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RENEWING MERIC AN А VILIZATI

The non-partisan, 20-hour videotaped course focuses on identifying and fostering the underlying values and attitudes that enable free markets, private enterprise and democratic systems to prosper. In short, it describes the philosophical underpinnings of our political, social and economic system.

The basic premise of the course is that there is a distinct American Civilization that has flourished for over 200 years. While the course examines the foundations of American Civilization, its main purpose is to present a workable, practical and positive blueprint for renewing American Civilization.

The focus of each class will be on a topic critical to the long-term vitality of the United States. The ten topics include:

- 1. Understanding American Civilization
- 2. Personal Strength

DATES

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- 3. Entrepreneurial Free Enterprise
- 4. Spirit of Invention and Discovery
- 5. Quality and Deming's Profound Knowledge
- 6. The Lessons of American History
- 7. Economic Growth and Job Creation
- 8. Health and Wellness
- 9. Saving the Inner City
- 10. Citizenship for the 21st Century

Renewing American Civilization Broadcast Schedule: Every Wednesday

1:00 - 3:00 p.m. (Eastern Time)

September 21 - November 23 November 30 - January 4

1993 Class Rebroadcast Best of 1993 & 1994 Classes SATELLITE COORDINATES National Empowerment Television

Satellite: Galaxy 7 Transponder: 20 Vertical

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I GENERAL NEWS

Helms: Clinton "Better Watch Out" If He Visits NC.

(Raleigh, North Carolina) -- Senator Jesse Helms says President Clinton "better watch out" if he visits North Carolina. The likely chairman of the Senate Foreign Relations Committee says Clinton is so unpopular on military bases in his state that

he'd "better have a bodyguard" if he visits.

He made his comment last night to "The News & Observer" of Raleigh.

Helms says soldiers don't like that Clinton avoided service in the Vietnam War, supports gays in the military and has cut defense spending.

He's also standing by statements last week in which he criticized the president's ability as commander-in-chief.

Helms' comments have yielded statements of support for Clinton from the head of the Joint Chiefs of Staff and likely Senate Majority Leader Bob Dole.



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Williamsburg, Wirginia

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MEMORANDUM

NOVEMBER 21, 1994

TO: SENATOR DOLE

FROM: JO-ANNE

SUBJ: TOMORROW'S SCHEDULE

Attached is revised schedule for tomorrow's trip to Williamsburg.

The schedule reflects the meetings tentatively arranged for you after the Plenary Session with Governors Wilson, Symington and Voinovich. We are continuing to have difficulty with the Wilson and Symington meetings, because of their plane schedules for their departure from Virginia. Voinovich seems completely flexible. What you may have to do with Wilson and Symington is break out of the Plenary Session and meet individually with them before the noon adjournment. Their staff people have been told to look for Sheila Burke and work it out with her. NOV-21-94 MON 03 This document is from the collections at the Dole Archives, University of Kahees 3161 http://dolearchives.ku.edu

P.02

REVISED FINAL

Contact:	Mo Taggart
	504/861-7365
Beep	800/946-4646
	pin # 1115689
	Jo-Anne Coe
	703/845-1714

SENATOR DOLE SCHEDULE -- NOVEMBER 22, 1994 -- WILLIAMSBURG, VA

TUESDAY, NOVEMBER 22, 1994

7:30			
8:10 am	DEPART Watergate	for National Airport	
	Driver:	Wilbert	
8:25 am	ARRIVE airport and	proceed to departing aircraft	
	FBO:	Signature 703/419-8440	
8,00			
8:30 am	DEPART Washington Airport	n for Williamsburg, VA/Williamsb	urg/Jamestown
	FBO:	Williamsburg/Jamestown	
	Aircraft:	King Air 200 (charter) KING	AIR 100
	Tail number:		
	Flight time:	35 minutes	
	Pilots:	Dave Trick	
		David Ondrejko	
	Seats:	6-8	
	Manifest:	Senator Dole	
		Senator Domenici	
		Senator Packwood	
		Senator Kassebaum	
		Elaine Franklin	
	Contact:	Bob Hawthorne	
		Martinair Charter	
		703/486-0001	
		703/419-5402 fax	
NOTE: If	weather is bad, they w	ill have to land the plane at the l	Newport
Ne	ws/Williamsburg Region	nal Airport which is approximat	ely a 20 minute
	······································		And a second

8:35

-9:05 am

ARRIVE Williamsburg/Jamestown Airport Williamsburg/Jamestown FBO: 804/229-9256

drive to the Williamsburg Lodge.

NOV-21-94 MON 03 TBigdoEUthen is from the collections at the Dole Archives, University of Kansas 3161 http://dolearchives.ku.edu

TUESDAY, NOVEMBER 22, 1994

PAGE 2

9:10 am	DEPART airport for	Williamsburg Lodge
	Drivers:	Provided by Governors Association and State Police
		804/253-4043 or 804/221-8407
		804/221-8418 fax
	Contact:	Ist Sgt. Bob Deeds
	Drive time:	10 minutes
	Location:	310 South England Street
9:20 am	ARRIVE Williamsbu	rg Lodge
	804/229-1000	D
	804/220-779	9 fax
9:25 am-	ATTEND Republica	n Governors Association Annual Conference
2:15 pm	Plenary Sessi	on
	Location:	Virginia Room
	Attendance:	500
	Event runs:	9:00-12:00 pm
	Press:	Open
	Facility:	U Shaped table
		Podium and mic
	Headtable:	Senator Dole
		Haley Barbour
		Governor John McKernan, Jr.
		Governor George Allen
		Governor Mike Leavitt
	Format:	Governor McKernan gives opening remarks and introduces Congressman Gingrich
		Congressman Gingrich gives remarks
		Governor McKernan introduces Senator Dole
		Senator Dole gives remarks
		National Policy Forum with Republican Governors
		Moderated by: Haley Barbour
		Presiding: Governors Allen and Voinovich
		Observations & Comments: Senator
		Domenici & Rep. John Kasich
	Contact:	Jim Baker
		804/221-8400
		Bonnie
		202/863-8587

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TUESDAY, NOVEMBER 22, 1994

PAGE 3

12:05 PM	PROCEED TO	D MEETING ROOMS D, E & F
	(Downstairs fi	rom Virginia Room)
12:10 PM-	TENTATIVE	
12:30 PM	MEETING W	ITH GOVERNOR WILSON
10.00 111		id Wetmore or Pat Clarey
	202/624-5270	
	Williamsburg:	804/229-1000
12:35 PM-	TENTATIVI	C:
1:00 PM	MEETING W	TTH GOVERNOR SYMINGTON
	Contact: Kar	
		/542-1307
	Jol	nn Kelly, Dir. of Fed'l & State Relns
	80	4/229-1000
1:05 PM- 1:30 PM	MEETING V	VITH GOVERNOR VOINOVICH
1,501111	CONTACT:	Paul Russo or Paul Mifsud
		804/229-1000
2:10 pm	DEPART Williamsb	irg Lodge for Williamsburg/Jamestown Airport
2.10 pm	Drivers:	Provided by Governors Association and State Police
		804/221-8407
	Drive time:	10 minutes
2:20 pm	ARRIVE Williamsbu	arg/Jamestown Airport
The free	FBO:	Williamsburg/Jamestown
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NOV-21-94 MON 03: This doewnegt is from the collections at the Dole Archives, University of Kanses 3161 http://dolearchives.ku.edu

TUESDAY, NOVEMBER 22, 1994

PAGE 4

DEPART Williamsburg for Washington/National 2:25 pm Signature FBO: King Air 200 (charter) Aircraft: Tail number: 760 NP Flight time: 35 minutes Dave Trick Pilots: David Ondrejko 6-8 Seats: Senator Dole Manifest: Senator Domenici Senator Packwood Senator Kassebaum Congressman Gingrich Elaine Franklin Bob Hawthorne Contact: Martinair Charter 703/486-0001 703/419-5402 fax

3:00 pm	ARRIVE Washing	gton/National
	FBO:	Signature 703/419-8440

3:05 pm	DEPART airport for Capitol		
•	Driver:	Wilbert	

3:20 pm

ARRIVE Capitol

Can Senston Kassebourn rike back to the Copital with you? Yes no

ID: BESTOCERMENTERTIONATHE collections at the Dole Archives; University of Kansas http://dolearchives.ku.edu

MEMORANDUM

November 21, 1994

TO: SENATOR DOLF. FROM: JIM WHITTINGHILL SUBJECT: WILLIAMSBURG CC: KERRY

Paul Russo and Paul Misfud (Governor Voinovich's Chief of Staff) called from Williamsburg.

Lamar Alexander has set up a control room with a couple of political operatives including incoming Governor Don Sundquist. His message is that Dole will pay lip service to you, but as a former Governor, I will honor my commitments to you. Governor Engler is also working on Alexander's behalf.

Gramm is there with Fred Meyer, former State Party Chair. Gramm is talking about being the most steadfast believer in conservative, Republican values and believing we should return power to states.

They suggest you speak to the Governors in terms of being "partners," of you leading "our agenda." Wilson got a lot of coverage talking about California being a sovereign state and not a colony. Thompson spoke of not going to Washington anymore to "get down on my knees and beg for indulgences and beg for waivers." It also sounds like they are throwing around the Tenth Amendment about like the Second Amendment is talked about at an NRA convention. They would also like you to say something about unfunded mandates and mention that Voinovich is helping lead that charge.

Scripter Dele. I think your speech cares All these points -- Except it doesn't Mention Vorwounch _____ Kom,

Meeting with Senator Robert Dole and Governor Tommy Thomspon--Wisconsin Governor Mike Leavitt--Utah

November 20, 1994

- Control Con
- < NGA does not have a formal policy on the Balanced Budget Amendment. On an individual basis nearly all support it, but most will be reluctant to recommend ratification unless it includes wording protecting states from unfunded mandates.
- < A NGA task force has been appointed to work with Congress on wording that would be acceptable to states. We would like to begin discussions immediately.
- < Republican Governors will be meeting in Williamsburg today at 3:00 p.m. to approve a joint strategy on balancing power. Our major points are attached.
- < During Senator Dole's visit at RGA, we would appreciate his support on the following points:
 - 1. Working with NGA and RGA on the wording of the Balanced Budget Amendment to develop sufficient protection for states.
 - 2. Acknowledgement of the need to go beyond the question of unfunded mandates to examine the question of balancing power and limiting the federal role.
 - 3. A Statement encouraging states to proceed with a Conference of the States as a means of finding solutions and persuading reluctant members of Congress of the need for balance.

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Republican Governors' Strategy for Re-Federalism

- < Support the Balanced Budget Amendment but insist that it contain language protecting states from unfunded mandates.
- < Pass anti-unfunded mandate legislation to protect states until a proper amendment is passed and ratified by Congress.
- < Cooperation between states in joint litigation involving 10th Amendment issues.
- < Create long-term leverage by supporting and participating with state legislators in the Conference of the States movement.
- < Make balanced power a subject in our state-of-the-state speeches with a specific request that our legislatures pass a Resolution of Participation in the Conference of the States.

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Conference of the States

Proposed by the Council of State Governments Pictorial Summary

Step 1:

- Each state legislature adopts a Resolution of Participation
- Each legislature appoints a bipartisan delegation of four legislators and the Governor to attend the Conference of the States

Step 2:

 When a significant majority of states have passed the Resolution of Participation, the Council of State Governments will convene bipartisan incorporators appointed by legislative leadership in the participating states

Step 3:

- The Conference of the States is held
- Solutions to restore balance are discussed, refined and voted upon

Step 4:

- The product of the Conference of States is a document, a new instrument in American democracy called a "States' Petition"
- The States' Petition constitutes the highest form of communication between the states and Congress

Step 5:

- The States' Petition is carried back by delegates to their respective state legislatures for approval.
- States' Petition items which involve constitutional amendments require approval of a constitutional majority of state legislatures

Step 6:

- The States' Petition is presented to Congress
- Ignoring a constitutional majority of states would signal an arrogance on the part of Congress--an arrogance the States and the American people would find intolerable















THE WILLIAMSBURG RESOLVE

We gather at an historic moment at an historic place.

Here and in other colonial capitals, the nation's founders first debated the idea of independence and the fundamental principles of freedom. Then, the challenge to the liberties of the people came from an arrogant, overbearing monarchy across the sea.

http://dolearchives.ku.edu

Today, that challenge comes from our own Federal government -- a government that has defied, and that now ignores, virtually every constitutional limit fashioned by the framers to confine its reach and thus to guard the freedoms of the people.

In our day, the threat to self-determination posed by the centralization of power in the nation's capital has been dramatically demonstrated. The effects of intrusive Federal government authority have been felt so widely and so profoundly that a united chorus of opposition has risen from town halls and State capitols, from community organizations and private associations, from enterprises and individuals, across America.

The founders of our Republic and the framers of our Constitution well understood the ultimate incompatibility of centralized power and republican ideals. They did not pledge their lives, fortune and sacred honor to achieve independence from an oppressive monarchy in England only to surrender their liberties to an all-powerful central government on these shores. Rather, they devoted their considerable energies and insights to erecting an array of checks and balances that promised to prevent the emergence of an unresponsive and unaccountable national government.

