

# LoGICA Intergovernmental Profile

## United States of America, 2022

### 1. Country description and state of decentralization

*The United States of America, commonly known as the United States, is a federal country primarily located in North America. It consists of 50 states, a federal capital district, and five major unincorporated territories. Most Americans have more frequent contact with their state and local governments than with the federal government. Schools, libraries, police and fire departments, housing services, parks and recreation services, emergency medical services, municipal courts, public transportation, streets, and other public works usually fall under the responsibility of state and local governments. Subnational government officials in the United States are generally highly empowered to respond to the needs and priorities of their constituents across all levels of the multilevel governance system.*

The United States of America, commonly known as the United States, is a federal country primarily located in North America. It consists of 50 states, a federal capital district, and five major unincorporated territories. The contiguous United States shares land borders with Canada to the north and with Mexico to the south. According to the most recent Census of Population (2020), the population of the United States stands at 331,449,281 inhabitants. The United States is a highly urbanized country, with 80.7 percent of the population residing in urban areas or urban clusters (2010).

Most Americans have more frequent contact with their state and local governments than with the federal government. Schools, libraries, police and fire departments, housing services, parks and recreation services, emergency medical services, municipal courts, public transportation, streets, and other public works—not to mention driver's licenses and parking tickets—usually fall under the responsibility of state and local governments (WH.gov 2022). Although many of these public services are needed to ensure the well-being and prosperity of Americans and of the country as a whole, the provision of these public services is fundamentally local in nature.

This Intergovernmental Profile covers the multilevel governance arrangements in the United States, including its 50 states and the Federal Capital District (Washington, D.C.). The analysis does consider the governance systems of the Territories of the United States (i.e., American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands), nor does the current assessment evaluate tribal governance mechanism, which form the basis for governance related to the 573 federally-recognized American Indian tribes and Alaska Native entities.

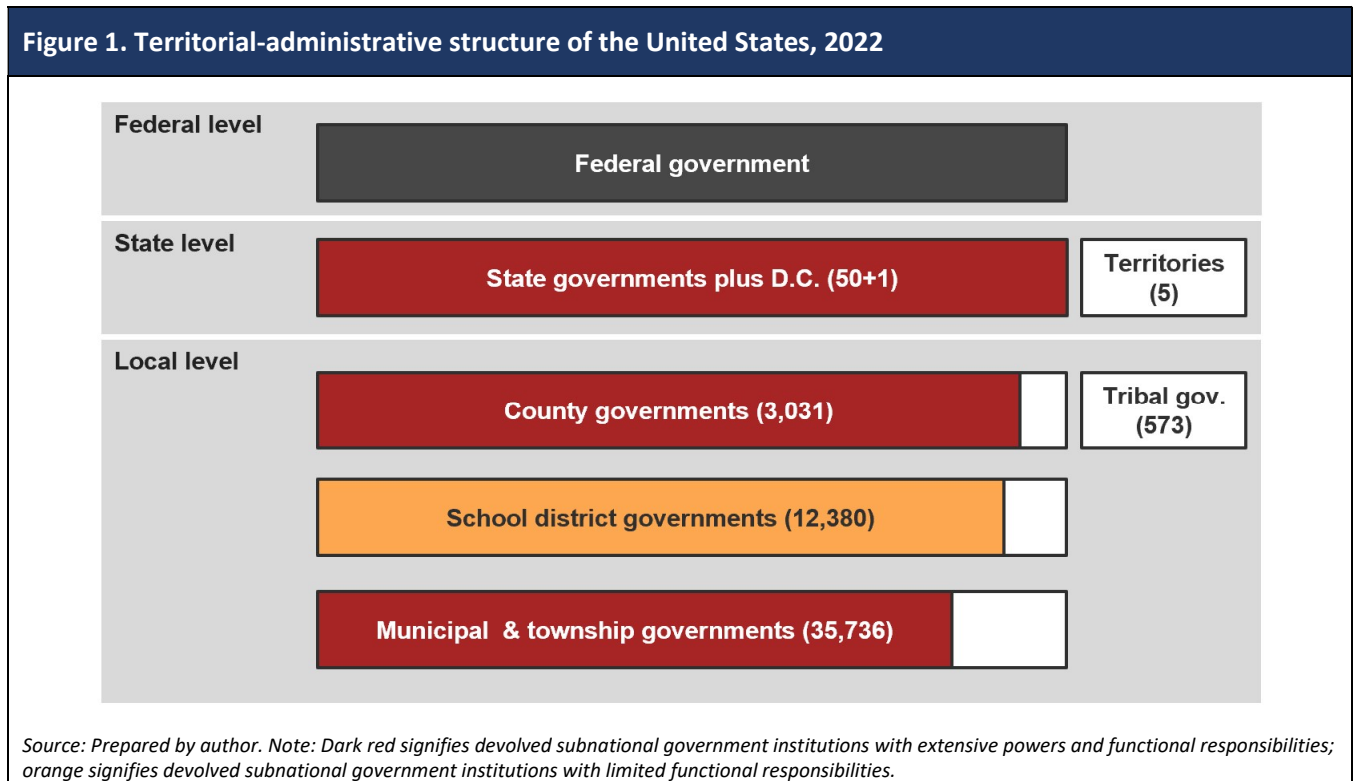
The United States Constitution was drafted and adopted in 1787. The United States Constitution not only defines the structure and powers of the federal government, and provides the overarching framework for federal-state relations. Any powers not granted explicitly to the federal government are reserved for States, or for the people.

