MILLENNIAL COMPACT WITH AMERICA

An Agenda for the Future
Acknowledgments

Written by Millennials, focused on the future, and designed to bring a spirit of entrepreneurship to our politics, the NLC Millennial Compact with America will be a comprehensive statement of millennial policy.

This agenda is made possible, first and foremost, due to the immense dedication of the NLC community – our alumni, our chapter advisory boards, and current and past leadership teams and staff. A special thank you to the authors of the policy memos within this document. These NLC alumni and community members have set the foundation upon which NLC will build our generation’s agenda.

Many thanks are owed to our partners, friends and mentors. Special gratitude is owed to the dozens of advisors who gave of their time and talents to support our authors along this journey. Thank you to Bret Perkins, who chaired this project and supported its work.

Thanks is owed to the NLC staff who dedicated countless hours coordinating policy roundtables, supporting authors, editing, proofreading, and designing to develop the Millennial Compact with America. Thank you to NLC’s board of directors for their continued support for our mission and our work.

This is just the beginning of the the millennial generation’s agenda.

NLC Board of Directors

Chris Kelly
Claire Silberman
Alex Sink
Heather Grantham
Robert J. Abernethy
Justin Braz
Hardie Davis, Jr.
Joy Dixon
Mitchell Draizin
Caroline Fayard
Donnie Fowler
Cynthia Guerrero
Gina LaPlaca
Derrick H. Lewis
Nate Loewentheil
Sherry Merfish
Tricia Mueller
Patrick Murphy
David Pepper
Bret Perkins
Mark Riddle
James Woodson
NEW LEADERS COUNCIL (NLC) is a 501(c)(3) and hosts the NLC Institute, the leading training program for progressive Millennials. NLC equips our leaders with the skills to run for office, manage campaigns, create start ups and networks of thought leaders. NLC leaders take their activism back into their communities and workplaces to impact progressive change.

NLC recruits Fellows from outside traditional power structures and equips them with the skills necessary to be civic leaders in their communities and workplaces. The highly selective NLC Institute is the premier leadership and professional development program training, mentoring, and networking progressives across the nation. NLC graduates are an ever-expanding corps of diverse, new progressive leaders who are rising to the top of their respective fields.

NLC has created an exciting network of individuals, highly skilled in working together across sectors to improve the progressive infrastructure and ensure strong democracy, social justice, and equal opportunity.

Our 2018 class will join 48 chapters, 5,000 alumni, and other supporters in every region of the United States. NLC alumni are business executives, nonprofit leaders, elected officials, organizers, teachers, and entrepreneurs. NLC is a true reflection of the Millennial generation with 57% of our NLC community as non-white and 53% women. The NLC community is an unparalleled network of passionate, committed young professionals who, together, are the future of progressive leadership in America.

We stand united to eradicate unjust economic, social, and legal systems while building ladders of opportunity. In the competition of ideas, we commit to Progressivism's triumph. To its cause, we stake our generational claim. And in our patriotic duty, we are confident that we will forge a more perfect Union to secure the blessings of Liberty for all.

We continue today building a new generation of leaders pledged to action in the cause of our futures.

The 2018 Institute
Application & Nominations are OPEN:
Apply: newleaderscouncil.org/apply
Nominate: newleaderscouncil.org/nominate
“...hope is not blind optimism. It’s not ignoring the enormity of the tasks ahead or the roadblocks that stand in our path. It’s not sitting on the sidelines or shirking from a fight. Hope is that thing inside us that insists, despite all the evidence to the contrary, that something better awaits us if we have the courage to reach for it and to work for it and to fight for it.”

-- President Barack Obama, Iowa 2008

Today the Millennial generation wakes as a political force. This generation—the largest voting bloc in history—who came of age in crisis, and committed to a firm belief in progress, is no longer content to follow. As a commitment to civic leadership, we come together to begin the process of stating our generation’s agenda.

Written by Millennials, focused on the future, and designed to bring a spirit of entrepreneurship to our politics, the NLC Millennial Compact with America will be a comprehensive statement of millennial policy. The Millennial Compact brings together emerging scholars and activists to set an agenda for innovating how we structure our economy, our social systems, and the rules of our democracy for the 21st Century.

Our ideas come from diverse communities across the country. We are bringing together a new generation of leadership from Maine to Montana; California to Georgia; Kentucky to Colorado; The Carolinas to Oklahoma; Ohio to Iowa; Pennsylvania to Texas; and, Nebraska to Florida—to name just a few.

We therefore invite you to join us in a national conversation. Starting in Chicago, Illinois, NLC will present this agenda in communities across the country over the course of the coming year. We will be hosting a conversation led by our NLC community - 48 chapters and 5,000 alumni - that will involve an inclusive process that invites you to offer new solutions to issues already identified, explore topics not yet covered, and build on this document to ensure that the final product is truly of, by, and for the people.

That is what makes the millennial progressive generation such a force in American history. Our commitment to transparency and inclusion, and the belief that when we implement these ideas, we can unleash the full potential of all of our people, and ensure that we have a government that not only serves, but empowers all in a just and equitable way.

This agenda will refuse to compromise on principles and is aimed at fixing our broken political reality. We are all Americans, and it is our generational duty to forge the American ideal of progress.

Today, we present to the country the fruit of our labor: the Millennial Compact with America.
Statement of Principles

We the People

Progressives are first and foremost Patriots who stand for Freedom, Opportunity, and Community for All.

New Leaders Council, dedicated to building a new generation of progressive leaders, endorses this statement as the best expression of our commitment to America.

Preamble for Patriotic Progressives

We believe that Progressives must fight for equal and equitable opportunity for all to live the American dream.

We believe that Progressives must secure economic fairness for all and special privilege for none.

We believe that Progressives must demand the liberty to enjoy freedom in all of its aspects, from a woman’s right to choose to all peoples’ freedom to choose whom we love.

We believe that Progressives must commit to a just, inclusive and compassionate society, where the potential and well being of each citizen is not limited by circumstance of birth, or race or class, or health or age, or any other factor of identity.

And we believe that Progressives must stand for a society of sustainable progress—where we maintain fiscal responsibility, environmental stability, and social equality, with the laws of our land applied fairly to all of We, the People.

Progress Demands Community

Our values show that individual liberty, properly secured, demands community action.

We acknowledge that the American experience is always evolving and never easy. From our Founding Fathers to Civil Rights Movement to Women’s Suffrage to Marriage Equality, we Progressives know that the work is never completed. Each generation must take up the business of building a more perfect union—one that ensures the security of the people, against both external threats and the tyranny of circumstance.

We welcome the responsibility to broaden the protection of this contract, by fostering individual commitment to civic duty and societal commitment to protecting and enhancing individual opportunity.

Further, we declare the basic truth that we are in this together, that our fates are intertwined, and that our individual lives are dependent on the strength of our communities.

Today, we accept our full measure of duty in strengthening the social fabric of the American community.

Progress Emerges from a Just Society

Our values dictate that to truly establish Justice, we commit ourselves to equality before the law and before circumstance.
We believe that justice is a social effort, not just a legal one. Yes, we must secure legal redress for wrongs, and, yes, we must build a legal system that is truly blind to the biases of circumstance. But truly securing Justice demands more.

A progressive society does not wait for Justice; it actively seeks to redress injustice. It affirmatively seeks to keep its promises made to its seniors, veterans, and underserved communities—and it combats systemic bias and racism at all levels.

Therefore we fight for a community committed to finding, and fixing, injustice in all its forms. Progressives seek a society that expands the opportunity to vote and to be heard; a society that allows individuals to access the health care they need to prosper; and a society that protects all people’s right to privacy, to inherent dignity, and freedom from fear.

**Progress Requires an Economy that Empowers Every Individual**

We believe that everyone is created equal. And that each has equal claim to an equal share of economic opportunity. We commit ourselves to an economy that fosters each individual and maximizes their potential.

We recognize a fear of failure can drive us to innovate, and is a productive force in an progressive, entrepreneurial society. When society allows the consequences of failure to overwhelm its rewards, progress halts and economic growth dwindles. Worse, growing inequalities of wealth mirror growing inequalities of opportunity.

When all individuals know that economic risk will not lead to economic ruin, then individuals will be free to create new commerce, new opportunity, and new prosperity.

We seek to places no limits upon individual success, but reject the notion that devastation is the proper cost of economic misfortune.

We commit ourselves to a society that invests in its citizens’ economic capacity, that lessens the deleterious consequences of wealth inequity, and allows empowers its people to take risks without gambling their livelihoods and families.

Through a society of progressive entrepreneurship, we will re-invigorate the engine of American opportunity.

**Progress Requires Sustainable Security**

Physical security is essential to a progressive society. Nothing destroys the bonds of community that weave our nation together more than fear of insecurity.

We therefore embrace America’s role as a world leader committed to building a lasting peace among nations—committed the institutions of collective security, the tools of effective diplomacy, cultural connection, and, where necessary protect our vital national interests.

America can only take up its role as a world leader by first being a nation whose example should be followed. Progressive security therefore requires domestic investment in communities, infrastructure, and environmental sustainability.

Ensuring the continued, sustainable investment in infrastructure, in communities, and in our global environment is essential to achieving national security.

By re-establishing America’s role as the rightful economic, military, and moral world leader, we will secure prosperity through collective security.

**Progressives Must Stand Up for Community Action**

Progress requires commitment. Without champions in all sectors the advance of Progress slows and rolls backward.
Some would see our national experiment in self-improvement frozen in time, wishing the great cause of Liberty’s advance stop at most recent shore.

But not us. That is not the cause of American Democracy. We reject a society that cannot expand Liberty, Opportunity, and Justice. These efforts are noble, and we enlist all the tools of society—commerce, philanthropy, and government—in their pursuit.

The work ahead is difficult. But the moment is more critical now than ever before. Through the work of generations, we have built a society more free, more possible, and more prosperous than any other in history. Yet, the work remains ahead.

We now re-commit to the work of securing progress each day.

Our Commitment

Progressivism, the belief that through democratic governance we can secure equal opportunity for all, is the strongest conception of Liberty.

Our founders established our great country to “secure the blessings of Liberty” for themselves and their posterity—for We, the People. Yet we are aware—painfully aware—that it is impossible to provide equal opportunity within a rigged social and economic system. A woman denied the right to choose, a young person yoked by educational debt, people denied the right to organize and bargain, and people of color denied a fair legal system and equitable opportunity and investment, and a planet choked by greenhouse gases—none of these have an equal opportunity to secure the “blessings of Liberty.”

Therefore we stand united to eradicate unjust economic, social, and legal systems while building ladders of opportunity. In the competition of ideas, we commit to Progressivism’s triumph. To its cause, we stake our generational claim. And in our patriotic duty, we are confident that we will forge a more perfect Union to secure the blessings of Liberty for all.

We continue today building a new generation of leaders pledged to action in the cause of our futures.

The Millennial Compact with America begins a national agenda-setting conversation. These policy ideas are crafted by NLC alumni and community members to be the beginning of a foundation on which we will build a new generational agenda.

We are eager to have your feedback on every aspect of this project.

Let us know your thoughts here: newleaderscouncil.org/compact
# Table of Contents

## Innovating Our Economy

### Innovating Our Workforce

- Ensuring a Pathway to Education and Employment for Our Military Members .................. 1  
  by Dana M. D’Orazio

- Sectoral Bargaining and the Future of American Unions ..................................................... 4  
  by David Bander

- Self Driving Cars in Pittsburgh: A Love Story.................................................................. 6  
  by Curt Conrad

## Building Local Economies

- A Millennial’s Guide to Economic Inequality ....................................................................... 10  
  by Jasmine Clemons

- Value: The Plight for Women? ............................................................................................ 12  
  by Ebonni Bryant

- Maximizing Our Infrastructure: A National Emphasis on Community-Based Business Ecosystems .............................................................. 14  
  by Vasco Bridges

- Invest in Land Banks to Rebuild Rural and Urban Communities and Revive Workforces Through Affordable Housing ................................. 17  
  by Gregory Young, Ph.D.

- Innovating SBA’s Small Business Lending ........................................................................ 20  
  by Stathis Theodoropoulous

- Chicago’s Potemkin Village ............................................................................................... 21  
  by Thomas Day

- A Win-Win for Rebuilding Kentucky, U.S. ......................................................................... 25  
  by Leslie Combs

## Fostering Innovation in Energy

- Clean Energy Jobs for All .................................................................................................... 26  
  by Kyle Gracey

- Mexico: A Strategic Partner to the U.S. in the Advancement of North American Energy Integration ................................................................. 28  
  by Bernadette L. Hobson

- A Moderate Energy Subsidy Shift Proposal for a Radical Energy Use Shift ....................... 31  
  by Patrick Leahy
# Table of Contents

Extreme Heat and Climate Change

by Ana Lucrecia Rivera 

34

Urban Adaptation: Preparing U.S. Cities for the Impacts of Climate Change

by Benjamin McNeil 

36

Creating Access & Opportunity in Education

Innovative Education and Vocational Programs Created to Address Social Justice Issues

by Karen Pandy-Cherry 

40

A Progressive Rubric for Charter School Policy

by Wesley R. Whistle 

43

Investing in Justice: Achieving Education Equity by Divesting from Harm and Investing in Support

by Kate McDonough 

47

American Success in a Digital Future: The Importance of K-12 Computer Science Education

by Paul Escobar 

49

Making College Affordable: Keep the Focus on Low-Income Students

by Ed Byrne 

53

Sexuality Education: An Intersectional Policy Model That Young People Deserve

by Amanda R. Matos 

55

Creating Diverse and Inclusive Schools Through Relationship-Based, Anti-Oppressive Classrooms

by Sarah E. Ogdie 

58

Reforming Our Tax Code

Making the Tax Code Work for All Americans: Inequality, Wealth and Tax Policy

by Scott B. Astrada 

62

A Progressive Vision for Tax Reform

by Brett Seifried & Matt Tompkins 

65
Table of Contents

Innovating Our Communities

Reforming the Justice System

Dismantling the School to Prison Pipeline ................................................................. 72
by Heather K. Blier, Ph.D.

Reducing Recidivism by Expanding Economic Opportunity ........................................ 75
by Oren Jacobson

Building a Safe Chicago ............................................................................................. 79
by David Sargent

Empowering Communities

Social Enterprise and the Racial Wealth Gap ............................................................... 81
by Joseph Pileri

Reevaluating Stigma to Win Back the Working Class:
Poverty Examined through the Military ........................................................................ 82
by Erin Kennedy-Rogers

I Am The Statue of Liberty ........................................................................................... 85
by Stephanie Oghia

Supporting Undocumented Students:
An Investment in America’s Future ............................................................................ 86
by Brandon D. Mack

“We All Do Better When We All Do Better”:
The Case for Transgender Equity ............................................................................ 89
by Phillipe Cunningham

Unlocking Victims of Human Trafficking:
Designing Policies for Correctional Institutes ............................................................ 92
by Colleen N. Fonseca

The Critical Role of Anti-Racism Work in Preventing
the Sexual Exploitation of People ............................................................................ 94
by Amanda Koonjbeharry

Sexual Assault in the United States:
Policy Recommendations ......................................................................................... 96
by Norah Langweiler, Liz Mahn, and Jenna Mellor

Fair Housing: Where Do We Go Now? ..................................................................... 100
by Neil Reilly
# Table of Contents

The Triple Bottom Line: The Policies and Practices of Achieving Environmental Sustainability, Affordable Housing and Exceptional Labor Standards ................................................................. 102

*by Igor Tregub*

**Access to Quality Care**

Revitalizing Public Health: Tech and Innovation as a Path Toward the Future .................................................................................................................. 106

*by Vanessa Mason*

Wars Are Won at the Dinner Table: Promoting Healthier Lifestyles and Better Communities ........................................................................................................ 110

*by Chad Cherry*

Awareness of Mental Health in Female Adolescents ......................................................................................................................................................... 113

*by Taylor L. Beale*

Do Mothers Count in the United States? The Growing Maternal Health Problem and Proposals for Improved Outcomes .......................................................... 115

*by Melissa Breazile*

**Innovating Our Democracy**

**Building a System of Reform**

Automatic Voter Registration Offers a Solution to Low Voter Participation ........................................................................................................................................ 121

*by Dave Rini*

Partisan Gerrymandering in State Legislative Districts and the Search for Fair Representation ........................................................................................................... 125

*by Hon. Kimberly Dudik*

Increasing Civic Engagement by Getting Big Money Out of Politics ........................................................................................................................................ 127

*by David Edward Burke*

How Right to Work Laws Entrench Economic and Political Inequality ........................................................................................................................................ 131

*by Amber Baur*

Re-imagining Local Party Governance: A Call for Constituent-Driven Party Reform ............................................................................................................... 134

*by Elizabeth Adams*

Ratification of the Equal Rights Amendment ........................................................................................................................................................................... 136

*by Sita Stukes*
# Table of Contents

Women’s Political Participation: a Fundamental Prerequisite for Gender Equality, Democracy, and Achieving the 2030 Agenda for Sustainable Development ............................................................................................................................... 139  
*by Zephanii Smith*

Values-Based Solutions Resonate Over Ideological Problem Statements: Progressives Must Reset, Refocus, Retool, and Re-engage .................................................................................................................................................. 142  
*by Justin Miller*

American Redemption: Rebuild from the Bottom Up .................................................................................................................. 145  
*by Michael Cooper*

**Creating Democracy Through Technology**

Moving from Portals to Projects: The Case for the Digital New Deal for Government .................................................................................................................. 143  
*by Mai-Ling Garcia*

A Progressive’s Case for More User-Friendly Technology in Government Service Delivery .................................................................................................................. 150  
*by Efrem Bycer*

Democratizing the Intermediary: Replacing Profit with Trust in Social Networks .................................................................................................................. 154  
*by Jonathan Jacobs*

**References and Citations** .............................................................................................................................................. 158
We once had an American dream.

A dream of upward mobility, familial security, and broadly distributed economic growth. Unfortunately, for many, this dream was always just that—a dream, present in imagined worlds but sorely lacking in the cold reality of systemic race, class, and gender restrictions. Despite it all, though, our American dream was exceptional. We are exceptional.

It is time finally to make our American dream into the American life. We live today in the wealthiest society created by human beings in our entire history. We can build a new economic system that assures all of its members a equitable chance; that does not require people to risk their family’s daily bread to pursue a new venture; that directs economic growth to the many and not the few; and that, in short, assures a baseline of economic security for all and incentives for personal ambition for all.

In the following pages, you will find detailed proposals on issues ranging from tax policy to small business development.

All of them further this one goal: Our America must be one where every single American can succeed, regardless of the circumstances of their birth, color, gender, creed, or identity.

“Our workforce and our entire economy are strongest when we embrace diversity to its fullest, and that means opening doors of opportunity to everyone and recognizing that the American Dream excludes no one.” --- Secretary Thomas Perez
Our service members face a number of obstacles out in the field, and when they return home, they encounter additional hurdles to achieving their education and workforce goals. The largest issues facing these men and women, both active duty and veteran populations, are: time to obtain a degree, a direct result of the lack of awareness of and credit granted for prior learning and military training; the simultaneous need to earn an income and work while also skill-up and begin or finish a degree; and the lack of broad national policies and supports in place, including guidance and financial assistance. We need to create a more effective and clear pathway for our service members to and through higher education as well as connection to meaningful employment.

Education has been the cornerstone of the United States’ approach to supporting our service members and a key strategy to promoting transition back into civilian life. With the creation and passage of the “Servicemember Re-adjustment Act of 1944 – the GI Bill,” the United States committed to financially assisting service members in their educational endeavors (Lang, Harriett and Cadet, Mission II, 1). This Bill would see six revisions over the years leading to the much discussed 2008 Post-9/11 revision, the “Veterans Educational Assistance Act of 2008- Post-9/11 GI Bill,” which created more resources, the most to date, for service members to pursue higher education (Cate et al., Success Tracker, vii). The introduction of the Post-9/11 GI Bill brought an influx of military members seeking degrees. Roughly one million military-affiliated students, both active and non-active, enrolled in colleges and universities across the United States (Lang, Harriett and Cadet, Mission II, 1).

With this increased investment came a greater demand for additional insight into the effectiveness of providing these benefits and the rate at which military members were successfully earning degrees. This increase in demand for tracking effectiveness and funds shed light on the availability of and obstacles to collecting relevant data on military members’ postsecondary endeavors. Many of the data capture challenges exist due to the variances in military members’ level of enrollment; the number of credits taken with many taking fewer credits than the average student and their extended time to degree, which exclude many military members from being included in the normative higher education data capture practices. In this push for increased data capture were two underlying agendas. The first was more focused on making a case for the increased funding and showing a return on investment of both the GI Bill and Tuition Assistance. The second focus was attempting to highlight areas where military members were falling through the cracks in the system and not receiving the needed supports to guide and propel them forward on their programs of study. These two at times opposing agendas make it difficult to distill a fuller landscape of military members’ success in higher education, however some trends did emerge from the research, which will be further explored later in this paper:

1. Time to degree is an issue for military members. There are three main components in increasing the time to degree for military members. The first is deployment for active duty members, which interrupts their programs of study. The second is life commitments and responsibilities with many service members, especially veterans, seeking degrees at older ages. Many are having to juggle multiple responsibilities, including caring for a family. Lastly, the inconsistent use of prior learning assessments and overall practice of institutions of higher education awarding credit for military experience is a major factor in increasing time to degree. To compound this issue, many service members are not aware of this process or option to earn credit for their military experience and therefore leave credits on the table, costing them time and money in their journey to a degree.

2. The need to earn a living wage and support oneself (and possibly a family) while also pursuing a degree. Many employment opportunities that allow military members to more quickly get a job and a good wage require a National Certification. The current funding resources do not cover training for a non-credit National Certification. This non-credit certification is often the first step needed to gain an income and begin a pathway to a degree for many service members.

3. The lack of a clear pathway to education and employment and training as well as the lack of related consistent national policies and programming to help service members on their path and to translate their military experience into job experience.

These systemic issues will only continue with greater impacts as the estimates of military members transitioning to veteran status equate to close to one million through 2018 (Lang, Harriett and Cadet, Mission II, 1). Furthermore, based on the FY 2011 Department of Defense Voluntary Education Levels report, roughly 85% of enlisted members do not possess an associate’s degree, and close to 95% do not have a bachelor’s degree or higher. Additionally, the United States Department of Veterans Affairs states, based on data from 2000-2009, that roughly 30-35% of veterans have some college credit but no degree with just under 20% of veterans holding a bachelor’s degree and roughly 10% holding an advanced degree (Holder, Educational Attainment, 4). The pathway from non-degree holding soldier to a degree-holding civilian needs to be improved.
Who are our military students?

Military students across all research are denoted as non-traditional students based on their age (the majority being 24 years of age or older) and their variance in their enrollment status (part-time to full-time and vice versa). Many enter with some prior college credit and/or prior learning (experiential) credit (Lang, Harriet and Cadet, Mission II, 5-6). Close to 50% of veterans enrolled in higher education have a family (Deming et al., For-Profit). Sixty-two percent of service members are first generation college-goers, being the first in their family to attend. This is a much higher proportion then their non-veteran/military student counterparts (43% are first generation college students) (Kim and Cole, Student Veterans).

73% of service members utilizing Tuition Assistance enrolled in online courses. Most service members who enroll in higher education take less than three courses a year (this therefore negates their inclusion in the Department of Education’s first-time, full-time completion calculation). With this rate of credit accumulation, most will take longer than six years to finish their degrees (Educational Attainment, 5).

A Closer Look at The Barriers to Success

Time to Degree and Receiving Credit for Military Training

The translation of military experience and training to college credit makes sense but as seen in the research this is not happening on a regular basis across institutions of higher education. The American Council on Education (ACE) is the recognized lead institution in beginning the translation process to higher education and has an inventory of applicable college credit that correlates to a service member’s Joint Services Transcript (JST). Despite this, there continues to be a number of colleges and universities who are not granting credit and/or are not engaging veterans to let them know their military service can count towards their degree. The broader lack of awareness of veterans attaining and using their JST and the possibility of earning credit for their military experience at their college or university is an issue as servicemembers leave vital credits on the table that could save them both time and money. Despite efforts like the Service Members College Consortium and the American Council on Education Guide to the Evaluation of Educational Experiences in the Armed Services in research completed by Operation College Promise and the Pat Tillman Foundation, only 1/3 of students were receiving credit for their military experience and training (Lang and Powers, Mission, 10).

The Need to Earn an Income and Work While Also Pursue a Degree

Earning a degree is unattainable when you also need to make a living. Whether it is a part-time or full-time endeavor or without the dedicated resources to both support oneself as well as meet the financial needs of paying tuition, higher education is not an option. Many service members find themselves in need of both a job and a degree. A discussion with Howard Drake, Director of the Corporate College and Adjunct Professor at Polk State College, highlighted the issue that many service members find themselves at a crossroads between a wage and a degree. The quickest way to get a livable wage often is a job that requires a non-credit National Certification (Drake). The current policies around Tuition Assistance and the GI Bill do not cover certificates, as they are not credit bearing programs of study (GI Bill Benefits). The GI Bill only pays for reimbursement of the test to gain certification- not the actual training.

Translating Military Experience to Workforce Experience

Seen as an issue both at Polk State College as well as by Gloria Sinclair Miller, HR Consultant and former Board Chairman, USO of PA and Southern NJ, military members need more assistance in the broader conversation of a degree to what end and how these skills fit into a career path. In exploration of the broader landscape of service providers for veterans and military members, two missing components are: 1- the connection of both an education pathway to a workforce/career path; and 2- the necessary training and support to assist military members in translating their military experience into both an education and career path. This translation is first a connection from military service to a program of study and secondly connecting military experience to job requirements and skills. Ms. Sinclair Miller noted that service members struggle with the transition from service to the workforce already in terms of the length of time between leaving the service and gaining employment as well as the added difficulties in having to navigate multiple providers and at times limited coordination of services.

All of these factors make it difficult for service members to gain a clear vision of the broader landscape of resources and options available. There is also a disconnect between higher education and career pathways. Ms. Miller stated that many older enlisted service members earned bachelor and master’s degrees without a clear understanding of how to leverage this to a career pathway after their time in the military.

Policy and Strategy Recommendations

Existing national policy efforts include the Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouse, and Other Family Members instated by executive order under President Obama in April 2010 to serve as a watchdog mechanism to ensure military members and their families received the adequate support and proper services to achieve their higher education goals (Principles of Excellence). There are also some national organizations and coalitions, including the Service Members Opportunity Colleges, Operation College Promise and Student Veterans of America that are not only championing policy shifts but also beginning to attempt to fill the void in the data captured to better understand the military and veteran college-going and degree completion experience. States are also making policy shifts to reduce the cost of higher education through waiving residency requirements.
allowing military members and in some states their family members to pay the lower in-state/resident tuition rates. Alabama, Oregon, Idaho and Texas are all states that have proposed these policy measures. Twenty-six states have passed legislation to award college credit for prior military training and experience: Alabama, Alaska, California, Colorado, Florida, Hawaii, Idaho, Indiana, Louisiana, Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Utah, Virginia, Washington, West Virginia, Wisconsin and Wyoming (Veterans and College).

Some colleges and universities are also filling in the gaps in knowledge and clear guidance for both servicemembers and other education institutions by serving as hubs of information and resources. One such example is Thomas Edison State University and their Military/Veterans online portal and Operation Vet Success program. Through these two online portals, the University provides a comprehensive list of resources, contacts, and clear guidance for service members to understand their options and build the best educational plan for themselves to start or finish a degree, including a dedicated staff to work one-on-one with service members. The site even includes a credit calculator to help veterans better understand how much credit they could be awarded for their military service and training.

Additional recommendations for actions the federal government, states and communities can take to better support and help military members achieve their higher education goals:

1. Create gap funding to enable service members to earn valid non-credit National Certifications to gain initial employment and a sustainable income to make attending college, whether full or part time, a reality.

2. Require more institutions of higher education to not only promote the Principles of Excellence but to award college credit for prior military experience and training.