Chief among these checks were to be the State governments, whose co-equal role was expressly acknowledged in the Tenth Amendment to the Constitution, and whose sweeping jurisdiction and popular support were presumed sufficient to resist Federal encroachment. The Federal government, by contrast, was given certain expressly enumerated powers and denied all others. From this balanced federal-state relationship, predicated on dual sovereignty, there was to come a healthy tension that would serve as a bulwark against any concentration of power that threatened the freedoms of the people.

Two centuries later, it is clear that these checks and balances have been dangerously undermined. The States have witnessed the steady erosion -- sometimes gradual, sometimes accelerated -- of their sphere of responsibility. Today, there is virtually no area of public responsibility or private activity in which Federal authorities do not assert the power to override the will of the people in the States through Federal rules, rulings, and enactments.

Our freedoms are no longer safe when they exist only at the sufferance of Federal legislators, Federal courts, and Federal bureaucrats.

Post Office Box 2456 • Richmond, Virginia 23201

The people of the States seek to regain control of their own destiny, and they have entrusted State leaders with the responsibility for achieving this fundamental reform in our governmental system. We are pledged to fulfill this promise by restoring to the States and the people the prerogatives and freedoms guaranteed to them under the Constitution.

Excesses and Abuses by the Federal Government

We begin by candidly enumerating, as did our forebears, the grievances of the people who have turned to us for leadership:

- The Congress and Executive Branch, regardless of the party in control, have imposed ever-growing numbers of mandates, regulations and restrictions upon States and local governments, removing power and flexibility from the units of government closest to the people and increasing central control in Washington.
- Federal action has exceeded the clear bounds of its jurisdiction under the Constitution, and thus violated rights guaranteed to the people. The government of "limited, delegated powers" envisioned by the framers has become a government of virtually unlimited power.
- Federal courts have largely refused to enforce the guarantees of the Tenth Amendment, which reserves to the States and the people powers not expressly delegated to Congress. Most Federal court decisions have refused to recognize any meaningful constitutional limit to congressional power.
- In holding that the States must rely on political processes in Washington for their protection, the Federal courts have permitted Congress and Federal agencies to treat the States as though they are merely part of the regulated community, rather than as sovereign partners in a federal system of shared powers.
- Federal mandates have imposed enormous costs on States and localities, draining away resources and preventing State governments from addressing pressing local needs such as education, law enforcement and transportation.¹
- With a persistent budget deficit, the Federal government has forced the burden of funding Federal programs onto State and local governments, resulting in increased taxes at the State and local level that citizens do not want.

¹The U.S. Conference of Mayors has estimated that unfunded federal mandates consume almost 12 percent of locally raised revenues.

- Federal mandates and preemptive measures deprive State and local governments of the ability to set priorities, thereby diminishing their ability to allocate resources and tailor programs in the way best suited to meet local needs.
- Federal laws impose "one size fits all" requirements that often make no sense in light of local conditions and force States and localities to waste limited resources.
- The Federal government's failure to meet its own responsibilities has forced States to incur billions of dollars in excess costs.
- In addition to laws passed by Congress, States and localities are burdened by mushrooming numbers of complex, lengthy, and incomprehensible regulations, imposing enormous costs of compliance. These regulations are drafted by unelected bureaucrats who are not accountable to the people.²
- Congress has not only assumed ever-growing power for itself; it has thwarted many State initiatives to deal with local problems. Federal preemption of State and local laws has reached unprecedented proportions.³
- Congress has refused to make itself subject to the same laws that it has imposed on States, localities, and citizens, granting itself exemptions from labor, civil rights, and other laws that States, localities, and citizens must obey.
- Congress has failed to show a capacity for self-regulation in its relations with the States, failing thus far even to pass reform measures to restrain the growth of unfunded mandates.

²The Congressional Budget Office estimates that regulations imposed on local governments during 1983-1990 cost up to \$12.7 billion.

³Of 439 explicit preemptions of State and local laws enacted by Congress in the 202 years from 1789 to 1991, 233 (53%) were enacted in the 21 years between 1970 and 1991.

The Effects of Centralized Power in Washington

The effects of the centralization of power in Washington are evident in the acute frustration and feeling of powerlessness among the voters, which was manifest in the recent congressional elections.

I. Decisions affecting the lives of citizens have been placed beyond their reach.

As Federal institutions -- Congress, the Federal courts, and the Federal bureaucracy -have seized ever-greater responsibility for determining policy on issues of importance, the ability of citizens to influence the course of government has been diminished. Decisions made through government processes at the State and local levels are far more accessible to citizens than decisions made in Washington. Citizens increasingly feel powerless to shape their future because fewer policy choices are made at levels of government within their grasp.

II. Centralized power in Washington is denying to the people the responsiveness and accountability that are essential for republican self-government.

The hallmark of self-determination is government that is responsive and accountable to the people. The appetite for power on the part of Federal institutions has allowed a centralized government to operate often without the support of the people and in disregard of their will. This has undermined the very premise of representative democracy.

Citizens possess little or no control over the actions of Federal courts and the Federal bureaucracy, both of which have assumed dramatically broadened policy-making roles in recent decades. In the recent elections, Americans signalled their determination to reassert control over the Congress, which has long been largely insulated from accountability to the voters by reason of procedure, perquisite, and distance.

The problem is not that the Federal government invariably pursues the wrong aims or invariably fails to attain those aims which it pursues. Examples abound in our history where the exercise of Federal power has been wise and unwise, effective and ineffective, constructive and destructive.

The problem, fundamentally, in a country of this size and diversity, is the inherent unaccountability of a *national* legislature and bureaucracy. Governments at all levels can and do make mistakes that call for correction. Such corrections, however, are more easily accomplished at the State and local levels, where voters can more easily hold the responsible decision-makers accountable. When decisions are made at the Federal level, the actions that aggrieve people in one State typically are made by officials elected from other States, or by officers who are not elected at all, and over which the affected citizens thus have no real political influence.

4

III. The people's acute frustration and anger today are attributable in part to the growth of Federal power at the expense of State and local governments.

There has been much commentary about the current popular mood of profound discontent and cynicism. Some apologists for the *status quo* have sought to blame the people for having unreasonable expectations. This is the ultimate insult to an electorate that has seen the value of its franchise systematically diminished by the transfer of policy-making powers away from accountable State and local officers to the aloof power structure in Washington.

The current, cresting feeling of frustration and futility among voters is not an inexplicable phenomenon. To the contrary, it is a direct and wholly predictable consequence of the shift of government power to institutions beyond the grasp of the people.

The problem is not only that decision-makers in our nation's capital are remote and unaccountable. It is that their actions in many cases have rendered State and local officials unresponsive as well. Officials at the State and local levels often cannot meet the expectations of the people who elected them because of an inhibiting web of Federal laws, regulations, court orders, administrative interpretations and edicts. Thus, there is a widening gulf between the voters' demands for change and the ability of State and local leaders to surmount Federal obstacles and effect that change.

The Means of Correction

Recognizing the imperative of reform to restore balance in federal-state relations and empower citizens, we turn our attention to the question of remedy.

In *The Federalist No. 46*, James Madison commented on the primary means by which the States would correct any intrusion of Federal power upon their prerogatives. He wrote:

[A]mbitious encroachments of the federal government on the authority of the State governments would not excite the opposition of a single State, or a few States only. They would be signals of general alarm. Every government would espouse the common cause. A correspondence would be opened. Plans of resistance would be concerted. One spirit would animate and conduct the whole. The same combinations, in short, would result from an apprehension of the federal, as was produced by the dread of a foreign, yoke....

The concerted action by the States envisioned by the Father of our Constitution is now required.

Concerns about the condition of federal-state relations have been voiced throughout our Nation's history. But, today, there is a unique need -- and a unique opportunity -- for reform:

- Never has there been a broader consensus among the States -- and among the elected officials and voters in the States, regardless of party -- that the Federal government has pervasively exceeded its constitutional bounds and must be restrained.
- Never has there been a national debate over federal-state relations directed exclusively to the merits of the question, and neither obscured nor diverted by divisive policy disputes that pit region against region or State against State.
- Never have those wielding Federal power until the recent election been so imperious in their assertion of Federal supremacy and so out of step with the majority philosophy and views of the American people.
- And never has there been such a profound change in national leadership, bringing into Federal office persons disposed to support bold reform to restore the States and the people to their rightful place in our constitutional system.

In short, this is an historic moment of opportunity -- an occasion when the political climate makes possible fundamental change in the federal-state relationship.

While congressional cooperation is essential in order to achieve this structural change, the leadership for lasting reform must come from the States.

A Common Agenda of Reform

Recognizing the urgency of the need and the uniqueness of the opportunity for reform, we declare our common resolve to restore balance to the federal-state relationship and renew the framers' vision. An agreed agenda for concerted action to achieve this objective is essential. Among the principal elements of this common agenda of reform are these:

I. Mobilizing the People to Reclaim Their Freedom

The people of the United States, and of the several States, are frustrated and disillusioned by the decline of responsiveness and accountability in our political processes. This feeling of powerlessness has been manifested in calls for a host of political reforms, including greater direct democracy, term limitations, and various campaign reform proposals. Yet, too few of our citizens appreciate the central role that the erosion of State and local prerogatives, and the emergence of the Federal bureaucratic, judicial and legislative leviathan, have played in their loss of political liberty.

We are resolved to bring these developments and consequences urgently to the attention of the people of our States, and all Americans. Only when our citizens fully appreciate the practical and pervasive impact on their daily lives of federalism's decline will they demand change.

II. Litigation to Enforce the Tenth Amendment

The central purpose of the United States Constitution was to establish a federal government of expressly delegated and therefore limited powers. The powers reserved by the States were, in Madison's words, "numerous and indefinite," extending "to all objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the States."⁴ The framers of the Bill of Rights specifically designed the Tenth Amendment to protect the States from encroachments by the Federal government on their reserved powers.

In *The Federalist*, No. 39, Madison recognized that the Constitution entrusts to the Supreme Court alone the responsibility to police and to nullify Federal encroachments on the reserved powers of the States and that the Court's faithful exercise of that responsibility would be "essential to prevent an appeal to the sword and a dissolution" of the Constitution itself. The Supreme Court, however, has failed to enforce the constitutional boundary between the respective powers of the Federal and State governments. For over half a century, the Federal government has steadily extended its rules and regulations into virtually every area of public and private life, and the Supreme Court has acceded to each succeeding usurpation.

In recent years, the Supreme Court has broadly abandoned its constitutional role, ceding to Congress itself the responsibility to determine the extent of Congress' own legislative power. The decision of the Supreme Court in New York v. United States, 112 S.Ct. 2408 (1992), while encouraging in its indication that there is some remaining vitality to the Tenth Amendment, nevertheless demonstrates the exceedingly modest nature of the limitations on Federal action that the Supreme Court is currently willing to enforce.

Still, because nothing less than the constitutionally guaranteed freedom of Americans to govern themselves is at stake, usurpations by Federal legislators and bureaucrats of powers not delegated to them under the Constitution must be resisted with whatever tools are at hand and in whatever forums are available. Until the Constitution is amended to give the States additional powers to protect against Federal encroachment, recourse to the courts is the only available means of relief.

We are therefore resolved to pursue energetically in the Federal courts Tenth Amendment challenges to Federal encroachments into the domain of the States.

III. Restrictions on Federal Mandates and Other Legislative Initiatives

Across the country, governors, mayors, county officials, and state legislators of both parties are working together to obtain relief from burdensome Federal mandates. This bipartisan State-local partnership has created a potent force for change, and offers hope for resolving a broad array of problems arising from Federal encroachment upon State and local responsibilities.

⁴The Federalist, No. 45.

Foremost among these problems is the displacement of State and local priority-setting and the imposition of trickle-down tax increase pressure as a result of unfunded Federal mandates. While unfunded obligations are most objectionable, other Federal mandates also impose unacceptable burdens by treading upon areas of traditional State and local responsibility, by imposing onerous conditions on Federal grants unrelated to the purpose of the Federal funding, and by commandeering the States and local governments for the administration of Federal programs and policies.

A majority of the U.S. House of Representatives and U.S. Senate co-sponsored mandate relief bills during the 103rd Congress. President Clinton, himself a former governor, has repeated his intention to work with governors and other State and local officials to end the proliferation of new mandates. Nevertheless, Congress has continued to pass, and the President has continued to sign, legislation that imposes unfunded mandates on the States and on local governments.

Although slightly different forms of the Federal Mandate Accountability and Reform Act of 1994 were passed by overwhelming bipartisan majorities of the Senate Governmental Affairs Committee and the House Government Operations Committee earlier this year, this legislation was denied consideration on the House and Senate floors. The recent congressional election results are cause for optimism that mandate relief legislation will soon be enacted.

The legislation offered earlier this year requires the Congressional Budget Office to prepare an estimate of the costs of new mandates to States and local governments if the total cost exceeds \$50 million a year. It also erects a series of impediments to new mandates, and makes Congress more accountable for those that are imposed. Through these mechanisms, State and local officials would enhance their political and procedural leverage to defeat unwanted, and especially unfunded, mandate proposals.