State-local government relations in the U.S. are governed by the state constitution and state-level legislation in each state. As such, there are differences in the organization, the legal basis, and the empowerment of local governments from state to state. Despite these variations, the multilevel governance system in the United States is sufficiently uniform that a single assessment—describing the 'typical' federal-state-local government arrangements—generally suffices to evaluate the extent to which the intergovernmental structure of the United State contributes to inclusive governance, effective public service delivery and sustainable localized development.

## 2. Subnational (territorial-administrative) structure of the United States

*The United States is a federal country comprised of three levels of government: federal, state, and local. The United States Constitution provides the overarching framework for federal-state relations, while state-local government relations in the U.S. are governed by the state constitution and state-level legislation in each state. States represent the primary or first territorial-administrative subdivision of the United States. In turn, states are subdivided into counties or county-equivalent units. The third territorial-administrative level of the United States is formed by subcounty local governments, consisting of municipalities are township governments. The local government structure further includes elected school district governments and other special-purpose local government entities.*

The United States is a federal country comprised of three levels of government: federal, state, and local (Figure 1). States represent the primary or first territorial-administrative subdivision of the United States. The secondary territorial-administrative division of the United States is formed by counties or county-equivalent units. The third territorial-administrative level of the United States is formed by subcounty local governments, consisting of municipalities are township governments. The local government structure further includes elected school district governments and other special-purpose local government entities.



While the U.S. Constitution defines the powers of the federal government and guides federal-state relations, it makes no mention of counties or local governments. As such, while states are the constituent parts of the federal system, counties and local governments are legally the creatures of state governments. Since there are 50 states, this means that there are 50 different systems of local government. Although there are differences between states in their multilevel governance arrangements, most states rely on very similar local governance structures (Boex and Wolman, 2021).

Table 1 presents an overview of the current subnational administrative-territorial or governance structure of the United States, as per the latest count of the Census Bureau (2021). The number of state and local governments has changed only marginally since the last complete Census of Governments in 2017.

Table 1. Subnational governance institutions, 2021					
	Number of units	Complete territorial coverage?	Uniform structure	Territorial Level	Nature of Level / Type
Federal government	1	Yes	Yes	Central	GP
State governments (plus DC)	51	Yes	Yes	Regional	GP
County governments	3,031	Yes	Yes	Local	GP
Municipal and town governments	35,736	No	No	Local	GP
School district governments	12,380	No	No	Local	SP
Other SP local governments	39,262	No	No	Local	SP/Other

Source: Census of Governments (2021). Note: GP – General purpose government level. SP – Special purpose government level. DC – District of Columbia.

In aggregate, the Census Bureau counted a total of 90,409 local governments in the United States, including 3,031 county governments, 19,496 municipalities, 16,240 townships, 12,380 independent local school district governments, and 39,262 other special district governments.<sup>1</sup>

**State governments (and Washington, D.C.).** Constitutionally as well as in practice, the 50 states in the U.S. form the primary territorial-administrative subdivisions (as well as the principal political subdivisions) of the United States. Each state has its own, fully autonomous, state government. The country’s federal capital district—the District of Columbia (D.C.)—is not a state, although it is considered a state-level entity for certain purposes.<sup>2</sup>

States vary in size, both in terms of their population and land area. California is the most populous state, with a population of 39.5 million residents, while Wyoming is the least populous state, with approximately 577,000 residents (Census 2020).