This could start with an amendment to the Department of Defense’s (DoD) Memorandum of Understanding (MOU) with Educational Institutions and make the evaluation of prior learning and awarding of credit a standalone requirement and not a requirement for only Servicemembers Opportunity Colleges (SOC) designated institutions. Current language in the DoD MOU leaves much of the decision making of granting of credit and limits to number of credits granted for prior experience in the hands of colleges and universities. Increasing the accountability for non-SOC institutions and other institutions of higher education in awarding credit and accepting additional transfer credits should be considered with stronger recommendations around honoring applicable military experience and training (Voluntary MOU).

3. Increase the awareness of tools for servicemembers to understand their options in terms of being awarded credit for prior military experience and training.

4. As it stands now, the only recommended tools as per the DoD MOU are financial aid calculators, tools for exploring general higher education statistics versus better indicators such as amount or limits of credits awarded for military experience. Making military “friendly” practices a means by which institutions of higher education are scored would create more transparency and increase accountability to best serve this population in their journey to a degree. This should include the average number of credits awarded to servicemembers for military experience.

5. Build more multidimensional pathways for military members by merging employment opportunities with a degree attainment plan not just one or the other.

6. Create better structures and supports for military members to translate and connect the dots of their applicable military experience to their education and career pathway.

In closing, there are a number of institutions and organizations working on these issues and yet the outlined areas for policy and programming reform still exist. The recommendations above are options to implement to better serve the very people that serve us as a nation.

**Sectoral Bargaining and the Future of America Unions**

*by David Bander*
Attorney, Mets Schiro
McGovern & Paris
NLC New Jersey

The election of Donald Trump and unified Republican control of the federal government present tremendous challenges for the American labor movement. During the Obama administration the movement had seen, if not a flowering of activity, then at least sustained progress in several important areas including increasing the minimum wage, expanding the number of workers eligible for overtime pay, resisting the efforts of employers to classify their employees as “independent contractors,” and conducting union representation elections more quickly. Buttressed by a broadly supportive federal administration, the downward trend in union power had slowed appreciably.

Unfortunately, unified Republican control of the federal government and a conservative Supreme Court majority will likely bring a series of laws, regulations, and court decisions that range from merely terrible (reversing many of the hard-won gains made under the Obama administration) to truly frightening (undermining the foundation of union organizing and representation as we know it). At the same time, this also presents an opportunity for the labor movement to take a hard look at itself and consider new strategies and tactics.

Unions are a “core equalizing institution in politics and the economy,” and a strong union movement is needed today more than ever.1 However, the current labor relations frame-

Learn more about NLC at newleaderscouncil.org
work was created approximately 80 years ago for an economy that was very different than our modern economy. A wide array of individuals and institutions have offered ideas as to what the labor movement should do to rehabilitate itself. These ideas range from “back to basics” approaches like devoting more resources to union organizing and advocacy, to more elaborate ideas such as a sustained litigation strategy to re-interpret key aspects of labor law. More pessimistic advocates urge the labor movement to simply hold on to what it has and wait for a more fruitful time to engage in new organizing.

While these critiques all have merit, in my opinion the single best strategy that the labor movement could adopt is to embrace sectoral bargaining (also called “multi-employer bargaining” or “social bargaining”). Put simply, the labor movement must move from its history of worksite-by-worksite organizing and embrace a much more expansive type of organizing, one that “locates decisions about basic standards of employment at the sectoral level.”

**Sectoral Bargaining**

Currently, in most aspects of labor relations’ collective bargaining occurs between a union and a single employer (covering all of the unionized employees at a factory, for example). The same is true with union representation elections – a vote is held at a single worksite to determine if only those employees will join a union. This legal framework is inefficient for several reasons, principally because the fragmentation of workers by worksite inhibits their ability to join together and increase their bargaining power, and because the union election process is resource-intensive and vulnerable to employer coercion. Additionally, it is somewhat inconsistent with the globalized economy and its multiple layers of contractors and subcontractors.

Bargaining with multiple employers, rather than a single employer, is not a new feature of the American labor movement. Indeed it exists famously in the automobile industry, where the United Auto Workers bargain with the “Big Three” automakers Ford, Chrysler, and General Motors. But it is certainly far from the norm.

The “Fight for $15 and a Union” movement is a ready example of the power and promise of sectoral bargaining. Fight for $15 is a campaign of low-wage workers, primarily in the fast-food restaurant industry, begun by the Service Employe es International Union (“SEIU”). The Fight for $15 campaign has not been conducted using the traditional methods of the National Labor Relations Act (“NLRA”). There have not been union elections held at one fast-food restaurant after another, nor have there been efforts to collectively bargain a contract with individual fast-food restaurants. Instead, it has been a combination of legal, social, and political efforts to organize and impose minimum standards on the entire industry at once, rather than going company by company or franchise by franchise.

Embracing sectoral bargaining would mean adopting a more explicitly political and public model of organizing than the traditional NLRA model. In the traditional NLRA model, the state plays a neutral mediating and enforcing role. By contrast, sectoral bargaining would “position unions as political actors representing workers generally and would involve the state as an active participant in supporting collective bargaining.” It also has the potential to be much faster and more effective than worksite-by-worksite organizing. Although this method of multi-employer bargaining does not automatically enroll the workers in these industries into a union, the path forward is clear. In representation elections, unions must advocate for larger bargaining units than the individual worksite. Fight for $15 has done exactly this, recognizing the futility of “holding elections at McDonald’s franchise stores on a one-off basis.” Instead, it has “sought to define McDonald’s as the joint employer of all McDonald’s employees.” Similarly, building on National Labor Relations Board precedent established during the Obama years, unions have successfully argued that subcontractors in a supply chain should be considered to be employees and eligible to participate in a union representation election. See Browning-Ferris Industries, 362 NLRB No. 186 (Aug. 27, 2015). These legal tactics, when joined with union political activity, are pushing the boundaries of traditional labor law to allow sectoral bargaining.

**How to Facilitate Sectoral Bargaining**

Much of the framework necessary for sustaining a multi-employer bargaining regime can be achieved at the state level. In New York and New Jersey, for example, in addition to the Fight for $15 SEIU has led a multi-employer effort at the airports in the region to organize and impose minimum standards on all airport workers at once. This effort has been successful through cooperation and coordination between unions, state-level politicians and agencies, and employers. This state-level alliance is the single most important factor in the success of Fight for $15 and holds the most promise for the continued expansion of sectoral bargaining. “Blue” states and cities can take several actions to be “an active participant in supporting collective bargaining.”

First, states can act through the aggressive use of wage boards. When New York raised the wages of its fast-food employees to $15 per hour, it was not solely through legislative action. Instead the state’s Governor, Andrew Cuomo, used a Depression-era law, which empowered the Governor to convene a wage board to review and set the minimum wages and regulations for workers in a particular industry. Several other states, including New Jersey, California, Massachusetts, and Wisconsin, have similar laws and can convene wage boards to achieve a similar purpose.

Second, states and municipalities can require entities that receive public dollars to sign “labor peace agreements,” which pledge the employer to maintain neutrality in a union organizing campaign. Robust use of such agreements would allow unions to conduct elections free of employer coercion and interference.

Third, states can pass legislation granting greater protections to union activity, for example amending their anti-discrimination laws to include labor rights. Such legislation would be in conflict with traditional federal authority over most aspects of labor relations. However, the time is ripe for a broad challenge to so-called federal “preemption,” as it prohibits blue states and municipalities from being able to comprehensively assist unions in their work.

Share Your Feedback: newleaderscouncil.org/compact
Conclusion

Without question, there will be lean years ahead for the union movement. However, these lean years will provide the movement with an opportunity to shift its focus toward large-scale organizing. Although the Fight for $15 movement has gained the most attention, groups like OUR Walmart, the National Domestic Workers Alliance, and the Taxi Worker Alliance are seeking to organize workers on a sectoral basis and are succeeding. In a Trump presidency a strong union movement is more necessary than ever. Sectoral bargaining is the best hope for the rehabilitation of that movement.

Self Driving Cars in Pittsburgh: A Love Story

by Curt Conrad
Chief of Staff, Pittsburgh
Councilmember Corey O’Connor, NLC Pittsburgh

Synopsis of Issue

It’s not every day that Pittsburgh gets to be the vanguard of technological advancement, but that is exactly what happened late 2016 when Pittsburgh became the first city in the United States to have a fleet of self-driving vehicles operating on public roads. The city was a natural choice for Uber to unveil this technology because of the concentration of autonomous technology research and development and young talent at Carnegie Mellon University’s Robotics Institute. Uber’s partnership with Carnegie Mellon University and their intentions to use Pittsburgh as a proving ground received wide public support. Pennsylvania Governor Tom Wolf, Allegheny County Executive Rich Fitzgerald, Pittsburgh Mayor William Peduto, and other local leaders enthusiastically welcomed the new fleet. Mayor Peduto even went so far as to further define the local government’s relationship to Uber by saying, “It’s not our role to throw up regulations or limit companies like Uber.”

Many see autonomous technology and self-driving cars as the inevitable wave of the future and have welcomed the development and implementation of tech companies, startups, and their related technologies into the labor market. For a Rust Belt city like Pittsburgh, it was an opportunity too good to pass up. A city that has been reeling from the loss of the steel industry saw an opportunity to regain its title as an industry leader. Though there are some public safety and regulatory concerns around the use of self-driving technologies, the biggest questions come not from the use of the technology but the ripple effects on labor that need to be addressed by federal, state, and local levels. Large swaths of the labor market depend on humans driving vehicles and transporting goods. Historically, jobs driving taxis, buses, trucks, and forklifts have been relatively accessible for individuals who do not have college degrees and provide the drivers and operators with family sustaining wages and benefits. The displacement of these jobs needs to be carefully weighed against the benefits that could come from autonomous technology.

Employers frequently take the calculated step to replace their human labor with automation because it helps them to lower their costs and save on overhead. And they are not alone. Mayor Peduto has made the calculated decision to welcome this technology, saying, “…the possible downsides — automation causing layoffs, a few fender-benders, data privacy — outweigh the societal benefit of reducing car crashes, easing congestion, and increasing access.” The algorithmic vehicle controller will be able to assess the entire environment surrounding the vehicle in real time by seamlessly integrating the sensors, cameras, and a global positioning systems which will allow autonomous vehicles to exceed the capabilities of a human driver by leaps and bounds. In the United States alone, thirty thousand people die every year in vehicle accidents and car crashes are the leading cause of death for 15-29 year olds, and the second highest cause of death for 5-14 years olds. With self-driving technologies we have a very real opportunity to get these accidents and deaths close to zero. The technology will undoubtedly save lives, but it will also help others to live more fulfilling lives by empowering individuals that have previously experienced a lack of access to transportation. Transportation could be easily accessed across ages and physical capabilities, which could help to diminish social isolation and allow better connectivity between people and services.

Furthermore, automation of vehicles could allow municipalities to strategically use space more creatively: smaller roads, larger sidewalks, and a reduced focus on parking requirements – just to name a few possible benefits. ‘On demand’ vehicles could reduce the number of cars on the road. This could help to mitigate issues around traffic, but it could also have a huge effect on the amount of green gas emissions since light-duty passenger vehicles in the United States make up about twenty percent of the country’s green house gas emissions. Again, the technology could address some of our most pressing health and policy concerns, especially in urban settings.

It is difficult to predict all the effects that will come from autonomous vehicle technology or the ripple effects it will have across industries and society. Reducing vehicle fatalities, helping to lower the cost of producing and delivering products, increased efficiency in trade, and maximizing the potential of urban land use are just some of the obvious benefits, but there also are obvious concerns that could pop up from full-scale commercialization. There are ways to welcome automation into vehicle based industries and ensure that the swift market disruptions do not also have abrupt changes to the livelihood of the workers that could be impacted by the technology.

Currently, all of the large scale leaders in the American automotive industry are pursuing automation technology.

Learn more about NLC at newleaderscouncil.org
to some degree, and it is highly likely that we will see these companies, and large technology companies like Google, Amazon, and Uber, have autonomous vehicles on the market in the very near future. It is not, necessarily, the responsibility of companies to ensure that disruptions to the labor markets are mitigated. Social responsibility should be encouraged, but it should be up to local, state, and federal government officials and agencies to address any negative effects on the job and labor. Government has a role in regulating these technologies and emerging businesses, but it should be a priority to intercede to ensure the well-being of at risk workers. Technologies will surely eliminate jobs through automation, but new jobs will flourish with the addition of these technologies. That being said, self-driving technology will have a disproportionate effect on the livelihood of millions of blue-collar workers. The status of today’s labor markets have been thoroughly researched to show that family sustaining wages and benefits disproportionately go to individuals that are highly educated and has had a direct affect on the growing class inequality.

Background and Data

In the waning days of the Obama Administration, the White House released a report, Artificial Intelligence, Automation, and the Economy, that speaks frankly about the potential impacts of automation. Historically speaking, advances in technology from the 19th century through the end of the Industrial Revolution favored workers that engaged in physically demanding work that did not require an education past High School. Output and productivity increases coincided with increased wages for this particular labor class and was further bolstered by unions, progressive policies, and the economic demand for labor.

Today, the post-industrial landscape looks quite different. The current job market and labor has created a system that favors high skilled and highly educated workers, and there are a number of market and policies changes to blame for the current situation. The decline in the minimum wage in the context of inflation, weakening of organized labor and drops in union membership, policies that place barriers on unionization and collective bargaining, and drop in the ability to prepare young people for higher education or training for today’s job market have all contributed to a labor market that favors highly skilled and highly educated individuals.

On top of multifaceted wage stagnation, there has also been precipitous drop in the cost of the latest technologies, which have given employers financial incentives to choose computing power and machines over people.

According to the Bureau of Labor Statistics, there are over 5 million people employed by the transportation industry alone. A portion of that industry, for example, is made up of truck drivers who make an average yearly salary of $42,000, which puts them at the lower end of the Middle Class. The current abundance of driving related jobs and the ease of access for individuals who did not receive a college degree created a situation where lower and middle class workers could be disproportionately impacted by any displacement caused by automation. The transportation industry could soon be on the verge of replacing human labor with technologies that could respond if not better to the tasks of driving. The capital incentive itself could help reduce the labor overhead and switch to a more thoroughly integrated model of continuous shipping and transportation.

The Obama White House stated that the United States could see anywhere from nine to forty-seven percent of jobs eliminated by automation over the next twenty years. Most of the pressure will be concentrated on workers who lack a secondary education and take physically demanding jobs. Automation will put higher demand on workers that are highly skilled and educated and lessen the demand on others. The value of low and middle class jobs will decrease over time because they the jobs that are open to those who are willing to take these laborious jobs without a college degree will easily be replaced by machines and computers. Employers who are looking to save on the cost of human capital will make the cost effective decision by substituting workers for technology. Following the natural conclusion of this possible future we will likely see an even further and increase inequality in wages and between social classes.

Frey and Osborne used the U.S. Department of Labor online service O’NET to take an in-depth look at 702 occupations and concluded that close to half of all jobs in the United States could be susceptible to some degree of automation. The data set allowed the researchers to objectively rank the 702 occupations according to knowledge, skills, and abilities. They then linked that data with their corresponding wage data on these occupations. The O’NET does not show the probability of automation or computerization, but the researchers were able to determine this ranking by linking an assessment from the Oxford University Engineering Sciences Department on the automatability of tasks to the Department of Labor data set.

The modeling used by Frey and Osborne shows that automation will reduce the demand on labor for tasks that have recognizable patterns and routines and have increased demands on cognitive intensive occupations. Wages and educational attainment have a strong negative relationship when it comes to the susceptibility of automation. The Frey and Osborne model predicts that automation will mainly hit the occupations that are considered low-wage and low-skill. High-skill and high-wage jobs are the least susceptible to automation. Advances in computers and sensor technology will make replacement of human labor with computer labor highly cost effective. In conclusion, the authors of the model go so far as to estimate that forty-seven percent of total employment in the United States is at high risk of automation over the next couple of decades based off of the automatability of tasks.

Similarly, Autor and Dorn have tracked the growth in income inequality to show that the primary cause for the massive wage disparities we see today is technology. Looking at low wage employment from 1980 to 2005 the authors found that the share of hours for low skill and low wage jobs (i.e.
food service, custodians, cleaners, gardeners, etc) grew by 30 percent, while at the same time, there was a decline in higher paying low education jobs like transportation. The ultimate conclusion of their research shows that many low education and low skill workers have seen their wages suppressed and industries shrink with the introduction of technology. Following this premise and line of reasoning it is easy to see how automation could continue the trend of pushing the low- and middle-class into lower paying jobs.

Taking a step back from the tasks that may be easily automated, it is important to recognize that there are larger policy concerns that affect workers. Mishel and Bivens contend that there are severe problems with the current dynamics of the labor market, but that most of these issues stem from international policy decisions. The automation of labor has been a consistent presence in the labor market arguably since well before the Industrial Revolution, so they are hesitant to say with any confidence that automation will have the catastrophic effects that some have predicted. Their analysis of automation in the past has shown no demonstrable proof that automation will lead to worker displacement or unemployment.

The perspective of Mishel and Bivens, for example, hinges on the fact that we have had automation in the past, but the economy and labor were able to absorb any shocks and produce new jobs. It is very likely that we will see that with the full-scale implementation and commercialization of autonomous technologies in vehicles, but it could be equally dangerous to make predictions on the level of disruption and displacement based on a relatively small data set. Vehicle automation may have started with a service that competes with taxis and public transit, but it is only a matter of time before it reaches agriculture, food service, mining, other vehicle centric jobs and related services. As with any technology, it is predicted that vehicle automation will allow new jobs to be created in other sectors. There will undoubtedly be growth in jobs and services around the coding, programming, and maintenance of technology. However, it is unlikely that many of the workers that are displaced from automation will be able to transition to these highly-specialized jobs. It is much more likely that we will see displaced workers pushed to lower paying service industry jobs like food service or retail.

Instead of viewing vehicle automation through the lens of past advances in technology, I would argue that we should look at this as an unprecedented event in the history of industry. The immediacy of the potential changes and the disproportionate effects that will land squarely on the shoulders of blue collar workers should compel policymakers and leaders to set up a system that will protect these workers and slow the rapid implementation of automation on vehicles across the transportation industry.

What Has Been Done To Combat This Challenge or Advance This Cause?

As of mid-2017, there has been relatively little action in the public sector to address the changes that could be coming to our labor market or to prepare our public assistance programs for an influx of new applicants. In fact, the new technology has received an incredible warm welcome from many legislatures, mayors, governors, and even presidents. Calls for proactive attention or worker protections have largely fallen on deaf ears because so many leaders and policy makers are hyper focused on the multitude of positive benefits that come with full-scale automation.

States like Pennsylvania, California, and Nevada have all made legislative or regulatory changes to allow self-driving vehicles to operate. In Pittsburgh, companies like Uber have begun operating their autonomous vehicles on public roads with the enthusiastic support of regulatory bodies. Cities have courted self-driving technologies and their associated companies to allow their roads to be used as the test ground for the technology.

Policy Recommendations

As is the case with most sweeping changes to economies and markets there is no one solution to address the negative effects of change. Private companies and owner-operated businesses will likely step up to assist with these changes, however, it is going to take substantial heavy lifting on the part of elected leaders, policy makers, and regulatory agencies to work toward a harmless rollout of autonomous vehicles.

First and foremost, luddism is not answer to some of the potential challenges that arise with sweeping proliferation of self-driving vehicles. Pushing back against new technology or flatly forbidding it is an impossible task and, frankly, will be counterproductive. The benefits of self-driving technology will be a net positive for the overall well being of the United States. That being said, programs and policies can be put in place or adjusted to anticipate worker displacement and to slow the market to favor workers.

Federal aid programs like Medicaid, Earned Income Tax Credit, Supplemental Nutrition, and many others need to be bolstered. Programs that are colloquially referred to as part of the social safety net are going to be essential with an influx of low- and middle-income workers suddenly finding themselves with a reduction in hours or being laid off. The public assistance programs that we have in place will certainly bare the weight of sudden labor changes and in their current forms would not be able to adequately support a massive wave of new enrollees. The speed at which this technology can come online and the rate as to which it could be applied to transportation services necessitates quick action to ameliorate the displacement in labor that will undoubtedly result in the implementation of this technology.

Congress will need to allocate more funding to these programs to have a positive effect on the displaced workers and to ensure that the current system is not overburdened to the point of systemic harm. Simultaneously, the federal government will need to increase the funding provided to states through Community Development Block Grants. States and municipalities can creatively distribute these
funds to nonprofits and social service providers who will have the ability to provide core services and resources to workers who are pushed out of the labor market. The expansion and creation of Adjustment Assistance programs.

A precedent has already been set for establishing a program to help retrain and support displaced workers. The Kennedy administration and Congress created the Trade Adjustment Assistance (TAA) program in 1962 to address the objectionable effects that had merged from international trade policies. The United States Department of Labor Employment and Training Administration states that: The TAA Program seeks to provide adversely affected workers with opportunities to obtain the skills, credentials, resources, and support necessary to (re)build skills for future jobs. Any member of a worker group certified by the Department may be eligible to receive the following benefits and services at a local American Job Center: training, employment and case management services, job search allowances, relocation allowances, and income support in the form of Trade Readjustment Allowances (TRA). Reemployment TAA (RTAA) and Alternative TAA (ATAA), which provide wage supplements for reemployed older workers whose reemployment resulted in lower wages than those earned in their trade-affected employment, may also be available.

New automation adjustment assistance programs could be set up to mirror the existing TAA program but with a focus on retraining displaced workers from the transportation sector. It could even be possible to fold some of the displaced workers into existing TAA programs, though regulations and definitions would need to be expanded to include this different type of displacement. In 2016, the TAA program covered 126,844 workers, but it is a certainty that a program to address the needs of workers displaced by automation would need to have far more capacity. An Automation Adjustment program would help eligible workers to receive income and healthcare support while they go through a certification program to help them retrain for a job that is not susceptible to automation. It would be up to Congress and the appropriate agencies to promulgate rules and regulations for such a program and to ensure that it is fully funded.

Ultimately, the federal government needs to ensure stability through a two-pronged approach: provide essential services and open opportunities for workers to retrain for new jobs after displacement. People pushed out of their jobs will immediately need food, healthcare, and housing assistance, and if they are not receiving it through some sort of public assistance program, it will mean dire consequences for the individual and their family.

V. Conclusion

Uber's operations in Pittsburgh, according to Mayor Peduto, came with the understanding that the company would provide free rides for residents in driverless cars, help the City of Pittsburgh with a $50 million federal transportation grant, and spur job growth in the city's Hazelwood neighborhood where they located their autonomous car test track. Yet, the city has not seen Uber live up to these agreements. By the Mayor's own admission, the company continues to charge for rides in their autonomous vehicles, there was no assistance with the federal grant, and no one in the Hazelwood neighborhood – where 44 percent of residents have a household income less than $25,000 a year – has been hired at the test track.

Pittsburgh and a few other cities have been the proving ground for autonomous vehicles, and it is not surprising that questions and issues have abounded from these vehicles on public roads. The immediate impact of safety, privacy, and ownership of data can come to mind without much consideration; however, the effects of these technologies need to be rigorously debated in a public forum to ensure that widespread economic disruptions do not come at the sake of the jobs and livelihoods of the working class. Mayor Peduto has become more critical of Uber's self-driving technology on Pittsburgh's roads, and has even gone so far as to say that the company needs to have a holistic perspective and carefully weigh their effects on local communities. It should be applauded when the private sector steps up to be a socially responsible actor – however, it is difficult to condemn a for-profit company for failing to provide a public service. This is the space that needs to be filled by the governments who can regulate the behavior of these companies and mitigate the negative effects on the public.

Automation of vehicles could have devastating effects to our labor markets with detrimental effects disproportionately placed the lives of lower income earners without secondary or advanced degrees. The effects on the livelihoods of Americans should outweigh the eagerness to 'land' flashy new technologies and Silicon Valley venture capital projects. The story of Uber's self-driving fleet in Pittsburgh should act as a cautionary example for other municipalities and governments. If we are going to allow these new technologies to operate on public roads and to experiment on our labor markets, they must be able to commit to a partnership with the public sector.

It may be too late for Pittsburgh to engage Uber, but plenty of other cities, municipalities, counties, and states are going to have the opportunity to develop thoughtful and proactive policies. Yes, new jobs and pathways to employment are going to spring up around autonomous vehicle technology and the goods and services involved with its development, implementation, and activity on our roads. However, our workers and markets will need time to absorb the blow that will come from widespread disruption in vehicle-based industries. The new self-driving vehicle revolution will touch every American's life. Let's make sure that we have systems and security programs in place that allow our economy to bend to this disruption, but make sure that it does not splinter.

Share Your Feedback: newleaderscouncil.org/compact
I. Introduction

As millennials, the fight for women's equality is a cause that we’ve eagerly taken up, but why, aside from fairness, are women’s economic issues, including equal pay, so important to American progress? The contributions made by women to the American economy are often understated and gender discrimination issues are viewed as exclusively impacting women. However, women comprise 47% of the American workforce so their contribution is central to the healthy functioning of our entire economy. Furthermore, 40% of women are the sole or primary breadwinners in households with children under 18 so pay equity directly impacts the health and educational opportunities for their children. Although research shows millennial women currently face only a small gap with their male peers, past generations have seen the pay gap increase as they have aged. That is why it is vital that we address economic discrimination now to ensure a fair, equitable and prosperous future for men, women, and families.

II. Background/Data

Compared to other generations, American millennials, as a whole, are more diverse and more educated. In fact, we are on track to exceed all prior generations in educational attainment. Millennial women are the most educated of all – not only outperforming prior generations but also their male peers. Thirty eight percent of young women hold bachelor degrees compared to 31% of millennial men. As educational attainment has improved with each generation, incomes have increased. In 1980, women made 60.2% of men's total earnings but in 2014, this grew to 78.6%.

When one considers the barriers our mothers and older sisters encountered when joining the workforce and exercising their financial independence, this income growth is astounding. The pay gap has closed, but a gap nonetheless still exists. Furthermore, this gap widens when accounting for intersections such as age, race, class and education.

Wage Gap: Millennial Women and Future Earnings

Millennial women currently enjoy a comparatively small pay gap. According to Pew Research, hourly women workers aged 25 to 34 earn 93% of the salary earned by their male counterparts. This should be great news for millennial women, but this is just the current snapshot. As millennial women choose to have families and experience other career interruptions, their future earnings and employment security are likely to be impacted as in previous generations. Additionally, gender discrimination in the workplace has traditionally prevented women from attaining higher earning promotions, which is typically experienced outside of this current age range.

Earnings grow as individuals work longer and attain experience that employers value and reward with higher wages. However, beginning at age 35, women are paid just between 74% and 82% of their male counterparts’ salaries. These decreased lifetime earnings then translate into lower retirement savings and income. The result is that women aged 75 years and older are twice as likely as men to live in poverty. So, as the gender pay gap may not be a pressing current issue for millennials, it is an issue that women will confront fairly soon and it will have long-term ramifications on their financial stability.

Wealth Gap: Single Millennial Women and Women with Children

While the wage gap for millennial women is currently comparatively small, individual economic equality does not simply look at wages and income but also takes an account of a person’s full financial picture, or wealth, which includes retirement savings, home ownership and debt. The wealth gap for millennial women is particularly stark, as single women under 35 have a median wealth of zero dollars compared to the $3,800 of millennial men. Never married women under 65 have just two percent of the median wealth of the same male demographic, $210 versus $11,450, showing that as independent earners, women's economic security is dangerously dependent on take home pay or marital status.

Considering that statistically, millennials are marrying later than previous generations or not at all, the importance of being able to build wealth on one's own is greater than ever before.

Women with children, or those serving as family caregivers, shoulder an even greater economic burden. Aside from the income ramifications from leaving the workforce or missing days of work to care for family members, a role that women carry more so than men, the cost of childcare is profound. The U.S. Department of Health and Human Services recommends that childcare costs not exceed 7% of family income, yet in every state except Louisiana, childcare costs for a married couple with an infant exceed this threshold. Of the 8.6 million single mothers in America, 23% are younger than 30 years of age with a median income of $26,000. When compared to the average annual cost of full time infant childcare of $18,000, the burden of this necessary expense on families and working women causes parents to make difficult financial choices, such as temporarily leaving the workforce or taking part-time work in order to have a parent at home with the child. Taking time away from working, even if for brief amounts of time, impacts a woman's career earning potential. By staying home to raise children, a woman loses more than just the cumulative salary she would have earned had she continued to work. Cost of living adjustments, raises, retirement and social security are also foregone.