While this year's proposed legislation is the most stringent and effective mandate relief bill ever considered by Congress, it is clear that States and local governments want even more farreaching change. Restoring balance in state-federal relations is perhaps the most important national reform that could be undertaken by the 104th Congress. From health care to welfare reform to the environment, Congress should work in partnership with the States to attain our mutual goals of empowering State and local governments and achieving the efficient, orderly reduction of the Federal government.

In cooperation with our respective State congressional delegations, we are resolved to promote prompt and dramatic mandate relief during the next Congress.⁵

⁵Attached at Appendix A is a partial list of federalism-related legislative initiatives suggested by Governor Voinovich of Ohio.

IV. A Conference of the States to Forge Consensus on Structural Reforms

While the recent changes in Washington have raised hopes for prompt action to restore balance to the federal-state relationship, the need for an agreed agenda and concerted action by the States is clear.

A Conference of the States would enable State representatives to consider, refine and adopt proposals for structural change in our federal system. The proposals so adopted would comprise the States' Petition, which would be a powerful instrument for arousing popular support and promoting change in Congress and State legislatures.

Throughout our history, the States have faced this dilemma in resisting the growth of Federal power: On the one hand, questions regarding the scope of Federal government jurisdiction are resolved by Federal courts, which generally have favored more expansive interpretations of Federal power. On the other hand, the States' recourse to the constitutional amendment process has been impeded by Congress' control over the initiation of constitutional amendments. Use of the "convention" method of amendment that is available through direct State action has never been used due to fears that a constitutional convention called by the States would become a "runaway" assemblage that would seek to rewrite our entire national charter.

At the Conference of the States, a variety of proposed constitutional changes could be put forward that would enable the States to become full partners again in a dynamic federal system premised on dual sovereignty.

One possible amendment would provide constitutional protection against unfunded mandates by barring enforcement of Federal legislation that imposes obligations on the States without funding and legislation that imposes conditions on Federal assistance not directly and substantially related to the subject matter of the assistance.

Another proposed structural reform would allow 3/4 of the States to initiate constitutional amendments, and to repeal Federal legislation or regulations that burden State or local governments, subject to congressional authority to override the State-sponsored measures by a 2/3 vote of both houses.

The Conference of the States could also adopt an amendment that would make clear the Supreme Court's duty to entertain and resolve controversies between the States and the Federal government arising under the Tenth Amendment.

To be effective, the Conference of the States must focus on fundamental, structural reforms, such as those described above and others, rather than transitory policy issues or special-interest concerns. It must be scrupulously bipartisan. And it must be pro-active, concentrating the influence of the States and focusing public attention nationally on the relevance and importance of federalism.

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This document is from the collections at the Dole Archives, University of Kansas http://dolearchives.ku.edu

We are therefore resolved to promote in our respective States and nationally the convening of the Conference of the States, and to urge passage of Resolutions of Participation in our respective State legislatures during the 1995 legislative session.⁶

Conclusion

As future chapters are written in the history of this great American experiment in enlightened self-rule, no single contribution can be more important than to preserve the vital checks and balances that prevent the centralization of governmental power and thus stand guard in defense of our liberties. To achieve this essential goal, the leadership must come from the States and the people in the States.

*For detailed information regarding the Conference of the States proposal, see Appendix B.

This document is from the collections at the Dole Archives, University of Kansas http://dolearchives.ku.edu

ATTACHMENT A

THE NEED FOR A NEW FEDERALISM: A State-Federal Legislative Agenda for the 104th Congress

George V. Voinovich Governor of Ohio

November 1994

I. UNFUNDED FEDERAL MANDATES

Introduction

Unfunded federal mandates are placing severe pressure on taxpayers across the country, crippling state, city, and county budgets from Maine to California, and forcing governors and local officials to reorder their own budget priorities. Unfunded mandates are federal programs enacted by Congress, but with one major catch -- they must be financed and implemented with state and local resources.

Activism in government is not always a bad thing, provided that those who advocate such activism are prepared to accept responsibility for its costs. What burdens state and local governments is activism on the cheap, and what outrages state governments is Congress' insistence that new federal policy initiatives be paid out of state budgets.

Through increasing use of this budgetary sleight of hand, Congress compels states and local governments to fund programs Washington cannot because of the persistent budget deficit. The result is trickle-down taxes, an erosion of governmental accountability at all levels, and reduced effectiveness of government programs.

The Scope of the Problem

Mandates have become pervasive in recent years. While state and local governments were forced to comply with only 19 new mandates between 1970 and 1986, since the late-'80s the Congress has passed into legislation some 72 mandates. There is seemingly no end to the burden that Washington is inclined to pass on to state and local governments.

In 1993, Ohio released a comprehensive study identifying the burdens imposed by mandates. This study, the first of its kind nationwide, analyzed the harmful effects imposed by unfunded mandates and determined that federal mandates will cost the State \$356 million in 1994 and over \$1.74 billion from 1992-95.

This is just the tip of the iceberg. Barring serious reform, other states and local governments, and their taxpayers, can expect similar burdens from Washington in the years ahead. To be sure, unfunded mandates will cost the nation's cities and counties nearly \$88 billion over five years, consuming about one-quarter of all locally raised revenue by 1998.

Federal mandates also interfere with one of the most fundamental tasks of government -- setting priorities. Perhaps the most glaring example for states is the forced trade-off between Medicaid and education funding. In the past five years, education declined as a share of state spending at a time when nearly everyone acknowledges that improving our schools is one of government's highest priorities. Many states cannot spend a greater share of tax dollars on education because new Medicaid mandates consume more and more state resources -- about one-third of states' budgets.

There is an implicit assumption in Washington that all states need to address specific problems in specific ways. One glaring example of this "one-sizefits-all" mentality is in the area of substance abuse programs. The Congress requires that 35 percent of the money allocated to substance abuse must be spent on alcohol abuse services and 35 percent must be spent on drug abuse services. But of the 35 percent spent on drug programs, a least half must be spent on programs for intravenous drug users. States that do not have a large problem with intravenous drug users are still forced to spend money on these programs or face the loss of all federal aid. In effect, important decisions for the states are being made by a vast, arrogant bureaucracy in Washington.

While most mandates may reflect well-intentioned policy goals, many impose excessive costs without any discernible benefit. For example, recent federal highway law requires states to use a scrap tire additive in highway pavement, a mandate that by 1997 will cost the states \$1 billion. Incredibly, this mandate was enacted without any assessment of its effects, and experts have real questions about the durability, recyclability, and potentially harmful environmental effects of rubberized asphalt.

In case after case, states and local communities have developed affordable, effective programs that meet local needs only to face orders from Washington that require questionable changes to conform to federal guidelines. For example, while some states have developed thorough, comprehensive solid waste management plans, they are still required to change most of their landfill rules to comply with federal standards that in some respects are

weaker than the states'. To make matters worse, state regulators increasingly are being forced to spend time fulfilling burdensome federal paperwork requirements, inhibiting their ability to clean up and close landfill sites that pose environmental risks.

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City and local governments, in particular, are heavily burdened by environmental mandates. Columbus, Ohio determined that 14 environmental mandates will cost the city \$1.6 billion during the coming decade -- that represents \$856 per year for every household for 10 years. This figure obviously does not include additional mandates that Congress might decide to impose in the future.

The Safe Drinking Water Act, which is responsible for many of these costs, requires the federal Environmental Protection Agency to identify 25 new substances every three years that local systems must test for in their water supply. Cities from coast to coast are now forced to bear the costs of testing their drinking water for substances that have literally been banned for decades.

States and local governments are also forced to fulfill public policy responsibilities that are largely federal in nature. For example, while the federal government readily acknowledges that illegal immigration is a national responsibility, the states are nonetheless forced to pay for failed federal immigration policies. The State of California has determined that the cost of educating illegal immigrants in California public schools in fiscal years 1994-95 is \$1.5 billion. The cost of providing emergency health care to this same population is \$395 million over those years. Mandates associated with illegal immigration are only part of the burden on California taxpayers. The State has estimated that federal mandates on California in the current fiscal year is nearly \$8 billion.

As the burden of unfunded mandates worsens each day, the overall relationship between Washington and the states continues to erode. In addition to mandates, a spate of new regulations and administraive rules on state and local governments over the past decade have caused countless problems for both government and business. Virtually every state or local official is painfully aware of the simple fact that while regulatory relief has been enacted in certain areas, these minor successes are counterbalanced by new federal requirements that do nothing but place added burden on the American taxpayer.

In the final analysis, the debate over federal mandates is not about the environment, health care, entitlement programs or any other single issue. It is about our government's structure and the interaction of its various pieces. And today the argument for federal micromangement of state and local affairs is weaker than ever before.

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Towards a Solution

Governors, mayors, county officials, and state legislators are working together to fight mandates and to pool their lobbying clout in Washington. The restoration of this state-local partnership has significant implications for resolving a broad array of challenges that result from federal encroachment of state and local responsibilities.

A majority of the House and Senate cosponsored mandate relief bills introduced in the 103rd Congress. President Clinton, himself a former governor, has repeated his intention to work with governors and local officials to end the proliferation of mandates.

However, past congresses have continued to pass, and President Clinton continues to sign, legislation that imposes unfunded mandates. Over the past two years more than a dozen mandates were enacted that impose new cost burdens on states and local governments, including several the President claimed as major accomplishments during his most recent State of the Union address.

The new state-local partnership led to the introduction of the Federal Mandate Accountability and Reform Act of 1994. Slightly different forms of this legislation were passed by clear and overwhelming majorities of the Senate Governmental Affairs Committee and the House Government Operations Committee. Despite near-universal support, this legislation was denied consideration on the House and Senate floors by a coalition of special interests and the congressional Democrat leadership.

The bill requires the Congressional Budget Office to prepare an estimate of the costs of new mandates to states and local governments if the total cost exceeds \$50 million. It also erects a series of impediments that both discourages and makes Congress more accountable for imposing new mandates. In effect, the bill requires the Congress to go on record in support of imposing specific mandates. These mechanisms would allow state and local officials to enhance their political and procedural leverage to defeat unfunded mandate proposals.

While this bill is the toughest, most effective mandate relief bill ever considered by Congress, it is clear that states and local communities would like future legislation to be even more far-reaching. Given the prevailing sentiment of the 104th Congress, passage of meaningful mandate relief legislation should be one of the top legislative priorities in 1995 of the new congressional leadership. The bottom line is that a firm commitment from Congress and the President is necessary to end this irresponsible practice. No longer can the nation afford the trickle-down tax burden and service reductions necessary to fund programs dictated by Washington. After two centuries of change and progress, the constitutional vision of a true federal-state partnership must be restored.

II. A LEGISLATIVE BLUEPRINT FOR THE 104th CONGRESS

Restoring balance in state-federal relations is perhaps the most important national reform that could be undertaken by the 104th Congress.

The following proposals represent a blueprint for attaining mutual goals of empowering states and local governments and the efficient, orderly reduction of the federal government.

A. BLOCK GRANTS

Responding to the demands of various special interest groups, there are more separate streams of funding to states and localities than ever before -- 578 separate grant programs. There are 154 federal job training and employment service programs alone, each with its own set of requirements and bureaucrats.

While it is necessary to maintain separate programs to protect vulnerable populations, consolidating many duplicate programs would increase states' flexibility to meet local needs while reducing red tape and needless bureaucratic costs.

In 1991, President Bush proposed consolidating several federal grant programs to states and merging them into an omnibus block grant. Block grant consolidation made sense then, and it makes sense now.

B. BUDGET REFORM

Governors agree that congressional action is needed to reduce the federal budget deficit. However, randon, across-the-board application of these reforms could have significant, burdensome implications for states.

Entitlement Caps

The imposition of federal caps to restrain the growth of entitlement spending would constitute the single most burdensome unfunded mandate on already strained budgets.

Well-reasoned, systematic reforms undertaken in partnership with states to provide maximum flexibility are necessary to curb funding for entitlement programs to avoid simply transferring the cost burden from the federal budget to state ledgers.
Balanced Budget Amendment

Federal support for state and local grant programs would be a certain casualty under a constitutional amendment to require a balanced budget unless accompanied by companion reforms. Simply reducing assistance in the absence of a fundamental reordering of state and federal responsibilities would cause substantial disruptions and reductions in necessary government services.

As partners in implementing most federal funded programs, the federal government should work with states on a new covenant determining the appropriate level of government to be responsible for delivering government services.

C. WELFARE REFORM

National reforms should not be financed by increasing state burdens. For example, states should not be forced to develop massive public service employment programs that will be costly, administratively burdensome, and possibly ineffective. Similarly, terminating federal assistance for certain vulnerable populations, such as unwed teenage mothers, would saddle the states with billions of dollars in new costs.

Within a reformed welfare system, participation rates must be realistic, and no reform strategy should be financed through federal caps on assistance programs. Excess costs of programs such as emergency assistance would simply be passed on to the states.

Time limits must be carefully structured, and state consultation will be needed to craft a program that addresses challenges to implementation.