**County governments.** In virtually all U.S. States, counties (or in some cases, counties and county equivalents) are the primary territorial-administrative-subdivision of the state—and thus, the secondary territorial subdivision of the United States. The term “county” is used in 48 U.S. states, while Louisiana and Alaska have functionally equivalent subdivisions called parishes and boroughs, respectively.

County jurisdictions are generally—but not always—governed by their own local government. There are currently 3,142 counties and county equivalents in the United States, while there are 3,031 county governments. In Rhode Island, Connecticut and parts of Massachusetts, county governments have been abolished but the entities remain for administrative or statistical purposes. Alaska’s Unorganized Borough is divided into 10 census areas that are statistically equivalent to counties, but that lack county governments. In addition, a number of different states contain local jurisdictions (such “independent cities” in Virginia) that are considered county equivalents by the U.S. Census Bureau for geographic and statistical classification purposes.

<sup>1</sup> When applying international (IMF) standards, many of the special-purpose local governments would more appropriately be considered as public corporations.

<sup>2</sup> As the federal capital district under the authority of the U.S. Congress, D.C. does not have full representation in the U.S. Congress. Congress has effectively provided home rule to Washington, D.C. As such, government functions within D.C. are generally considered local (municipal) in nature.

Like states, variations in county population are vast. The most populous county in the United States is Los Angeles County, California (population: 10.0 million), while Loving County, Texas, is the least populous county (64 residents). In fact, the population of Los Angeles County exceeds the population of 40 states and the District of Columbia.

**Municipal and town governments.** While counties are the lowest territorial-administrative level in the U.S. that provides (nearly) complete territorial coverage, county governments are not the lowest territorial-administrative level. Municipalities and township governments are referred to as sub-county governments. Municipalities and townships are generally contained within counties, but not all parts of a county are necessarily incorporated as municipalities, towns, or townships.<sup>3</sup> The exact legal definition of municipalities, towns or township governments (and their exact functions and governance structures) vary from state to state.

In incorporated areas of a county, municipal residents typically receive some services from their municipal government and others from their county government. Usually, local services for residents in unincorporated parts of a county are provided by the county government. In many cases, there is considerable overlap in service delivery responsibilities between counties and municipalities and townships. For instance, police services may be provided by both entities.

**School district governments and special purpose governments.** While counties and municipalities are the two main types of general-purpose local governments in the U.S., there are also a variety of other local government with specific purposes. The most important of these special purpose governments are independent school districts, which provide elementary and secondary education. In most states, school districts are independent, elected local governments that report directly to the state, even though their boundaries may (or may not) coincide with county or municipal jurisdictions.<sup>4</sup>

Other special districts may exist for a variety of single-purpose services such as a transportation district, a park district, or a water and sewer district. These special districts may be region-wide and cut across municipal and even county boundaries. Each special-purpose local government can impose its own taxes on its residents and these taxes are cumulative, so that a citizen of a municipality will pay taxes not only to her municipal government, but also to the county government, the school district and possibly some special districts. Many of these special-purpose local governments lack directly elected local leadership, but are led by a board and/or executives appointed by local (and/or state) government officials.

### **3. Nature of subnational governance institutions in the United States**

*State governments, county governments, and municipal and township governments should be considered devolved subnational government institutions with extensive powers and functional responsibilities. Independent school district governments with elected school boards—as well as other elected special purpose governments in the United States with their own taxation powers—should generally be considered devolved local government institutions with limited functional responsibilities.*

State governments, county governments, subcounty (municipal and township governments) and even independent school district governments meet the key definitional criteria of devolved local governments. Although there are variations in the exact institutional arrangements across different states and different subnational government types, as shown in Table 3, subnational governance institutions at each level in the United

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<sup>3</sup> In a few cases, large municipalities are also counties (e.g., Denver, San Francisco, Philadelphia) with a consolidated government. In Virginia there are also “independent cities” that are not part of any county.

<sup>4</sup> A few states rely on dependent school districts. Even though these entities are often also led by elected school boards, dependent school district depend on county governments (or another local government entity) for their funding.