Intersectionality: Wage, Wealth and Identities

One cannot discuss economic inequality without examining...
the effect of identities on earnings and wealth. The history of systemic oppression of marginalized populations has perhaps one of its most profound impacts on their economic outcomes. Women of color, those with undocumented statuses, and/or members of the LGBQT community reside at a precarious intersection of identity and gender, with each characteristic further limiting their economic potential in America. And thus, the households that these women often head suffer greater at the hands of higher unemployment rates, a stalled pay gap, occupational segregation and biases.

Black women earn 63 cents for every dollar that White men earn, Latinx women just 54 cents14. Wealth, which is greatly impacted by generational resources, is glaringly inequitable between women of color. Compared to the median wealth of $45,400 for all White women, Black and Latinx women have just $100 and $120 in respective wealth19. Additionally, women with disabilities earn just 69% of the earnings of similarly qualified men with disabilities16. It is evident that these intersections contribute to decreased economic stability for women, just as they do for the American population as a whole.

III. The Quest for Equality to Date

The quest for women’s equality goes back to the very beginning of our country, through the suffrage movement and manifests today across many social issues. Going hand in hand is the history of government intervention to encourage economic equality for all marginalized groups and especially women.

There have been numerous executive and congressional task forces and commissions enacted to examine varying aspects of women’s inequality. Title VII of the 1964 Civil Rights Act is perhaps the earliest and strongest protection for female workers, as it outlaws discrimination based on race, color, religion, sex, or national origin. Title IV of the 1972 Education Act is sometimes overlooked, as many people simply focus on the athletic implications of outlawing gender discrimination in education. However, Title IV guarantees equal access and equitable education for women, which as a result has helped to increase the earnings of women since its passage.

In addition to laws protecting the rights of women to possess their own assets, case law protecting the employment status of women with children, the 1993 passage of the Family Medical and Leave Act (FMLA) is one of the most notable government actions made to advance women’s job security and thus, their economic stability. While the act does not cover employers with less than 50 employees, all others are required by law to allow for unpaid leave relating to personal or family circumstances, thus protecting millions of working women17. The 2009 Lily Ledbetter Fair Pay Restoration Act protects victims of pay discrimination, who are typically women, by removing previous statute of limitations on the filing of wage discrimination claims.

Recent Advocacy

The “Fight for $15,” or movement to raise the national minimum wage to $15 per hour, is sometimes framed as an issue exclusively affecting teenaged workers. This is unjust as nearly half of the country’s workforce - 58 million Americans - earn minimum wage salaries and women comprise more than half of those in low wage jobs18. These starter jobs are now the sole means of income for millions of American families. Of the 2.15 million American workers earning wages at or below the federal minimum, 35.5% are women over the age of 2519. In addition to low wages, these jobs, which tend to be found in growing service sector, provide very few, if any, benefits such as paid sick leave, child care or health insurance, further exacerbating the economic burden faced by working women. A University of California, Berkeley and University of Illinois at Urbana-Champaign sponsored study found that in the fast food industry, specifically, 87% of employees do not receive employer health benefits20. In turn, 52% of these working families participate in at least one public benefits program to meet their needs.21 Many cities have successfully passed legislation to raise their minimum wages, as Americans widely support the initiative, but there has been little movement on the federal stage.

Although the passage of FMLA was a great step towards addressing the impact of caregiving on women’s participation in the workforce, unpaid leave is not an option for many families. Paid family leave, a concept well established in the developed world, allows parents and caregivers to take the necessary time off to attend to childbirth, adoption or health interests without forgoing economic security. Currently, only three states offer some kind of paid leave and thus a national movement has been burgeoning to provide all Americans equal access to this employment protection. Senator Kirsten Gillibrand and Representative Rosa DeLauro most recently introduced legislation to Congress in 2013 to provide 12 weeks of paid leave each year for qualified events. Despite academic support proving the long-term economic benefits of guaranteed paid leave, the legislation has been unable to move.

IV. Policy Recommendations

To create a truly inclusive American economy, policymakers need to examine and confront legislative gaps in our society that encourage inequality. It is impossible to erase individual biases that can impact hiring, education, housing or financial lending but it is feasible, and has been done many times throughout American history, to use legislation to counteract these biases and recover from the long-term impact of exclusionary policies.

Raise the minimum wage – Women, especially women of color, through the result of many measurable factors and career/family choices, represent a disproportionate amount of minimum wage and service occupations. Not only do women represent 57% of minimum wage workers, but millennial women constitute 21%22. Personal care aids, food preparers/servers, and home health aides are projected to be three of the fastest growing occupations by 2024, adding up to 300,000 positions each23. These careers are typically low-paid and dominated by women. Raising wages in these and other industries will help women and more broadly strengthen the growing economy.

Pay Equality Legislative Action - Researchers have found some correlation between the strength of equal pay laws and pay equality. California has a gender pay gap of 16% and the strongest legislation on the books, while Alabama, with no legal protections, experiences a gap of 27 percent24. Providing equal pay to the over 15 million working single
women, those who have never married, divorced, separated or widowed, would cause a decrease in their poverty rates from 10.8 percent to 4.4 percent. Legislative action and protections also encourage transparency, making it difficult for employers to justify pay differentials between equally qualified employees. The Obama Administration passed executive action allowing the Equal Employment Opportunity Commission (EEOC) to collect pay data from companies with at least 100 employees, in a quest to enforce existing federal equal pay laws. It remains to be seen if this action will be allowed to proceed but the wage gap within the federal government, a sector with high levels of pay transparency, is only 11 percent.

Universal Paid Family Leave, Regardless of Gender - Nationwide legislation supporting paid leave for new parents would reduce the economic penalty women face when they choose to birth or adopt children. In a study of first time mothers, those who used paid leave were 26.3% less likely to quit their jobs than their peers who took unpaid leave. This encourages job stability and thus improves the economic status of the mother and child, as there will be continued earned income. Already implemented in varying forms throughout the world and in three states, paid family leave, such as the system proposed in the FAMILY Act, expands the economic and employment opportunities for women and encourages greater participation in child-rearing by men.

Child Care Benefit Expansions - Currently, the benefits, subsidies and tax credits available to parents for child care expenses vary by state and locality. Few areas offer free universal preschool as early as three years of age, with the rest of states and localities offering income based or universal preschool for differing age groups. By expanding these policies and allowing more parents to participate, child care expenses decrease greatly and encourage greater workforce participation by mothers. A Canadian study found that for every one percent increase in childcare subsidies, the maternal workforce participation rate rose by 0.24 percent. By boosting the American women’s workforce participation to levels matching our international peers, it is estimated that the gross domestic product could rise as much as $600 billion a year – showing that this economic boost would benefit America as a whole.

At a federal level, the Child and Dependent Care Credit could be increased, to reflect the growing proportion of household expenses spent on care. The return on such child care investments is twofold, as the cost of child care is mitigated, decreasing the financial burden on families, but expanded universal preschool and subsidies also increases the number of American children who receive high-quality early education. This long-term investment in children encourages better educational outcomes by closing the achievement gap and reduces both child and adult poverty by increasing eventual employment earnings.

V. Conclusion

America has made monumental strides in its attempts to rectify the numerous policy wrongs of our past, deliberate actions that cause the inequalities that we face today. However, as we plan for our futures, we cannot continue making policy choices that allow these inequalities to persist. By implementing more mechanisms to ensure that Americans receive equal pay for equal work, increasing work flexibility for parents and caregivers, and protecting the employment opportunities for all gender identities, we mitigate the damage of the past and build towards a robust economy and inclusive society.

Value: The Plight for Women?

by Ebonni N. Bryant
NLC Broward

While pay equity has been positioned as a “women’s issue,” the pay gap problem does not begin with women and how they are compensated for work. It begins with how citizens value women proportionately to men. The career choices one makes today are intrinsically linked to many variables including family, fulfillment, and/or autonomy regardless of gender. Some argue the gender pay gap results not from discrimination, but from the fact that men work more hours and can commit to more responsibilities. Others suggest the formula used to determine the pay gap is skewed. The gender pay gap, however, exists even when accounting for these differences and has been documented by organizations and councils internationally. The gap ranges from 36.6 percent in South Korea to 5.6 percent in New Zealand. In the United States, the Equal Pay Act was enacted in 1963 which prohibits gender discrimination between men and women for equal work. When the Equal Pay Act was enacted, women made less than 60 percent of what men made. While we have made great strides since then, it could take decades to completely close this discrimination gap.

For gender equity to exist, we must look at the values and needs of men and women and consider a cultural assessment of our bias towards women and the role government has in improving work conditions, both within the workplace and at home. The realities of the modern workplace must also be assessed including compensation, family leave, and work/life balance.

The Value of Women

Women comprise almost 50 percent of the workforce. They are the sole or co-breadwinner in half of American families with children. They receive more college and graduate degrees than men. Yet, on average, women continue to earn considerably less than men. In 2015, female full-time, year-round workers made only 80 cents per dollar earned by men, a gender wage gap of 20 percent. If current trends continue, hispanic women will wait 232 years for equal pay; black women will wait 108 years. While the discussion regarding women and their pay is largely focused on the statistical data, we are not asking ourselves the right questions to lead to a more nuanced conversation about the continued existence of the pay gap in addition to these alarming statistics. It is paramount, both politically and socially, that we look at how men and women prioritize different aspects of their life to rethink how we will compensate our future workforce. A study from the University

Learn more about NLC at newleaderscouncil.org
of Delaware indicated men and women value the same aspects of work, but ranked them differently. Men valued pay, money, and benefits as well as power, authority, and status significantly more than women did. Women valued the following significantly more than men did: friends and relationships, recognition and respect, communication, fairness and equity, teams and collaboration, family and home. The results also indicated that men underestimate and are generally unaware of women’s work-related values. In comparison, women overestimate how men value pay, money, and benefits, power, authority, and status. [6]

Parenthood is another source of disparity between men and women. Research has found that we do not value a working mother the same way we value a working father. While men are financially rewarded for being working fathers, working mothers are penalized. The disadvantages are not limited to pay. Research shows that describing a consultant as a mother leads evaluators to rate her as less competent than when she is described as not having children. Similarly, other studies show that visibly pregnant women managers are judged as less committed to their jobs, less dependable, and less authoritative, but warmer, more emotional, and more irrational than otherwise equal women managers who are not visibly pregnant. [8]

This dynamic is most extreme for the parents who can least afford it, according to new data from Michelle Budig, a sociology professor at the University of Massachusetts Amherst, who has studied the parenthood pay gap for 15 years. High-income men get the biggest pay bump for having children, and low-income women pay the biggest price. [7] This motherhood penalty impacts all, since a financially strong household strengthens the economy. Mothers experience disadvantages in the workplace in addition to those commonly associated with gender. For example, two recent studies find that employed mothers in the United States suffer a per-child wage penalty of approximately 5 percent, on average, after controlling for the usual human capital and occupational factors that affect wages. [8] The opportunity here is to evaluate benefits packages, pay scales, and bonuses based on skill, education, and productivity. Findings suggest that how we view women in roles dominated by men can result in lower pay for women. [9] Can the monetary value we place on women be brought into the twenty-first century? If so, what role can government play in shaping our society to the future of work and equality?

The Productivity Myth

Explanations for the differences in pay for men and women include productivity, ability to work longer hours, and ability to ask and receive a raise. These explanations are, however, inadequate. There is no evidence to support the idea that a productivity gap between men and women explains the wage gap. In fact, there does not exist a standard definition of productivity across industries and sectors. One likely reason for the lack of workplace productivity measures is that it is inherently problematic to fully specify what makes someone a good or productive employee. This difficulty leads to another: unexplained gaps in wages between two groups (e.g., employed mothers and non-mothers) can always be attributed to unmeasured productivity differences between the two groups. [10] The same lack of criteria also hurts women of color. In fact, black and Hispanic women vie for last place on the earnings pyramid at every level of education. Routinely, when pay equity analyses are done for corporations, the employees whose actual salaries are greater than two standard deviations higher than their predicted salary, based on job-related variables such as market value, time served, and performance ratings, are white men. [11] Measuring productivity simply by number of hours logged also fails as a metric because it fails to account for worker efficiency. It is suggested by opponents of the women’s pay gap analysis that if a gap exists it is because men are more likely to clock longer hours at work, get more work done and therefore adding more value to their agency, organization, or company. The issue is we do not politically or economically recognize the role a working parent plays both during paid and unpaid working hours. The Organization for Economic Co-operation and Development considers the work done to build community, bear children and take care of a home, jobs done by men and women, but not considered when opponents of the pay gap reference “productivity”. In the Global Gender Gap Index from the World Economic Forum, women work almost 9 hours a day where men work almost 8 hours a day. When you compare the 5 hours of unpaid work performed by women to the less than 1.5 hours of unpaid work performed by men, we are not adequately valuing the impact women have on the continued evolution of our society.

In explaining the gender pay gap, others point to a gap in self-confidence in women as compared to men. Through their research for the book “Womenomic”, authors Claire Shipman and Katty Kay suggest that women are less confident than men and that this plays a factor in career advancement and pay. “In our jobs and our lives, we walk among people you would assume brim with confidence. And yet our experience suggests that the power centers of this nation are zones of female self-doubt—that is, when they include women at all.” [12] Again, we see that men become the barometer for success and therefore women must live up to this linear view of confidence to experience “different but equal” and, as an extension, lack of fair pay and benefits. Culturally, politically, and economically, if the gap in pay occurs in part due to a lack of self-confidence when it comes to pay raise, contract negotiations and/or career advancement, human resources can shift this perspective through continued education and leadership development.

Assessing Pay and Benefits

In Massachusetts, Congress enacted a law that forbids employers from requesting an employee to reveal their salary history. Delaware Gov. Jack Markell signed H.B. 314 into law in 2016, making it illegal for employers to require employees to sign a document waiving the right to discuss their salary history. In 2016, California made it easier for women to push for any perception of pay inequities. The new California Fair Pay Act broadens that prohibition by stating that bosses cannot pay employees less than those of the opposite sex for “substantially
While everyone agrees that infrastructure reform will happen, there is no agreement as to how. Conservatives want to repair ports, roads and bridges; progressives want more renewable energy, public transportation, smart grids and expanded broadband access. Some think it should come from Federal grants or direct investment; others prefer tax credits and public-private partnerships (P3). And ask any regular traveler, they’d simply say, “Can someone please just fix LAX, JFK, LaGuardia and O’Hare?” It’s expected that an infrastructure plan will include all of these and more.

But regardless of approach, an infrastructure boom will result in “boots on the ground” - businesses and workers that will do the hard work of building the future of our country. And it will be a profitable boon to the business community that will participate. The big business leaders are already licking their lips: “The day after Donald Trump’s shocking presidential victory, William Sandbrook, the chief executive of US Concrete [which gets 15% of its revenue from infrastructure projects], woke up to see his company’s shares rocket more than 12% in the first three minutes of frenzied trading.” Everyone is ready. Global financiers, national telecom providers, regional construction contractors, local caterers – businesses of all types are readying to take advantage of this burgeoning opportunity.

As progressives, instead of simply shuddering at the idea of feeding the “fat cats on Wall Street” we must not miss the opportunity to use this business growth to also impact how our communities grow. In addition to asking “where is the infrastructure money being spent?”, we must also ask “which businesses are we spending it with?” And, specifically, we must enact policies to ensure that infrastructure investment is effectively shared to the underrepresented, community-based businesses that deserve it.

There are several ways that this infusion of infrastructure capital can make its way to our community businesses. In this paper, we refer to “community businesses” by specifically using the Small Business Administration’s notion - a clear set of designations that offer businesses from communities that are frequently disadvantaged in a contracting process more opportunities at government and large-scale private sector contracts:

- SBE – Small Business Enterprises
- MBE – Minority Business Enterprises
- WBE – Women Business Enterprises
- DBE -- Disadvantaged Business Enterprises
- VOSB – Veteran Owned Small Businesses
- SDVOSB – Service Disabled Veteran Owned Small Business
- WOSB – Women Owned Small Business
- SBA 8(a) – to firms that are owned and controlled at least 51% by socially and economically disadvantaged individuals 2
- HUBZone Program – small companies that operate and employ people in Historically Underutilized Business (HUB) Zones

Most political pundits agree that despite the hyper-partisan political divide, Congress is poised to pass a large-scale infrastructure investment in the coming months. From politicians on Capitol Hill to the business leaders moving Wall Street markets, everyone is expecting as much as $1 trillion invested into infrastructure projects over the coming years. Progressive policy makers must not only pursue policies that will advance the nation’s infrastructure, but do it in a way that can also be an “entrepreneurial stimulus” to business leaders in disadvantaged communities. As progressives, we must ensure all businesses are engaged in this effort by supporting and expanding our community-based business programs – an effort that, if done correctly, could have multi-generational impacts.

Reexamining and assessing how we value women and the workforce is an integral piece to closing the pay gap. We must recognize the strengths women and men bring to not only the boardroom, but also toward the betterment of society. The way we work, how we define work, and how we are compensated continues to evolve while antiquated policies are entrenched in our careers, affecting our ability to be economically in-line with our male equals. These systemic inequities can be solved with the help of a greater cultural conversation about strengths and priorities for men and women. It is incumbent upon us as a society to rally our local elected officials around policies that have proven successful in other areas of the country. While we do not always recognize these bias in our day to day lives, data and dated policies tell a different story and we have the forward-thinking values as progressives to ensure pay gap is diminished for the generations that come.

Maximizing our Infrastructure Investment: A National Emphasis on Community-Based Business Ecosystems

by Vasco L. Bridges III
CEO, JANO Technologies, Inc., NLC Chicago

Most political pundits agree that despite the hyper-partisan political divide, Congress is poised to pass a large-scale infrastructure investment in the coming months. From politicians on Capitol Hill to the business leaders moving Wall Street markets, everyone is expecting as much as $1 trillion invested into infrastructure projects over the coming years. Progressive policy makers must not only pursue policies that will advance the nation’s infrastructure, but do it in a way that can also be an “entrepreneurial stimulus” to business leaders in disadvantaged communities. As progressives, we must ensure all businesses are engaged in this effort by supporting and expanding our community-based business programs – an effort that, if done correctly, could have multi-generational impacts.

Setting the Stage

While everyone agrees that infrastructure reform will hap-
There is little argument that these businesses are important to our economy. In comparison to big businesses, these community businesses are smaller, more connected to local neighborhoods, and have a stronger potential to grow our economy beyond just the development of new roads and bridges. These businesses are more likely than their larger counterparts to “deliver community character and economic advantages to the town they are positioned in, but also strengthen partnerships among neighbors, residents, other small business owners, community leaders and even schools by offering social and economic relationships. Many also support local causes, creating even more good within a community” 3.

Moreover, these businesses are models that spur community growth. Successful community businesses can have follow-on effects, building collectives of entrepreneurs that can impact the health of a given community. As LinkedIn founder and venture capitalist Reid Hoffman says: “It only takes a few success stories...to set the whole process in motion” of growing an ecosystem of entrepreneurship4.

Finally, it’s important to realize these businesses are not an irrelevant part of our economy. According to the U.S. Small Business Administration, MBEs alone account for more than 4.1 million firms, and nearly $700 billion in revenues and “Small Firms” more generally represent 99.7% of all employer firms, employ just over half of all private sector employees, pay 44% of total U.S. private payroll, and have generated 64% of net new jobs.5

However, we’ve tried this before. In 2009, President Obama signed the American Recovery Act. And while it saved our economy from a depression, the $831 billion in stimulus did not have the impact on community businesses like it could have had. As we learn from that 2009 stimulus, and think ahead, what can progressive politicians do to focus the impact of the infrastructure spend to the “businesses that matter”?

Policy Recommendations:

There will be wrangling in the coming months around infrastructure – how and where we spend it. However, policymakers throughout all levels of government (Local, State, Federal) can consider the implications of infrastructure opportunity on the community businesses in their individual jurisdiction. There are 5 specific policy opportunities that progressive policy makers should consider when evaluating proposals to expand infrastructure spending.

Policy Opportunity 1: Push for more direct investment; be wary of Public Private Partnerships (P3)

Simply put, the more layers and levels between the government’s promise to invest in infrastructure, and the execution of that promise, the higher likelihood that profits are directed towards the financing of the project, and not its execution. Through tax credits or other unique financing tools, if the government subcontracts its managerial role as primary executor of a proposal to a large bank or financial institution, a less-progressive model of infrastructure spending will take place. Not only are “profitable” projects (e.g. toll roads) more likely to get proposed and approved, but these intermediaries/financiers are less likely to enforce strict community business standards than local government agencies are.

P3s have been viewed as innovative and can definitely be important levers to support infrastructure investment. But they should not be the only method to invest in infrastructure. Wherever possible, policymakers must utilize a model of direct investment, where government entities have more direct control over the implementation of a project, and therefore are more likely to deliver on the promise and expectations of the investment for community businesses.

However, beyond P3s, policymakers should look skeptically at the financing gymnastics that are masqueraded as infrastructure spending. If the government isn’t giving money directly to industries, it isn’t helping those community businesses. As Ronald Klein has said on many components of President Trump’s stated infrastructure proposal: “It’s a tax-cut plan for utility-industry and construction-sector investors, and a massive corporate welfare plan for contractors...Because the plan subsidizes investors, not projects; because it funds tax breaks, not bridges; because there’s no requirement that the projects be otherwise unfunded, there is simply no guarantee that the plan will produce any net new hiring.”6

Policy Opportunity 2: Ensure Fairness in Competition for contracts

Targeting infrastructure spending on community-based businesses is hardly a new idea. In 1983, Congress enacted the first Disadvantaged Business Enterprise (DBE) statutory provision for the Department of Transportation. At that time, it was used to allocate at least 10% of any funds authorized for the building of highways to be spent with DBEs, but managed through local agencies.7 Other government institutions have similar statutes. While this notion of “fairness” has been considered broadly, policy makers must ensure it is implemented specifically.

First, legislation and infrastructure spending targets must include established goals and requirements for community businesses. These metrics should be spelled out in the legislation specifically, and should set expectations for all participating organizations. But in the absence of specific legislative mandates on spending, many agencies at all levels of government have already set targets for this spending, and if they don’t, they should be pressured to set these standards. If these standards do exist, they should be increased. Our goal, as progressives, should be that nationally, 50% of all infrastructure spending should be spent with community businesses. And these standards should reflect the local economic reality using local disparity studies.

But it’s not enough to simply set goals and mandates legislatively. Processes must be put in place to ensure compliance. The standards for community business spending must apply not only for prime contracts but (and even more importantly) to the subcontractors that often execute the work. Especially in P3s, there are frequently several layers between the initial investment and the execution, and the standards enforcement for community businesses can be lost in the layers. Legislators should not only set goals, but ensure transparency and compliance – make sure that all contractors and agencies are reporting accurately and transparently to the public how they are supporting community-based businesses and that the system is not being
gamed. And while many agencies/businesses should recall at the additional scrutiny and reporting requirements, investments must simultaneously be made to advance and streamline this reporting.

Finally, we must look to the private sector for guidance - many large companies have more robust supplier diversity programs than the federal government. Companies that make investments in strong supplier diversity pipelines, both alone and through programs like Chicago Anchors for a Strong Economy (CASE), should be viewed as models by government entities. These businesses should continue to be publicly recognized, not only for adding jobs to the economy through hiring, but also for their commitment to building community-based businesses in the communities which they serve.

Policy Opportunity 3: Ease the Certification Process

"It's too hard to become a certified!" – this is a refrain spoken by too many community business owners aiming to become certified. Many of these business owners find the process of achieving certification onerous and often confusing. But many authorizing agencies rightfully fear that removing boundaries to certification will let unqualified business through, and choose to keep the certification processes rigorous.

The current process can be cumbersome. Imagine a small Chicago-based firm that has the capability to do work for multiple government entities. The way the system is now, that business may have four separate, equally rigorous certifications to file: City of Chicago, Cook County, State of Illinois and also US Federal Government. And each of these institutions may have separate requirements and processes to achieve certification! With this maze of requirements, many business owners often walk away from the certification process.

Without diluting the local certification requirements, the federal government should invest in an easy-to-use, technology-enabled, universal certification process that simplifies this process for the business owner. Allowing any certifying agency access to this system, a central processing certification hub can simplify this process for the business owner. Allowing any certifying agency access to this system, a central processing certification hub can simplify this process for the business owner. Allowing any certifying agency access to this system, a central processing certification hub can simplify this process for the business owner. Allowing any certifying agency access to this system, a central processing certification hub can simplify this process for the business owner.

Policy Opportunity 4: Improve Capital Access for Community Businesses

Access to capital is an important part of community business survival. Some blame Dodd-Frank restrictions for limited capital liquidity; others recognize the predatory nature of the consumer lending industry impacts small business management. But the fact remains that Small Businesses remain an under-capitalized part of the economy. Unless endowed with personal wealth most community businesses operate check-to-check, just above solvency. Meanwhile, the fastest growing methods for delivering capital to these businesses are via online-driven FinTech startups. These venture capital-supported businesses have been hailed as “innovative” but have interest rates and collection practices described as “higher than average” at best or even “predatory” at worse.

When it comes to infrastructure, most of these community businesses not only lack the capital to finance new projects (the money to acquire materials and human capital for the work), but also the surety bonding to execute the projects.

Access to effective capital is a key area where progressive policymakers can improve upon the American Recovery Act signed by President Obama in 2009. Back then, most of the money earmarked to community businesses was directed through the Small Business Administration, who subsequently supported the investment via guarantees with large, traditional banks that were slow to distribute to the businesses that needed it. Here again, the impact on these community businesses was lost by adding layers to the distribution of infrastructure dollars, and money was not released effectively to the businesses that needed it.

In 2017, to maximize infrastructure investment, lending to community businesses should again be supported. This time however, local and regional policymakers should partner more directly with local, non-profit lenders, community development financial institutions and should use the traditional big banks only when necessary. Get the money more quickly from the central offices to those small business lenders on the ground that are best equipped to get capital to community businesses that need it the most.

Finally, policymakers must acknowledge the link between personal finance and business finance. Many loans disbursed to community-based entrepreneurs, require strong personal credit, so supporting any efforts on general financial literacy will have follow-on impacts for community entrepreneurs.

Policy Opportunity 5: Support Businesses with Technical Assistance to Build Capacity

Policymakers often talk about skills training for the new workforce, but we rarely invest in skills training for entrepreneurs. The result: when it comes to investing in community businesses for infrastructure projects, the refrain becomes familiar: "We can't find businesses that have the skills/experience we need to execute these projects!" In addition to simply opening opportunities for community businesses to contribute, policymakers must support these businesses to succeed. Here are two suggested methods:

1) Create incentives for new businesses to be formed around the infrastructure boom. Policymakers must find a way to incentivize infrastructure projects to
go to promising newer businesses that have not yet had traction in the marketplace. Like any investment, we must make a bet on our collective future by developing future community business leaders. This could be through incentives or by simply reducing the barriers to entry on a project for entrepreneurs. Innovation efforts should be focused on getting more people from targeted/disadvantaged communities to start and build the businesses that will help rebuild our infrastructure.

2) Give entrepreneurs managerial capacity to grow their businesses. Policymakers must continue to invest in the mechanisms that support the managerial capacity of the entrepreneurs. The Small Business Administration has many programs to support this effort already, but most of them are underutilized by the communities they serve. Nationally, the SBA should increase funding for local Small Business Development Centers (many have gone out of business due to state/local budget cuts and the required matching funding) as well as other community-based capacity building programs. Additionally, the SBA can make other development programs (e.g. SCORE) more focused and productive and should do a better job of marketing business curriculum to potential entrepreneurs to improve participation. The government can expand support of successful 3rd party organizations who are building the next generation of community-based entrepreneurs. Programs like the Goldman Sachs 10,000 Small Businesses Program have proven their impact and can be expanded with government support.

