

Federalism certain
nationally defined
programs. unfunded
federal mandates



**ASSIGN
BUSTER**

Federalism is a political system comprised of several local units of government and one national government that can both make decisions with respect to at least some governmental activities and whose existence is specially protected. Sovereignty is shared so that on some matters the national government is supreme, and on some matters the state governments are supreme. But in the last twenty-five years, the increase of federal mandates on state and local governments has shifted the balance of power between national and state governments.

The national government is beginning to have more control over the states actions. Federal mandates are rules imposed by the federal government on the states as conditions for obtaining federal grants or requirements that the states pay the costs of certain nationally defined programs. Unfunded federal mandates usually concern civil rights or the environment. Since the 1970s, the number of federal mandates imposed by Congress and the courts have greatly increased.

As more mandates are created by Congress, the national government gains more control over the state governments. The states follow the conditions laid out in the mandates so that they will be eligible to receive money in the form of federal grants. Therefore, the national government is becoming more powerful and the state and local governments are becoming more dependent on and in some ways, subservient to it. One recently enacted mandate is the Americans with Disabilities Act, which was enacted in 1990. It requires businesses and state and local governments to provide the disabled with equal access to services, employment, buildings, and transportation.

The objective of this mandate was to give disabled persons equal

<https://assignbuster.com/federalism-certain-nationally-defined-programs-unfunded-federal-mandates/>

opportunities and services, and remove any discrimination. Fiscally, this act has created another burden for state and local governments. Local governments are now responsible for making sure that new buses, taxis and trains are handicap-accessible.

Funds to do this must be allocated from their annual budgets. But the mandate itself does not specify how much it will cost to implement this mandate or how it is to be administered. The Americans with Disabilities Act has caused state and local governments to reorganize their funds in order to provide for the added fiscal responsibilities of this mandate. However, the removal of this mandate would have negative consequences. The Americans with Disabilities Act protects people that society could otherwise let fall by the wayside. It ensures that the handicapped will have the same opportunities and conveniences, especially as far as employment and transportation are concerned, that the rest of the citizens of this country enjoy.

Taking away this protection would allow for the discrimination and further alienation of the disabled people of the United States. The Americans with Disabilities Act is one example of a mandate enacted by the national government which requires local and state government compliance. This demonstrates how the federal government can exercise its influence over the state governments. Because the states must obey the conditions laid out in this mandate, as well as others, they are being held accountable by the federal government. This takes its toll on federalism in the United States. Sovereignty is becoming less equally shared between state and national governments.

<https://assignbuster.com/federalism-certain-nationally-defined-programs-unfunded-federal-mandates/>

The increase in federal mandates has caused the federal government to become more powerful, and therefore exercise even more influence of the people. As they have continued to become more powerful, more mandates have been enacted. And even though Congress has begun to try to reduce these unfunded mandates, they are still causing an imbalance of power in the United States. Music Essays