

# partners in government

CSG advocates for the rightful role of the states as partners in the federalist system By Joel Sams

“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.”

– 10th Amendment to the U.S. Constitution

**W**hat is the relationship between the states and the federal government? Where do the prerogatives of the one begin and the other end? How has the relationship changed over time, and what steps can state leaders take, today, to best serve their communities?

As a trusted, nonpartisan resource, The Council of State Governments can help answer questions like these and provide resources for state leaders seeking to better navigate the state/federal relationship. Since 1933, CSG has advocated for the proper role of the states in our federal system and continues to serve as a point of connection between the states and the federal government.

## The Role of the States

In “Federalist Paper No. 45,” James Madison argues that the state and federal governments exist in a symbiotic relationship — both are necessary to promote the happiness and well-being of citizens. Madison goes on to state that state governments are closer to the people and should be related to “the lives, liberties and properties of the people” while the federal government will be concerned with “external objects, as war, peace negotiation and foreign commerce.”

But just as the world has greatly changed since the age of Madison, the relationship between state and federal governments has also changed and continues to change, evolve and transform with every passing day. Issues such as a pre-emption, public lands, unfunded mandates and, most recently, the COVID-19 pandemic continue to challenge the idea of the equal and cooperative relationship referenced by the Federalist Papers.

“Over the course of history, as power shifted toward the federal government, states have been thought of not as drivers, or partners, but as another special interest,” said CSG Executive Director/CEO David Adkins.

“What we fight for in this current era of federalism is to reduce the coercive influences of the federal government, to recognize that the states are the laboratories of democracy, and government works better when each state is as strong as it can be and has the ability to learn from every other state.”

The COVID-19 pandemic provides a warning about what can happen when the relationship between the state and federal government breaks down.

“There was no unifying strategy at the federal level, and a lot of things devolved to the states to compete against each other,” Adkins said. “I think going forward, instead of coercion, what we have to have is collaboration and cooperation, and the ability to commit to that in a way that all of the parties are seen as partners, not just states that have to be bailed out, or states that need to be told what to do.”

Tim Storey, executive director of the National Conference of State Legislatures, agrees that COVID-19 has drawn attention to the importance of cooperation between the states and the federal government.

“It highlights the necessity of a strong, cooperative partnership — and I emphasize the word partnership,” Storey said. “We are in this together. This country has not seen anything like this for more than a century and there’s been no guidebook on how to address it.”

For state leaders who want to better navigate the state/federal relationship, Adkins advises networking and open communication — two tools that can go a long way in building a productive partnership.

“There are a lot of former governors and a lot of former legislators in Congress — don’t be afraid to reach out to them,” Adkins said. “We’re proud of the fact that many alumni of the CSG Henry Toll Fellowship (p. 10) have been elected to Congress or serve in cabinet positions throughout the federal government. Use that network of former state officials. They speak our language. They know the demands on state government.”

Storey advises state leaders to be upfront with federal leaders about how policies will be received on a state and local level.

“Make sure your federal delegation knows where you stand on the issues and how they impact your state,” Storey said. “A policy solution may look

## “Not every solution should come from Washington, D.C. We recognize that state governments are closer to the people.”

— CSG Executive Director/CEO David Adkins

good on paper in Washington, but when it is pushed down to the state level, it may be a whole different ball game.”

As they seek to better navigate the state/federal relationship, state leaders can take advantage of many CSG resources, and they are always welcome to reach out for advice, research, networking support and more.

“Be engaged, stay engaged, and when you need help, we’re there,” Adkins said. “We’ve got your back, we can point you in right direction, we can help you sort through complexity, and we can help get you in front of decision makers that you otherwise might not think you have the ability to reach.”

## CSG Resources for Navigating the State/Federal Relationship



### Continue the Conversation

CSG Capitol Ideas Presents: Perspectives on the State/Federal Relationship

Tune in for a conversation with CSG national leadership. March 3, 3-4:30 p.m. ET. Register from the digital edition of this magazine or by emailing [registration@csg.org](mailto:registration@csg.org).

#### ★ POLICY ACADEMIES

Offered annually, the CSG Medicaid Policy Academy is an annual program that introduces new members of legislatures to how Medicaid works. A well-developed understanding of this state/federal partnership is essential. On average, one out of every three dollars spent by the state goes toward Medicaid. Other policy academy topics have included privacy and cybersecurity, sustainability and a variety of health care and workforce-related issues.

Learn more: [web.csg.org/forum/csg-policy-academy-series](http://web.csg.org/forum/csg-policy-academy-series).