One area that has received a lot of interest: mentorship relationships for these business owners. The SBA has a Mentor/Protégé Program for 8(a) businesses that can enhance competitiveness of these businesses and help them remain competitive, achieve entrepreneurial success, and contribute to the strength and vigor of our economy. The SBA pairs recent 8(a) program graduates with current 8(a) program participants to help them with technical and management assistance, contracting and access to capital. Local agencies have implemented their own mentor system that encourages prime contractors to work more closely with community-based businesses. Illinois Tollway gives “credits” for Prime Contractors that also serve as mentors to assist the development of veteran-owned small businesses and service-disabled, veteran-owned small businesses (VOSBs), as well as disadvantaged business enterprise (DBEs) firms. Programs like these can be scaled to incentivize investment in community businesses.

Conclusion: The Multi-Generational Effect

The 2017 ASCE infrastructure report card gave American infrastructure a D+ grade and identified infrastructure costs in the trillions. The best infrastructure policies will not only improve this grade, but will also combine progressive ideals (e.g. fairness to opportunity) with business realities (e.g. access to capital and technical assistance) to align the need for improved infrastructure with the need for improved communities.

Local communities need self-sustaining ecosystems, and it’s these ecosystems that can make the difference between successful and struggling communities. In the podcast Masters of Scale, Reid Hoffman and Linda Rottenberg discuss this idea — that in order to build an “entrepreneurial ecosystem” that grows organically, the business leaders of the community must be empowered. “Four or five [successful entrepreneurs] can inspire, mentor and invest in practically the entire ecosystem.” Community businesses, and their entrepreneurial leaders, are the engine that can build this economic lifeline.

Identifying, encouraging and empowering community entrepreneurs (MBEs, WBEs, VBEs, 8(a) businesses, etc) can be a strong policy-driven approach to supporting local communities. With as much as $1 Trillion of infrastructure spending at stake, progressive policy makers need to look for opportunities to simultaneously make investments in the community businesses while investing in our infrastructure. Our progressive goal, 50% of all infrastructure spending with community businesses, can be game-changing. Imagine the economic impact if $500 Billion nationally went not only to building the future of our country’s infrastructure, but also investing in the community-based business ecosystems that need it!

The businesses that will be built from the pending infrastructure expansion can “…be the core of an exponentially larger network…more and more companies [will] grow up around them and now you have a much denser network of successful companies, resources, and talent pools. This builds a diversity of companies to create a whole ecosystem.” By using the right policy tools, we can rebuild America’s infrastructure while building and supporting the key businesses that will in turn support and rebuild our communities.

Invest in Land Banks to Rebuild Rural and Urban Communities and Revive Workforces through Affordable Housing: Gloversville’s Experience

by Gregory Young, PhD
Executive Director, Gloversville Housing and Neighborhood Improvement Corporation
NLC Capital District NY

This spring, the Gloversville Public Library left its grand Beaux Arts style home of 112 years to move to a more austere building down the road. While this might sound like another example of decline in a community that has been experiencing a declining population for the past 50 years, it is actually a cause for celebration. The library is moving to a temporary home so that its historic location can undergo a $10 million renovation and expansion that will allow it more space to operate its de facto youth afterschool programming. Just a couple of blocks from the library, construction has begun on an affordable senior
housing complex right in the heart of downtown.

These changes are occurring as local people have come forward to fight to revitalize this small city's downtown as a hub of social, cultural, and civic life. In the past, local captains of industry were the major benefactors and sustainers of charitable and cultural institutions and organizations. But just as the glove factories left, so too did their bigwigs. Now we realize that it takes the community working together to advance the institutions that are important to us. A small group saved the Glove Theater from the wrecking ball and now it is a frequent destination for performing arts. Likewise, a group of community members each invested $5,000 to purchase and stabilize a foreclosed former opera house that now houses a natural foods cooperative market. Gloversville is not the only place where groups of residents are getting involved to rebuild the heart and soul of their communities. State and federal funding, be it in the form of block grants or more specific allocations can make all the difference in allowing a library expansion to move forward, rehabilitate housing, or help to open a health clinic in an underserved downtown.

For decades the anchors institutions of community life left the walkable core of our small city for its peripheral edges, attempting to emulate the growing suburbs of the time. The hospital, middle school, department stores, even city hall, all left Main Street for newer, car-friendly locations. But just as cities worldwide are experiencing a resurgence, the downtown is seeing more traffic than it has for the past two decades. New retail locations, offices, and housing are all in development. By and large, these developments are local businesses expanding their operations downtown. This makes the community more resilient versus multinational operations, which may come to and leave a community on the whim of a quarterly financial statement.

We are also seeing local reinvestment in our housing through the Gloversville Housing and Neighborhood Improvement Corporation, a group I now lead. In our city, over 95% of the city's housing stock predates World War II. Housing prices are low enough that many working class families can purchase their own home and seniors living on fixed incomes can afford to stay in their homes. However, these families of limited means may not always have enough money for a major repair like a new roof or furnace. The Gloversville Housing and Neighborhood Improvement Corporation helps these families by providing grants to cover the costs of these repairs as long as the families remain in their homes for a prescribed number of years, depending on the size of the grant. This has allowed working families and senior citizens subsisting on Social Security benefits to replace leaking roofs and obsolete furnaces and is helping to rebuild the community one house at a time.

This is not just a social justice issue; it also is a matter of workforce development. It may seem ironic to have an affordable housing shortage in a community with so many vacant homes, but the mortgage meltdown manifested itself locally through vacant homes on every block. However, when there are not enough livable, safe, and affordable places to call home, it means that local employers have job openings that go unfilled. Conversely, as communities like mine rehabilitate declining housing stock and increase the number of affordable housing units they are able to reverse decades of population decline. These programs make homeownership a reality for many working class families and increase their overall standards of living as they make mortgage payments that are a mere fraction of their former monthly rent.

Land banks are a tool to revitalize neighborhoods, create affordable housing, and enhance the quality of life for residents and neighbors. The Gloversville Housing and Neighborhood Improvement Corporation started its land bank with four parcels in 2013. Today, the organization has expanded the initiative with a goal of rebuilding the neighborhood closest through our downtown. In its broadest terms, land banking refers to the practice of aggregating parcels of land for future development, through in the United States, it most typically refers to public, non-profit, or quasi-governmental management of surplus land (i.e. vacant, abandoned, and/or tax foreclosed properties) for the purpose of redevelopment. By acquiring the title to these properties, land banks remove roadblocks to redevelopment and transfer property to owners to be used in ways that are conducive to a community's goals. Responding to deindustrialization, suburbanization, and the resulting decline in many cities, St. Louis, MO created first land bank in the country in 1971. The St. Louis Land Reutilization Authority acquired tax-foreclosed properties that remained unsold after property sales and auctions. More recently, the successes of the Genesee County Land Bank in revitalizing vacant, blighted, and tax foreclosed properties in and surrounding Flint, Michigan have brought greater interest in these tools nationwide. Similarly, a 2009 report from the US Department of Housing and Urban Renewal's Office of Policy Development and Research, which described land banking as a best practice and “effective tool for stabilizing communities burdened by a large number of vacant, abandoned, or foreclosed properties” brought increased national attention to the practice.

When looking at the transformative impact of land banks several examples come to mind. One of the largest in the country is the Cuyahoga County Land Reutilization Corporation, which launched in Cleveland in 2009. Though not initially tasked with fighting flight or foreclosures, it responded to the mortgage crisis, focusing on a data-driven process in determining which tax-delinquent properties to acquire and the best intervention, typically demolition. Another significant land bank is also one of the best well known, the Genesee County Land Bank Authority. Established in 2002 as the first land bank in Michigan, the land bank has amassed an inventory of more than 11,000 properties, mostly within Flint, Michigan. The land bank has successfully disrupted the system of repeat tax foreclosures that plagued the city for many years. Through strategic demolitions and bundling several auction properties together to discourage speculation, the land bank has protected land values, removed public safety hazards, and protected neighborhood property values. As one of the first land banks chartered in the state shortly after authorizing legislation was passed, the Greater Syracuse Land Bank took advantage of a tax recapture provision originating in Michigan that allows land banks to receive 50% of the annual taxes on any property it returns to the tax rolls for a period of five years. This sustainable funding mechanism allows the land bank to absorb quickly a variety of properties, including occupied rental properties, severely blighted homes, and large commercial buildings. At the
same time, land banks are not a silver bullet. Faced with a portfolio of 97,000 foreclosures and city-owned parcels, including 15,000 unsalvageable homes, the Detroit Land Bank lacks adequate funding for snow and debris removal, grass cutting, and other basic maintenance.

Depending on the state or locality, land banks vary in their structure and authority. There are currently more than 120 land banks nationwide and in New York State, 2011 legislation allowed for the creation of 20 not-for-profit land banks in communities across the state, subject to the approval of Empire State Development, the state’s economic development financing Public-Benefit Corporation. Generally, land banks obtain properties at little or no close through the tax foreclosure process and are able to keep the land they hold tax free given their nonprofit status. They are able to lease properties for temporary uses such as community gardens or community block parties with a long-term goal of selling the properties based on the needs of the surrounding community. Land banks are able to gain the support of the communities they serve through transparent processes, dialogue with stakeholders, and community-based land use and planning decisions that work to grow property values in the neighborhood overall. Their structure expedites their ability to transfer property title quickly, making properties more appealing for redevelopment and attractive to banks looking to donate properties. After receiving startup funding from foundations, state and federal grants, local appropriations, land banks are able to maintain their operations through revenue from property sales.

In New York State, Attorney General Eric Schneiderman created a Community Revitalization Initiative with $20 million in funding to establish and provide startup funding for land banks in the state. Funding for the initiative came from the National Mortgage Settlement between state attorneys general office and Ally Financial, Bank of America, Citigroup, JPMorgan Chase and Wells Fargo, financial institutions that were involved in the 2008 mortgage crisis. In New York State, land banks also receive funding through a 50% split of property tax revenues for five years on properties acquired, rehabilitated, and returned to the tax rolls by the land bank. While some municipalities are concerned about this loss of revenue, most consider that land banks help to increase the overall market value of properties to more than makeup this difference. In their first five years, ten of New York State’s land banks have acquired a total of 1,989 properties, demolishing 482 structures and rehabilitating 1,051. Combining state seed money with $10.5 million in philanthropic and private grants, the land banks have leveraged $77 in private investment and have returned $28.4 million in assessed value to the tax rolls, giving local municipalities an additional $2 million in revenue. Rehabilitation of a property via a land bank stands in sharp contrast to the dominant current practice nationwide, selling tax-foreclosed properties to the highest bidder at an annual auction. As Gloversville Third Ward Councilmember Vincent DeSantis noted in a recent interview, not only are these properties sold for less than the market rate, “quite often somebody buys it just for the purposes of speculation or to try to milk it for whatever they can get out of it. Then [after three years of property tax non-payment] itrecycles back into foreclosure and it has to be taken by the foreclosing unit again.” DeSantis contrasts this with the land bank process in which a property becomes productive, beneficial to the overall community, and responsive to its needs.

Albany County Land Bank Corporation’s Side Lot Policy is a demonstration of how land banks consider community vision, improved quality of life, and improved neighborhood property values. Recognizing that side lots can add open space to a property and improve its utility and character and seeking to ensure the lots are well maintained, the group gives first preference to adjacent owner-occupants, with a second preference to locally managed rental properties. Prior to transferring the land, the organization requires a site plan, even if it is just sketch for a lawn or flower garden. The land bank sells the property at fair market value except for owners with financial hardships.

In the local area, the land bank joins another successful blight elimination program administered through the Fulton County Department of Solid Waste known as Operation Green Scene. Through Operation Green Scene, tax-foreclosed properties that are unsafe and no longer feasible to rehabilitate are demolished using county staff and transported to the county landfill at the municipal rate, removing these unsafe and blighted structures and freeing the property for redevelopment. Within the City of Gloversville alone, the Gloversville Housing and Neighborhood Improvement Corporation has acquired ten properties that Operation Green Scene cleaned up and will continue to acquire properties in order to be able to convey a large parcel to a developer interested in rebuilding several units.

By restoring both the downtown core as well as revitalizing and improving the housing stock of the surrounding neighborhood, community leaders and civic volunteers are working to rebuild the core of our small rural community as the hub of community life. Through state and federal grant opportunities, innovative partnerships and collaborations, ongoing community education and outreach, and dedicated volunteers willing to get involved, our city is becoming more attractive and resilient. Indeed, while there are many examples of land banks becoming self-sustaining and operating organizationally as enterprise funds, virtually all of these endeavors require local, state, or federal seed money in order to bring on staff and also require the buy-in of the local community leaders to forgo the revenue of a tax foreclosure sale in order to support neighborhood redevelopment. This is especially true for neighborhoods with several problem properties and years of entrenched poverty, where a critical mass of investment is needed in order to catalyze redevelopment. This financial investment is crucial because grant writing takes time and experience and there are only limited grant funds available and even property sales can initially bring in limited revenue. In New York State, mortgage settlement funding helped to create land banks to reinvest in communities. As state and federal governments need to deploy limited resources most effectively, land banks are a proven strategy for turning around blighted communities because of their entrepreneurial approach to rebuild rural and urban neighborhoods and communities and providing greater quality affordable housing for members of the workforce.
Innovating SBA’s Small Business Lending

by Stathis Theodoropoulos
Principal of Firefly Lighting LLC
NLC New Jersey

Small Businesses are the backbone of the American economy. They may not have the glitz and glamor that come with being a Fortune 500 company, but small businesses are what make the American economic engine hum. According to the U.S. Small Business Administration, there are 28.8 million small businesses in the United States, which accounts for 99.7% of all business in the US and 56.8 million employees. I too am a small business owner, 1 of the 28.8 million in our country. I am also a Millennial that started my business in the aftermath of the 2008 Financial Crisis and during the past 2 years of running my company, I am excited about where I am going but I know I am confronted with big challenges ahead as I scale my business.

The greatest challenge in front of me and growing my business is working capital; and this is not unique to me either. According to an Ernst and Young report “The Millennial Economy National Public Opinion Survey”, 42% of Millennials say the biggest obstacle to starting a business is capital. And that obstacle is compounded by the fact that Millennials have a median net worth of $6,676, with a median debt of $45,300. These facts on net worth and debt really paint a grim picture of the financial realities that Millennials have to live with, and ultimately making personal and professional goals harder to attain.

But not all is lost when it comes to receiving funding to start and scale a business. In today’s lending landscape you have a variety of different channels to receive funding, from the traditional SBA backed loan from a bank, to an online financial lender like Kabbage. From talking to other entrepreneurs and from reading a variety of publications, Millennials are more and more leaning towards online financial lenders due to their ease of the application process, and also because in certain cases because of the lower standard for credit worthiness from their end.

I, myself, am in the exact phase where I am exploring different options when it comes to gaining working capital in order to scale my business. Just like many Millennials, I have been exploring my options, and with exploring the different options, I came across different frustrations. Traditional banks would not consider me, SBA backed lenders had a long and complicated application process and the newer online venders cost too much to borrow.

But the two types of lenders stood out to me, SBA backed loans and Kabbage, an online lending service. SBA backed loans provide an opportunity for less established businesses to receive funding because bank’s downside is protected due to SBA backing all loans, and Kabbage is more user friendly and utilizes quickbooks and your online bank statements to come up with their decisions. Going through this process has really lit a light bulb in my mind if we can do this process better. My idea on how to innovate the way banks that lend SBA backed loans is by using online loan marketplace, where one application could be used to apply to multiple banks and and applications could be more innovative in their application process.

The SBA Business Loan Marketplace would look like this. A prospective applicant would set up an SBA user profile with their business and personal information. Once a profile is created, the applicant can start the loan exchange process. The process would begin with a questionnaire to determine what type of business loan is more suitable to your business financial needs. Many entrepreneurs just dive into the loan search without having much direction of what type of loan makes sense for them. By going through a guided process initially, you can focus on the products that make sense for you, and not apply for loans that do not serve you. Once you have an understanding of the product you need, you can then move forward to the next step to see which banks in your region and community offer the SBA backed loan you need, and then you can select as many banks as you want to apply to. The next step, the application is where we can really be innovative.

Traditionally, when you wanted to apply for a few loans, you would need to apply for each loan individually which can be a long and cumbersome process. Applying within the Marketplace framework will only require one application for all the loans you apply to at a specific time. This way, you can have banks compete for your business without having to go through large amounts of paperwork each time.

Another way to innovate is by rethinking how and what data is collected when you submit your application. A vast majority of all the bank loan applications require the same information. This includes company and owner information, financial information, projections and a business plan. But with an innovative online approach, we can get the vital information bankers need by making the process easier. For instance, the initial company information would automatically be populated since an SBA profile would be created first. When you send out the first batches of applications, all you need to do is to review and update that information as needed.

Another innovation is taken from Kabbage, an online finance company that approved me for a line of credit. A process that took all of 15 minutes. A key innovating
process that they use is that they download the data from your bank account and booking software (Quickbooks), and use that data in their decision making process. Having SBA use a similar process would allow them to receive verified data and would only take the applicant a few minutes to provide the information needed. This process eliminates unnecessary time and removes hurdles for banks to make quicker and better informed lending decisions.

An argument I heard on this type of innovation to lending would be the higher risk SBA would be taking due to this type of application process, and their fears come from their duty to be accountable to the American taxpayer. That duty is justifiable, but this type of innovative process does not jeopardize that type of accountability. If anything, it strengthens the application process by getting verifiable data, and it ensures we remove the obstacles to businesses that are primed for growth.

But even from careful movement from the Federal government of the United States, there have been signs about the need and inevitability to adapt to the changing landscape of lending and support for our nation’s entrepreneurs. The Office of the Comptroller of the Currency said it “would move forward with considering applications from financial technology (fintech) companies to become special purpose national banks.” This is recognition of the importance of fintech companies with the Office of the Comptroller of the Currency also stating that, “First and foremost, we believe doing so is in the public interest,” Comptroller Curry said. “It is clear that fintech companies hold great potential to expand financial inclusion, empower consumers and help families and businesses take more control of their financial matters.” This move from the Office of the Comptroller of the Currency shows the understanding and need to start laying down the foundation for a vibrant fintech community, which include companies like Kabbage and other start ups. And as the Office of the Comptroller of the Currency alluded to, a vibrant fintech community can only help US businesses.

Ultimately, being able to assist businesses that are owned by Baby Boomers to Millennials could be the added fuel needed to have our small businesses play a stronger role in growing our economy and bringing jobs to our local communities. But this will only happen when we simplify the process and introduce competition for business loans. Having the different stakeholders from business owners, banks to the US Government working together to help create innovation and effective regulatory framework to bring about changes in a responsible is great first step. But ultimately disruptive technologies and innovation in this lending space will be key in truly unleashing the power of our nation’s entrepreneurs and small businesses. SBA needs to be at the forefront and lead this change. Having the SBA create a Business Loan Marketplace is an important tool that they can create to empower entrepreneurs and help drive the economy for years to come.

As war neared with the Ottoman Empire, the governor of the conquered Crimean region was eager to please the Russian Empress, Catherine II. The year was 1787. Per mythology, as Catherine II visited the war-ravaged region, constructed along the banks of the Dnieper River were new and glimmering structures, temporarily assembled to present a strong, vibrant Crimea. After Catherine II returned home, the temporary villages were disassembled.

The governor of the region was Catherine II’s supposed lover, Grigory Potemkin. We now refer to similar demonstrations of false economic vitality as “Potemkin Villages.” Potemkin’s savvy, if slightly ridiculous, tactics have endured into the current day. As the Bay Area, Boston, and New York have far outpaced competitor cities in nearly every metric of entrepreneurship and economic dynamism, the idea of building facades to conceal a city’s true condition has formed a technology industrial complex that has grown into an uncontrollable monster. Incubators and accelerators are now seen as the ends and not the means to drive regional growth. Something of a design arms race has emerged among open floor coworking spaces.

No Potemkin Village is as ornate and ultimately deceiving – more to those on the inside than the outside – as that of Chicago. Since 2012, lawmakers for the City of Chicago and the State of Illinois have joined with philanthropists and real estate developers to build what appears to be a remarkable shrine to tech entrepreneurship. Chicago is home to about 80 different incubators and accelerators, and more than a million square feet of millennial-friendly co-working spaces. These efforts have led Chicago’s business and technology publications to, quite prematurely, announce Chicago as the new “tech town.”

Yet during these last five years, Chicago has not expanded its share of the national venture capital market or increased federal investment to drive technological advancement. That has not stopped leaders in Chicago’s venture community to fill the void with a defiant message that momentum in Chicago’s advanced industries is building.

It is a large void to fill. In 1980, Wisconsin Steel closed its South Side manufacturing plant and marked the beginning of the end of Chicago’s once-mighty steel manufacturing industry. Chicago’s steel plants once employed 200,000 Chicagoans. In the nearly four decades since Wisconsin Steel closed, the Chicago steel industry has withered to nothing; and in those nearly four decades, Chicago has failed to replace steel and other manufacturing industries with new industries.
I single out Chicago for criticism for two reasons: First, Chicago is my home; I care deeply about this city and want it to succeed. Second, Chicago’s Potemkin Village is reaching new heights of ridiculousness. The story of Chicago’s efforts to catalyze tech entrepreneurship should be a cautionary one. Anecdotes from friends and colleagues in other cities suggest Chicago is not alone in building a Potemkin Village.

While other cities have formed clusters in software (Seattle), medicine (Raleigh-Durham), and robotics (Pittsburgh), Chicago has floundered, seeking to build our own clusters in sectors ill-suited for our region’s assets, and failing to define where it fits in the modern economy.

This doesn’t need to be. Chicago is the most robust research hub outside of Boston; it is the only city with two national Department of Energy laboratories. Two of the top five business schools in America – the University of Chicago’s Booth School of Business and Northwestern University’s Kellogg School of Management – are in Chicago’s metropolitan area. Factors too numerous to include in this essay – reasonable cost of living, abundant natural resources, great food – make this city a boomtown in the making.

Chicago’s laboratories, universities, entrepreneurs, and industry partners should be working together to transition lab-generated inventions into new products and new companies. Right now, they’re only building their own fiefdoms of the Potemkin Village.

New industries are being created in Chicago’s laboratories in new battery designs, sensors, advanced materials, and a host of other domains, yet these new frontiers will remain unexplored without more open technology transfer from the laboratories, and a stronger commitment from entrepreneurs to assume the risk attendant to new product development in the high sciences.

Technology transfer can be the catalyzing force for growing these new industries, but first the challenges must be understood, and a lab-to-product chain must be built.

Divine

Chicago’s legion of incubators and accelerators grew out of the flotsam of Divine InterVentures, a for-profit incubator that was founded in 1999 to replicate nascent communities of technology companies in the Bay Area and Boston. Divine’s founder Andrew Filipowski, eager to catch the dot-com bus before it left the station, built Divine as a conglomerate of Chicago-based internet ventures. Divine raised $450 million in private money to buy up new dot-com companies, who would then share back office support.

Soon, Filipowski would be seen by many as the father of Chicago’s venture community – and not in a good way. Divine filed for an IPO shortly after its launch, and quickly ran into trouble. As the dot-com bubble collapsed, Divine collapsed, leaving creditors and initial investors, whose ranks included Michael Jordan, with nothing. Divine filed for Chapter 11 in 2003.

Shaken and shamed, Chicago’s community of technologists would reemerge years later with dogged determination to compete with the coastal markets for talent and venture capital. 1871, a massive co-working space for technologists, opened its doors in 2012, quickly becoming the headquarters for Chicago startups.

The obvious intent of 1871 was to assert Chicago’s presence in tech-enabled industries and new ventures, but in fact Chicago’s entrepreneurial community had already begun to grow and prosper. As recounted by Harvard Business School’s Lynda Applegate, Alexander Meyer, and Talia Varley in their case study, “Rising from the Ashes: The Emergence of Chicago’s Entrepreneurial Ecosystem,” venture-backed deals increased four-fold between 2010 and 2012.

And then, Chicago flattened. Just two percent of invested venture capital in the United States is invested in Chicago, the same as it was five years ago. The State of Illinois ranks 17th – the bottom among states with a metropolitan market – in receiving grants under the U.S. Small Business Administration’s Small Business Innovation Research (SBIR) program. By any measure, the growth of Chicago’s innovation economy since 2012 has been marginal at best.

The reason for this, I would theorize: Around 2012, five years after the introduction of the iPhone, market opportunities closed for startups developing a new app and scaling quickly, just the kind of startups designed to grow out of coworking spaces, incubators, and accelerators. Strangely Chicago has chosen to double down on get-rich quick schemes and not the hard work of developing new industries.

It is now clear that the successful startups of the next 20 years will require much longer and more capital-intensive product development cycles.

Lab-to-product value chain

I have teamed up with a few business partners to launch something called Invent2026, an initiative to join the region’s entrepreneurs with applied researchers at our university, corporate, and federal laboratories to collaboratively build a Midwest innovation corridor rooted in a lab-to-product value chain. In ten years, ahead of America’s 250th birthday, we wanted to assert Chicago and the Midwest’s presence in new, advanced industries.

Last year we hosted leaders of applied research from Argonne National Laboratory, the University of Chicago, Northwestern University, and the University of Illinois for several roundtable discussions. These discussions centered around identifying sectors that could be clustered around Chicago, given our assets. The physical sciences, the task force agreed, presented an opportunity for Chicago. New battery designs, sensors for smart farming, water sensors to monitor toxins, and autonomous vehicles are now being designed at Chicago’s laboratories. The challenge, we agreed, was to commercialize these innovations here.

Understanding that consumers drive new business growth, we focused on ways to engage the largest consumer on earth: the U.S. government. Governments are (or should be) interested in solving national challenges, however they define them.
It has always been this way. The federal government has historically provided demand for early-stage technologies and the companies commercializing those technologies, from the telegraph to mobile phones and the semiconductor.

The history of Silicon Valley, as told by retired entrepreneur and author Steve Blank, began with the Franklin Roosevelt Administration directing massive federal subsidies into research in technologies that would support the Allies in World War II. The Harvard Radio Research Lab, led by Frederick Terman, then one of the most skilled radar engineers in the United States, oversaw all electronic warfare in World War II.

After the war Terman moved to Stanford, where he would earn the title “father of Silicon Valley.” As the temperature increased in the Cold War, the Pentagon again turned to Terman, subsidizing research to design electronics to intercept Soviet communications.

Under Terman Stanford’s engineering school received massive federal subsidies for research, integrated their basic and applied research labs, opened intellectual properties for low-cost and expedited tech transferring, and encouraged entrepreneurship among Stanford’s students. This is what laid the foundation for the startup economy in Silicon Valley.

The lab-to-product value chain under Fredrick Terman at Stanford ended with the federal government, consuming the end-product. Governments still play that role today. For cities looking for an overwhelming amalgamating force to gather researchers, entrepreneurs, and financiers to drive a region’s cluster, federal grants have provided, and can continue to provide, that force.

To a remarkable degree in recent years, the federal government has demonstrated an interest and willingness to partner with startups who are commercializing new technologies. In 2015 the Department of Defense launched the Defense Innovation Unit Experimental, or DIUx, in Mountain View, California. DIUx has become the platform for the military to interact with Silicon Valley; two additional DIUx posts have been built in Boston and Austin, Texas. The Department of Homeland Security and the State Department have also built similar footholds in startup communities, seeking procurement opportunities with early-stage companies.

But the most critical sources of federal capital that continue to drive technology advancement through entrepreneurship are the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. These are federal grant programs that provide multi-phased funding for small businesses that are commercializing technologies of strategic need to the federal government.

Of note: California and Massachusetts received more than 33,043 and 21,590 SBIR grants in 2015, far outpacing the third-highest recipient of SBIR grants, Virginia, which received 9,320 SBIR grants. Illinois ranks 17th in receiving SBIR funds, near the bottom of states with a major municipality.

SBIR and STTR money is directed to startups that are solving national challenges with lab-generated technologies. It would then follow that if local leaders, in government and the private sector, want to grow a robust startup economy, their planning must begin with a deep conversation on how that startup economy can leverage its region’s assets to solve national challenges. SBIR and STTR will gauge how well they’re doing.