Waivers

Preserving and enhancing flexibility to experiment is the first priority of states with regard to welfare reform. The 1115 process for welfare waivers must be protected and streamlined. Unfortunately, rather than streamlining waiver consideration, the Clinton Administration has recently added a number of requirements for approval of welfare waivers. Several reforms that currently require waivers, such as expanding earned income disregards, should be available through the simpler state option process.

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Food Stamps

States need flexibility to innovate in order to reduce welfare rolls. Proposals to impose strict limits on states' ability to experiment with the food stamp program are counterproductive to this overall goal. Limitations on the number of states permitted to implement food stamp cashout demonstration projects should be lifted.

The Clinton Administration is encouraging states to implement electronic benefits transfer (EBT) systems to deliver food stamps and other benefits more efficiently. However, efforts to move forward have been hampered by the Federal Reserve's decision to apply cumbersome regulations. These regulations would change current policy by making states responsible for replacing federal benefits claims as lost. Application of this regulation will cost states an estimated \$800 million yearly.

D. HEALTH REFORM

Because states provide health care to millions of Americans through the Medicaid program, and because as much as one-third of states' budgets are spent on health care services, decisions made in the context of national health reform will have an enormous impact on states.

Waivers

Currently, states can experiment with Medicaid innovations through the 1115 waiver process. That process must be streamlined to remove burdensome obstacles to innovations that improve the health care delivery system and increase access to services.

Entitlement Caps

Several reform proposals call for caps on federal Medicaid spending. If the federal government decides to limit its Medicaid exposure, states must be similarly protected, or billions of dollars in excess costs will simply be shifted. Before caps are considered, states would like to fully explore managed care and other cost control options.

Managed Care

In order to run Medicaid managed care programs, states must apply for federal waivers which must be renewed every two years. Managed care should be made possible through a simple state plan amendment.

Market Reform and ERISA

The Employee Retirement Income Security Act preempts all self-insured health plans from state regulations, preventing states from implementing reforms including minimum benefits packages, standard data collection systems, and uniform claims forms. ERISA flexibility would dramatically expand state health reform options and allow states the ability to develop and implement their own health reforms.

Boren Amendment

Court decisions have interpreted the amendment in such a way that unrealistic Medicaid reimbursement rates are required for hospitals and nursing homes. States support changing the legislation to control Medicaid institutional rates.

E. FEDERAL RULEMAKING

Cost Benefit Analysis

Recent studies have found that federal regulations impose hundreds of billions of dollars in costs on the national economy on an annual basis, all too often with negligible benefits.

Excessive federal regulations not only burden state and local governments, they impose an unacceptable drag on our nation's economic competitiveness, inhibiting job creation, investment and innovation.

Congress should undertake a systematic cost benefit study on federal regulations to make recommendations for eliminating or modifying regulations that impose undue cost burdens relative to their benefit to society.

Federal Advisory Committee Act

States and local governments are severely disadvantaged during the federal regulatory process as a result of the Federal Advisory Committee Act.

This legislation essentially treats states and local governments as special interests, despite the fact that they have the responsibility of implementing most federal programs and enforces federal regulations.

State and local governments should be given special consultative opportunities before federal regulations are issued in order to enhance efficiency and reduce burdensome regulatory mandates.

F. ENVIRONMENT

With federal and state resources becoming more limited, it is critical that states have the ability to prioritize risks, assess costs and have the flexibility for implementing federal requirements by using innovative programs to meet those requirements.

Risk Assessment-Cost Benefit Analysis

This is essential for setting priorities and allocating resources to solve serious safety, health and environmental problems. It would require EPA, when making final rules, to estimate a regulation's impact on human health or ecological risk, compare the rule to other risks to which the public is exposed and estimate the costs of implementation.

Risk assessment-cost benefit analysis would be a common-sense approach to addressing environmental standards in a cost-effective manner, ensuring that they are based on sound scientific analysis.

For example, U.S. EPA currently is reviewing the Great Lakes Water Quality Initiative. An independent study estimated direct compliance costs for Great Lakes states between \$500 million and \$2.3 billion -- without contributing to meaningful toxic reductions. Given these findings, EPA should take advantage of the flexibility contained in the law to issue policy guidance, not prescriptive new rules.

In another area, EPA should be required to use risk assessment when selecting new contaminants for regulation. Currently EPA is required to regulate 25 new contaminants every three years, making local water systems test for substances that are not utilized in that region, which imposes costly, unreasonable burdens on many communities.

Clean Water Act

While these programs are important for our waterways, there is a large gap between the funding needed to run effective programs and available federal assistance.

Given the increasing share of state dollars needed to carry out federal mandates, we must strike a better balance between state and federal roles and provide less prescriptive measures for states to implement programs.

States also need more flexibility to carry out federal requirements, such as use of the State Revolving Fund and voluntary nonpoint source program. These have proven to be successful, innovative and efficient measures to meet Clean Water Act goals.

Safe Drinking Water Act

Small communities bear a tremendous financial burden from Safe Drinking Water Act mandates for increased monitoring and treatment.

State and local governments need relief through a change in the standard-setting process, allowing EPA to consider public health risk reduction benefits as well as costs when setting standards. Currently, EPA is required to set standards at the level achieved by the very best technology affordable to large water systems. This change alone could save hundreds of millions of dollars a year, while protecting public health.

Superfund

Superfund law should be restructured so that fewer resources are utilized determining liability and more on actual cleanup.

States have demonstrated that they are very effective in cleaning up contaminated sites. And because states are contributing increased resources into the Federal Superfund program, they need more flexibility and authority for selecting sites for cleanup, selecting remedies and conducting cleanup activities.

States clean up approximately twenty times more contaminated sites than the federal government does under Superfund. Mandating increased state investments in the federal Superfund program is counterproductive. Such proposals will only serve to limit the number of sites that are cleaned up nationally under the voluntary program.

Clean Air Act

The states, local governments and industry have worked vigorously to implement the Clean Air Act at considerable cost. However, many rules promulgated under the Clean Air Act Amendments of 1990 have questionable legal or statutory basis, are inflexible in their design and enforcement, needlessly bureaucratic and often of dubious environmental value. U.S. EPA regularly delays issuance of rules and guidance, yet still prescribes unrealistic compliance deadlines. These rules have had a profound, unneccessarily harmful impact on state environmental planning and on private sector economic development efforts alike.

States are opposed to needlessly punitive Clean Air enforcement actions, such as the withholding of states' federal highway funds.

EPA rules must provide maximum flexibility to states and industry in implementing workable Clean Air programs while minimizing their cost of compliance.

U.S. EPA's revised Title V permitting program rules for industrial sources provide an excellent illustration of states' and the private sector's frustrations with federal Clean Air rules. In August 1994, EPA issued permitting regulations that contradicted the two-year old EPA guidelines upon which many states had designed their federally-mandated permit programs.

The revised Title V rules are far more complex and far-reaching, will be infinitely more difficult for states and industry to administer and will not benefit the environment significantly. Proposed Title V changes would triple the permitting burden of industry and states for such "minor modifications" as adding a single spray paint nozzle in a factory.

Absent more flexible, constructive federal Clean Air Act implementation policies, states must weigh the possibility of statutory relief, either through litigation or by requesting that the Act be reopened in the 104th Congress.

ATTACHMENT B

Conference of the States

An Action Plan For Balanced Competition in the Federal System

DRAFT CONCEPT PAPER TO BE PROPOSED AT THE COUNCIL OF STATE GOVERNMENTS ANNUAL MEETING, DEC. 2-6, IN PINEHURST, NC Nov. 14, 1994

For more information, call Gov. Mike Leavitt's office, (801) 538-1000

It is an unfortunate fact of American political life that the national government has become so dominant in our federal system that the checks and balances established by the nation's founders are eroding. James Madison, Thomas Jefferson and Alexander Hamilton would be dismayed by the dysfunction and lack of public confidence this imbalance has engendered in the government they formed.

Whenever state and local officials get together, the discussion naturally turns to this problem. In the last few years, the rhetoric has become especially heated over unfunded federal mandates. Local and state leaders across the nation are in near unanimous agreement that something must be done. They introduce legislation, testify before Congress, pass resolutions, and give impassioned speeches . . . but little changes. State leaders do not lack the desire or energy to take action; what they lack is a plan, a real process. This paper offers a simple but powerful plan.

But first, a dose of reality. Even with the changed political landscape as a result of the last election, we cannot count on Congress to fix this problem by itself. In fact, with the likely prospect of a Balanced Budget Amendment and tax cuts on the horizon, states are at considerable risk that Congress could push its budget problems down to the states. No matter which party controls Congress, it is not likely to relinquish power without feeling the pressure of an electorate that demands it. States must protect the balance that Jefferson, Hamilton and Madison created by advancing structural, permanent reform that will not be subject to the whims of whoever controls Congress. States also cannot depend on the courts or the federal bureaucracy to restore balance in the system. Over the last 60 years, the federal courts have generally not been friendly to states in their disputes with the federal government.

Balance will only be restored in the way intended by Madison, Jefferson and Hamilton -when states take the initiative. As state leaders (with our allies in local governments), we must step up to our constitutional obligation and compete for power in the federal system. States have a place at the constitutional table. It is the proper role, in fact the obligation and stewardship, of states to be jealous and protective of their role and to fight for balance.

In this quest, state and local leaders face what can best be described as a "dilemma of extremes." At one extreme is the effort currently underway, consisting mostly of complaining, hoping and waiting for more flexibility. Congress pays lip service, but little

changes. At the other extreme, some activists are calling for states to convene a constitutional convention, a politically unlikely event that is fraught with danger and opposition.

The purpose of this paper is to offer a middle ground, between the two extremes. This plan must be more forceful and pro-active than hoping, complaining and waiting, but not so radical as a constitutional convention.

Our tools to create leverage for states fall into three categories: political (in the sense of winning the people's support), legal and constitutional. All three are important. Citizen support for this effort is strong. People feel alienated and disconnected from the federal government. If government is going to make decisions that affect their lives, they want them made in their hometown or state capitol -- not in Washington D.C. State leaders recognize they need a formal legal strategy. Too often, important cases have been left to individual states that were inadequately prepared and poorly financed.

Constitutional tools are also crucial. For at least 15 years, respected state and local government organizations like the National Governors' Association, the National Conference of State Legislatures, the Council of State Governments, and the Advisory Council on Intergovernmental Relations have joined prominent academic and legal scholars in proposing various constitutional amendments that would help restore proper balance between states and the national government.

Using those three tools, we believe it is time for states to take the initiative. States must employ a means of communicating their resolve and commitment to Congress. It is our job, our responsibility, our stewardship. State leaders must act or be held responsible by history for allowing the brilliant federalist creation of Madison, Jefferson and Hamilton to expire from neglect.

We propose a process that would consolidate and focus state power. This process would culminate in an historic event called a *Conference of the States*. Following is an outline of the process:

- In each state legislature, a Resolution of Participation in a Conference of the States will be filed during the 1995 legislative session. The resolution authorizes the appointment of a bi-partisan, five-person delegation of legislators and the governor from each state to attend.
- When a significant majority of states have passed Resolutions of Participation, a legal entity called the Conference of the States, Inc., will be formed by the delegates from each state, acting as incorporators. The incorporators will also organize and establish rules, assuring that each state delegation receives one vote.
- The actual Conference of the States would then be held, perhaps in a city with historic significance such as Philadelphia or Annapolis. At the Conference, delegations would consider, refine and vote on ways of correcting the imbalance in the federal system. Any item receiving the support of the state delegations would become part of a new instrument of American democracy called a *States' Petition*. The States' Petition would be, in effect, the action plan emerging from the Conference of the States. It would constitute the highest form of formal communication between the states and the

Congress. A States' Petition gains its authority from the sheer power of the process the states follow to initiate it. It is a procedure outside the traditional constitutional process, and it would have no force of law or binding authority. But it must not be ignored or taken lightly because it symbolizes to the states a test of their relevance. Ignoring the Petition would signal to the states an intolerable arrogance on the part of Congress.

- The States' Petition would then be taken back to the states for approval by each state legislature. If the Petition included constitutional amendments, those amendments would require approval by a super-majority of state legislatures to continue as part of the State's Petition.
- Armed with the final States Petition, the representatives of each state would then gather in Washington to present the Petition and formally request that Congress respond.

While the Petition would have no force of law and would not be binding on Congress, it is likely that Congress would respond. To ignore the carefully reasoned, formal Petition of America's state legislatures would be unthinkable. Rejection of the Petition would communicate to the people that Congress is unwilling to listen. It would confirm an arrogance that could not be ignored by the states. Rejection would also ignite a national political debate that no candidate for Congress, for president, for governor, or for any state legislative race could avoid. The questions of Madison, Jefferson and Hamilton would be asked again -- Do we want a government dominated by Washington, or a balanced federalist system? The answer to that question is the same today as it was in 1787.