#### ★ INTERSTATE COMPACTS

Through its National Center for Interstate Compacts (NCIC), CSG provides the states a resource to solve regional, bi-state, multi-state or even 50-state issues among themselves. Currently, NCIC is managing and/or advising the drafting, development and implementation of compacts including the Interstate Medical Licensure Compact (IMLC), the Nurse Licensure Compact (NLC) & Advanced Practice Nurse Compact, Audiology and Speech-Language Pathology Interstate Compact (ASLP-IC) and more.

Learn more about interstate compacts: [compacts.csg.org](http://compacts.csg.org).

#### ★ CSG OFFICE IN WASHINGTON, D.C.

Located in The Hall of the States, the CSG office in Washington, D.C., serves as an advocate for state governments. The office communicates regularly with congressional, agency and White House officials to ensure the interests of states are known and understood, and helps members understand how their work in state capitols interacts with federal laws and policies. In addition, CSG helps state officials understand how pending and recently passed federal laws will impact their state.

Learn more: [csg.org/about/dc.aspx](http://csg.org/about/dc.aspx)

#### ★ STATE AND LOCAL LEGAL CENTER

The State and Local Legal Center files amicus curiae briefs in support of states and local governments in the U.S. Supreme Court, conducts moot courts for attorneys arguing before the Supreme Court, and is a resource to states and local governments on the Supreme Court.

Learn more: [statelocalc.org/](http://statelocalc.org/)

#### ★ CSG INTERGOVERNMENTAL AFFAIRS COMMITTEE

The Intergovernmental Affairs Committee is the primary policy body for CSG and the primary body setting the federal-state relations agenda for CSG. It is particularly concerned about federalism issues

and other issues impacting states' rights. The bipartisan committee is comprised of officials from all branches of state government, as well as CSG Associate members.

The mission of the Intergovernmental Affairs Committee is to serve as CSG's monitoring and advisory arm on major federal issues before Congress and the administration. The committee strives to interpret changing national conditions and to prepare states for the future, and to promote the sovereignty of the states and their role in the American federal system.

Learn more: [csg.org/about/intergovernmentalaffairscommittee.aspx](http://csg.org/about/intergovernmentalaffairscommittee.aspx)

#### ★ ADVOCACY WITH “THE BIG 7”

CSG serves as a voice for the states along with its partners in the Big 7 — a group of nonpartisan, nonprofit organizations representing state and local government. In addition to CSG, these include the International City-County Management Association, National Association of Counties, National League of Cities, National Conference of State Legislatures, National Governors Association and U.S. Conference of Mayors. In partnership with the Big 7, CSG supports the State and Local Legal Center — a conduit through which partners file briefs in the Supreme Court in support of state and local government. Since 1983, the SLLC has filed about 400 amicus briefs in the Supreme Court.

## Defining the Relationship

CSG national leadership share their perspectives on state/federal issues.

“COVID-19 has underscored the need for open lines of communication between both state and federal governments. Constituents call with problems that sometimes, we can't answer in state government, so it has made offices like mine interact much more with our federal partners. The pandemic is an issue that is affecting everyone across the U.S., so it really has made this relationship even stronger and states have welcomed the fiscal support in response to COVID.”



STATE SEN. JOAN BALLWEG | WI  
NATIONAL CHAIR

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Work with your state's leadership and present a coordinated approach to your state's congressional delegation and to federal agencies. And by working with The Council of State Governments, a strong and united voice can be presented. CSG's Washington, D.C., office and staff provide important information on what is happening that impacts state governments. Through the CSG website, staff and conferences, I can keep track of issues and get questions answered.”



STATE SEN. SAM HUNT | WA  
NATIONAL CHAIR-ELECT

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Whether it's reaching out to particular part of the federal government to help a constituent or looking for explanations about a particular policy, being patient and being willing to ask questions is the most important part. That's true for new folks and seasoned folks, but particularly for new lawmakers, who are experiencing some real stress right now. They're multitasking, addressing the needs of constituents, trying to understand the legislative process and getting acquainted with committee work. All that can be pretty overwhelming in the first few days.”



STATE REP. JULIA HOWARD | NC  
NATIONAL VICE CHAIR

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Pay attention to what the federal government does and what the states' responses are, and become knowledgeable on that subject matter. Know what programs are state-funded and handled, and know what programs are federally funded and handled. Pay attention to the civics lessons you might have missed in high school as far as duties and responsibilities of government. It's a learning process, and you've got to be part of that learning process, and we need entities to help us with the learning process.”



STATE SEN. LOU D'ALLESANDRO | NH  
IMMEDIATE PAST NATIONAL CHAIR