It falls on startups to drive growth in new industries

The end acquirer of the lab-to-product chain may also be found in large corporations. We have seen record activity among corporate venture arms; 44 percent of invested venture capital in the United States now comes from corporations, according to the National Venture Capital Association.

This course is driven by several unsettling trends. Corporations are struggling to capture the full benefit of their own research, confounded by knowledge spillovers that have accrued to industry rivals, and by what Harvard Business School Professor Clayton Christensen has termed the “Innovator’s Dilemma,” or the reality that research can only deliver value over many years and cannot drive short-term quarterly growth.

Adding to the downward pressure on corporate R&D budgets: powerful shareholders who demand that corporations aggressively cut costs, including R&D, and turn over profits in the form of stock buybacks and dividend payouts.

Gone are corporate laboratories like Bell Labs and Xerox Labs that have historically driven technological advances. Corporations are frequently unwilling or unable to assume the risk attendant to developing new technologies into a product. Instead they have turned to corporate venture arms to acquire startups that can take on the risk of developing a new product and proving a market.

Startups are increasingly going to provide the outlet for new technologies to be prototyped and tested in the market, with corporations acquiring the startup once the technology has proven a commercial pathway. Instead of continuing to build Potemkin Villages, regions looking to grow their own venture communities should instead build the systems that connect the laboratory to new startups, and support prototyping at regional maker spaces.

Recognize also that the startups of the next twenty years will require patient venture capital that supports new businesses through multiple rounds of funding. Chicago-rooted startup have continued to struggle to overcome the “Valley of Death,” or the dwindling pool of venture capital that entrepreneurs must compete for during the “B,” “C,” and “D” rounds of funding. These rounds can and should be supported by corporate venture arms.

“Start-up studios,” a variation on the standard incubator, are where patents, teams, and capital can come together. This new model supports startups by building teams around technologies, providing seed funding, and rigorously identifying commercial pathways. As described by Hungarian entrepreneur Attila Szigeti in his 2016 book, “Startup Studio Playbook,” startup studios are rewriting conventional wisdom for driving innovation.

“While incubators and accelerators are focusing on mento-
University and federal laboratories hold massive portfolios of intellectual properties. As a result, the opportunities to support regional economies were often those of other entrepreneurs within influential social media accounts in local entrepreneurial support organizations. The Kauffman Foundation report also noted that the most influential social media accounts in local entrepreneurial economies were often those of other entrepreneurs within that local market. “Entrepreneurship is a local phenomenon,” the report said.13

Chicago can embrace this model Moretti describes by tearing down our Potemkin Village and building a fast-moving, seamless lab-to-product value chain, rooted in the resources we have, connecting laboratories to entrepreneurs.

But there’s one missing element that I haven’t yet discussed: people. To grow a robust startup economy, it takes a community that embraces the leadership and staff of recently-failed ventures, supports and learns from one another. It may also take one person – a superstar entrepreneur or researcher – to provide the initial spark.

“Entrepreneurs follow local entrepreneurs,” a 2014 Kauffman Foundation report found, noting that entrepreneurs most frequently follow the social media accounts of “other entrepreneurs, entrepreneurial programs, and individuals affiliated with local entrepreneurship support organizations.” The Kauffman Foundation report also noted that the most influential social media accounts in local entrepreneurial economies were often those of other entrepreneurs within that local market. “Entrepreneurship is a local phenomenon,” the report said.13

It is our hope that Invent2026 will sit at the intersection of this growing community of entrepreneurs in Chicago and throughout the Midwest and Rust Belt regions, and the nearby laboratories that are providing technologies that will drive new industries.

This summer, Invent2026 will launch TNEBULA (as in Tech Nebula), an interactive platform that employs game mechanics to identify technologies emerging from client laboratories with the most commercial promise. Upon logging onto TNEBULA, users will be presented an inventory of intellectual properties, discovered at partner laboratories, that have already been approved for licensing.

TNEBULA users competitively collaborate to uncover the technologies that hold the strongest commercial potential. Users are asked to provide feedback on the uses of these technologies, and the technology’s appropriate markets. This insight is extremely valuable for laboratories and inventors can bring reality to the Potemkin Villages. Entrepreneurs need patents more than venture capital. There should be entrepreneurs not huddled around coworking spaces, but the front gates of our university and national laboratories. And these labs should eagerly welcome them in.

It takes a (real) village

“The New Geography of Jobs,” an incredibly insightful book by University of California-Berkeley economist Enrico Moretti, provides the new model of American competitiveness: we provide the innovation (the invention and the design), and it gets built overseas. Moretti's model is not at all at odds with the model I’ve provided. In Chicago, we can invent something at Argonne National Laboratory or the University of Chicago, and prototype that design in our South and West Side manufacturing plants.

It is when these products move into the mass production phase of product development, with more rote manufacturing processes, that it’s likely the manufacturing would be offshored. Fine. When manufacturing moves offshore, we’ll take the new designs moving out of the laboratory and start the process all over again.

Chicago can embrace this model Moretti describes by tearing down our Potemkin Village and building a fast-moving, seamless lab-to-product value chain, rooted in the resources we have, connecting laboratories to entrepreneurs.

But there’s one missing element that I haven’t yet discussed: people. To grow a robust startup economy, it takes a community that embraces the leadership and staff of recently-failed ventures, supports and learns from one another. It may also take one person – a superstar entrepreneur or researcher – to provide the initial spark.

“Entrepreneurs follow local entrepreneurs,” a 2014 Kauffman Foundation report found, noting that entrepreneurs most frequently follow the social media accounts of “other entrepreneurs, entrepreneurial programs, and individuals affiliated with local entrepreneurship support organizations.” The Kauffman Foundation report also noted that the most influential social media accounts in local entrepreneurial economies were often those of other entrepreneurs within that local market. “Entrepreneurship is a local phenomenon,” the report said.13

It is our hope that Invent2026 will sit at the intersection of this growing community of entrepreneurs in Chicago and throughout the Midwest and Rust Belt regions, and the nearby laboratories that are providing technologies that will drive new industries.

This summer, Invent2026 will launch TNEBULA (as in Tech Nebula), an interactive platform that employs game mechanics to identify technologies emerging from client laboratories with the most commercial promise. Upon logging onto TNEBULA, users will be presented an inventory of intellectual properties, discovered at partner laboratories, that have already been approved for licensing.

TNEBULA users competitively collaborate to uncover the technologies that hold the strongest commercial potential. Users are asked to provide feedback on the uses of these technologies, and the technology’s appropriate markets. This insight is extremely valuable for laboratories and inventions can bring reality to the Potemkin Villages. Entrepreneurs need patents more than venture capital. There should be entrepreneurs not huddled around coworking spaces, but the front gates of our university and national laboratories. And these labs should eagerly welcome them in.

It takes a (real) village

“The New Geography of Jobs,” an incredibly insightful book by University of California-Berkeley economist Enrico Moretti, provides the new model of American competitiveness: we provide the innovation (the invention and the design), and it gets built overseas. Moretti's model is not at all at odds with the model I’ve provided. In Chicago, we can invent something at Argonne National Laboratory or the University of Chicago, and prototype that design in our South and West Side manufacturing plants.

It is when these products move into the mass production phase of product development, with more rote manufacturing processes, that it’s likely the manufacturing would be offshored. Fine. When manufacturing moves offshore, we’ll take the new designs moving out of the laboratory and start the process all over again.

Chicago can embrace this model Moretti describes by tearing down our Potemkin Village and building a fast-moving, seamless lab-to-product value chain, rooted in the resources we have, connecting laboratories to entrepreneurs.

But there’s one missing element that I haven’t yet discussed: people. To grow a robust startup economy, it takes a community that embraces the leadership and staff of recently-failed ventures, supports and learns from one another. It may also take one person – a superstar entrepreneur or researcher – to provide the initial spark.

“Entrepreneurs follow local entrepreneurs,” a 2014 Kauffman Foundation report found, noting that entrepreneurs most frequently follow the social media accounts of “other entrepreneurs, entrepreneurial programs, and individuals affiliated with local entrepreneurship support organizations.” The Kauffman Foundation report also noted that the most influential social media accounts in local entrepreneurial economies were often those of other entrepreneurs within that local market. “Entrepreneurship is a local phenomenon,” the report said.13

It is our hope that Invent2026 will sit at the intersection of this growing community of entrepreneurs in Chicago and throughout the Midwest and Rust Belt regions, and the nearby laboratories that are providing technologies that will drive new industries.
I will make my final point with a bit of apprehension, but because I am convinced that it needs to be said: Chicago’s failure to lead new industries is literally killing our residents. 740 of our citizens were shot and killed last year, a product of the lack of economic opportunity in our city, which is itself a product of the failure to ensure new technologies are designed, built, and commercialized here in Chicago.

The failure to replace the industries of the past is changing the political map. Midwest and Rust Belt workers are mistakenly blaming our region’s economic struggles on Chinese imports and Mexican labor when the real threat is our inability to compete in advanced industries.

These are the true costs of Potemkin Villages, and the failure to transfer technology. Here are a few ideas on how to drive new industries at the state and local levels:

1. Rigorously engineer collaborations between inventors and entrepreneurs: No, this does not mean a coworking space or even a coworking campus like New York’s Roosevelt Island. It means coursework is offered at Northwestern University, where graduate students at the Kellogg School of Management work with counterparts at the McCormick School of Engineering to create new businesses around inventions.

2. Mandate that laboratories funded by public dollars more freely license technology to startups: Our taxpayer dollars are going to fund their research, their salaries, and their laboratories. Startups should have the ability to purchase a non-exclusive license for no more than $2,500, with appropriate royalties provided to the researcher and the laboratory.

3. Understand federal procurement needs, and eagerly seek opportunities to provide the federal government with solutions: The Trump Administration has signaled a dramatic increase in defense spending. This is not a policy without virtue for America’s R&D community. Since ARPANET, America’s technological edge has been largely maintained by the Department of Defense’s labs. The DoD is sitting on a wealth of inventions ready to be commercialized and sold back into the federal procurement cycle.

4. Public support for technology transfer, prototyping, and market testing – not coworking spaces: Laboratories are incentivized to transfer technologies that will become commercial products that succeed in the market, thus earning their researchers and their institutions royalties. What stands in the way is the need to provide large amounts of capital to bring a technology from the laboratory into the market. Public agencies could and should be supportive in overcoming this “valley of death.”

As a parent of two children and a former state representative, I have had to referee my share of disputes. Invariably, both sides thought they were right, and wanted me to help resolve it. In trying to reach a compromise, I always looked to see if there might be another option. It wasn’t possible in every case, but when it was, everyone came away happier than if they had gotten their original wish.

That desire to find a better option is why other supporters and I sought to bring public-private partnerships (P3) to Kentucky.

In the enduring debate of which can do a job better — government or business — we asked: Why can’t it be both?

The two have often worked alongside each other for the common good, of course. Many of our utilities are now run by outside interests, for example, while governments regularly issue contracts for projects and services where they lack manpower or expertise. P3 builds on that concept by having government and the business community come together in innovative ways to do things neither could realistically do alone.

In an era of dwindling public resources, especially from the federal government, P3 is making it possible for us to dream big again. It is the blueprint we will use to take on proposals that have sat on drawing boards for too long.

More than two dozen other states have used some form of P3 for years, although they have often limited it to transportation-related projects or single-specific projects.

Kentucky’s law, which went into effect last year, is much broader, and it standardizes the process at the state and local level while making sure that the approved projects and services are publicly accountable and financially sound.

My interest in P3 formally began in 2013, when I sponsored legislation calling for the Transportation Cabinet to start a pilot program evaluating what is called “design/build.” As the name implies, this has companies take on the full scope of a highway project from the beginning, eliminating months of additional review and a new round of bidding for construction. That makes it possible to complete these roads and bridges much more quickly and at a considerable cost savings.

Applying that same principle elsewhere in government just makes sense, and during a time when we seem more politically divided than ever, P3 is an idea that draws wide bipartisan support and the backing of such organizations as the Kentucky Chamber of Commerce.

Share Your Feedback: newleaderscouncil.org/compact
There’s no such thing as a Democratic bridge or a Republican college dorm. We all have a vested interest in maximizing tax dollars, creating jobs and getting done what the people rightly expect to get done.

P3 is poised to gain more attention in the months ahead as Washington prepares to consider a major investment in infrastructure. Simply put, the highways and utilities that our parents and grandparents built are increasingly outdated, and if we do not begin to overhaul them in a comprehensive way, we risk falling further behind economically.

Should Congress approve this investment, Kentucky is in a great position to take advantage of it. Since House Bill 309 became law, I have had the privilege to speak at numerous P3 conferences and meetings around the country. Those attending are among the public and private leaders in this field, and they have widely hailed our legislation as a national model for other states to follow. We may not have been the first state to pass P3, but many think what we now have on the books is the best.

Recently, I was honored to be chosen as one of 10 transportation-infrastructure pioneers by the National Council for Public-Private Partnerships. As the past chair of the House budget committee overseeing state highway spending, I have a good understanding of the challenges facing us in this area — and what can and should be done to overcome these hurdles. This recognition was made in conjunction with National Infrastructure Week, a time set aside in mid-May to focus on the many needs we have as a country.

I believe we have a narrow window in which to re-invest in ourselves before we see the dire consequences of inaction. To me, the question is not whether we can afford to rebuild our nation, but whether we can afford not to. In that debate, P3 gives us our best option going forward, and with it, there’s no reason why we can’t all walk away winners.

**Fostering Innovation in Energy**

**Clean Energy Jobs for All**

*by Kyle Gracey*

Natural Resources Industry Lead - PreScouter, Inc., NLC Pittsburgh

Clean energy jobs are on the rise. A steady stream of research shows the clean energy industry now employs several million people, far more than the fossil fuel industry. But how diverse are these jobs? Who benefits most from them? And what about those left behind by the clean energy transition? In short, how can we protect and expand this job creation, while ensuring it benefits everyone? This memo summarizes key policy opportunities to support equitable clean energy job creation.

**The Clean Energy Jobs Landscape**

First, a review of where we stand. By one early 2017 estimate from the Department of Energy, there are already two and a half times more clean energy jobs in the United States than there are fossil fuel jobs. Among wind and solar, energy efficiency and clean energy storage, there are 2.8 million jobs. In contrast, extracting and processing coal, oil and natural gas employs about 1.1 million Americans. If hydropower and nuclear jobs were added to the renewable energy number, the difference would be even more striking.

The main activities driving these changes are clear. Coal’s contribution to total energy use fell nine percentage points in the past five years (23% in 2007 to 14% in 2016). Natural gas partially made up for this, growing seven percentage points (23% to 30%), while renewables grew by over three and a half percentage points (6.5% to 10+%). In March and April 2017, for the first time renewables collectively produced more electricity in the United States than nuclear.

Simultaneously, energy efficiency companies are delivering results. In 2016, the economy grew by 1.6%, but energy use decreased by 0.2%, continuing a multi-year trend. In addition, decades of automation in the fossil fuel industry, compared to the relatively young renewable energy industry, means that it takes more jobs to create the same amount of clean energy. Put another way, investing money in clean energy creates more jobs than spending it on fossil fuels. Regardless of the model or whether we look at financial investment or electricity production, clean energy creates two to three times more jobs

**Equity in Job Creation**

But who gets these jobs? As the Department of Energy study summarizes:

> These energy-related sectors are relatively less diverse compared to the overall national workforce. Women are a smaller portion of the workforce in these sectors, ranging from 22 to 34 percent, compared to the overall economy, where women make up 47 percent of the workforce. The percentage of ethnic and racial minorities is slightly lower than the national average for Hispanic or Latino workers (14 percent versus 16 percent) and Black or African American workers (eight percent versus 12 percent).

The report also notes age imbalances, with older workers taking more jobs than younger workers, even though Millennials are now the largest demographic and are working age. Only veterans come out better than in the overall economy. This author’s own research into the equity of job creation found a similar imbalance. White, middle-aged males tend to hold a disproportionate number of the jobs in these studies, compared to their overall share of jobs in the economy. Even within other age groups, men stand to disproportionately gain from job creation.

The good news? First, while not exactly “good”, fossil fuel jobs are just as unequal. Fossil fuels and clean energy tend to employ a lot of the same types of people, particularly construction laborers and factory assembly line workers. Second, since clean energy companies employ more people in total than fossil fuel companies, there are more jobs for ev-
everyone, even if some races, genders and ages will gain more than others. Last, geographically the gains are at least fairly equal. The clean energy economy has brought gains to almost every state. Only nine states have more fossil fuel jobs than clean energy jobs, and even here the balance is shifting. Even coal-heavy Appalachian states like Kentucky, Tennessee and Pennsylvania have more clean energy employment.

Still, job creation should be both robust and equitable. Below are a number of policies that could support this.

**Policies to Support Inclusive Job Creation**

**Clean Energy Growth**

The clean energy industry creates more jobs than the fossil fuel industry. While both industries are less equitable job creators than the overall economy, the clean energy industry creates more jobs in total across all races, genders and ages. Policies that support the clean energy industry will mean more jobs for everyone. These should include:

- **Stronger renewable portfolio standards at the state level** to move electricity generation to cleaner sources. More than half of the country already has some type of requirement for how much renewable energy should contribute to electricity generation. Half a dozen states increased their standards in the past year.

- **Long-term Federal tax credits, especially production tax credits** for all forms of renewable energy and energy efficiency. Federal production tax credits for wind and solar are in effect through about 2019. But tax credits for other renewables and for energy efficiency expired in 2016 and Congress has not renewed them. More importantly, the tax credits have often been short-term, lasting as little as a few weeks to a few years. Companies need long-term assurance that credits will be in place when making decisions about what energy projects to invest in. Credits should last for at least 5 years.

- **Expand Property Assessed Clean Energy (PACE) to more states and localities.** PACE allows building owners to finance renewable energy and energy efficiency upgrades by paying for them over several decades as part of their property taxes.

- **Develop Federal and State legislation or regulation to steadily eliminate greenhouse gas pollution.** No single policy would do more to expand clean energy jobs faster. Despite new roadblocks at the Federal level toward regulating greenhouse gases, a few states, particularly California, are advancing new or updated laws and regulations specifically to limit or put a price on greenhouse gas pollution. The Northeast Regional Greenhouse Gas Initiative helped cut power plant carbon dioxide pollution 40% while adding 30,000 jobs.

This is just a sampling of possible policies. Importantly, states, cities and municipalities have many options available to advance local clean energy job creation, even if progress stalls at the national level.

**Diversity Growth**

Several policies exist to improve the diversity, and not just the total number, of clean energy jobs. In one sense, the answers are often straightforward. Many have been known for years, since they support more inclusive job creation, whatever the job. On the other hand, they suffer from the same challenges that plague other policy areas—a lack of implementation:

- **Gender-inclusive work policies.** Laws that make it easier and more equitable for women to participate in the economy, and for men to care for children, will help balance the gender gap not just in clean energy, but across the economy. Many of these are well known, if not as well implemented, and include support for childcare, paid family leave, comprehensive reproductive and sexual health care and insurance, and equal pay. Companies don’t need to wait for state or federal action, of course—they can offer these policies themselves.

- **Improve clean energy demographic data.** We can’t improve what we don’t measure. Currently, clean energy jobs data is scattered across academic papers and government databases. The 2010 stimulus package provided funding for the U.S. Bureau of Labor Statistics (BLS) to specifically collect “green jobs” data, including both clean energy jobs and other environmentally sustainable careers. However, the 2013 sequester cut funding for this program. Even when the program was operating, it did not plan to collect demographic data. The recent Department of Energy study is a valuable set of data, but decision makers and stakeholders need ongoing information. BLS should restore its green jobs program and add demographic information. States could also benefit from picking up where the federal government left off. Equitable job creation is in their interest, too. Likewise, most academic jobs studies don’t include demographic information. This should change.

- **Provide skills training, nontraditional education and education-to-work opportunities.** Many clean energy jobs require new skills compared to fossil fuel jobs. Providing wide access to the education necessary for these positions will ensure that more groups of people will have the knowledge to be hired. Traditional four-year colleges and graduate degrees are one route. Here, affordable public universities and diversity-focused scholarships will help. However, many of the skills necessary for these positions can be gained through community colleges, vocational-technical schools and other education-to-work programs. Community and vocational colleges have long asked for funding and support to help them train clean energy workers. Legislators should tie this support to accountability standards for these programs. For example, the program curriculum should teach the material necessary to earn relevant industry certifications, and ideally include real work experience.

- **Share insights from leading cities.** A number of cities and other municipalities are leading the charge to more inclusive economic growth in clean energy. Indianapolis, Portland, San Jose and New York recently joined a program to share data on how they are supporting inclusive growth, with clean tech a major focus of their efforts. From investing in urban manufacturing centers, building inclusion metrics and inclusive stakeholder processes into investment decision, to providing tax credits and other incentives for companies to hire local workers in more diverse communities, these cities are leading the way and learning.
from each other. More programs like Equitable Innovation Economies, which serves as a platform for these four cities to share resources, are sorely needed.

Just Transition

Part of creating more inclusive jobs requires that we find new jobs for workers displaced by the massive shift to a clean energy economy. A so-called “just transition” depends on a combination of its own set of policies and some of the policies already discussed:

- Workers will need retraining and transition support, whether through colleges, vocational schools, or their new employers. Those companies and educational institutions will need funding to develop and offer that training. For example, in Kentucky the Mountain Association for Community Economic Development recently began paid retraining and hiring of laid off coal company employees to become state energy efficiency auditors and perform other energy contracting services for the state. Many of the employees were already electricians, so the retraining makes use of skills they already possess. The Appalachian Regional Commission finances the effort.

- Displaced employees will also require temporary wage and benefit support while they retrain, which may go beyond the levels already provided by public assistance. Retraining could be a condition for receiving these benefits.

- Communities will need new sources of employment as fossil fuel infrastructure shifts and shuts down. Some of this can come from clean energy. But since fossil fuels and clean energy resources are not always located in the same places, communities will need other types of support and guidance to help diversify their economies. Many communities lack local experts in economic planning, or can’t afford outside consultants. Importantly, communities need to have these resources available or in place before a plant or a mine closes. Effective transition planning can take months to years, and some job losses happen suddenly, with only weeks or months notice.

- Public Private Partnerships can help transform temporary government support into long-term jobs for displaced workers. For example, in Kentucky, the company Bit Source used federal support for Appalachian economic development to kick-start a program paying displaced coal miners to learn computer coding. Bit Source then hired the former miners to complete projects for its clients.

- Corporate Power Purchase Agreements (PPAs) present a non-policy options that can help drive renewable energy development. PPAs are long-term contracts between power providers and large buyers, such as a single company. They provide dedicated funding to develop new (renewable) energy sources, while helping companies secure predictable energy rates for one to two decades. To support a just transition, companies can prioritize renewable energy providers who will site their projects in areas experiencing declining fossil fuel employment.

Support for a just transition will require financial investments from federal and state governments and employers. But the costs of unemployment and inequality are arguably far greater.

Conclusion

The clean energy economy is already a major job creator in this country. The transition away from fossil fuels is likely to accelerate. A wide variety of clean energy, inclusion and just transition policies exist to support these changes, driving robust, diverse job creation. Many success stories already exist. But without a greater focus on the benefits of the clean energy economy, and a commitment to sharing those benefits with all Americans, governments at all levels risk leaving their citizens behind.

Mexico: A Strategic Partner to the U.S. in the Advancement of North American Energy Integration

by Bernadette L. Hobson
Policy Professional, Former Fellow at the U.S. Department of Energy, Former Deputy White House Liaison and Obama Appointee at the U.S. Department of Agriculture, NLC Washington, DC

Introduction

The three countries that comprise North America (the U.S., Mexico, and Canada) face a unique opportunity to develop an integrated regional energy system that would greatly improve energy infrastructure to mitigate the risks of climate change, and lower energy costs to consumers and manufacturers; whereby strengthening the energy security of the U.S. However, the current political environment in the U.S. has sought to disrupt this opportunity by discrediting and isolating Mexico, its southern neighbor – and its most important energy trade partner. With tensions at an all time high between the U.S. and Mexico, energy trade between the two could potentially be impacted due to infrastructural challenges that are unable to sustain the risks associated with climate change and the rising costs of electricity, which both threaten the energy security of the U.S. These challenges could easily be remedied through North American energy integration.

Challenges Impacting Bilateral Trade & North American energy integration

The U.S. and Mexico share a highly integrated energy system through wire, rail, pipeline, and waterways. According to the EIA, in 2016, Mexican energy exports to the U.S. were $8.7 billion while energy imports from the U.S. to Mexico were $20.2 billion. Moreover, in 2012, energy trade between the U.S. and Mexico was well over $65 billion. Despite this, the cost for electricity for consumers and U.S. based manufacturing facilities in Mexico remain high. In fact, manufacturing facilities in Mexico face costs per megawatt-hour of electricity double the cost in the U.S. to produce goods and services. Additionally, the two neighbors do not maintain the energy system infrastructure necessary to mitigate climate related disruption along the U.S. – Mexico border. The border regions
maintain low or insufficient levels of transmission due to the lack of necessary energy infrastructure and integrated energy systems. Therefore, the communities located in Mexican states along the shared border are also home to the lowest population density in Mexico.

Among one of the most highly trade commodities between the U.S. and Mexico is Mexican Maya crude oil, a heavier crude, processed by U.S. Gulf Coast refineries. The export value of petroleum and coal products from the U.S. to Mexico in 2015 was $15.4 billion, while the import of oil and gas from Mexico to the U.S. in the same year was $12.5 billion. But in 2005, energy trade between the U.S. and Mexico was severely impacted due to Hurricane Rita. The storm caused heavy damages to U.S. Gulf Coast refineries and resulted in 4.9 million b/d of refining shut down.

Similarly, 2005’s Hurricane Katrina rendered comparable impact to trade between the U.S. and Mexico, as 2 million b/d of refining capacities were shutdown. With U.S. Gulf Coast refineries shutdown, the ability to generate revenue was delayed. Earning potential for U.S. workers operating refining equipment was suspended. As a result, crude oil exports from Mexico to the U.S. Gulf Coast were stalled indefinitely until refineries were repaired and able to resume work. With U.S. Gulf Coast refineries shutdown, revenue from export and import trade with Mexico was lost.

**Energy Sector Regulations**

Another challenge impacting the bilateral relationship between the U.S. and Mexico, are the high costs associated with the non-alignment of regulations, limited harmonization on emissions standards, and energy system disruption due to the lack of coordination between the two countries. Currently, the cost of for Mexican residential and business electricity consumers is on average 25 percent higher than in the U.S. With limited alignment between the U.S. and Mexico, the cost for electricity is high for consumers and U.S. manufacturers based in Mexico.

**Politics**

The current political environment and sentiments on behalf of the U.S. towards Mexico has stalled the advancement of North American energy integration. The new administration has proposed a 20% border adjustment tax that would greatly harm the US oil and gas industry as well as the U.S. – Mexico relationship. It has also taken the steps to begin to renegotiate the North American Free Trade Agreement and is currently weighing a decision to withdraw from the 2015 Paris Accord.

**The Impact**

The challenges facing the bilateral energy relationship have significant economic implications on both sides of the U.S. – Mexico border. The direct impact of the aforementioned challenges are felt among civil society who experience the high costs for electricity and for those living on the Mexican side of the U.S. – Mexico border who have limited access to electricity; and in some cases, no electricity at all. Additionally, U.S. manufacturers operating in Mexico experience the high costs of electricity, which increases the price of goods and is then transferred onto consumers. As a result, manufacturers experience a decline in revenue, which in turn impacts the economic growth of both the U.S. and Mexico. Similarly, the non-alignment of regulations as well as the limited coordination of energy systems to mitigate the risks of climate change, strengthen energy security, and reduce greenhouse emissions is not only costly, but also directly impact civil society on both sides of the U.S. – Mexico border. Furthermore, the current political climate in the U.S. and its narrow rhetoric towards Mexico provides a challenging environment to resolve the high costs of electricity, the strengthening of energy security, mitigating the risk of climate change, and reducing greenhouse gases for all involved (consumers, commercial businesses, and civil society).