The Conference of the States initiative must be based on some important principles:

- It must be scrupulously bi-partisan
- It must seek fundamental, long-term, structural change, as opposed to attempting to resolve the specific issues of the day
- It must avoid single-issue causes and proponents. No special-interest groups or individuals can be allowed to co-opt the initiative for their own purposes
- It must be pro-active, concentrating state power and focusing national attention on federalism

Conference of the States QUESTIONS AND ANSWERS

Who will organize the Conference of the States?

The Conference of the States will be formally organized by incorporators appointed by legislative leadership and governors from each participating state. The Council of State Governments, a respected bi-partisan organization made up of state government leaders from executive, legislative and judicial branches of every state, will be the convener and fiscal agent. CSG will be assisted in that effort by the State Legislative Leaders Foundation, think tank organizations, business leaders and constitutional scholars.

When would the Conference of the States be held?

The incorporators of the Conference of the States would make that determination. However, it is anticipated that if more than 34 states pass Resolutions of Participation during the 1995 legislative season (January through June), the Conference would be held in the fall of 1995. This would allow a States' Petition to be presented in state legislatures in early 1996, and to Congress later in 1996.

Who supports the Conference of the States?

A broad, bi-partisan coalition of governors and state legislative leaders from every region of the country have agreed to help plan, organize and participate in the Conference of the States. The highly-respected Council of State Governments, which has members in every state, will take a lead role. Besides governors and state legislators, the coalition of supporters will include other state and local government officials and associations, academics and scholars, and business leaders.

Will the National Governors' Association or the National Conference of State Legislatures be participating?

Both organizations are participating in a joint task force to develop an action plan for better balance in the federal/state relationship. The resolution creating the task force directs them to consider actions falling into three categories: legal, legislative and constitutional. The task force was directed to consider proactive steps including a federalism summit or Conference of States. The task force will report back to NGA and NCSL during their winter meetings. Because the Council of State Governments represents all three branches of state government, it is a natural choice to convene and sponsor the Conference of States. We expect that numerous state and local government associations will also participate. Mayors and county leaders have been very helpful in this effort.

Who will select the participants in the Conference?

The Resolution of Participation, to be approved by legislatures in every state, provides for five delegates from each state. Four of the delegates would be legislators, two from each party and two from each house, appointed by the presiding officers of the houses. The other would be the governor. If the governor chose not to attend, the four legislators would select the fifth participant. This process will give the Conference 250 delegates, assuming every state participates. Each state will have one vote. If a state legislature does not pass the Resolution of Participation, a delegation from the state may still attend the Conference. It will be the final ratification by states of the "States' Petition" that emerges from the Conference that will be the true test of support by states.

What is a "States' Petition?"

The action plan produced by the Conference of the States will be called a "States' Petition," a new instrument in American democracy. The Petition will then be taken back to each state in the form of a resolution for ratification. If ratified by the legislatures, the petition would be formally presented to Congress as the will of the states of the Union. Because the Petition will have gone through such a formal and rigorous process of approval and consensus, it should be considered the highest and most serious level of communication by the states to Congress. If ignored or brushed off by the Congress, states will know clearly they must look to other means to bring a better balance to the federal system.

The States' Petition drafted at the Conference of States would ignite a major political debate, forcing candidates to take positions on federalism issues. The matter of federal/state competition and balance could become a pre-eminent political issue of the day, providing leverage and making states more competitive. The Petition would also provide a rallying point for citizens who are frustrated and who want responsible change. It is worthwhile to note that a number of years ago, the Equal Rights Amendment became a national issue around which debate occurred at all levels of government and in every election district. While that amendment did not ultimately pass, it had an enormous impact on how Americans view gender and equity issues. In the same way, the Conference of the States and the resulting States' Petition would elevate the issue of federalism to a high level of consciousness and debate.

Where will the Conference be held?

There would be historic symbolism in holding the Conference in Annapolis, Maryland. That is where a group of states held a conference in 1786 that was a precursor to the Constitutional Convention held the next year in Philadelphia.

Does this effort mean that states can stop fighting against unfunded mandates and other such concerns?

Absolutely not. States must use every means to address this issue. The excellent effort by the NGA and NCSL to win passage of unfunded mandates legislation should be pursued aggressively. All of these efforts will complement each other. As the Conference of States moves forward, it will motivate Congress to act on these related issues. States must use legislative, legal and constitutional means to restore balance to the system.

How will the Conference be financed?

It is likely that state legislatures will be asked to appropriate a small amount of money from each participating state to pay the actual costs of the Conference.

What could hurt this effort?

Partisanship and special interests influence are the two factors that could seriously damage the initiative. Bi-partisan support is crucial or the Conference will simply not be successful. And if any special interest group or single issue organization takes over or unduly influences the process, it will collapse. Supporters must be willing to put aside partisanship and their concerns on specific issues and focus on broad, fundamental, structural, long-term reforms if the effort is to be efficacious. The Conference must not become a forum for pro-abortion or anti-abortion, or pro-gun control or anti-gun control groups who might want amendments of their own. There are hundreds of causes that people would like to address with constitutional amendments. The Conference is not a forum for such discussions. It must remain focused on the fundamental issue of providing leverage and bringing balance to federal/state relationships. Also, the Conference must not attempt to swing the pendulum too far in the other direction by proposing too much authority for the states. A strong national government is still needed.

Is the Conference anything like a Constitutional Convention?

The Conference will be a forum for states to express their will, but it will have no binding authority or force of law. It is the most powerful way for states to express their will to Congress short of a constitutional convention. Even after the States' Petition is ratified by a super-majority of states, it will merely represent the states' wishes. But it is expected that it will have enough power and influence to motivate Congress to act. The Conference of States is not a constitutional convention, but its process will provide more clout than continuing the hoping and complaining that is presently going on.

Is this a Republican plan, or a Democratic plan?

The plan has nothing to do with political partisanship. It is not a Republican or a Democratic plan. It builds upon the research and work accomplished over several years by many groups, including the National Governors' Association, the National Conference of State Legislatures, the Council of State Governments, and others. It is supported by governors, legislators and other local leaders of both major political parties. The fact is that political partisanship will kill this effort faster than anything else. Anyone who tries to make this initiative partisan is an enemy of the Conference of the States, not a supporter. Bi-partisanship is a cardinal rule that must be adhered to by all who want to be involved. The plan is motivated by much more than political ideology. While balanced competition in the federal system is important for maximum personal liberty, it is also important for reasons of efficiency, cost-effectiveness and global competitiveness.

Has a Conference of the States ever been done before?

It is fascinating to note that the problem we confront today regarding balance in the federal system is similar to what the Founding Fathers of this country faced more than 200 years ago with regard to the Articles of Confederation -- only just the reverse. Then, the national government was too weak and the states too strong. Today, the national government is too powerful and the states too weak. In both cases, a lack of checks and balances had thrown the system out of kilter. It is vitally important to see how the Founding Fathers solved the problems of the weak Confederation. Some of what occurred then can help guide us today in properly balancing the federal system.

The 13 states were, in effect, nearly autonomous countries under the Articles of Confederation. States had all the power. The Confederation Congress had little power. The Congress could not require the states to carry out any of its decisions. Every bill that Congress passed had to be approved by nine of the 13 states. There was no national military; no ability to regulate foreign trade or commerce among the states; no ability to resolve arguments over state boundaries.

George Washington, who became increasingly angry during the Revolutionary War at the national government's inability to provide food, clothes and armaments, sadly described the Confederation as a "rope of sand" and observed that "the Confederation appears to me to be a shadow without substance." Something had to be done, but where would the political will come from to strengthen the national government? It would take courageous people of good will to initiate changes.

The first break came at the instigation of Alexander Hamilton, James Madison and the Virginia Legislature. They called for a conference of states to consider common interests in commercial regulations. Only five states attended that historic meeting in 1786 in Annapolis, Maryland. But it was clear to them that something fundamental and structural needed to be done to properly balance federal-state interests. Out of that conference came a report asking that all states send delegates to another meeting in Philadelphia on the second Monday of the following May. Little did anyone know that that invitation would be the thunderbolt that would lead to the birth of our government system. That meeting in 1786 in Annapolis provided a precedent for states to come together to resolve problems in the federal system.

What solutions might be proposed at the Conference of the States?

Before this process even takes place, it would be presumptuous of the supporters to suggest what solutions might emerge. However, there exist some good examples of possible solutions in the suggestions of past commissions and task forces that have addressed the issue. A great deal of scholarly research has been done by the NGA, the NCSL, the Council of State Governments and the U.S. Advisory Commission on Intergovernmental Relations. With regard to constitutional solutions, most of the scholarly thinking over the past two decades has concluded that states should focus on "process amendments" to the Constitution that, over time, would bring a better balance in the system. It would be foolish for any individual or group to attempt to sort out the precise roles of the national and state governments in a constitutional amendment. No one is smart enough to assign specific programs and tasks to one level of government or the other, and make the system balance. Most programs have become such complex combinations of federal, state and local participation, that it would be disruptive and impractical to attempt swift and precise delineations.

Some parties have suggested amending the Tenth Amendment to give it strength and teeth in clearly defining the roles of the two levels of government. But that is problematic because the outcomes of future court cases based on the strengthened Tenth Amendment would be so unknown. Constitutional lawyers would argue for years over what impact revising the wording of the Tenth Amendment might have. States would be leaving the fate of federalism entirely to the federal courts and the result could be drastic changes in federal-state roles or no changes at all.

A better strategy would be to focus on "process amendments," the results of which would be much more predictable and that would naturally bring about a better balance in the system over a number of years. A number of individuals and task forces have recommended, for example, adding a clause to Article V that would put states on equal footing with the Congress in proposing constitutional amendments. It would provide a more direct method for states to propose constitutional amendments than the unworkable and never-used constitutional convention process. The founders clearly intended states to be able to initiate constitutional reform, as well as ratify amendments proposed by the Congress. Under this amendment, three-fourths of state legislatures could propose an amendment to the Constitution that would become valid unless within a two-year period the Congress rejected the amendment by two-thirds votes of both houses. While the Article V amendment would not immediately change federal-state relationships, it would over time help balance the system because the Congress would be respectful of states' ability to propose amendments and would thus be less officious and overbearing and more considerate of the states' co-equal role in the federal system. It would still be very difficult to amend the Constitution, but states could propose amendments through a mechanism similar to what Congress enjoys today. It would put the states and the Congress on a more equal footing.

Another example of a "process amendment" is one proposed by former Gov. Bruce Babbitt at an NGA meeting in 1980. It would give states by petition of two-thirds of the legislatures the power to sunset any federal law except those dealing with defense and foreign affairs. Such an amendment would be much more radical than the Article V amendment, but discussion of it at the Conference of States would certainly get the attention of the Congress.

In themselves, these "process amendment" proposals are neutral in that they are procedural and do not change public policy, appropriations, or the roles of the levels of government. But they would change the framework in which public policy is developed, assisting the states in addressing the imbalances of power.

One other possible amendment is worth mentioning. The Council of State Governments and other task forces have recommended that a sentence be added to the Tenth Amendment clearly stating that the courts have responsibility to adjudicate the boundaries between national and state authority. Some feel that addition is necessary because the Supreme Court has ruled on two occasions that states and local governments must defend against federal encroachments by lobbying the Congress through the national political process rather than relying on the federal courts to act as "umpire." In other words, the court did not find any special co-equal constitutional role for the states, but rather treated them like any special interest group that must petition Congress to improve its lot. State leaders believe that states enjoy a co-equal role with the national government in the federal system and they should not be at the mercy of Congress in federal-state disputes. The amendment would clarify that the courts must act as neutral referees in such disputes.

Those amendment are simply ideas and suggestions that could be considered at the Conference of States, along with others. The authors are confident that the Conference would focus on reasonable, responsible process amendments that would not be overly disruptive or attempt to precisely delineate the role of the levels of government.

Conference of the States BACKGROUND INFORMATION

The evolution of federalism: How the federal government became pre-eminent

A 1989 report by a task force of the Council of State Governments says: "One of the virtues of our federalism is its flexibility which, among other things, enables one or another of our constitutional partners to rise to the challenges of particular moments in our history. So long as the challenges are met and our federalism is brought back into balance on a higher plane, then our federal republic is strengthened by this dynamism.

However, when the challenges are not met adequately, and when one constitutional partner becomes so preeminent as to begin to endanger the constitutional integrity of the other partners, then our federalism is placed in jeopardy."

There is no question that the federal government has stepped forward at crucial times in the history of this country -- when states were unwilling, unable, or slow to act -- to address important problems. In the natural and intended competition that exists among branches and levels of government, when a need arises or a power vacuum exists, it will be filled by whatever branch or level rises to the occasion. Citizens during the Progressive Era sought major social and economic reforms. States were slow to respond, so reforms occurred at the national level, led by the presidencies of Republican Theodore Roosevelt and Democrat Woodrow Wilson. State primacy was eroded. Misconduct by industry then prompted unprecedented national intervention in economic affairs and a new willingness by the American people to look to Washington, rather than to state capitols, for protection against domestic threats to health and safety.