States: (i) have corporate status, and engage in subnational governance functions; (ii) have their own (elected) political leadership; (iii) Prepare, adopt, and manage their own budgets; own assets and raise funds in own name; and incur liabilities by borrowing on their own account; and (iv) appoint own officers and staff.

Table 2. Subnational governments meet criteria of devolved governments				
	State government	County government	Subcounty government	School district government
Corporate status	Powers provided by U.S. Constitution	Corp. status provided by state constitution/law	Corp. status provided by state constitution/law	Corp. status provided by state constitution/law
Engages in governance functions	Provides state-wide public services	Provides county-wide public services	Provides local/ community public services	Provides public education (K-12)
Own (elected) political leadership	Elected Governor; state legislature	Elected County Board of Supervisors (in some cases: elected County Exec.)	Elected Municipal / Town Council (in many cases: elected Mayor)	Elected school board (Board typically hires Superintendent)
Own assets and raise funds in own name	Yes (including taxing powers)	Yes (including taxing powers)	Yes (including taxing powers)	Yes (including taxing powers)
Prepare, adopt, and manage their own budgets	Yes	Yes	Yes	Yes
Incur liabilities by borrowing on their own account	Yes; no federal restrictions on states	Yes; within limitations defined by state	Yes; within limitations defined by state	Yes; within limitations defined by state
Appoint own officers and staff	Yes	Yes	Yes	Yes

State and local governments in the United States have a high degree of decision-making and operational autonomy as subnational mechanisms for collective decision-making and collective action within their respective jurisdictions across a wide range of functional responsibilities. Subnational government budgets in the U.S. do not require any further approval by their higher-level government(s); subnational institutions or units do not have dual subordination to higher-level governments; and subnational governments are generally not limited in the exercise of their powers and functions (for instance, by limitations being imposed by higher-level governments on their ability to hire their own officers or staff).

As a result, state governments, county governments, and municipal and township governments should be considered ***devolved subnational government institutions with extensive powers and functional responsibilities***.

Independent school district governments with elected school boards—as well as other elected special purpose governments in the United States with their own taxation powers—should generally be considered ***devolved local government institutions with limited functional responsibilities***.

To the extent that special purpose government entities have appointed governing boards, rather than their elected political leadership, and depending on the scope of their decision-making power (which may effectively be limited to operational decision-making), special purpose governments may be either be considered subnational ***public corporations*** or ***other subnational governance institutions***.

#### 4. Assignment of functions and responsibilities in the United States

*Even though the subsidiarity principle is not formally established in the U.S. Constitution, there is a clear recognition in American federalism of the principles of states’ rights and local self-governance. As a result, most frontline public services are delivered by local governments as the lowest government level that can deliver the relevant services efficiently. This does not mean that state and local governments ‘go it alone’. Federal and state policy objectives are frequently pursued by ensuring stronger, more coordinated, and better funded partnerships among federal, state, and local governments. As a result, the American multilevel governance system is commonly referred to as “marble cake federalism”, as responsibilities for policy setting, financing, administering, and delivering public services are commonly shared among different levels of government.*

Although the assignment of federal and state powers is clearly spelled out in the U.S. Constitution (and state constitutions), the interpretation of functional responsibilities has evolved over time. Different government functions were originally understood to be clearly assigned to specific levels of government (i.e., federal, state or local), thus resembling what is frequently termed by American scholars of federalism, “a layer cake”.

Over the course of the twentieth century, however, as the balance of power and resources shifted between the federal, state and local governments, the American federal system evolved into what is now commonly referred to as “marble cake federalism”, in that the responsibility for policy setting, financing, administering and delivering services for many functions is shared among different levels of government.

LoGICA’s functional assignment section captures which government levels or administrative tiers are responsible for the delivery of a range of 25 frontline public services, including public education, public health services, road infrastructure, and so on. In contrast to the legal or *de jure* assignment of functions, the *de facto* assignment of functional responsibilities reflects the government level that actually provides the frontline service (e.g., the government level that employs the schoolteacher or that constructs the road). An overview of the *de facto* assignment of functions and responsibilities in the U.S. is captured in Figure 2, with each icon reflecting significant responsibility in one of the main categories of government functions as defined by the IMF (2001).



**Federal government functions.** While the federal government is involved in standard-setting and financing across a wide range of functions, the role of the federal government in direct frontline service provision is limited. Instead, the federal government generally leverages its resource by engaging in partnerships with state and local governments.