**Previous Resolutions Mitigate Challenges**

Given these challenges, Mexico has taken the necessary steps to move towards energy system alignment, coordination, and harmonization with its North American partners; and to eventually move towards regional energy integration. With the opening of Mexico’s energy sector, the opportunity to harmonize regulations between North American partners is promising. To advance alignment with its North American partners, Mexico has deepened its bilateral collaboration with the U.S. to exchange best practices data sharing to align regulatory standards, coordination, and cooperation for integrated energy system the two countries share.

An important mechanism to support this regional integration is the U.S. – Mexico High Level Economic Dialogue (HLED). Under the HLED, the two countries have agreed to work to enhance communication and collaboration between energy agencies to improve data, promote economic growth, and economic benefits for citizens of both countries, so that a competitive North America is realized. Essentially, the HLED sets the framework whereby North American energy integration can occur.

As a result of these efforts, the U.S. – Mexico Energy Business Council was launched to deepen economic and commercial ties between the energy industries. Through the HLED platform, increased cross-border coordination has occurred through information sharing on wholesale energy markets, renewable energy, system planning, natural gas, and smart grid development. On the regulatory side, increased efforts have been made to meet regularly to ensure energy regulatory cooperation remains a priority in the oil and gas sectors, environment, and renewables.

Bilateral efforts made under the HLED to improve coordination and cooperation between the two countries already integrated energy system, played a critical role in reaching a North American goal to reduce methane emissions in oil and gas sectors by 40-45% by 2025; as well as 50% clean energy generation by the same year. These goals were announced at the 2016 North American Leaders summit where the three countries also agreed to advance cross-border transmission to assist in reaching their mutual clean energy goals. In addition to this, the submission of Nationally Determined Contributions (NDCs) by the U.S., Mexico, and Canada to reduce greenhouse gases and mitigate the risks of climate change were in alignment in most areas, creating a platform for a coordinated effort during COP21.

By taking these important steps, the goal to achieving North American energy integration is possible. Energy system integration between the U.S., Canada, and Mexico represents an important opportunity to meet the demands of energy production and consumption (Resources for the Future), giv-
en these challenges, efforts to mitigate high electricity costs, regulatory coordination and harmonization, which would decrease electricity costs. Additionally, by harmonizing regulations, the energy system between the three countries would be more efficient, reduce energy costs for consumers and manufacturing facilities, as well as transition to a mixed energy system that includes renewable energy sources, and more importantly strengthens energy security.

Under the U.S. – Mexico Clean Energy and Climate Task Force, the two countries aimed to develop joint activities to develop early warning systems mitigate the risks of extreme weather, enhance adaptation capabilities, and help vulnerable communities. To date, steps to advance initiatives to develop early warning systems have been limited. Moreover, given the current political climate with regard to climate change and Mexico the future of developing and implementing early warning systems is uncertain.

Lastly, despite significant steps take to deepen bilateral relations between the U.S. and Mexico for the advancement of North American energy integration, new Administration has done little to quell its narrow rhetoric with regards to Mexico. Instead, the new Administration’s sentiment towards Mexico has moved sharply away from efforts to deepen bilateral energy relations on all fronts, particularly climate. As a result of these actions, the possibility to move towards North American energy integration is at an impasse and will likely impact consumers, business, and the economies of all three countries.

Policy Recommendations to Remedy Challenges

Given these challenges, I propose the following steps to lower energy costs, increase economic growth, and strengthen U.S. energy security:

Lower Energy Costs

The U.S. should work with Mexico at the state-level to share data, exchange best practices, and technical expertise to develop cross-border transmissions. Specifically, Mexico could work with California, Texas, and Arizona to begin this work. By developing cross border transmissions, electricity market disruptions on the U.S. – Mexico border would be minimized and the cost for electricity would be lower for U.S. manufacturers operating in Mexico and along the border.

With Mexico’s recent energy reform, the U.S. has the opportunity to increase natural gas exports to its southern neighbor through the development of energy infrastructure. This will assist Mexico in transitioning from diesel to natural gas in electricity generation, which would lower electricity costs for U.S. manufacturers and Mexican consumers. Subsequently, boosting manufacturing output, consumption, and overall GDP for both countries.

The U.S. – Mexico Energy Business Council offers a unique chance to expand the bilateral energy relationship, lower energy costs, and could potentially open new markets for U.S. energy companies and jobs for Americans.

Early Warning Systems

Mexico should engage with its U.S. colleagues at NOAA to develop and implement the early warning systems needed to mitigate the risks of climate change and extreme weather conditions. By collaborating with NOAA, Mexico will enhance capabilities to also reduce the impact of climate change on its most vulnerable communities. This will also assist Mexico and the U.S. in developing methods for data collection and technological analysis to measure the economic impact of extreme weather. This collaboration is critical to the harmonization of policy and regulatory standards to expand trade between the U.S. and Mexico.

Climate Goals

To advance the goal to reduce methane emissions in oil and gas sectors, Mexico should partner with the U.S. Bureau of Ocean Energy Management (BOEM) to build a database on offshore platform emissions similar to the one used in the U.S. to understand Mexico’s offshore emissions, and engage with the U.S. Gulfwide Offshore Activity Data System (GOADS) to develop detailed data on emissions by equipment and platform type, as well as distinguishing between shallow and deep water operations. This collaboration will also expand energy trade between the U.S. and Mexico, drive economic growth, strengthen energy security, and bring broader development benefits to the region.

At the subnational level, Mexico could work with California’s Environmental Protection Agency Air Resources Board to share best practices on legislation on methane emissions. By exchanging best practices at the subnational level, local communities will experience immediate benefits of policies to reduce greenhouse gases emissions, while at the national level it would assist both the U.S. and Mexico to achieve their respective climate goals.

North American energy integration

Steps to advance North American energy integration should continue, as well as bilateral engagement between the U.S. and Mexico to achieve this goal. The momentum for North American energy integration has been driven by market factors. Therefore, energy integration between the three countries has the potential to meet evolving changes to energy production and consumption, lower prices for consumers, strengthen energy security, and expand economic growth for the North American region. Given this, regulatory harmonization is critical to advancing North American energy integration. Therefore, the North American Integration Study should continue, as it would shed light on the economic competitiveness and reliability of integration between the three partners. Currently, the potential of North American energy integration is valued at $150 billion between the three countries. Given this, the North American countries have an economic incentive to increase cooperation and expand trade as integration can spur economic growth, infrastructure development, technological deployment, environmental protection, and job creation.

Politics

Given the current political climate in the U.S. and its sentiments towards Mexico, it is critical for thought leaders, academics, and policymakers who maintain bipartisan support and respect to demonstrate on a consistent basis the strategic importance of Mexico to U.S. energy security through multiple mediums (social media, television, Op-eds, conferences, etc.). These leaders should highlight the revenue generated due to energy trade with Mexico and the jobs this re-
lationship creates and maintains. Moreover, thought leaders should also work collaboratively to organize conferences that highlight the importance of NAFTA to U.S. energy security and the opportunity it presents by adding energy to the agreement. Similarly, the same steps should be taken with regards to the 2015 Paris Accord. It represents a unique opportunity to build a new market to mitigate the risks of climate change while concurrently creating new jobs and generating revenue to spur economic growth in the U.S.

Conclusion

In conclusion, Mexico is a critical and strategic partner to the U.S. and the advancement of North American energy integration. With such an already strong revenue-generating energy trade relationship and opportunity for expansion, the U.S. has much to lose by overlooking Mexico as a strategic energy partner. By disregarding Mexico, the U.S. is not only risking the stability of its own energy security, but also losing significant revenue that would go toward overall economic growth. If this continues the energy security of the U.S. would be severely impacted, trade would decrease, opportunity for future energy partnership with Mexico would decline, and the chance for North American energy integration would end. As a result, U.S. manufacturers operating in Mexico and consumers on both sides of the border would be greatly impacted by the high cost for electricity, and the initiatives to mitigate the risks of climate change and extreme weather would be null and void. That said, it is imperative that policy makers, academics, and thought leaders work collaboratively to provide a strategy that demonstrates the important economic value that Mexico plays in sustaining the U.S. energy market, its economy, and the North America energy market.

A Moderate Energy Subsidy Shift Proposal For A Radical Energy Use Shift

by Patrick Leahy
Director (subdistrict #7), Papio-Missouri River Natural Resources District Board, NLC Omaha

“If you were successful, somebody along the line gave you some help. There was a great teacher somewhere in your life. Somebody helped to create this unbelievable American system that we have that allowed you to thrive. Somebody invested in roads and bridges. If you’ve got a business — you didn’t build that.” — former U.S. President Barack Obama

These words burn men and women from Wall Street to Main Street who fancy themselves frontier people of the highest order. The saying is used as evidence that there are those in the U.S. that believe government is the answer and source of individual prosperity and would hand enterprise over to government if given the choice. It throws sand in the face of those who believe they are the sole cause of their families’ prosperity.

When pressed to look closer in the meaning behind those words, even the proclaimed self-sufficient class cannot completely doubt that the government had some role in helping construct the roads, education system, social nets, even the market that allowed industrious people to build their fortune. The government builds the foundation in which structures stand… or fail. It creates the environment in which business breathes… or suffocates.

And why shouldn’t government do this? After all, the government in the U.S. is merely a social construct of ‘the people’, by ‘the people’ and for ‘the people.’ For the energy industry, the government has built the foundation and environment based on a variety of subsidies. These subsidies, government expenditures and investment, have driven the current energy portfolio of the country for a generation. To respond to ‘the peoples’ desires and drive the American economy forward for the coming generation, the U.S. government must help producers and consumers of new energy sources through adjustments in the structure of energy subsidies.

If the American people want to diversify the U.S. economy, enhance national security and move to cheaper, cleaner energy sources, they will have to demand that subsidies being handed out on their behalf be distributed differently.

A Brief Background

According to a seminal 2011 study, “What Would Jefferson Do? The Historical Role of Federal Subsidies in Shaping America’s Future” by Nancy Pfund and Ben Healy, energy subsidies have been around as long as the country. From coal tariffs to timber grants, a reliable source of energy for the nation has always and will always be a top strategic concern. Their paper examines and compares the start-up and historical aid for traditional energy sources (coal, oil, nuclear, gas) versus new energy sources (solar, wind, hydro). Per Pfund and Healy, the first 15 years are critical to developing new technologies. The report finds “oil and gas subsidies, including tax breaks and government spending, were about five times as much as aid to renewables during their first 15 years of development; nuclear received 10 times as much support”. Furthermore, the annualized average for oil and gas is nearly $5 billion per year, and it is $3.5 billion for nuclear. Compare that to $1 billion for biofuels and $300 million for renewables like solar and wind.²

The Policy Problem:

The U.S. government has helped prop up large domestic oil, gas and coal suppliers and consumers going back generations. They have done so through energy subsidies. Energy subsidies can take many forms, including:

- Direct expenditures to producers or consumers,
- Tax expenditures,
- Research and development,
- Federal electricity programs supporting federal and rural utilities, and/or
- Loans and loan guarantees.³

Subsidies allow their direct beneficiaries the ability to make long-term strategic investments and recoup capital outlays already invested. Indirect beneficiaries, the consumers, get cheaper gas/oil/coal/nuclear/wind/solar/etc. energy. The greater the subsidies, the greater the benefits. Should more
subsidies flow to newer energy technologies, the greater the benefits would be to those companies who make longer-term investments in those sources and the consumers to buy their product.

Another benefit to the subsidies comes in terms of employment, people directly hired by the companies benefitting from the subsidies to do work they would not otherwise do. And that employment extends to those further down the supply and consumer chains in related industries that the energy source provides that it similarly wouldn’t otherwise. To stop subsidies to industries currently receiving them would most likely hurt employment in that sector. Conversely, if subsidies were to increase in another industry or be redirected to other companies, it would make sense that employment, up and down the supply chain, would increase.

However, all subsidies come at a cost. The U.S. government gives out energy subsidies while running steady annual deficits. The subsidies add to the interest costs the U.S. must eventually pay back to creditors, foreign or domestic. To be profitable, the net gain economic activity in the U.S. economy must be greater than the costs. To determine if this is an appropriate investment should be a matter of simple math. Is the benefit greater than the cost? If so, give the subsidy. If not, then stop it. Unfortunately, in today’s interest-driven world, any study ambitious enough to try to accurately calculate both sides of the equation will automatically be met with skepticism and partisanship.

Nothing groundbreaking thus far.

Recently, the people of the U.S. have begun to question if the benefits do outweigh the costs as traditional energy (oil, natural gas, coal and nuclear power) companies are recording huge profits. Nearly 2/3 taxpayers want to see the subsidies for traditional energy be curbed or stopped. Because almost six out of ten polled did support subsidizing “new energy” sources (wind, solar, hydrogen) which receive sometimes higher subsidies, it can be assumed support or lack thereof is not purely economic based. Perhaps public opinion is related more to the negative consequences fossil fuels have on the natural environment and human health. The percentage of Americans asking for the government to prioritize renewable energy sources over old energy sources at an all-time high. Because the consumer, the tax-payer and the voter are nearly all one in the same, polls like this should not be ignored.

**Policy Proposal: A Small Subsidy Shift**

To address the swing in opinions, and the constant need for cheaper and cleaner energy, the U.S. government need not to drastically alter the tax subsidies it is currently providing in one fell swoop. It can do it slowly, allowing companies and the market time to plan and adjust. Doing so would give a strong indication of where the country would like to go into the future change the paradigm.

U.S. policymakers should structure subsidies to traditional energy industries to devolve consistently over 30 years or more. Moreover, U.S. should tie the old sources of energy to new sources on a one-by-one basis. For example, as nuclear subsidies faded, they can be replaced by subsidies to wind. Oil could be tied to biomass energy sources, coal power to solar generations and natural gas to hydrogen energy companies. Starting in 2020, 1% of subsidies from old energy sources should be diverted to new energy sources, each subsequent year. This shift should be in addition to current subsidies received by new energy sources and should be planned to continue until at least 2050. Given the U.S. subsidized old energy with about $5.1 billion in 2013, this proposed policy would add up to a total of $19.1 billion in additional revenue for new energy industries during this time. The policy would eventually mean shifting 30% of subsidies from old energy sources. The policy ramifications will go farther than that even as the subsidies to new energy sources would begin to slow. Eventually devolving or slowing all subsidies would allow energy to be more tied to a freer market as consumers and producers trade more in line the true costs of the energy source rather than a subsidized cost.

Depending on one’s view, 30% can seem like a lot or a little. Again, this would not be all at once, but a percentage point per year on a rolling basis. That 1% annual loss may still seem like a lot to companies currently, but that is industry wide. And it doesn’t count for any new profits due to growing demand globally or more efficient production techniques. Additionally, it is a fraction of what they could stand to lose if the polity decides it is fed up with pollution and/or government deficits and enforces a more radical change like a broad elimination of subsidies. Think about it this way: the coal industry received $1.075 billion worth of various subsidies in 2013. Their loss in the first year of this plan would mean they would still receive over 1.064 billion in 2021. The second year, 2022, just under $1.043 billion. [See Example #1]

Losses to be sure, but nothing catastrophic that would ruin the industry too radically and too swiftly. And while the reduction in subsidies is relatively small, especially in the beginning years, the gain in subsidies for new energy sources is relatively large for about first ten years. In this example, the subsidies for solar would increase until 2029, to about $67.5 million in additional subsidy revenue that year, and then begin to be reduced.

After the 30 years pass, the solar industry would see an additional $1.07 billion. And even though it only meant a 1% decrease in funding per year for coal industry, at the end of 30 years the true reduction of their subsidies would be 99.5% to only $5,862,801 by 2049. In effect, this policy would ultimately end the artificial propping up of the market for old energy sources. And because the new energy sources would only be receiving 1% of the previous year from the old source, at the end of the 30 years the subsidy, in this example the solar subsidy, would come back down to near current levels after a surge of assistance (Example #1). The new energy sources would still in effect be propped up, but even their subsidy would relatively decrease given these numbers do not adjust for inflation.

**Example #1 Coal Subsidies Shifting to Solar Subsidies:**

The increasing 1% shift from old energy subsidies to new energy subsidies would be bring immense benefits. The projected change in subsidies would provide stability and a predictable environment for businesses, which are current beneficiaries of the subsidy. They would not have to worry about losing subsidies through drastic cuts, but instead would have a timeline on how the cuts would occur. Produc-
ers and consumers would be able to better plan what the future of energy subsidies will look like rather than guessing what policymakers may decide year to year. That should spark innovation and investment and hopefully, shift market choices in both the demand and supply side, to new energy sources even before 30 years is finished.

It is assumed that companies that currently benefit from the subsidy structure would use their vast and historical connections to policymakers to fight their reduction. However, the political clout these companies have built to keep their current subsidies should make them an odds-on favorite to receive some portion of the new subsidy. If they choose not (or cannot) make new, strategic investments to reap the new subsidies, then American entrepreneurs can fill the void and take advantage of the direction consumer preferences are heading. Proponents of a shift like this could also point out to policymakers that subsidies are just another form of corporate welfare. And like individual welfare is a limited length of time the beneficiary can receive it, so to should these subsidies.  

The subsidy shift would also slightly help the deficit. Currently, the subsidy schedule continues to increase. By implementing this approach, the initial subsidy today (2020) for old energy sources is about $5.1 billion per year. By 2050, under this policy, that would be reduced to roughly $24.5 million annually! The influx of subsidies to energy companies would increase in the first ten years of the policy, but then even those subsidies would begin to be reduced slowly. The percentage shift continues to increase by a percentage point each year, however the percent shifted will be on a smaller and smaller subsidy from the old energy source until eventually the new energy source subsidy is back to its 2020 levels by 2049 (Example #1).

Not eliminating the subsidies for old energy sources completely within even 30 years, acknowledges the continuing role these sources will probably still need to play for the foreseeable and unforeseeable future. However, policymakers shouldn’t fear any large spike in energy prices if the subsidies to those companies are significantly reduced. A study has predicted eliminating oil subsidies would cause a less than 1% increase in price. And that is with a complete elimination in one year, not a 99% reduction over 30 years. Should old energy sources feel they need continued additional subsidy above what they receive via this shift, then they should seek to receive that from state sources. The national policy should continue to be providing the foundation and environment to promote the general interest of the American people, in this case moving to new energy sources.

### How to Spend the Shifted Subsidy

Under this plan, eventually all subsidies will go away. For the traditional energy sources, this will happen sooner. Because subsidy dollars will become increasingly limited, there should be a political compromise with the individual energy industries to determine which of their subsidies their industry will want to continue the longest and which ones the public funds will be reduced from the quickest. However, if policymakers are looking to become involved, they should take the following into consideration.

When we wanted to improve literacy, we didn’t give tax credits but we built schools and hired teachers. When we wanted to stop houses from burning, it wasn’t government providing fire insurance but firefighters that helped solve the problem. These sayings provide a lesson that not all government intervention is created equal and can create the same success for a society’s goal. If the goal is to move the U.S. from old energy sources to new ones, for whichever reason (diversity for the economy, national security or environmental considerations), the increase in subsidy dollars that new energy industries would receive under the proposed shift needs to be invested in a manner which will maximize its effect.

Creating an ‘invisible hand’ of the market is more powerful and successful in changing behavior and demands than trying to force it with a ‘visible hand’. As mentioned earlier, subsidies can fall into one of five categories. Because the subsidy shift to new energy source surges in the first ten years and then dissipates based on the steady decline of the old energy subsidy, direct expenditures to producers or consumers is probably not the best way to use the shifted subsidy as the funding level is not constant for 30 years. Although tax expenditures like tax credits have proven useful to new energy companies thus far, for the same reason as direct expenditures, because the shifted money is not constant, using all the shifted funds on tax expenditures would also probably not be the best use. Of the three remaining

---

<table>
<thead>
<tr>
<th>YEAR</th>
<th>Policy (shifting subsidy additional 1% of previous year per year)</th>
<th>Coal Subsidies Total</th>
<th>Solar Subsidies Total</th>
<th>Solar Subsidies Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Present</td>
<td>0</td>
<td>$1,075,000,000</td>
<td>$0</td>
<td>$5,328,000,000</td>
</tr>
<tr>
<td>2020</td>
<td>3%</td>
<td>$1,064,250,000</td>
<td>$10,750,000</td>
<td>$5,338,750,000</td>
</tr>
<tr>
<td>2021</td>
<td>2%</td>
<td>$1,045,925,000</td>
<td>$21,285,000</td>
<td>$5,349,285,000</td>
</tr>
<tr>
<td>2022</td>
<td>3%</td>
<td>$1,011,675,000</td>
<td>$31,285,000</td>
<td>$5,358,285,000</td>
</tr>
<tr>
<td>2023</td>
<td>4%</td>
<td>$971,209,000</td>
<td>$40,467,042</td>
<td>$5,368,472,042</td>
</tr>
<tr>
<td>2024</td>
<td>5%</td>
<td>$922,648,588</td>
<td>$50,464,580</td>
<td>$5,378,653,580</td>
</tr>
<tr>
<td>2025</td>
<td>6%</td>
<td>$867,289,644</td>
<td>$55,389,913</td>
<td>$5,388,399,913</td>
</tr>
<tr>
<td>2026</td>
<td>7%</td>
<td>$806,759,369</td>
<td>$56,710,275</td>
<td>$5,398,110,275</td>
</tr>
<tr>
<td>2027</td>
<td>8%</td>
<td>$742,053,020</td>
<td>$56,452,360</td>
<td>$5,398,252,360</td>
</tr>
<tr>
<td>2028</td>
<td>9%</td>
<td>$675,268,248</td>
<td>$56,784,772</td>
<td>$5,398,348,772</td>
</tr>
<tr>
<td>2029</td>
<td>10%</td>
<td>$607,741,423</td>
<td>$56,782,625</td>
<td>$5,398,252,625</td>
</tr>
<tr>
<td>2030</td>
<td>11%</td>
<td>$540,889,866</td>
<td>$56,851,557</td>
<td>$5,398,151,557</td>
</tr>
<tr>
<td>2031</td>
<td>12%</td>
<td>$475,983,082</td>
<td>$56,996,739</td>
<td>$5,398,006,739</td>
</tr>
<tr>
<td>2032</td>
<td>13%</td>
<td>$414,105,282</td>
<td>$56,877,801</td>
<td>$5,397,857,801</td>
</tr>
<tr>
<td>2033</td>
<td>14%</td>
<td>$356,130,542</td>
<td>$56,794,739</td>
<td>$5,397,697,739</td>
</tr>
<tr>
<td>2034</td>
<td>15%</td>
<td>$302,710,661</td>
<td>$54,419,581</td>
<td>$5,398,110,581</td>
</tr>
<tr>
<td>2035</td>
<td>16%</td>
<td>$254,277,207</td>
<td>$54,413,754</td>
<td>$5,397,663,754</td>
</tr>
<tr>
<td>2036</td>
<td>17%</td>
<td>$211,050,882</td>
<td>$43,227,125</td>
<td>$5,397,727,125</td>
</tr>
<tr>
<td>2037</td>
<td>18%</td>
<td>$173,061,067</td>
<td>$37,999,015</td>
<td>$5,397,599,015</td>
</tr>
<tr>
<td>2038</td>
<td>19%</td>
<td>$140,179,464</td>
<td>$32,881,603</td>
<td>$5,397,681,603</td>
</tr>
<tr>
<td>2039</td>
<td>20%</td>
<td>$112,143,572</td>
<td>$28,035,893</td>
<td>$5,397,658,893</td>
</tr>
<tr>
<td>2040</td>
<td>21%</td>
<td>$88,593,422</td>
<td>$23,510,130</td>
<td>$5,397,589,130</td>
</tr>
<tr>
<td>2041</td>
<td>22%</td>
<td>$69,102,809</td>
<td>$19,490,535</td>
<td>$5,397,490,535</td>
</tr>
<tr>
<td>2042</td>
<td>23%</td>
<td>$53,250,209</td>
<td>$15,883,660</td>
<td>$5,397,343,660</td>
</tr>
<tr>
<td>2043</td>
<td>24%</td>
<td>$40,838,999</td>
<td>$12,770,210</td>
<td>$5,397,349,210</td>
</tr>
<tr>
<td>2044</td>
<td>25%</td>
<td>$33,329,249</td>
<td>$10,199,739</td>
<td>$5,397,109,739</td>
</tr>
<tr>
<td>2045</td>
<td>26%</td>
<td>$22,423,644</td>
<td>$7,885,560</td>
<td>$5,396,885,560</td>
</tr>
<tr>
<td>2046</td>
<td>27%</td>
<td>$16,383,860</td>
<td>$6,059,784</td>
<td>$5,396,769,784</td>
</tr>
<tr>
<td>2047</td>
<td>28%</td>
<td>$11,796,379</td>
<td>$4,387,481</td>
<td>$5,396,357,481</td>
</tr>
<tr>
<td>2048</td>
<td>29%</td>
<td>$8,375,429</td>
<td>$3,430,950</td>
<td>$5,396,120,950</td>
</tr>
<tr>
<td>2049</td>
<td>30%</td>
<td>$5,862,801</td>
<td>$2,512,629</td>
<td>$5,396,122,629</td>
</tr>
</tbody>
</table>
ways to subsidize energy: research and development, federal electricity programs supporting federal and rural utilities, and/or loans and loan guarantees; a combination of the three may prove to be the best use of the windfall monies the shift in funds creates.

This type of investment has precedence by the government. Whether it was for the railroad during the late 19th century or the internet in the late 20th century, when government uses subsidies as investments rather than rebates to producers and consumers or tax credits, the resulting economic gain is still tremendously impactful and economy (and life) changing. Railroad companies were provided land grants to use for loans that banks wouldn’t otherwise give them as the payoff time to profitability was too long for a railroad. With the loan in effect guaranteed by the U.S. government, banks lent to firms, which were able to lay the tracks and expand settlements out west, building new communities and industries along the way which then needed the railroad to move products and people eventually making it a self-sufficient industry on its own.

Building up infrastructure to accommodate new energy technology could provide the investment injection needed to expedite changing the market dynamic. Couple infrastructure spending with the subsidy types that federal electricity programs supporting federal and rural utilities and it would give the subsidy shift a synergy of effort. While $10 - $60 million a year may not be much in infrastructure spending, it is relatively more impactful in more rural communities as the dollars ‘stretch farther’. And if the subsidy is structured through loans and loan guarantees, the money from the shift could back initial loans to companies seeking to store or transmit power form large solar or wind farms in rural America to city centers. As the government is repaid, the loan program becomes self-sufficient and increases the reach of what a program could do.

To help new energy sources, loans could be granted for infrastructure related to energy storage, conservation and transmission efficiencies. In rural America, this public investment can mean a huge increase in spending for a community and the resulting work would provide indirect benefits. As the country becomes more and more urbanized, rural investments will be needed to support communities and to provide a viable alternative to city-dwellers that are not reaping the benefits of urban living or just tire of congestion. The benefit is multi-fold, adding to the return on investment from the subsidy shift.

Also, much like the railroad industry, the U.S. should encourage loans to the companies and communities leading, not middling or failing. While the government does not have a great track record of picking winners and losers, broad grants disbursed on formulas do not create competition or ‘weed out the weak’. In the case of the railroads, the U.S. guaranteed the collateral (the land) for railroads to borrow against. But private lenders made the decisions on who to loan to. While the U.S. no longer has the abundance of land to dole out, it can use cash to similarly allow private lenders, not government bureaucrats, to make decisions on which projects and loans are worthy.

Likewise, as the Internet was helped along by government defense research into communications links and provided, through partnerships to the country’s universities that had the technical expertise. University grants for research and development in potentially paradigm changing technologies, such as a fusion reactor, also needs to be investigated where further increases in investments can be made. Research and development has the potential to create even more choices in the energy market for the U.S. consumer and the U.S. should leverage what universities are already doing through greater partnerships and sharing of technologies.

Moving Forward

Subsidizing energy choices is a choice the American people have and can implement through their elected representatives. In fact, it is a choice being made now as tens of billions are already being spent on subsidies annually. And with the consequences on inaction potentially being immense, action must be taken. And for action to happen, conversations in governments and communities need to start getting serious and proposals start to become concrete.