Any last resistance to an expanding national role was overwhelmed by President Roosevelt's vast responses to the Great Depression and World War II. National dollars pumped life into the economy and states surrendered autonomy in exchange for assistance. The states' reluctance to act on environmental regulation and civil rights matters further allowed the national government to usurp state prerogatives. Lyndon Johnson's Great Society constituted another giant leap in the growth of the federal government. The states did not resist, and the age of fiscal federalism began. Richard Nixon's revenue sharing program is an example. Governors and mayors were happy to receive a flood of federal dollars, even if accompanied by burdensome paperwork and regulation. All of this happened in relatively small increments and for seemingly good purposes. In many cases, it was the fault of state and local governments, which did not respond promptly to serious problems or were willing to give up autonomy for federal dollars.

Today, however, the dynamics of society -- and of government and our federal system -- have changed dramatically. The Industrial Age of centralized authority and top-down management has ended and we are entering a new era, the Information Age, in which small, flexible, autonomous units, whether business or government, will out-compete and outperform their bureaucratic counterparts. Today, it is state and local governments that are meeting citizen needs, that are providing innovative and workable solutions to problems of health care, social services, education, crime and the environment. In almost every case, these innovative programs are difficult to create and implement because of federal regulatory barriers and constraints. Successful health care and welfare reform programs require dozens of waivers from federal regulations. With true freedom and flexibility -- and by leaving funding resources at state levels -- states would move much more rapidly to solve society's pressing problems. Today, it is the federal government that is bankrupt, financially and politically. It is the federal government where gridlock occurs, where there is much talk and little action, where one-size-fits-all programs and over-regulation don't fit this nation's diversity. It is a bloated and overextended -- yet unresponsive -- federal bureaucracy that has left citizens surly and cynical. distrustful of government and disgusted with Washington. National survey research shows that unprecedented numbers of people feel impotent, unable to influence a government far from home that no longer reflects their interests, that hurts more than

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helps. Seventy percent of respondents to a Times Mirror survey said dealing with a federal bureaucracy is not worth the trouble. Two-thirds of Americans said Washington needs new leaders. Eighty-three percent said elected officials in Washington "lose touch with the people pretty quickly."

While the federal government was pre-eminent and rose to the challenges of the Industrial Age, state and local governments are ready to rise to the challenges of this new era in history, the Information Age, when diversity, experimentation and local control are needed. States will bring our federalism back into balance on a higher plane, for a more just, clean, safer and prosperous America.

"Balanced competition" in the federal system

In the great debate of the Constitutional Convention in 1787, two issues were of paramount importance: 1) large states versus small states; and 2) national government versus state authority. To balance the interests of large and small states, the delegates produced a brilliant solution, today referred to as the Great Compromise. It gave each state equal representation in the Senate, with representation in the House determined by population. To balance power between the states and the national government, and to prevent domination by any branch of government, the Constitution created what Madison called a "compound republic," with power split between two levels -- national and state -and then split again among three branches of government at both levels. "Hence, a double security arises to the rights of the people," said Madison. The new Constitution, along with the Bill of Rights, gave superior power in limited areas to the national government, but reserved all other authority to the states. It intended to keep most everyday governmental functions at the level closest to the people.

The Constitution established a balanced competition among levels and branches of government. The people are protected, and the best public policy emerges, only when those levels and branches are willing and able to compete for power, when checks and balances exist. If any one level or branch of government is unable to compete, power will be concentrated improperly and the rights of the people will be endangered. The Articles of Confederation failed because power was concentrated in states and the national government was unable to compete. The 10th Amendment reserved all non-delegated and non-prohibited power to the states or to the people, clearly reserving a major role for state and local officials. The fact that originally state legislatures elected U.S. senators was another clear indication that states were to be major players and their interests well represented at the federal level.

As we know so well, over many years the original checks and balances created by the founders have been eroded and the national government has consolidated power and authority, while states have lost power and ability to compete. The system is simply not working. States are no longer competitive forces able to act as a check and balance to the federal government. Instead of being a full-fledged counterbalance to federal dominance, states are being treated and viewed like administrative units. The protections offered by the Miracle of Philadelphia are significantly eroded. Thus, the federal government is running huge deficits, is over-regulating states and citizens, is imposing one-size-fits-all requirements, is out-of-touch with local concerns, and is engaging in the new dishonesty in government -- unfunded mandates. The solution is to restore competition and checks and balances in the system. States must obtain more leverage so they can compete for power. The Conference of the States is the best means to obtain that leverage.

How this effort differs from past movements like "States' Rights" and "New Federalism"

This initiative is much different than the failed efforts of the past. The states' rights movement became focused narrowly on specific issues and became a threat to civil rights and environmental progress. Under the banner of states' rights, some civil rights were trampled and some radical positions were taken. States' rights failed to acknowledge the need for a strong central government to coordinate state activity on major national issues, and it gained a reputation as being radical and far-out. New Federalism failed because it was not long-term reform. It amounted mostly to the federal government providing funding for states in block grants with some flexibility. New Federalism caused states to ask the wrong question: "Is this program funded?" rather than, "Is this the proper role of federal and state governments?" Later, when the federal budget became tight, the money dried up and states were left to administer the programs. New Federalism became: The federal government prescribes; the states pay.

By contrast, the Conference of the States effort seeks to use a reasoned, responsible process to find the proper federal-state balance. It focuses on fundamental, structural, long-term re-balancing, not on specific issues or emotional hot buttons. It does not seek to determine the precise roles of state and national governments, but instead relies on a changed framework -- the marketplace -- to slowly sort out the roles over a period of years. This initiative also involves a much more powerful process to create change, bringing together leaders from every state in a bi-partisan fashion. No other past federalism initiative has attempted to use such a structured and inclusive process to win consensus.

Timing is critical

The timing for this initiative is right, and it would be a mistake to postpone the Conference beyond 1995. We have just finished a highly partisan political year that has left the citizenry cynical and distrustful of big government. The time to move forward is now. In 1996 we will begin another highly partisan political year that will include a presidential election. That campaign will make it almost impossible to keep the effort bipartisan and to achieve consensus. Thus, the year 1995 is a window of opportunity that we must not miss. There exists plenty of time for this initiative to receive consideration and scrutiny in every state in the country.

How centralization at the federal level hurts states

As the federal government has become pre-eminent, Congress and the bureaucracy have imposed innumerable regulations and mandates that stifle states. Unfunded federal mandates rob states of innovation capital. They remove incentives and add barriers for states to fulfill their important role as "laboratories of democracy," as described by Supreme Court Justice Louis Brandeis: "There must be power in the states and the nation to remold, through experimentation, our economic practices and institutions to meet changing social and economic needs . . . Denial of the right to experiment may be fraught with serious consequences to the nation. It is one of the happy incidents of the federal system that a single courageous state may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country." Today, thanks to myriad federal regulations in every area of government, there is very little true experimentation.

Another casualty of federal uniformity and one-size-fits-all regulations is values in government. Many politicians are now talking about values, alarmed at the increasing numbers of fatherless children, children giving birth to children, youth violence and structural welfare dependency. But it is almost impossible to insert values and standards in public policy when that policy comes from Washington. Public policy from Washington is almost always values-neutral, devoid of values, or reflects the values of the lowest common denominator. It can't be any other way because Washington policy applies equally to the smallest rural town and the biggest big city. Only when public policy is formed at state and local levels can local values and standards be applied. Federal regulations and guidelines preclude the application of values and standards in almost every area of governance.

How states can best compete for power

It is natural and proper for states to compete for power in the federal system. Few people, even many federal officials, disagree that the system is out of balance. It needs fixing. Without a Conference, states truly face a "dilemma of extremes." On one hand, they can go on hoping and complaining, which just hasn't worked. On the other hand, they can call a constitutional convention, which is radical and has also proven unworkable. The Conference offers a middle ground. It is based on sound principles and requires the support of a super-majority of state legislatures to be successful. It is reasonable and makes sense. It is not radical or extreme. It provides states a powerful tool that they did not have to this point. Even if no amendment is ever adopted, the Conference will have the effect of elevating federalism to a new level of national consciousness. It will have salutary effects, whatever stage it gets to.

Individual states constitute good government because they represent power dispersed through 50 separate entities. That keeps states close to the people and responsive to their concerns. While that quality has virtue as a principle of governance, it makes competing with a monolithic force like the federal government difficult. State power is dispersed. Federal power is concentrated. Dispersed power is at a disadvantage when competing with concentrated power. In order to challenge and compete for their rightful role, states require a rallying event, a means of consolidating their power, showcasing the collective will of the states, and taking collective action. It should be the middle ground between the two extremes . . . a process less disruptive than calling a constitutional convention, but one that is more than complaining, hoping and waiting. It should demand results and response and should elevate federalism to a new level of national consciousness. It should be a call to action.

The proper federal/state balance

Our system of federalism was skillfully crafted by the far-sighted founders of this nation to protect individual rights. A system in which states were too powerful and the national government too weak would be just as bad (or worse) than the situation we find ourselves in today. Balanced federalism has provided the framework within which generations of Americans have prospered and enjoyed freedom. For many decades, balanced federalism provided government close to home, increasing flexibility and innovation in public policy. It has supported the diversity that has made this nation great. "Our federalism," says a 1989 report by a task force of the Council of State Governments, "is a precious form of government that has stood the test of time against the twin perils of anarchy and tyranny which have heretofore dominated the history of mankind."

The supporters of this plan believe in a reasonably strong central government, as outlined in the Constitution. This effort is not an attempt to destroy the federal government, or to make states the dominant players in our system. The intent is to restore necessary checks and balances, with balanced competition -- a level playing field -between the states and federal government. In a balanced system, state and federal leaders will still compete and disagree with each other. Each level will still try to address problems. There will still be discussions, negotiations and compromise on a wide range of issues. But the negotiations will be peer-to-peer, rather than master-to-servant. And discussions will focus not just on "Is it a good program?", but also, "Is it a state or national function?" That's what balanced competition is all about. It is also recognized that even with aggressive state action and some structural change, it will take a number of years for proper balance to be restored. There is no quick fix or silver bullet. Sixty years of centralization will not be undone overnight.

A new era in society with new governance needs

The present arrangement of centralized control at the federal level, with programs administered by huge bureaucracies, is not positioning our country for growth and prosperity in the next century. It is somewhat ironic and is an enormous tribute to the inspired work of our country's founders that the form of government they instituted more than 200 years ago -- a national government with limited, but pre-eminent duties, and state and local governments charged with all other functions -- remains the best form of government in the new high-tech era we are entering. Our country will be well-served by a return to that form of government. We might call it "Information Age federalism."

Successful organizations everywhere are de-centralizing and downsizing. Bureaucracies are being dismantled across the world. Futurist John Naisbitt said, "In one of the major turnarounds in my lifetime, we have moved from 'economies of scale' to 'diseconomies of scale;' from bigger is better to bigger is inefficient, costly, wastefully bureaucratic, inflexible and now, disastrous" (John Naisbitt, <u>Global Paradox</u> William Morrow & Company, Inc., New York 1994). He added that the almost perfect metaphor for the movement from bureaucracies of every kind to small, autonomous units, is the shift from mainframe computers to PCs, networked together. "Whether president or CEO, if you are an old mainframe thinker, you are no longer relevant."

Centralized, bureaucratized government -- one huge mainframe -- is obsolete. In modern government, the deployment of power must shift from vertical to horizontal; from hierarchy to networking; from central government to states and citizens. As Naisbitt says, politics must begin to re-emerge as the engine of individualism. Futurist Alvin Toffler said, "The diversity and complexity of Third Wave (Information Age) society blow the circuits of highly centralized organizations. Concentrating power at the top was, and still is, a classic Second Wave (Industrial Age) way to try to solve problems" (Alvin Toffler, <u>Creating a New Civilization: The Politics of the Third Wave</u> The Progress & Freedom Foundation, Washington, D.C., 1994) Overcentralization puts too many decisional eggs in one basket, said Toffler. The result is decision overload. "Thus, in Washington today Congress and the White House are racing, trying to make too many decisions about too MST fast-changing, complex things they know less and less about." Leaders and citizens at local levels have better information and can respond faster to both crises and opportunities. In this necessary decentralizing effort, said Toffler, "the private sector is charging ahead on a supersonic jet. The public sector hasn't even unloaded its bags at the airport yet." It is necessary, Toffler said, to "move a vast amount of decisionmaking downward from the national level. There is no possibility of restoring sense, order and management efficiency to government without a substantial devolution of power. We need to divide the decision load and shift a significant part of it downward."

It is not possible, Toffler said, for a society to de-massify economic activity, communications and other crucial processes without also being compelled to decentralize government decision-making as well. However, "nowhere is obsolescence more advanced or more dangerous than in our political life. And in no field today do we find less imagination, less experimentation, less willingness to contemplate fundamental change. The decisive struggle today is between those who try to prop up and preserve industrial society and those who are ready to advance beyond it. This is the super-struggle for tomorrow."

But even as the world's successful business leaders decentralize and move power to the lowest possible point in the organization, our national government grows ever bigger and more bureaucratic. It is outdated and old-fashioned. It is not suited for the fastpaced, high-tech, global marketplace we are entering.

Conclusion

This process is reasoned; it is careful. It relies on the good sense and patriotism of governors, state legislators and local government officials from across this country. This effort is bi-partisan and free from special interest group influence.

