

Texas Towns Avoid Some Federal Mandates by Rejecting Federal Money

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BRADY, Texas (Nov. 5, 2021) – The federal government imposes all kinds of mandates and regulations on states and localities through requirements attached to federal funding. More than 60 Texas cities have avoided some of these strings by rejecting federal coronavirus aid.

According to [the Texas Department of Emergency Management](#) (TDEM), Brady recently joined dozens of other Texas municipalities with populations under 50,000 in rejecting federal money doled out in response to the pandemic. The Brady City Council turned down \$1.3 million offered through the American Rescue Plan Act (ARPA). The council unanimously voted to send back nearly \$675,000 it has already received and to decline a second payout scheduled for next year.

The U.S. Treasury manages the distribution of ARPA funds to Texas counties and cities with populations above 50,000. The TDEM distributes funding to smaller jurisdictions. The Texas legislature [appropriated](#) \$16.3 billion in ARPA funds.

The U.S. Department of the Treasury [contractually obligates](#) governments taking ARPA money to comply with a long list of stipulations.

*“Recipient agrees to comply with the requirements of section 603 of the Act, regulations adopted by Treasury pursuant to section 603(f) of the Act, and guidance issued by Treasury regarding the foregoing. Recipient also agrees to comply with **all other applicable federal statutes, regulations, and executive orders**, and Recipient shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.” [Emphasis added]*

The contract includes a list of applicable federal acts but does not detail what executive orders would apply. [According to *The Texan*](#), activist Sheila Hemphill told the council “all other applicable” directives could include vaccine mandates, contact tracing programs, and any future coronavirus directives the federal government issues.

In an interview, Hemphill told *The Texan* that all city employees would be treated as “federal contractors” and bound by federal employment directives if Brady accepted the funding.

According to the [unofficial meeting minutes](#), Councilwoman Jane Huffman opposed taking the funds, saying, “We live here in Brady because we want to be left alone. We want to control what happens in our community.”

Back in 2016, [at least four local communities](#) rejected HUD funding in order to avoid the onerous regulations. The [HUD Affirmatively Further Fair Housing \(AFFH\) regulations](#) total 377 pages. They give unelected HUD bureaucrats broad powers over grant recipient communities, including the power to reverse electoral decisions by local voters and force them to join “regions” against their wishes. Under AFFH, the federal government can control zoning, planning, land use, location of public transportation, and even the [socioeconomic diversity](#) of elementary and secondary classrooms.

While federal money with its promise of funding wonderful projects is an enticing carrot, a large stick inevitably follows close behind. By taking federal money, cities, towns, counties and states forfeit control over their own communities. Instead, bureaucrats in D.C. get to dictate and direct local concerns.

The best way to maintain local control is to reject federal funding and all the strings that inevitably come attached.

Federal money isn't about helping poor people. It's about command and control. State and local governments can't complain when they willingly let the feds bribe them into relinquishing control.

But they can refuse the money.

This is the simplest and most effective nullification strategy there is: if you don't want federal control, don't take federal money. It's as simple as that.

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