Policy makers should reach out to the firms receiving the current subsidies to a) inform them that public opinion is no longer on the side of continued subsidies at current levels and that changes will need to be made and b) determine if they can utilize the shift in subsidies to build new energy infrastructure or for new energy research and development. Getting buy-in from current receivers of subsidies is crucial to ensuring there is political support for any move, even if the proposed policy is relatively not radical or immediate. But hopefully slow, steady marginal change can lead to swift and major benefits for the U.S.

Extreme Heat and Climate Change

by Ana Lucrecia Rivera
GIS Assistant, Stanford Geospatial Center, NLC Silicon Valley

Introduction

As the global human population increases and urban centers develop, heat emanated by anthropogenic activities and impervious surfaces cause a climatic condition known as urban heat island (UHI). Urban Heat Islands are defined as closed isotherms where a surface, usually referring to the air near the ground (canopy layer), is relatively warmer than its surroundings. Usually, high temperatures are recorded at the nucleus of the city, in the most built-up core.

By transforming land cover, from natural vegetation to construction materials, shortwave energy (heat) is absorbed during the day and stored in low-albedo asphalt, concrete and glass. Building materials and proximity to one another trap warm air, making it more difficult to disperse excess heat. In addition, excessive use of air conditioners, necessary to mitigate the heat island effect, release waste heat into the atmosphere, elevating air temperatures.
Problem

Extreme heat events make cities less comfortable for living, and are associated with increased morbidity and mortality. Mapping studies have demonstrated spatial variability in heat vulnerability. A study conducted between 2000 and 2011 in New York City shows that heat waves were more likely to kill black individuals and those living in homes in census tracts that receive greater public assistance. Most important, deaths during heat waves occur more frequently among residents living in areas with low green space. Summers affect the poorest neighborhoods, with high-density housing and low vegetated surfaces where people cannot afford to turn up, or even turn on, an A/C unit. A rise in temperature also increases the concentration of organic pollutants and irritating gases. Children, the elderly and people with pre-existing respiratory conditions are most vulnerable to the negative effects of heat islands. UHI phenomenon, which generates convergence and then transports air pollutants to a metropolitan areas, increases hospital respiratory admissions in the warm center of an urban area. According to an EPA Heat-Related Deaths report (2016), more than 9,000 Americans have died from heat-related causes since 1979. In California, temperatures reached 115 degrees in the Central Valley in 2006. Police departments investigated at least 29 possible deaths due to extreme weather. By spatially detecting UHI formations it is possible to determine what factors are causing the heat storage (city morphology-canyon effect and/or land cover) and health implications (heat mortality and reduced air quality). Results provide useful information to propose or revise building strategies and public policies to create better cities. The study of heat islands at the micro-scale level can improve the well-being of city users in the public realm and improve building energy performance. In addition, local government agencies should be able to evaluate a heat island distribution model. This would allow them to promptly apply mitigation strategies.

Background

In 1998, the EPA – City Partnerships formed to address Urban Heat Islands in Baton Rouge, Chicago, Houston, Sacramento and Salt Lake City. City officials worked with EPA and federal researchers (NASA and LBNL) to map surface temperatures with satellites and sensors. Sacramento

EPA's Sacramento Urban Heat Island Project led to the Sacramento Cool Community Program (SCCP) that, in partnership with the Sacramento Tree Foundation, has the nation's largest shade tree program, “Sacramento Shade.” The SCCP established five working subcommittees: 1) Trees and Vegetation, 2) Cool Roofing, 3) Cool Pavements, 4) Air Quality Impacts, 5) Outreach and Education. In addition, the Sacramento Parking Lot Shading Ordinance requires developers of new parking lots to plan to cover 50% of the lot with shade trees within 15 years.

Chicago

Chicago is considered a “leading city” in heat island reduction measures. Some of the city’s measures include:

1) Landscape Ordinance, since its implementation more than 2,000 new trees and 8,000 new shrubs have been planted;
2) Energy Code, requires reflective roofs;
3) Construction of rooftop gardens in its City Hall;
4) Open Space Impact Fee Ordinance that requires developers to pay a fee or contribute a proportionate share of open space;
5) Asphalt replacement with permeable brick surfaces.

Salt Lake City

Salt Lake City works through the Utah Office of Energy Services to implement several heat island reduction measures that include demonstration projects, installation of reflective green roofs, planting shade trees, displaying cool pavements and community educational programs. The Utah Office of Energy Services created the Kool Kids Program, which educates students through the use of assembled Kool Kids Box that includes thermometers, thermal maps and infrared analyzers, about the urban heat island phenomenon and its impact on energy and air quality. Other cities and states, like Minnesota, through their Department of Health, are creating Extreme Heat Toolkits and Population at Risk analysis to prevent heat-related illness and deaths.

Policy Recommendation

Urban Heat Island intensity and distribution vary locally; therefore, government agencies should consider different mitigation strategies that involve long-term programs. The EPA Urban Heat Island Pilot Program roadmap proves that research is a first step to locate “hotspots”. Once heat islands are assessed, effective mitigation strategies can be proposed and implemented, in partnership with non-profit organizations and businesses. This section examines mitigation and adaptation actions to reduce land surface temperature and its impacts on vulnerable populations.

Research: Allocate funding for urban climate research.
Locate: Create an urban heat island observation and monitoring system.
Legislate: Define extreme heat weather events as a natural disaster and urban heat islands as risk zones.
Plan: Elaborate an extreme “heat weather event relief and recovery policy” that considers the differences between ecoregions.
Reduce: Reduction of anthropogenic heat emission by:
1. Improving urban infrastructure and the built-up environment by:
   a. Improving urban surfaces where heat islands exist by incentivizing tree planting in private parcels, public facilities and public spaces.
   b. Incentivizing green roofs.
   c. Subsidizing new programs for white facades and

Share Your Feedback: newleaderscouncil.org/compact
Information needed to develop urban heat island projects, materials, tools, and guidance to provide communities with translating urban heat island research results into outreach.

EPA’s Heat Island Reduction Program “focuses on trans-

also include increased energy and water consumption.

as the “2006 North American heat wave”, which spread throughout most of the United States and Canada. Impacts show a peak in heat related deaths in 2006, a year known as the “2006 North American heat wave”, which spread throughout most of the United States and Canada. Impacts also include increased energy and water consumption. 7

EPA’s Heat Island Reduction Program “focuses on translating urban heat island research results into outreach materials, tools, and guidance to provide communities with information needed to develop urban heat island projects, programs, and policies”. 8 It provides resources and leads activities to reduce the heat island formation. Until now, it is a voluntary initiative. However, as cities continue to grow and extreme heat weather events become more frequent, the Heat Island Reduction Program should be a multi-stakeholder effort adopted by all cities, in particular by high-density urban areas. Children, the elderly, people living on neighborhoods with few or no green space, and who cannot afford to turn on the air conditioner are the most affected by extreme heat weather events. Therefore, the reduction of heat islands is not a matter of the environment only; it is a matter of justice and democracy.

Urban Adaptation: Preparing US Cities for the Impacts of Climate Change

by Benjamin McNeil
Associate Director, Healthcare System Preparedness, Response & Recovery, Boston Public Health Commission, NLC Boston

Background

The significant rise of population growth in cities worldwide has been a remarkable shift in historical population trends. While in 1950 less than one billion people of lived in urban areas, now 54 percent live in cities, and by 2050 around 66% of the world’s population will live in cities.1 To meet this population shift, cities around the world are developing land and building new housing at rapid rates.

This unprecedented growth clashes with the reality that most of the world’s largest cities are prone to severe hazards that are being exacerbated by the effects of climate change. As sea levels rise, coastal cities will experience either chronic inundation or more routine flooding, resulting in subsequent damage to critical infrastructure – often which is located along waterways - such as water and sewers, energy infrastructure such as dams, oil and gas operations, and hydro or nuclear power plants; healthcare facilities; and transportation networks such as roads, bridges, ports and airports.4 Warming oceans will create more severe weather systems4 that will have even further damaging impacts due to the loss of natural barriers that have been replaced by coastal development or land loss. Rising global temperatures will affect coastal and inland cities alike by magnifying the urban heat island effect: residents will suffer from more premature heat related deaths or more heat related illnesses due to the increase in extreme temperatures and duration of heat waves than they are used to, and city energy grids will have to keep up with the demand for electricity spikes as people, organizations and businesses try to cool themselves off. Heat waves are already the number one cause of US weather-related fatalities on average over the past 30 years, and those totals are expected to grow as temperatures increase. 5

The impacts of climate change to cities and their residents will be severe. Public health will be severely impacted as city residents will not only face prolonged extreme heat, but an increase in poor air quality, reduced food and water quality, increased exposure to infectious disease transmission,
and increased mental health and stress consequences.\textsuperscript{6}

The healthcare system will struggle to meet these increase demands, driving up healthcare costs and increasing an already taxed critical infrastructure. As financial hubs for their respective states, regions and/or countries, the economic toll will be severe. A recent study by the World Bank\textsuperscript{7} forecasts the average global losses from floods alone will be $52 billion a year, up from $6 billion per year in 2005. Adding in additional climate change impacts, this same study estimates damages could cost $1 trillion a year if adaptation measures are not taken.

These impacts will also perpetuate existing inequities. Impacts from disasters are not equitable, in that populations that already experience other vulnerabilities, such as physical (location to hazards) and social (such as race, class and age) vulnerabilities, will suffer disproportionately to other populations\textsuperscript{8}. Rising income inequality – a problem further stratified in cities – increases these vulnerabilities and decreases the resilience of individuals and their communities to face the acute and chronic impacts of climate change. On a larger scale, while climate change will have negative impacts for all regions, the poorest regions of the country, which area also the hottest, will suffer greater losses.\textsuperscript{9} A June 2017 study in the journal Science revealed that the largest losses due to climate change in the United States will be, on average, in the poorest regions of the country, thus furthering existing income inequalities. “Unmitigated climate change will be very expensive for huge regions of the United States... If we continue on the current path, out analysis indicates it may result in the largest transfer of wealth from the poor to the rich in the country’s history.”\footnote{A June 2017 study in the journal Science revealed that the largest losses due to climate change in the United States will be, on average, in the poorest regions of the country, thus furthering existing income inequalities. “Unmitigated climate change will be very expensive for huge regions of the United States... If we continue on the current path, our analysis indicates it may result in the largest transfer of wealth from the poor to the rich in the country’s history.”}

Cities, with significant support from their state and federal partners, will need to expand upon current climate change adaptation plans and strategies. New York City, Nairobi, Mexico City, Paris, Tokyo, Seoul, Los Angeles and my home of Boston (to name just a few) are examples of cities that have established strategies with concrete action items, but continued political support and innovative funding mechanisms will be needed to pay for these expensive measures. Initiatives like the Rockefeller 100 Resilient Cities and C40 Climate Cities Leadership Group have empowered cities to incorporate resilient policy and actions into their city government, but additional support is needed to facilitate these plans as well as encourage the development of plans for cities that have yet to participate. Increased investment in inclusive and equitable climate adaptation strategies and actions, such as smart development, grey and green infrastructure, reducing carbon emissions and green financing should be a priority at the local, national and federal level.

**Smart Development**

Cities and their administrations will inevitably want to pursue growth opportunities in order to build stronger economies and livelihoods for their residents. However, these opportunities should not put people, businesses and industry in harm’s way through dense overdevelopment in hazard-prone areas, or building without the use of hazard resilient building codes. Instead, cities should pursue smart development strategies that begin and end with climate adaptation plans and policies such as the enforcement of updated zoning laws and building codes, or providing incentives to developers to construct energy-efficient buildings or transportation infrastructure using reduced emission construction practices.

Cities worldwide are already pursuing a variety of mandatory zoning and building regulations and incentive or voluntary programs that are designed to force or encourage commercial, industrial and residential construction to pursue new or retro-fit projects that decrease vulnerability to future climate events and increase the ability to recover more quickly following a disaster. Furthermore, because the building sector consumes almost half of all energy produced in the US\textsuperscript{10}, these risk reduction policies and programs should work within a larger multi-purpose adaptation strategy that incorporates sustainable building practices that reduce carbon emissions during construction and result in buildings with higher energy efficiencies.

Examples of effective climate adaptation construction policies and programs include:

- **The South Florida Building code**, which was passed in the wake of 1994’s Hurricane Andrew is considered a gold standard in resilient building codes. The regulation increased the region’s resilience to future storms by requiring various best practices such as installing storm resistant windows and prohibiting the use of certain cheap building materials.\textsuperscript{11}

- **New Orleans’ City Planning Commission updated its Comprehensive Zoning Ordinance in 2016 to require**
  - most new development projects to be able to effectively manage the first 1.25” of storm water on their project site. Additionally, new development or reconstruction must mitigate runoff using on-site water catchment techniques that slow surface flow and reduce subsidence.\textsuperscript{12,13}

- **In the City of Boston, the Boston Planning and Development Agency’s Resiliency Policy requires all large project proposals to analyze and describe climate preparedness initiatives through a Climate Preparedness Checklist, and the Massachusetts Building Code applies flood-resistant construction standards to all new or substantially renovated structures within areas designated by FEMA’s Flood Insurance Rate Maps.**\textsuperscript{14}

- The Netherlands flood risk management standards are globally renowned, and are based on providing a basic level of safety for an individual dying that is no higher than 1 in 100,000, and minimizing severe economic loss.\textsuperscript{15}

- **The City of Chicago has supported the Retrofit Chicago Energy Challenge**, which aims to improve energy efficiency across the public and private sector through education and encouragement of voluntary energy reduction actions. The program currently covers 62 buildings and 43 million square feet.\textsuperscript{16}

- **San Francisco passed The Mandatory Soft Story Retrofit Program in 2013 requiring the retrofit of 5,000** the city’s most seismically vulnerable buildings. The city’s office of Resilience and Recovery aims to expand this program to cover 180,000 homes most vulnerable to earthquakes.\textsuperscript{17}

To further discourage and prevent development in hazard prone areas, cities should work with state and federal part-
nners to reform the National Flood Insurance Program (NFIP). The NFIP provides federally subsidized insurance to coastal (ocean, river and lake) communities, in addition to providing floodplain maps, risk analysis programs, and grants for hazard mitigation projects. However, the NFIP has largely failed to reduce the damages and costs caused by floods, which continue to be the most expensive natural disaster in the US. The NFIP’s artificially low insurance rates don’t accurately represent the true risk of coastal communities, thus allowing both development in hazard prone areas for costs cheaper than they should be, and expensive insurance bailouts paid for by the federal government. Furthermore, under investment in the NFIP has resulted in outdated floodplain maps and a reduction in the risk analysis and hazard mitigation programs.

Cities should encourage reforms such as limiting coverage to properties that flood repeatedly (there are about 11,000 severe repetitive loss properties in the country – a small fraction of the NFIP’s active flood policies – that account for 30% of NFIP claims, and in the past two decades the number of properties reporting a second loss has increased by 67%)\(^{18}\), raising rates to accurately reflect the risk (in order to discourage development that would otherwise be too expensive) and re-investment in FEMA floodplain maps so municipalities have a more accurate understanding of what the need to prepare for.\(^{19}\) Strong support from the federal government will be required for these investments, but unfortunately, the current administration is looking to cut various NFIP programs in recent budget proposals.\(^{20}\)

**Grey and Green Infrastructure**

Cities will have to invest in a variety of built and natural infrastructure projects that strengthen cities ability to withstand extreme weather events and allow cities to live within their new climate change affected natural environment. Grey infrastructure projects include the construction of storm barriers and floodgates, which can provide increased protection to cities and their surrounding locales. The Netherlands extensive network of flood protection systems, built following a series of disasters in the early and mid 19th century, has made the country the leading expert on grey infrastructure. In addition, the Netherlands has invested in a series of green infrastructure projects that complement hard construction by living more within the country’s natural boundaries. One example is The Room for the River program, a national design plan incorporating four rivers of the Rhine Delta that has invested in projects such as relocating dykes or creating and deepening flood channels in order to allow for storm surge to flood into more natural environments as opposed to just trying to keep the water out.\(^{21}\)

In Louisiana, government officials and planners have learned from the Dutch as evident in their 50-year, $50 billion Coastal Master Plan, which combines extensive built hurricane protection and storm water management systems ($14.5 billion was spent strengthening and building 133 miles of levees, floodwalls and pump stations around Greater New Orleans) along with investment in green infrastructure initiatives to build multiple layers of storm protection. Projects include the restoration of wetlands and barrier islands, which were originally removed to make way for various energy infrastructure and land developments, to serve as natural storm surge and flood protectors.\(^{22}\) Other US cities, such as NYC and Boston, are researching and pursuing similar combinations grey and green infrastructure to protect their residents and built environment.

Investments in green infrastructure can also be used to combat the urban heat island affect, a growing problem facing cities as global temperatures rise and dense urban cores become more developed and attract larger populations. The US Environmental Protection Agency recommends a variety of green infrastructure investments, including green infrastructure improvements to regular street upgrades and capital improvement projects; planting trees and other plants to increase a city’s tree canopy acreage; building cool pavements, which reflect solar energy, enhance water evaporation and reduce storm water run off more than conventional pavement; and building green or cool roofs because they provide ambient cooling effects and lower energy consumption.\(^{23}\)

Stuttgart, Germany is considered one of the best examples of urban heat island management in the world. The city’s multi-tiered approach includes building ventilation corridors and extensive cycle paths; implementing a land-use plan that emphasizes urban-compact-green which preserves and promotes green spaces such as urban parks; utilizing cool building techniques that promote passive cooling concepts when constructing municipal buildings; and supporting expansion of green roofs by setting requirements for certain new buildings to install green roofs and subsidizing the construction of more than 300,000 square meters of green roofs.\(^{24}\) In Portland, Oregon, the city’s Ecoroof program from 2008-2012 provided a $5 per square foot construction incentivize to property owners and developers to build green roofs. The program helped fund over 130 projects that created more than 8 acres of ecoroofs that manage an average of 4.4 million gallons of storm water annually.\(^{25}\)

**Reducing Green House Gas Emissions**

One of the key provisions of the 2016 Paris Climate Agreement was a commitment to hold the increase in the global temperature to below 2°C in order to reduce the risks and impacts of climate change. As both leading contributors to climate change and economic engines for their respective regions\(^{26}\), cities play an instrumental role in making sure this commitment can be met. To do so, they will have to pursue a variety of greenhouse gas reduction efforts that also support economic development and sustainability. Fortunately, administrations around the world are pursuing a variety of methods to ensure this goal is met. In the US alone, 36 cities are committed reducing their carbon emissions by 80% or more by 2050. A variety of methods and actions currently being pursued or proposed are listed below:

- Investments in renewable energy infrastructure and storage, which, if pursued on a large enough scale has shown to improve job growth and the overall economy.\(^{27}\)
- Market based approaches such as various iterations of a carbon tax\(^{28}\), or establishing markets for greenhouse gas quotas.\(^{29}\)
- The Regional Greenhouse Gas Initiative in the Northeast was the first mandatory cap and trade program in the US to attempt limit CO2 emissions from certain power plants. However, the program has been more successful
in raising money for clean energy products, and needs significant reform to increase its carbon reduction impact.30

- Investments in multi-modal transportation networks that emit low energy and allow city residents to navigate from home to work to recreation by walking, biking or taking reduced or zero-emission public transportation. The transportation sector is the second largest CO2 contributing sector in the US, responsible for 34% of total emissions.31

- Tokyo's Carbon Reduction Reporting for Small and Medium Entities mandates annual reporting for small and medium-sized facilities, which account for 60% of the city’s total CO2 emissions.32

- City owned utility companies, such as Austin Energy, which generate energy from renewable sources and can encourage energy efficiency and sustainable building practices through a rating system for home and commercial construction

- Mandating municipal energy be purchased from a renewable energy source, such as Washington D.C.’s 20-year Power Purchase Agreement which purchases 30% of the city’s electricity from a wind farm and is expected save taxpayers $45 million due to lower electricity rates33

- Regulations requiring energy to be produced by renewable resources, such as a recent proposal in the California Senate which would require all retail electricity to be developed from renewable resources by 2045.34

Green Financing
To pay for these expensive adaptation strategies, cities will have to pursue innovative partnerships and financing schemes in order to develop and implement sustainable development, energy and transportation infrastructure projects. Green or sustainability bonds, such as those issued by Mexico City35 or Portland, Oregon36 and countries such as Poland and France (not to mention companies like Apple and Starbucks), function similarly to conventional bonds except the proceeds can only be used to finance green initiatives or those that combat climate change such as infrastructure improvements that incorporate efficiency, renewable energy or adaptation components. The green bond market grew at record levels in 2016, and will need continued public sector support and investment to help countries meet their country-level climate commitments set forth in the Paris Climate Agreement.37

On smaller, yet still important scales, cities are pursuing innovative actions to fund climate adaptation projects that would otherwise not have a funding source. San Francisco expanded its Property Assessed Clean Energy Program to support property owner’s investment in seismic retrofit projects that built using sustainable building practices.38 … In Philadelphia, the Water Department established a competitive grant program to incentivize private property owners to develop green infrastructure.39

Addressing Climate Change Inequity
Finally, a comprehensive urban climate adaptation strategy to deal with the impacts of climate change must address city’s socially vulnerable populations and the disproportionate and inequitable outcomes they will face. Dr. Atyia Martin, current City of Boston Chief Resilience Officer and NLC Boston Alumni, stated in her 2014 study published in the International Journal of Disaster Risk Reduction, “socially vulnerable populations have a disproportionate exposure to risk and a decreased ability to avoid or absorb potential harm… At least half of the American population can be considered vulnerable to disasters because of their existing social circumstances. The approach to emergency planning has to shift to incorporate the diverse needs of socially vulnerable people into mitigation, response and recovery.” City officials and planners should invest in identifying, understanding and then addressing the unique circumstances and needs of their socially vulnerable populations when planning for climate change impacts to ensure equitable health and civil rights outcomes are secured for all populations both prior to and after an emergency. For example, city planners should acknowledge and prioritize environmental justice concerns that will only be exacerbated during a disaster (in Massachusetts, communities of color have a 70.6% of living in the most environmentally hazardous towns compared to white communities which have a 1.8% chance40).

Dr. Martin advocates for cities to use the Social Determinants of Vulnerability Framework, a planning tool that integrates social vulnerability analysis into existing hazard risk assessments, in order to enhance social resilience in cities. Use of the tool will also allow for more effective community engagement strategies that ensure members of the community from all background are represented, and their unique needs are acknowledged during climate change planning and mitigation, and prioritized during emergency response and recovery.

The recently released City of Boston Resilient Strategy embodies these commitments as evident by the document’s development – led by Dr. Martin but significantly informed through an extensive community engagement process that included consultation with over 11,000 stakeholders – and by focusing planning initiatives around creating equity in economic opportunities and addressing Boston’s history of racism.41

Conclusion
The impacts to cities and their residents due to climate change realities and projections will be severe and consequential. To address the concerns of rising coast lines, more severe and routine flooding, increased extreme temperatures and heat waves, and other hazards brought forth by climate change, as well as prevent the worsening of these impacts through the reduction of greenhouse gas emissions, integrated partnerships and initiatives will need to be pursued across the local, state and federal landscape. While it is certainly discouraging that the current presidential administration and other federal agencies are moving away from climate adaptation actions, such as the President Trump’s declaration to withdraw from the Paris Agreement on Climate Change, there is significant progress being made every day at the local level that we can be inspired by and learn from.

California has set even more aggressive goals and timelines to further cut greenhouse gas emissions across various in-
I. Brief Introduction/Synopsis of Issue

In 2015, The World Bank recorded the age dependency ratio of the United States at 50.91%. This ratio represents the number of dependents under the age of fifteen and over the age of 65 for every 100 people. It is an indicator of the burden of support this group inflicts on the working class. This burden includes economic, emotional, and social support. A higher ratio is indicative of a more restrictive burden, which, essentially, reduces the percentage of the U.S. population that shares the workload. Without adequate programs in place to compensate for the loss of an entire work group, the vast range of social injustices communities face today will drastically increase.

The dependent populous is among the most vulnerable groups in a society and is the beneficiary of most social policies and programs curated in the United States. Social justice is more than the discussion of the preservation of the rights of citizens; it speaks to the full and equitable protection of individual rights including, but not limited to, legal, civil, and human rights. It strives to transform a lofty philosophical goal into a practical achievement that positively impacts individuals regardless of their beliefs, life choices, or physical characteristics. Social justice issues are rampant and seem to get worse every day, leading to a common belief that equity will never be achieved. Although the issues vary among age groups, they are not unique to any one community, but their impact spreads throughout the country and hits every age range, culture, and socio-economic status. Introducing innovative programs that utilize the human resources of the dependent population can effectively reduce the burden on the working class while providing the work product to address social problems.

II. Background/Data on the Challenge

The Educational System and Community Programs in the United States must be modified to include more targeted training on addressing social justice problems. Some of the greatest untapped and underrepresented resources in the country can be found in the energy that could be harnessed from young people and the wisdom of senior citizens. By creating programs centered on the two groups, policy makers can effectively address the needs of every community and contribute to the country's economic sustainability.
double in size from 46 million to 98 million over the same time period. For the older population, the biggest increase is expected in the decade from 2020 to 2030, when the population aged 65 and over is projected to increase by 18 million (from 56 million to 74 million). The timing of this increase is related to the aging of the baby boom generation. The baby boomers began turning 65 in 2011 and by 2030 they all will be aged 65 and older.¹

While both the working population and the dependent generation under the age of 18 will decrease by 2060, the true crisis will be the 9-point increase of the senior citizen group. The question policy makers should be concerned with is: what social justice issues will arise when the country’s economy, in conjunction with a rising dependent populous, is pushed past the tipping point? While some are concerned over the demand for assets, the more common apprehension is that the baby boomers will exhaust Social Security and Medicare. Boomers will be the first group of retirees to fully receive the Medicare prescription drug benefit. Since Social Security payouts rise faster than price inflation, they will draw more substantial retirement benefits than their parents did, in real terms. Many suggest this large payout over the next 40 years at the next generation’s expense may be much worse. “The Urban Institute estimated last year that a couple retiring in 2011, having both earned average wages, will accrue about $200,000 more in Medicare and Social Security benefits over their lifetimes than they paid in taxes to support those programs”.² The logical argument can be made that with this economic burden, and without Medicare and Social Security payouts, future generations will certainly face a multitude of problems, including, poverty, and lack of access to healthcare, housing, education, and jobs.

In the words of Jim Tankersley, correspondent for The National Journal, “Baby boomers took the economic equivalent of a king salmon from their parents and, before they passed it on, gobbled up everything but the bones.”³

Another question policy makers should ask is: what this will mean for the younger dependent generation? In the article Causes & Economic of the Baby Boom, Elizabeth Arentz asks:

Are future generations being discounted because of the baby boom generation? Even the boomers seem to recognize that the future may not be as bright for future generations. In a 2011 Gallup Poll, forty-four percent of Americans believe it is likely that today’s youth will have a better life than their parents, even fewer than said so amid the 2008-2009 recession, and the lowest on record for a trend dating to 1983. Optimism for the future was lowest among baby boomers (ages 50-64). Ultimately, while the baby boom generation may acknowledge that future generations may not be better off, this doesn’t imply that the economic consequences were intentional. At this point in time, placing blame on the baby boom generation is not the correct or rational response. There are plenty of evils (i.e. owning large SUVs, neglecting to recycle) to which the current generation is contributing that are also likely to negatively impact future generations. Likewise, the generation preceding the baby boomers made their fair share of mistakes. The most the current generation can do because of the baby boom’s economic consequences is to learn that if nothing is done to protect future generations, consequences will be felt. The time is now to raise optimism for generations to come.⁴

Raising the optimism for generations to come means rethinking the way the country prepares for its impending issues. There is already a heavy burden on the working class so the logical move is to look to the dependent generation to be a part of the solution.

In all reality, Baby Boomers and Millennials will be working side by side with each other for some time to come. This means that working class members of both generations face the same economic hardships and challenges. That Fight for 15 isn’t just for the recent college grad. That attack on health care isn’t just aimed at those who might be older and thus fighting more ailments than their younger counterparts. Millennials and Baby Boomers have a lot of common struggles, and there is a need to face it together.⁵

Facing the problem together means creating policies and programs that will support dialogue that leads to the curation of applicable solutions. It means utilizing the group’s untapped resources to tackle the onslaught of issues that the country faces.