The process outlined in this paper gives state and local leaders a plan. It gives them a "big gear" to ultimately solve many of the lesser problems they encounter with the federal government. They can do more than just complain and talk. They can act. They are the only ones who will work to restore balanced competition in our federal system. Congress never will. The bureaucracy never will. The courts never will. The president never will. But state leaders will.

Conference of the States

Proposed by the Council of State Governments Pictorial Summary

Step 1:

- Each state legislature adopts a Resolution of Participation
- Each legislature appoints a bipartisan delegation of four legislators and the Governor to attend the Conference of the States

Step 2:

 When a significant majority of states have passed the Resolution of Participation, the Council of State Governments will convene bipartisan incorporators appointed by legislative leadership in the participating states

Step 3:

- The Conference of the States is held
- Solutions to restore balance are discussed, refined and voted upon

Step 4:

- The product of the Conference of States is a document, a new instrument in American democracy called a "States' Petition"
- The States' Petition constitutes the highest form of communication between the states and Congress

Step 5:

- The States' Petition is carried back by delegates to their respective state legislatures for approval.
- States' Petition items which involve constitutional amendments require approval of a constitutional majority of state legislatures

Step 6:

- The States' Petition is presented to Congress
- Ignoring a constitutional majority of states would signal an arrogance on the part of Congress--an arrogance the States and the American people would find intolerable





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A National Post-Election Súrvey

The Republican National Committee November 14-16, 1994

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Notes

All historical data is from RNC/NRCC national surveys conducted by Fred Steeper, Market Stragies, Inc.

This survey was conducted by The Tarrance Group with questionnaire design by The Tarrance Group, Voter/ Consumer Research, and Market Strategies, Inc. in coordination with the Republican National Committee.



Which Political Party can Best Handle Problem?

(Among respondents naming an issue)



The Tarrance Group RNC Post-Election National Study #6789

Republican Party Image: A Time Series



The Tarrance Group

RNC Post-Election National Study #6789

Democrat Party Image: A Time Series



The Tarrance Group RNC Post-Election National Study #6789



The Tarrance Group RNC Post-Election National Study #6789



Reasons Disapprove of Job Clinton is Doing

(Among disapprove Clinton job responses)



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The Tarrance Group RNC Post-Election National Study #6789



The Tarrance Group

RNC Post-Election National Study #6789

Party Best Job Combating Crime & Drugs



The Tarrance Group RNC Post-Election National Study #6789

Party Best Job Improving the Economy



The Tarrance Group

RNC Post-Election National Study #6789

Party Best Job Reducing Federal Budget Deficit



The Tarrance Group RNC Post-Election National Study #6789





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Seen, Read, Heard Anything about Contract with America



Approve

Impact SRH on Contract with America View

The Tarrance Group RNC Post-Election National Study #6789



SENATOR BOB DOLE REMARKS REPUBLICAN GOVERNORS CONFERENCE

NEEDLESS TO SAY, THIS HAS BEEN AN EXCITING TWO WEEKS FOR ALL OF US. MY GOAL FOR MANY YEARS HAS BEEN TO MAKE THE REPUBLICAN PARTY THE **MAJORITY PARTY IN AMERICA.** AND AS I LOOK AT 53 **REPUBLICAN SENATORS, 231**

REPUBLICAN CONGRESSMEN, 30 REPUBLICAN GOVERNORS, AND GAINS IN LEGISLATURES AND **COURTHOUSES ACROSS AMERICA, I** THINK WE MAY HAVE FINALLY **REACHED THAT GOAL.** WITH THIS MAJORITY COMES THE RESPONSIBILITY OF **GOVERNING. AND THE AMERICAN VOTERS MADE IT VERY CLEAR**

WHAT THEY EXPECT FROM US

THESE NEXT TWO YEARS: THEY WANT US TO PUT GOVERNMENT ON A LEASH, AND MAKE IT HEEL. AND IF WE DON'T, THEN WE'LL BE IN THE DOGHOUSE COME 1996.

I THINK WE ALL KNOW THAT IF THE REPUBLICAN REVOLUTION OF 1994 IS TO TRULY SUCCEED, THEN IT IS CRITICALLY IMPORTANT THAT ALL REPUBLICAN OFFICEHOLDERS--FEDERAL, STATE, AND LOCAL--

WORK TOGETHER OVER THE NEXT TWO YEARS.

OR AS BEN FRANKLIN SAID DURING THAT OTHER REVOLUTION, "WE MUST ALL HANG TOGETHER, **OR ASSUREDLY, WE SHALL ALL** HANG SEPARATELY." SO I HOPE THAT THIS **MORNING'S SESSION WILL JUST BE** ONE OF MANY BETWEEN US.

ON SUNDAY, I HAD THE **OPPORTUNITY TO MEET WITH GOVERNOR THOMPSON, LEAVITT** AND WILSON TO TALK ABOUT YOUR **CONCERNS ABOUT MANDATES AND BALANCED BUDGET AMENDMENT. MY OFFICE HAS ALREADY BEEN** IN CONTACT WITH MAYOR GREG LASHUTKA OF COLUMBUS, THE HEAD OF THE REPUBLICAN MAYORS **ASSOCIATION, AND NEWT AND I**

LOOK FORWARD TO REGULAR MEETINGS WITH THEM, AS WELL. I DIDN'T HEAR ALL OF WHAT NEWT SAID THIS MORNING. BUT IN **OUR NEW SPIRIT OF COOPERATION,** AND PROBABLY AT SOME RISK, LET ME SAY THAT I AGREE WITH HIM 100%. OBVIOUSLY, THE HOUSE AND SENATE HAVE DIFFERENT **RULES AND DIFFERENT DYNAMICS.** BUT NEWT AND I HAVE ALREADY

MET ON SEVERAL OCCASIONS TO SET A COMMON COURSE FOR THE 104TH CONGRESS.

PETE WILSON TELLS ME THAT ONE OF THE BEST THINGS ABOUT BEING A GOVERNOR RATHER THAN A SENATOR IS THAT YOU CAN ANNOUNCE A POLICY WITHOUT CHECKING WITH ANYONE ELSE. AS REPUBLICAN LEADER, I DON'T HAVE

THAT LUXURY. THERE ARE 52 OTHERS I NEED TO CONSULT. SO, WHILE I CAN'T ANNOUNCE A LEGISLATIVE AGENDA THAT IS SET IN STONE, I CAN POINT TO GENERAL **AREAS WHERE I THINK YOU'LL SEE** FARLY MOVEMENT. FIRST, NEWT AND I ARE IN AGREEMENT THAT ONE OF THE MOST IMPORTANT **RESPONSIBILITIES WE SHARE IS TO**

RESTORE SOME CREDIBILITY TO CONGRESS. WE ARE COMMITTED TO CUTTING OUR BUDGET, CUTTING **OUR STAFFS, AND APPLYING TO** CONGRESS THE SAME LAWS WE MANDATE ON EVERYBODY ELSE. WE ALSO HAVE A CLEAR MANDATE TO REDUCE THE SIZE AND SCOPE AND COST OF **GOVERNMENT, AND TO REDUCE** THE DEFICIT--WITHOUT RAISING

TAXES, AND WITHOUT SIFTING MORE RESPONSIBILITIES AND MORE EXPENSES TO THE STATES. I ASKED SENATOR PACKWOOD, WHO WILL CHAIR THE FINANCE COMMITTEE, AND SENATOR DOMENICI, WHO WILL CHAIR THE **BUDGET COMMITTEE, AND** SENATOR KASSEBAUM, WHO WILL CHAIR THE LABOR AND HUMAN **RESOURCES COMMITTEE, TO JOIN**

ME HERE TODAY, TO PARTICIPATE IN THIS MORNING'S DISCUSSION, AND TO LISTEN TO YOUR IDEAS. AND I HOPE THAT GOVERNOR WHITMAN AND OTHERS WHO ARE ON THE "CUTTING EDGE" WHEN IT COMES TO TAXES, WILL GIVE US SUGGESTIONS ON ACTIONS WE CAN TAKE AT THE FEDERAL LEVEL TO CUT TAXES AND CREATE JOBS.

ONE OF THE FIRST ITEMS THE SENATE WILL DEBATE NEXT YEAR IS THE BALANCED BUDGET AMENDMENT. I KNOW THAT EACH **OF YOU HAS SERIOUS CONCERNS ABOUT HOW THIS AMENDMENT** COULD AFFECT YOUR STATES -- AND WE HEAR YOUR CONCERNS LOUD AND CLEAR.

EVERYONE HERE KNOWS THAT THE BALANCED BUDGET **AMENDMENT WON'T MAGICALLY** SOLVE ALL OF THE FEDERAL **GOVERNMENT'S FINANCIAL PROBLEMS ANY MORE THAN** SIMILAR EFFORTS DID IN YOUR STATES.

BUT WHAT IT WILL DO IS FORCE CONGRESS TO BEGIN DEBATING WHAT THE ROLE OF THE FEDERAL **GOVERNMENT WILL BE. TO ME, THE** SUPPORT FOR A BALANCED BUDGET AMENDMENT IS NOT BASED ON SOME ARCANE ECONOMIC THEORY. IT'S REALLY A REFERENDUM ON **REDUCING THE SIZE OF GOVERNMENT -- SOMETHING WE** ALL AGREE ON.

THE SENATE DEBATE WILL TAKE SOME TIME AND THE VOTE WILL PROBABLY BE CLOSE, BUT I AM CONFIDENT THAT IN THE END WE WILL HAVE THE VOTES NEEDED TO GET THIS AMENDMENT THROUGH CONGRESS AND SEND IT TO THE STATES FOR RATIFICATION. **BEFORE WE VOTE ON THE BALANCED BUDGET AMENDMENT, I** HOPE THAT THE SENATE WILL VOTE **ON LEGISLATION WE SHOULD HAVE** PASSED LAST SESSION--AND THAT'S SENATOR KEMPTHORNE'S

"FEDERAL MANDATE ACCOUNTABILITY AND REFORM ACT." WITH YOUR HELP, WE MAY **BE ABLE TO PUT SOME MORE TEETH** IN THIS LEGISLATION, GET IT **THROUGH CONGRESS, AND MAKE IT ONE OF THE FIRST BILLS THAT THE NEXT CONGRESS SENDS TO THE** PRESIDENT FOR SIGNATURE. I KNOW I'M PREACHING TO THE CHOIR HERE, BUT LET ME JUST SAY

THAT IT'S HIGH TIME THAT **AMERICA HAD A CONGRESS THAT** REMEMBERED THERE WAS THIS LITTLE THING CALLED THE 10TH **AMENDMENT--"THE POWERS NOT** DELEGATED TO THE UNITED STATES BY THE CONSTITUTION...ARE **RESERVED TO THE STATES...OR TO** THE PEOPLE."

NEWT AND I SHARE A GOAL OF SEEING THAT THE RELATIONSHIP BETWEEN THE FEDERAL **GOVERNMENT AND YOU IS ONE OF** PARTNER TO PARTNER AND NOT PARENT TO CHILD. AND WE ALSO BELIEVE THAT ON MANY ISSUES. THE BEST GOVERNMENT POLICY IS SIMPLY TO GET OUT OF THE WAY. TAKE WELFARE REFORM, FOR EXAMPLE. THERE ARE, AS YOU **KNOW, A NUMBER OF PROPOSALS** FLOATING AROUND--INCLUDING

ONE BY SENATOR KASSEBAUM. IN **MY VIEW, TRUE WELFARE REFORM** MEANS GIVING STATES MORE CHOICES AND MORE ROOM FOR **INNOVATION--AND NOT LESS. AND** THAT'S THE DIRECTION IN WHICH NEWT AND I INTEND TO LEAD CONGRESS.

AND THE SAME IS TRUE OF HEALTH CARE REFORM. MY OFFICE WORKED VERY CLOSELY WITH THE

GOVERNORS' LAST SESSION ON THIS ISSUE, AND WE WILL BUILD ON THIS PARTNERSHIP. THE MESSAGE OF THE VOTERS ON THIS ISSUE WAS CLEAR--THEY DO NOT WANT A MASSIVE GOVERNMENT TAKEOVER OF THE BEST HEALTH CARE SYSTEM IN THE WORLD.

THE NEW REPUBLICAN CONGRESS WILL WORK TOWARDS A PACKAGE OF INCREMENTAL

REFORMS--ONE THAT ALLOWS AMERICANS TO KEEP THEIR HEALTH **INSURANCE IF THEY WISH TO; ONE** THAT OFFERS A HELPING HAND TO **AMERICANS WITHOUT HEALTH INSURANCE; AND ONE THAT RECOGNIZES YOUR CONCERNS** WITH MEDICAID.

HEALTH CARE REFORM AND WELFARE REFORM ARE ALSO CONNECTED WITH ANOTHER ISSUE WE WILL TACKLE THIS YEAR--**IMMIGRATION REFORM. I THINK** THE MESSAGE BEHIND **CALIFORNIA'S PROPOSITION 187 IS ONE WITH WHICH MANY AMERICANS WOULD AGREE--OUR** COUNTRY AND OUR STATES CAN NOT AFFORD TO LOSE CONTROL OF OUR BORDERS.

