 14–15.
- Kincaid, John. 1992. Is Education Too Intergovernmental? *Intergovernmental Perspective* 18(1): 28–34.
- . 2001. The State of U.S. Federalism, 2000–2001: Continuity in Crisis. *Publius: The Journal of Federalism* 31(3): 1–69.
- . 2008. Three Faces of Contemporary American Federalism. In *The Federal Nation: Perspectives on North American Federalism*, edited by Iwan W. Morgan and Philip J. Davies, 63–81. New York: Palgrave Macmillan.
- Maggs, John. 2005. Limping Toward Tax Reform. *National Journal*, October 22, 3280.
- Mattoon, Robert H. 2009. Should the Federal Government Bail Out the States? Lessons from Past Recessions. *Chicago Fed Letter*, no. 265. http://www.chicagofed.org/webpages/publications/chicago_fed_letter/2009/august_265.cfm [accessed December 10, 2010].
- McDowell, Bruce D. 1997. Advisory Commission on Intergovernmental Relations in 1996: The End of an Era. *Publius: The Journal of Federalism* 27(2): 111–27.
- McGurn, William. 2010. Speak Up on D.C. Schools, Mr. President. *Wall Street Journal*, October 5.
- National Academy of Public Administration (NAPA). 2007. *Prioritizing America's Water Resource Investments: Budget Reform for Civil Works Construction Projects at the U.S. Army Corps of Engineers*. Washington, DC: NAPA.
- Posner, Paul L. 2010. The Recovery Act: An Accountability Test for Our Federal System. In *Framing a Public Management Research Agenda*, edited by Jonathan D. Breul, 17–29. Washington, DC: IBM Center for the Business of Government.
- Posner, Paul L., and Timothy J. Conlan. 2008. Conclusion: Managing Complex Problems in a Compound Republic. In *Intergovernmental Management for the Twenty-First Century*, edited by Timothy J. Conlan and Paul L. Posner, 338–52. Washington, DC: Brookings Institution Press.
- Radin, Beryl A. 2008. Performance Management and Intergovernmental Relations. In *Intergovernmental Management for the Twenty-First Century*, edited by Timothy J. Conlan and Paul L. Posner, 243–62. Washington, DC: Brookings Institution Press.
- Shiller, Robert J. 2010. The Case for Reviving Revenue Sharing. *New York Times*, August 29.
- Shugart, Ian, and Thomas Townsend. 2010. Bringing “Place” In—Exploring the Role of the Federal Government in Place-Based Approaches. *Horizons* 10: 4–6.
- Simeon, Richard, and Martin Papillon. 2006. Canada. In *Distribution of Powers and Responsibilities in Federal Countries*, edited by Akhtar Majeed, Ronald L. Watts, and Douglas M. Brown, 92–122. Montreal: McGill-Queen's University Press.
- Stenberg, Carl W. 2008. Block Grants and Devolution: A Future Tool? In *Intergovernmental Management for the Twenty-First Century*, edited by Timothy J. Conlan and Paul L. Posner, 263–85. Washington, DC: Brookings Institution Press.
- Steytler, Nico, ed. 2009. *Local Government and Metropolitan Regions in Federal Systems*. Montreal: McGill-Queen's University Press.
- Turgeon, Mathieu, and Francois Vaillancourt. 2002. The Provision of Highways in Canada and the Federal Government. *Publius: The Journal of Federalism* 32(1): 161–80.
- U.S. Government Accountability Office (GAO). 2010a. *The Federal Government's Long-Term Fiscal Outlook: January 2010 Update*. Washington, DC: U.S. Government Printing Office. GAO-10-468SP.
- . 2010b. *State and Local Governments: Fiscal Pressures Could Have Implications for Future Delivery of Intergovernmental Programs*. Washington, DC: U.S. Government Printing Office. GAO-10-899.

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