The two main functional areas where the federal government engages in direct service provision are national defense and social protection. These main mechanism for social protection in the United States is social insurance provided by the Social Security Trust Fund. Social Security programs are administered by the (federal) U.S. Social Security Administration and are funded through contributions (payroll taxes) made by employers and employees.

**State government functions.** While state governments have extensive constitutional power, in practice, state governments—like the federal government—have a relatively limited role in frontline service provision.

Across the government functions and services reviewed as part of the LoGICA assessment, state governments are generally only directly responsible for providing three main government services: agricultural extension; higher education; and social protection (TANF). In each of these cases, the state government is the provider of public services:

- Agricultural extension services in the United States have been provided through a multilevel approach to Cooperative Extension System (CES) which was established over a century ago (USDA 2022). Under the Cooperative Extension System, county-level extension offices are operated and staffed by the state-level cooperative extension service, which is typically led by a public state university agricultural school or department. As such, county-level agriculture agents and extension staff are actually state employees, rather than local government employees. However, county governments typically contribute a share of the funding required (typically between 0-20 percent) to operate the county-level extension offices.
- Public higher education in the United States is primarily provided by state-run public universities and colleges.
- Temporary Assistance for Needy Families (TANF) is a key component of the social safety net in the United States (NACO 2018). Congress created the TANF block grant program in 1996 as a part of a wider effort to reform federal welfare programs. The federal government provides approximately \$16.5 billion annually in TANF funding to states, which use the funds to operate their own TANF programs. Although in most cases state governments manage TANF programs and other social assistance programs directly, a smaller number of states delegate administrative responsibilities over TANF to county governments in their states. In ten states, TANF is county-administered: California, Colorado, Minnesota, New Jersey, New York, North Carolina, North Dakota, Ohio, Virginia, and Wisconsin (NACO 2018).

**Local government functions.** All other frontline public services considered as part of the LoGICA assessment are generally provided by local governments in the United States. Given the overlap in functions and responsibilities between county governments and subcounty (municipal and township) governments, it is sometimes difficult to determine which of these local government levels bears the greatest responsibility in providing specific services. Nonetheless, local government functions in the U.S. include:

- **Public order and safety.** Public Order and Safety, including police services as well as fire protection, are largely a local government function in the U.S..
- **Economic affairs,** including irrigation, local road construction and maintenance, public transit, as well as the management and promotion of local markets, local economic development (LED) and labor development.
- **Environmental protection,** including waste management, wastewater management, and protection of biodiversity and landscape.
- **Housing and community amenities.** While public housing is a federally created and funded program, the properties are owned and managed at the local level by local public housing authorities (PHAs). Other community development activities and amenities—such as street lighting—typically fall directly under the purview of county or municipal governments. Drinking water services are typically provided by a special-purpose local government; a water utility company owned and operated by one or more local governments; or directly by a local government.
- **Health.** In many states, the state government also plays an important role in the provision of public health services. While the exact relationship between state health agencies and local public health departments

differs across states, a classification of public health governance structures at the state and local level ranges from fully centralized at the state level to largely or fully decentralized (ASTHO 2017; CDC 2020). A majority of states relies on a decentralized (or largely decentralized structure), where local health units are primarily led by employees of local governments. In a dozen states, public health is (largely or fully) a state responsibility.

- **Recreation, culture, and religion**, including parks, recreation and sporting services as well as other cultural, religious and other community services are generally provided by local governments in the United States.
- **Pre-primary, Primary Education, Secondary and Vocational Education**. In almost all states, the power and responsibility to provide kindergarten, elementary and secondary education in turn is assigned to local school districts, which typically operate as independent elected local governments. In the District of Columbia and in 3 states (Alaska, Maryland, and North Carolina), there are no independent school districts; all public schools in those jurisdictions are administered by “dependent” elected school boards that are agencies of the county, municipal, or state government. In one state, Hawaii, public education is exclusively a state function, with no local government involvement.

## Selected references

- [Local Government Autonomy in the United States of America](#) (Boex and Wolman, 2021)
- [Local government country profile: United States of America](#) (UN Women)
- [United States of America: Country Profile](#) (Forum of Federations)
- [2017 Census of Governments – Organization](#) (U.S. Census Bureau)