SENATOR SIMPSON, WHO HAS DONE YEOMAN'S WORK ON THIS **ISSUE, WILL AGAIN BE TAKING THE** LEAD THIS SESSION ON AN **IMMIGRATION BILL. I KNOW HE** WILL BE IN CLOSE CONTACT WITH THOSE OF YOU INTERESTED IN THIS **ISSUE--ESPECIALLY GOVERNOR** WILSON, GOVERNOR SYMINGTON, **GOVERNOR-ELECT BUSH, AND GOVERNOR-ELECT PATAKI.** FINALLY, BEFORE I TAKE QUESTIONS AND DO WHAT I CAME

DOWN HERE TO DO--TO LISTEN TO YOU--I WANT TO BRING A MESSAGE FROM SENATOR MURKOWSKI, THE NEW CHAIRMAN OF THE COMMITTEE ON ENERGY AND NATURAL RESOURCES. THE MESSAGE IS SIMPLE: THE "WAR ON THE WEST" IS OVER.

WHILE THE 104TH CONGRESS HAS NO INTENTION TO DO ANY HARM TO OUR ENVIRONMENT, WE ALSO HAVE NO INTENTION TO HAVE BUREAUCRATS IN WASHINGTON RUN ROUGHSHOD OVER AMERICA'S GOVERNORS WHEN IT COMES TO QUESTIONS REGARDING LAND USE.

LET ME CLOSE BY MENTIONING THAT YOU CAN BE ASSURED THAT THE INTERESTS OF GOVERNORS WILL BE HEARD BY THE SENATE MAJORITY, AS SIX OF OUR

MEMBERS ARE FORMER **GOVERNORS--SENATOR-ELECT** ASHCROFT, SENATOR BOND, SENATOR GREGG, SENATOR HATFIELD, SENATOR CHAFEE, AND SENATOR THURMOND--WHO, BELIEVE IT OR NOT, WAS ELECTED **GOVERNOR OF SOUTH CAROLINA** JUST 48 SHORT YEARS AGO. AND, OF COURSE, WE ARE ALSO VERY PLEASED TO HAVE SENATOR

SNOWE JOINING US THIS YEAR--AND GOVERNOR MCKERNAN ASSURES ME THAT SHE WILL ALWAYS KEEP THE BEST INTERESTS OF THE RGA IN MIND.

THANK YOU FOR INVITING ME HERE THIS MORNING, AND I LOOK FORWARD TO A VERY SUCCESSFUL PARTNERSHIP IN THE YEARS AHEAD. NOV-17-94 15:09 FROM: This document is from the collections at the Dole Arth Res: 例示 Res: 例示 Res: Arthree: Art



Republican Governors Conference 1994



MEMORANDUM FOR REPUBLICAN GOVERNORS REPUBLICAN GOVERNORS-ELECT

- FROM: GOVERNOR JOHN R. McKERNAN, JR. CHAIRMAN, REPUBLICAN GOVERNORS ASSOCIATION
- DATE: NOVEMBER 11, 1994
- RE: RGA ANNUAL CONFERENCE NOVEMBER 19-22, 1994

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Ratified Dec. 15, 1791

This year's Republican Governors Association Conference will focus on the role that Republican Governors will play in restoring the balance of power reserved to the states in the American system of government. Moreover this RGA Conference will be one of the first opportunities for party leaders, analysts, and the press to discuss the results of the 1994 gubernatorial mid-term elections and what these results will mean for the Republican Party and the states.

Registration materials and forms have been sent to the governors, governorselect, staff, RGA Club members, and potential attendees. Final planning is now underway by Governor Allen's Virginia Host Committee for exciting social events for governors and attendees throughout historic Colonial Williamsburg.

Excluding the weekend social activities and the opening press conference on Sunday afternoon, this year's RGA Conference will be structured around three plenary sessions: one on Monday morning, November 21, followed by a second session Monday afternoon. The third plenary session will be Tuesday morning, November 22.

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There will also be two breakfast meetings on Monday and Tuesday mornings, a luncheon between sessions on Monday, and a Commonwealth Dinner on Monday evening. We will also have a Governors and Governors-Elect meeting Sunday afternoon prior to the opening press conference.

While there will be multiple political messages that could come out of this year's RGA conference entitled "Foundations of Federalism," the most obvious focus of the conference will be carried by the sheer momentum from this year's election results. Following your suggestions from our questionnaires, with the exception of our first session on the election results, the entire RGA conference will revolve around the issue of federalism. Politically, we will frame our plenary sessions to advance the Republican Governors' newfound strength in numbers while exploring a "Re-Federalism" dimension and focus on the role of the states and how the 10th Amendment has been discarded during recent policy-making in Washington. Using these plenary sessions, our objective will be to openly discuss the erosion of the 10th Amendment and the incursions by Congress and the Courts. We'll discuss legislative, legal, and constitutional solutions and recommend how fiscal freedom can be restored to the states.

In past RGA Conferences, we have had good press the first day by devoting our opening plenary session to campaign politics and examining winning campaign strategies and the results of the year's elections. This session will set the tone for the conference, but will also define the results for the party nationally and the states. Now that Republicans control the majority of governorships for the first time since 1970, this session will be entitled, "The 1994 Elections: Republican Governors, Now America's Majority."

Haley Barbour, Chairman of the Republican National Committee, has agreed to keynote this session. We will then have a series of polling presentations by winning pollsters and an analysis of the 1994 electorate.

Former United States Attorney General William Barr will speak at our luncheon to begin our overarching message of Federalism.

Our Monday afternoon session will be entitled "A Forum on Federalism: Republican Governors Leading America's Future." We'll hear from a series of speakers including Washington Legal Foundation's Dan Popeo regarding 10th Amendment cases and opportunities; Malcolm Forbes, Jr., on how federal policies undo state efforts to promote growth and jobs; and Kate O' Beirne, Vice President of Government Relations at the Heritage Foundation. Alvin Toffler, author of *The Third Wave*, will discuss how the states are better prepared for the future.

Plenary session III on Tuesday morning will be entitled, "A Forum on Federalism: Listening to America's Republican Governors." Now that Republicans have majorities in both the U.S. Senate and the House, we'll begin Tuesday's session by hearing from Bob Dole and Newt Gingrich on their plans for working with a majority of Republican Governors and what this new strength will mean for legislative proposals that directly affect the states. While the central discussion in this plenary session will be a continuation on federalism, we all realize that the current problems of federalism are intertwined at the federal budget level. Since the federal budget will quickly dominate the 104th Congress, Republican Governors need to have the strongest influence in setting priorities. We have invited Senator Pete Domenici and Congressman John Kasich, Chairmen of their respective budget committees, to listen to our success stories and how our innovative downsizing of government could be applied to the federal government. You may want to bring to the conference examples of what you have implemented or proposed for streamlining government and privatization. This is also a good opportunity to discuss mandate relief and transfers of management to the states.

Find affixed a tentative schedule and agenda for this year's RGA Conference. You will be informed of additional changes that may occur before the conference. You may also be aware of the National Governors' Association new governors meeting in West Virginia before our conference. The RGA will provide bus transportation from the Greenbrier to Williamsburg on Saturday evening, November 19, if you plan to attend the NGA meeting as well. Our RGA staff office is open in Williamsburg. Please contact Jim Baker at 804/221-8400 if you need to make any logistical plans for the RGA Conference.

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<u>Tentative Agenda</u> 1994 RGA Conference "Foundations of Federalism" Williamsburg, Virginia November 19-22, 1994

SATURDAY, NOVEMBER 19

11:00 a.m6:00 p.m.	Conference Registration
	East Gallery
11:00 a.m6:00 p.m.	Media Registration
	East Gallery
11:00 a.m.	Open time for recreational activities
	 Colonial Williamsburg Tours
	(complimentary tickets are available for conference participants)
	 Golf and Tennis availability
	(open tennis courts)
	 Jamestown and Yorktown tours
	Tazewell fitness center
3:00 p.m7:00 p.m.	Welcome Reception "Football Tailgate Party"
	Informal/Casual attire
	West Terrace tent
	All conference attendees
7:00 p.m.	Dinner on your own at local taverns or Williamsburg Inn
	• Dinner reservation table will be set up at conference registration site - will make reservations for all restaurants/taverns
SUNDAY, NOVEMBE	<u>ER 20</u>
9:00 a.m7:00 p.m.	Conference Registration
	East Gallery
9:00 a.m7:00 p.m.	Media Registration

East Gallery

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10:00 a.m11:00 am	 Country Brunch hosted by Governor and Mrs. Allen Governors, Governors-Elect, spouses, RGA club members & sponsors
	Regency Dining Room, Williamsburg Inn
	Casual attire
Noon	Open time for recreational activities
3:00 p.m.	Meeting for Governors and Governors-Elect only
4:30 p.m.	Opening Press Conference - Foundations of Federalism
	Williamsburg Lodge
5:30 p.m 7:00 p.m.	Reception - By invitation only
	The Capitol
	 Governors, Governors-Elect, spouses & major sponsors
	Business attire
7:15 p.m 9:30 p.m.	Private Dinner
	Governors, Governors-Elect & spouses only
	 "Spirit of Norfolk"
	Business attire
7:30 p.m 11:30 p.m.	"Taste of Virginia" Reception, Buffet Dinner &
	Entertainment
	Williamsburg Inn
	 All conference attendees are welcome
	Casual attire
MONDAY, NOVEMBI	FR 21

7:30 a.m.

Victory Breakfast

- Governors, Governors-Elect, spouses, sponsors & RGA club members
- Introductions of Governors-Elect
- Tidewater Room, Williamsburg Lodge

7:30 a.m.	 Continental Breakfast All conference attendees are welcome North Gallery, Williamsburg Lodge
9:00 a.m 11:45 a.m.	Foundations of Federalism – Plenary Session I "The 1994 Elections: Republican Governors, Now <i>America's</i> Majority"
	 Presiding: Governor John R. McKernan, Jr. Welcome: Governor George Allen Keynote Address: Haley Barbour, Chairman, Republican National Committee Election Review by Political Pollsters Analysis of the 1994 Electorate Virginia Room, Williamsburg Lodge All conference attendees
11:00 a.m.	Susan Allen & Spouses • Gallery Tour • Luncheon • DeWitt Wallace Decorative Arts Gallery
Noon - 1:15 p.m.	 Luncheon Governors, Governors-Elect, RGA club members & sponsors Remarks: Former U.S. Attorney General William Barr Williamsburg Lodge, Tidewater Room
Noon - 1:15 p.m.	 Luncheon Chiefs of Staff, Washington Directors, Staff Directors & Policy Advisors Rooms D-E

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1:30 p.m 4:00 p.m.	Foundations of Federalism Plenary Session II "A Forum on Federalism: Republican Governors Leading America's Future"
	 Introductory Remarks: Governor John R. McKernan, Jr.
	 Moderated by Governor Mike Leavitt Presiding: Governor George Allen
	 Dan Popeo, Washington Legal Foundation, Chairman
	 Malcolm S. (Steve) Forbes, Jr., President & CEO of Forbes Inc., Editor-in-Chief of Forbes
	 Kate O'Beirne, Vice President of Government Relations at the Heritage Foundation
	Alvin Toffler, author
	Virginia Room, Williamsburg Lodge
	 All conference attendees
4:15 p.m 5:15 p.m.	Meeting, Governors & Governors-Elect Only
	Tidewater Room, Williamsburg Lodge
4:15 p.m 5:15 p.m.	Meeting, Chiefs of Staff & Washington Directors
	Rooms D-E
6:00 p.m 7:00 p.m.	Governor's Palace Reception
	 Governors, Governors-Elect, spouses, sponsors & RGA club members
	Governor's Palace
7:00 p.m 11:00 p.m.	Commonwealth Dinner
	 All conference attendees & invited guests
	 Entertainment by the Statler Brothers
	Business attire
	William & Mary Hall

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TUESDAY, NOVEMBER 22

8:00 a.m.	 RGA Business Breakfast Governors and Governors-Elect only Rooms D-E
8:00 a.m 9:00 a.m.	 Breakfast hosted by Susan Allen Spouses, RGA club members & sponsors Tidewater Room, Williamsburg Lodge
9:00 a.m 12:00 noon	Foundations of Federalism – Plenary Session III "A Forum on Federalism: Listening To America's Republican Governors"
	 Presiding: Governor John R. McKernan, Jr. Bob Dole, Senate Republican Leader Newt Gingrich, House Republican Whip National Policy Forum With Republican Governors Moderated By Haley Barbour, Chairman, NPF Presiding: Governor George Allen and Governor George V. Voinovich Observations & Comments: Senator Pete Domenici <i>Chairman</i>, Senate Budget Committee Ranking Republican Representative John Kasich, House Budget Committee Ranking Republican Virginia Room All conference attendees
12:00 noon	Elections & Closing remarks
12:15 p.m 1:00 p.m.	 All conference attendees Get Away Lunch North Gallery, Auditorium Foyer