

## **SENATE CONCURRENT RESOLUTION NO. 17**

Whereas, H.R. 1319, entitled the "American Rescue Plan", passed the United States House of Representatives on February 26, 2021, is currently pending in the United States Senate, and appears headed for final passage and presentment to the President; and

Whereas, a provision in the American Rescue Plan would send federal funds directly to cities and counties within the several states, bypassing the state governments as a means of distribution; and

Whereas, the foundation of the American Republic rests upon the explicit and implicit tenets of federalism embedded throughout the United States Constitution in which a symbiotic relationship exists between the federal government and the several states; and

Whereas, the states are the ultimate source of sovereignty in the United States, and, as noted by James Madison in Federalist No. 45, they "are essential components of the federal government," while the federal government is "nowise essential to the operation or organization of the" state governments; and

Whereas, neither the history nor tradition of federalism in the United States contemplates the idea of a relationship between the federal government and the counties and cities of the several states but rather it contemplates a relationship between the federal government and the several state governments; and

Whereas, counties and cities are creations of the state and, as such, cannot exist without the state; and

Whereas, the federal government should not be sending federal funds directly to the counties and cities of the

several states, but rather should be sending such funds directly to the state to distribute to the funds; and

Whereas, states are in a better position to understand the needs of its various counties and cities and more appropriately allocate the federal funds to which the respective states are entitled:

Now, Therefore Be It Resolved that the members of the Missouri Senate, One Hundred and First General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the Attorney General of Missouri to file a complaint against the federal government in federal court challenging the direct payment of federal funds to counties and cities; and

Be It Further Resolved that sending federal funds directly to cities and counties within states violates the principle of federalism embedded in the United States Constitution; and

Be It Further Resolved that the Secretary of the Senate be instructed to prepare properly inscribed copies of this resolution for the Missouri Attorney General.