III. What Has Been Done to Combat This Challenge or Advance This Cause?

Although many policies have been created to address the issues of the dependent population, they are insufficient in responding to the bubble that is about to pop. While the creation of programs that address the needs of young people is just as important as the creation of those to take care of the country’s senior citizens, new policies must be put in place that address the group collectively.

The Older Americans Act of 1965 was the first federal level initiative aimed at providing comprehensive services for older adults. It created the National Aging Network comprising the Administration on Aging on the federal level, State Units on Aging, and Area Agencies on Aging at the local level. The network provides funding based primarily on the percentage of an area’s population 60 and older for nutrition and supportive home and community-based services, disease prevention/health promotion services, elder rights programs, the National Family Caregiver Sup-

Share Your Feedback: newleaderscouncil.org/compact
Youth programs have been created all around the country. For example, the Alternative Breaks Program, created by Georgetown University, provides students with opportunities for social justice immersion in communities across the United States and abroad. The program coordinates more than twenty-five trips that examine a wide range of social justice issues, including, poverty, prison reform and recidivism. Everyone who participates in the program must adhere to the five ABP pillars: justice immersion, service, reflection, cultural immersion, and substance-free fun. ABP fosters lasting commitments to social justice and strives to build long-term relationships with community partners.

The federal government has created a program and strategic plan named Pathways for Youth, which is meant to foster collaboration on issues affecting young people. The plan is a combined effort by eighteen agencies and departments whose primary focus is consulting with the public and implementing innovative programs for youth. The draft strategy identified three goals to focus on: (1) Promote coordinated strategies to improve youth outcomes; (2) Promote evidence-based and innovative strategies; (3) Promote youth engagement and partnerships. It also introduced four initiatives: (1) develop a shared language on youth topics; (2) assess and disseminate models of collaboration; (3) centralize and disseminate information; and (4) promote data collection and evaluation.

While programs and policies discussed above are necessary for the preservation of the country, it is imperative that specific attention be given to bridging the communication and productivity gap among the dependent population. In the Netherlands, for example, university students can live rent-free with senior citizens as part of a project created to combat the negative effects of aging. According to the nursing home staff, students do a variety of activities with their older roommates and celebrate milestones, participate in recreational activities, and even provide companionship during illnesses. This is an innovative example of a program created to meet financial needs and social justice needs of two vulnerable groups.

A policy created to have youth under age 15 move in with senior citizens over 65 years of age would not work, however a similarly innovative program formed with the dependent population’s assets and abilities as the focus could have positive implications for the problems on the horizon. The baby boomer generation is still responsible for a large portion of the country’s brain trust and has gained experience from their own valuable mistakes. The curation of intergenerational programs and policies is the most likely source for addressing some of the pressing issues plaguing the United States.

**IV. Policy Recommendations**

Many of the programs that have been created to address these issues have adopted a top down response to the problems, which has created an ineffectual atmosphere, at best. One of the best recommendations to foster economic stability while combatiing social justice issues is for Congress to enact The Intergenerational Act of 2017, which would focus on creating space for open communication and collaboration among the country’s dependent population. The Act would focus on (1) funding for senior citizen social justice projects, (2) implementing intergenerational, federally funded, programs for school districts to create programs where senior citizens and young people are able to interact, share & collaborate, and (3) create a federally funded work program for senior citizens and young people to come together to discuss, address, and implement programs that incorporate social justice reform.

As discussed above, the working class is bearing the astounding burden of caring for the dependent class, but relief is possible with innovative solutions, such as, giving senior citizens a stipend for spending time with young people to share their past, talk about their mistakes, and envision the future. Although this may seem a simple solution, it is a necessary first step towards fostering a more caring, conscious group of young people who will be better prepared to take their place among the working class.

Many schools lack the proper resources to adequately prepare students to take a productive place in society. The defunding of music, art, vocational and other extracurriculars has left a gap in the country’s education system, thus leading to increased social justice woes. A program created to link senior citizens with knowledge and expertise in targeted areas to youth who desperately need soft skills will positively affect the burden on the working class. Seniors will have a way to bring in additional income while having increased interactions, leading to a more active lifestyle, while young people will have counterparts who can guide them towards becoming successfully productive.

Senior citizens should be employed in programs within the classroom to help pose questions about social justice issues, introduce students to the philosophy of social justice and correlate it to the experiences that they have daily. Many young people live inside the reality of social injustice and would benefit from learning the technical language. Together, the group can create projects that empower people to ask questions and propose solutions for solving the problem.

The Intergenerational Act must also reduce the barriers for the creation of intergenerational organizations that can supported by older organizations working to address the same problems. A workforce of experienced seniors and energized young people will only benefit communities. As discussed previously, mistakes have been made by previous generations, but with the implementation of the Act the chances of surviving the impending overload is much greater.

Learn more about NLC at newleaderscouncil.org
V. Conclusion

We, as a country, face significant problems regarding economic sustainability and social injustices, the innovative creation of programs that utilize the dependent population’s untapped potential shows light at the end of the tunnel. Congress, as well as state legislators, must look at using every resource in order to achieve success and the wisdom of seniors combined with the energy and enthusiasm of young people is one of the best places to start.

A Progressive Rubric for Charter School Policy

by Wesley R. Whistle
Education Policy Advisor, Third Way
NLC Kentucky

Background

Albert Shanker, the former president of the American Federation of Teachers, is generally known for coining the term “charter school”—though a few schools already existed in principle. Charter schools—commonly shortened to “charters”—are public schools who receive funds from the government, but typically have more autonomy over the way they teach students and run their school than traditional public schools. Parents, community organizations, non-profits, educators and even private entities lead the charter as authorizers. Charter schools can be either non-profit or for-profit. Charters have even been implemented in a virtual format, some entirely and some in a hybrid model.

While charters have more autonomy over the way they are ran, they still have accountability through their authorizer. Though opponents of charter schools may conflate accountability with autonomy, there is a difference. Authorizers are the legal entities who determine who can start a new charter school. Additionally, they set the expectations of the school and monitor performance. Authorizers even decide which schools remain open or not. Through both positive and negative rewards, authorizers can provide accountability for performance ensuring effective schools while still protecting the autonomy of decision making within the schools.

For decades, charter schools have become one of the leading tools for education reform. Minnesota was the first state to pass a charter school bill in 1991 and—with that bill—a school reform movement began. Since then, advocates have pushed to expand charters. This year, Kentucky became the forty-fourth state (plus the District of Columbia) to enact charter school legislation. While many states have passed this legislation, it looks very different state to state. Each passed laws with differing levels of accountability and regulation, some to the detriment of students.

Proponents of charter schools advocate they provide an innovative approach to education due to less strict regulations. Some charter school advocates push charters as a tool to help low-income students and those students of color. Choice is also usually a benefit of charter schools. Rather than just sending their child to the school in their district, parents are enabled to choose a school. Sometimes charters are implemented as neighborhood schools allowing students who traditionally travel a good distance from their home a chance to remain close to home.

There are many pieces of data showing the positive impact of charter schools on educational attainment, improving outcomes for poor students, and even on the impact on long-term attainment and future earnings of graduates. A progressive case for charters schools can easily be made. Progressives who care about education should support charters as a tool for educational reform. This piece however, is not one making that case. While this is sometimes a politically divisive issue for both sides of the aisle, it is clear charter schools are part of the education reform tools used now and will continue for the foreseeable future. It is critical both proponents and opponents work together to ensure the best policy for charter schools are enacted to improve outcomes for all students.

Core Values

Some universal core values unite progressives in the area of education. Some of these values include universal access to quality education; equitable distribution of education resources; and accountability in service of effective education. When charter school legislative is proposed, these values provide a litmus test to ensure the schools meet these standards.

Access

Universal access to quality education is critical. Students should have the opportunity to receive a high quality education no matter their zip code. This means students should be able to go to high quality schools no matter their race, gender, sexual orientation, disability, or national origin, or socioeconomic status. In charter schools, universal access also requires charters to be placed in areas of highest need and policies should specify this as a requirement and prioritize those areas. Children should have equal opportunity to a quality education regardless of income. Charter schools should also be located in areas where there is demand for them from the local community, parents, and/or students. Additionally, charters should have admission policies that do not discriminate in any way, whether explicitly or inherently. Charter policy can include prioritizing students who come from a low socioeconomic background, with an easy qualifier being to prioritize those students who qualify for free and reduced-price lunches. Charters can also serve as a tool to integrate schools, both in demographic and economic means.

Equitable Distribution

A major part of guaranteeing access is ensuring equitable distribution of education resources. This is important so students receive this high quality education.
education. This means funding schools in an equitable manner. In practice, charter school policies should ensure students’ needs are met. States should enact legislation ensuring charters have the appropriate amount of funding to be effective. Funding affects students’ access to technology, extracurricular activities, and facilities, which all play a role in a student’s education. For many areas, access to facilities is a critical issue. In urban areas where property values can be expensive, finding a permanent home for a charter school is a difficult challenge. Policies must ensure funding is available for charter schools to have access to facilities that can serve students.

Equitable distribution of education resources also includes access to excellent teachers and leaders. Every child in this country deserves a good teacher (and principal) in a good school. Policies should be in place to ensure charters are able to attract and retain high quality teachers and leaders. Faculty and staff having access to competitive salaries and benefits—including retirement. Successful charter schools include those where unions exist and those without.

Accountability

Accountability in service of effective education is crucial to ensuring a high quality education for students. Schools should have the proper oversight to guarantee they properly serve all students. Accountability exists in several different ways. One way is through a strong and thoughtful authorization process. This includes having an authorizer who understands education and will hold schools accountable for performance, including closing failing schools. States should select multiple authorizers who are effective in monitoring schools. Additionally, strong accountability means schools are not run by a for-profit company. For-profits are inherently not accountable because those schools are working to make a profit, not to improve student-learning outcomes. While those two things can be achieved, schools working to make a profit have the inherent problem of serving the bottom line first. Furthermore, recent studies by the Center for Research on Education Outcomes at Stanford, also known as CREDO, found nonprofit charter schools provide 23 more days of math and 6 more days of reading than for-profit charters.1

The next section examines several states in these areas. Through these case studies, we will look at each state’s policies through the lens of these criteria as a rubric for quality charter school policy. Much of the data below comes from studies by CREDO.

Case Studies

To analyze state policy it is wise to look at several states who have implemented charter schools in several different ways. In each of the states below, some have had great success, others have had mixed results, but all provide valuable lessons. In the following paragraphs, we will look at the following states: Arizona, California, Massachusetts and Michigan.

Arizona

Arizona’s state legislature first authorized charter schools in 1994, the first ones opening in 1995. In Arizona, students enroll in charters schools at some of the highest rates. In the 2012-2013 academic year, Arizona had the highest percentage of all public school students enrolled in public charter schools at 13.3 percent. This was almost three times the national average at 4.6 percent.2 While the state enrolls a higher rate of students in charter schools, performance have been mixed across the state.

When it comes to admissions policies, Arizona’s state law requires admission to eligible students with some typical preference clauses such as students who previously attended, siblings of students, children of employees, and more. Additionally, if schools meet capacity, Arizona requires an “equitable selection process” such as a lottery. Arizona also provides an anti-discrimination clause forbidding the limitation of admission based on ethnicity, national origin, gender, income level, disabling condition, English language proficiency or athletic ability. While these requirements exist, the data shows there were 9 percent fewer racial and ethnic minority students in Arizona charters than traditional public schools as recently as the 2013-2014 school year. In that same year, Arizona charters also had 12 percent fewer free-and-reduced students than traditional public schools.3

Caps are another important area to consider when evaluating access. Arizona provides access in this area by not placing caps on charter school growth, by number of schools or students. According to the Arizona Charter Schools Association, in the 2016-17 school year, about 16 percent of Arizona students attended a charter school and about 30 percent of public schools were charters suggesting that students have access to several options.

When looking at the resources provided to charters, several areas must be reviewed. Funding formulas tend to be complex, but the consensus is Arizona charters receive fewer dollars. According to the Arizona Charter Schools Association, Arizona has had a consistent—though narrowing—funding gap between charters and districts in per pupil spending. In 2015, district students received $1,196 more than charter students ($9,250 per student for districts compared to $8,054 for charters).4 A national study of charter school finance found in 2011 the 372 charter schools in Arizona, in aggregate, received 18.5 percent less in revenues per pupil than district schools.5 While Arizona law does not provide complete equitable funding, it does allow the Arizona State Board of Charter Schools to receive grants and gifts. Additionally, the department of education provides some oversight functions, relieving some of the burden.

Arizona has some disparities when it comes to facilities. Traditional public school districts have taxing authority, so when there are facility needs in their district they can raise taxes to provide funds for new facilities or renovations. Charter schools do not have that option. Arizona law provides for “Additional Assistance” through a per pupil allocation meant to offset the lack of taxing authority. This amount is established by the legislature each year and

Learn more about NLC at newleaderscouncil.org
does not provide enough funds to equalize the funding gap. Arizona provides equity in the way properties are treated by regulating the classification of facilities the same as traditional public schools in terms of zoning fees and more.

As previously stated, resources include faculty and staff. Arizona laws provide for charters to be competitive in hiring and recruiting qualified faculty and staff. Currently, teachers working for charters authorized through a university, a community college district, a group of community college districts, the state board of education or the state board for charter schools are eligible for participation in Arizona's state retirement system. Additionally, teachers who leave a school district for a charter school receive employment preference if they wish to return to the district within three years. This flexibility allowed teachers is important for competitive hiring.

Previously lacking in the area of accountability, Arizona has taken great steps to increase accountability. Each school is evaluated with a report card, which is sent to parents and evaluates the schools on information such as test data and safety records. All public schools—including charters—are subject to a labeling system. If a charter is labeled as a failing school for two years in a row, this charter may be revoked. Authorizers are also required to submit an annual report to the auditor general. The report includes both academic and operational performance of the authorizer's adopted performance framework.

**California**

Ahead of Arizona was California, enacting charter school legislation in 1992. According to the National Alliance for Public Charter Schools, in the 2016-2017 academic year there were more than 604,000 students enrolled in approximately 1,253 public charter schools in California. California has experienced great success in their charter schools. The CREDO analysis of charter performance in California showed mixed results as well. There have been significant gains in reading for charter students, but losses in math.

Like Arizona, California has the typical non-discrimination policies in the law for admissions policies. State law goes further as it also prohibits discrimination in public schools based on gender identity, gender expression, and sexual orientation adding an additional layer of protection for those vulnerable students. Data from the California Charter Schools Association shows California charters do not enroll a significantly higher amount of minority or low-income students though they enroll them at comparable rates. Though the demographic makeup of California charters may not be drastically different of traditional public schools, the results have varied. In one study, CREDO found that black students in charters performed significantly better in reading and math—an additional 22 more days of learning in reading and seven in math. The same study also found a gain of seven days in reading for Hispanic students. However, there were not those same gains in math for Asian and White students. For students in poverty, the gains were much greater showing how charters can benefit those students. California also ensures access for parents and students to school choice by not over limiting the number of charters allowed. While there is a cap in place, there is ample room for growth. The cap is currently set well above the existing number of schools and grows by 100 every year.

While California provides funding for public schools via the Local Control Funding Formula, a funding gap remains between traditional public and charter schools. In 2011, charter schools in California received 25.5 percent less per pupil basis than traditional schools. Charters received $8,324 vs. $11,172 for traditional public schools — $2,848 less. However the data is based on 2011 data, so with new legislation and new data this number is expected to decrease to more equitable levels. Facilities are an area of concern for California charters, especially in urban areas like Los Angeles. These areas can have high property values causing limited access to quality facilities. California does provide funds to charters to assist with facility costs through their Charter School Facility Grant Program. In 2016, Proposition 51 passed and provided $500 million dollars to the Charter School Facilities Program (CSFP).

California law requires charter schools to participate in the state's accountability system, which includes a report card produced by the state. These report cards do not evaluate authorizers on certain types of measures like financial performance. Charters are required to provide audits and other financial reports, which are made available to the public. The law also provides for specific compliance requirements specifically for virtual charter schools. One weakness is California law is it does not prohibit the operation of for-profit charter schools though they are still subject to the same laws and regulations as non-profit charter schools. However, these schools remain a very small percentage of the total number of charter schools in the state. Charters in California are both some of the highest performing and lowest performing. There have been calls for more accountability for those at the bottom, but they have not been as successful. As recently as 2016, Governor Jerry Brown vetoed pieces of legislation providing further accountability.

**Massachusetts**

Massachusetts was an early adopter of charter schools as well. Charter legislation was enacted there in 1993 and, as of the 2016-2017 year, there were an estimated 81 charter schools serving and an estimated 44,200 public school students. A CREDO study of charter schools in Massachusetts found charter students "learned significantly more" than their counterparts in both reading and math. Most of these gains were found to be driven by growth of charters in Boston, where charters have shown higher amounts of gains.

Along with California, Massachusetts has a more comprehensive non-discrimination policy prohibiting discrimination to include gender identity, sexual orientation and more. Massachusetts ensures access by forbidding tests of ability or achievement, interviews, or informational meetings as a condition of enrollment. In instances where the number of applicants exceeds available spaces, an enrollment lottery is held. Access to charter schools is important for students to have the opportunity to attend. Massachusetts limits this access through its cap on charter school growth. The specifics of the caps are more detailed, but should be removed or increased to allow for proper growth allowing students access to charters. A recent Brookings report
explained that this cap harmful to disadvantaged students in urban areas where the caps matter and where charters have shown the best performance.10

As of FY 2015, about 90 percent of charter school funding in Massachusetts comes from the district a student would have otherwise attended.11 The remaining 10 percent come from state and federal grants as well as from private donations through fundraising. Funding levels show a gap between charter schools and traditional public schools. While charter schools educated 3 percent of Massachusetts's students in 2011, charters only received 2.5 percent of all funds in Massachusetts.12 Massachusetts also requires charter schools to participate in the state teacher retirement systems. While this can be more costly, it allows teachers flexibility and makes the hiring and recruitment process more competitive.

Massachusetts allows a balance of autonomy and accountability in its charter legislation. Current law requires data be collected on demographic makeup of each charter school as well as the number of English language learners. This data must be filed with the appropriate people with the legislature. While the legislature and governor are not required to review the data, they have access to it at any point. The legislature and governor can also remove authorizing authority from the state board of education. One weakness here is the number of authorizers. Massachusetts currently only allows the state board of education to authorize charter schools. Accountability is also provided by a thorough application process with a renewal period every five years. Finances of charters are also reviewed annually by independent auditors and are subject to audit by the state.

Michigan

Along with other states of this study, Michigan enacted charter legislation in 1993. In the most recent school year, there were approximately 301 charter schools serving around 146,100 students. Charters in Michigan have been highly controversial and have had mixed results. A CREDO study found charters in Michigan moderately outperformed traditional public schools. This was especially true in Detroit where many public schools perform at the bottom.13 On the other end of the spectrum, the same study found that “about 80 percent of charters perform below the 50th percentile of achievement.”

Access to charter schools in Michigan is not a problem for most. Michigan has the typical anti-discrimination law for admissions, though it does not protect LGBT students. There is also a lottery process in place when there is more demand than vacancies. Michigan charters have also served minority and low-income students at a higher rate than most. According to the Education Trust—Midwest, in the 2014-2015 academic year, charters in Michigan had 60 percent students of color compared to 21 percent in traditional public schools.14 In that same year, 70 percent of charter students qualified for free or reduced price lunch compared to 44 percent in traditional schools. No caps exist in Michigan law essentially, other than for “schools of excellence” and cyber charter schools.

Funding in Michigan places charters at a disadvantage. Charters do not have access to local funds as districts do. Charter schools receive a per-pupil operating revenue from the state with access to categorical funding. Because the state provides a maximum, many charters receive less than the district where they reside. In FY 2011, Michigan charters received $3,633 less than traditional schools—a 27.7 percent difference.15 Michigan law also does not provide transportation funding to either school districts or charters creating a barrier for charters since they have no access to local funds. Current law allows Michigan charters to have access to some capital funding through loans and bond levy fund (for charters sponsored by districts). Currently, Michigan law makes participation in state retirement systems optional by making it dependent on employee status. This option gives potential teachers the choice of whether to work at a school that participates or not. Teachers also must be certified by the state like traditional public schools, except ones authorized by public universities or community colleges.

Michigan’s accountability is also mixed. The law is good in that multiple authorizers are allowed and must be accredited in order to operate. However, a weakness is that statute does not require regular review by an oversight body. The state superintendent does have the ability to suspend an authorizer’s ability to issue future charters if he or she finds there is not appropriate oversight. Furthermore, the state board of education is required to submit an annual report to the legislature. A report by the Education Trust showed that Michigan has closed some low performing schools, but other authorizers have failing schools that remain in operation. It is essential for accountability policy to close those schools not performing to standard. Michigan also allows for-profit charter school operators limiting the accountability.

Conclusion

We must provide a caveat. A state with good charter school policies in place does not always prevent bad charter schools there, just as a state might have bad policies and successful charters. Results within states are complicated, even those reported above. There are some wildly successful charters in all states and some failing ones as well. It is important to understand local decisions along with policy play a role in the performance of schools. This means crafting good policy is crucial to set schools up for success. Some charters may be extremely successful, but they may also only serve certain groups of students and exclude the students needing them most. The criteria established above provide a baseline. There are certainly more criteria needed, but these are the foundation on which policy should be built.

Strong charter policy has relevance to traditional school systems as well. Strong accountability models for performance for charters can be applied to those traditional schools. Having those accountability standards provides an opportunity for a district to assess their portfolio and makes decisions of schools to target for improvement, close, or to replicate. We can ensure all students have access to a quality education by using accountability standards from charters and holding all schools accountable.
Investing in Justice: Achieving Education Equity by Divesting from Harm and Investing in Support

By Kate McDonough
Director of Organizing, Girls for Gender Equity, NLC New York City

The time has come to own that we have not done right by our young people when it comes to education policy, especially young people of color including Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) young people of color. Education inequity is in fact an old problem where today’s current educational practices are rooted in policies designed to marginalize young people of color.

However, with the passing of the Every Student Succeeds Act (ESSA), which allows for school climate and safety to be a measurement of successes and requires states to have a plan to address bullying and harassment, the overuse of discipline practices that remove students from the classroom and the use of aversive behavior interventions that compromise student health and safety, states now have the opportunity to divest from harmful practices and invest in school climates that produce positive outcomes for traditionally marginalized youth.

Racist Discipline Practices

Throughout the country, young people of color, including young people of color who are LGBTQ, are being pushed out of school or are forced to endure a toxic school climate. Studies show that young people of color, especially Black students, are suspended at higher rates than their White peers. For example, when compared to their White counterparts, Black girls are six times more likely to be suspended and Black boys are three times more likely to be suspended.

This disproportionate level of suspension can be attributed to racist and sexist perceptions of behavior. While Black students do not engage in more problematic behavior than their White peers, implicit bias drives teachers to suspend them at higher rates and discipline them for subjective behaviors. In addition, prevailing anti-Black racism leads to disproportionate and harsh discipline for student behavior such as chewing gum, getting up to throw away trash or for talking back. Lastly, racist and sexist perceptions of Black girls have lead teachers to discipline Black young women for not being ladylike or conforming to a White middle class idea of femininity.

Furthermore, a combination of institutionalized racism, sexism, homophobia and transphobia creates a school environment where LGBTQ youth of color face high levels of biased-based bullying and harassment from peers and school staff as well as high levels of punitive discipline where young people are pushed for expressing their gender and sexuality in a way that is perceived as inconsistent with current gender norms.

Criminalization Instead of Support

Youth of color and LGBTQ youth face high amounts of policing through the use of arrests and discriminatory practices. According to the New York Civil Liberties Union, during New York City’s 2014-2015 academic school year, a total of 775 arrests were made in city public schools, an average of four a day. Of these arrests, 33.6% were of young women and 94.3% were Black and Latina/o students. In addition, a 2008 report by The New York Civil Liberties Union found that young women of color and LGBTQ youth have reported discriminatory treatment at the hands of police and school safety agents, particularly during searches and in connection with the use of metal detectors in schools.

In addition many schools districts encourage the criminalization of students by investing more funds in policing than they do in support staff such as guidance counselors and social workers. For example, a 2016 study found that three of the five biggest school districts in the country: New York City, Chicago and Miami-Dade County, employ more security staff, which includes uniform police officers and school safety officers, than they do social workers and guidance counselors. In fact in New York City school safety officers are employed by the New York City Police Department as opposed to the Department of Education, thus furthering blurring the lines between school discipline and law enforcement.

Although proponents of increased school safety officers and other policing measures such as metal detectors cite safety as the rational for such policies, research demonstrates that policing students furthers the criminalization of normal adolescent behavior as opposed to reducing bullying and harassment.

Eurocentric Curriculum

In addition to experiencing violence through criminalization and racist discipline practices, young people of color, including LGBTQ youth of color, experience Eurocentric curriculums where their identities and histories are either portrayed negatively or are not reflected at all. At Girls for Gender Equity, we conducted a participatory action research project where over 100 New York City young women of color including transgender and queer young women, as well as gender nonconforming youth of color, identified what gets in the way of their education and then imagined the school that they deserve. One-third of the young people who participated in the study stated that they did not feel connected to the curriculum and 83% of those who felt disconnected said that it was because they the did not see themselves reflected in the curriculum.

Systematically Underfunded

School districts where there are a majority of students of color are significantly underfunded. A 2015 study of over 500 Pennsylvania school districts revealed that regardless of poverty level, school districts that are either majority White students or 100% White students receive more funding then schools where there are no or few White students. In New York State, the funding of...
school districts is so inequitable that the state was sued and ordered to disperse a total of 5.5 billion dollars to underfunded public schools throughout the state. To date, New York has yet to fulfill the terms of the lawsuit.

**Historical Roots**

The criminalization, over discipline, erasure of history through a Eurocentric curriculum and lack of financial investment in students of color, including LGBTQ young people of color, is not new. This is a practice that has been in existence within our education system for a long time.

Deeply held racist attitudes and structures have informed America’s education system since our beginning. It’s demonstrated through various state laws that prevented slaves from learning to read or write13 and how discipline of Black girls today is linked to stereotypes that date back to slavery where Black girls and women are often perceived as angry, promiscuous or hypersexualized.14

Historically these views have also influenced our country’s curriculum. In the 1933 book, The Mis-Education of the Negro by Carter G. Woodson, Woodson explored the ways in which the curriculum in U.S schools encourages an internalized inferiority among Black students by teaching them to “admire the Hebrew, the Greek the Latin ages an internalized inferiority among Black students by teaching them to “admire the Hebrew, the Greek the Latin...”15

The erasing of the histories of Black children through a Eurocentric curriculum continued into the 1960s and 1970s as demonstrated by both the October 1966 Black Panther Party Platform and the March 1972 Black Panther Party Platform which demanded an education system for Black people “that exposes the true nature of this decadent American society. We want education that teaches us our true history and our role in the present-day society.”16

When exploring the historical roots of punishing LGBTQ young people of color, one need only to look at the very beginnings of our country where early colonizers engaged in the violent suppression of gender fluidity amongst Indigenous people. As noted by Native American Studies Scholar, Andrea Smith, the enforcement of the gender binary facilitated the formation of the United States on Indigenous land. As Smith notes “In order to colonize a people whose society was not hierarchical, colonizers must first naturalize hierarchy through instituting patriarchy”17 Therefore, the practice of punishing LGBTQ youth of color for not dressing or behaving masculine or feminine enough is rooted in the violent colonization of our country.

Thus, while working to address the injustices of America’s educational system, policy makers must work from the understanding that the issues we face today have grown out of a historical cycle of violence that our country has yet to break.

**Creating New Realities Through Focusing on School Climate**

Breaking our educational system’s cycle of violence requires an intersectional and holistic approach which can be accomplished by focusing on school climate and safety because it enables local education agencies (LEAs) to assess the overall health of their school community and invest in needed practices that can positively shift the school’s culture. In addition, creating positive school climates also produce increases in attendance, academic performance and graduation rates,18 demonstrating that a focus on school climate does not take away from improving academics but supports it.

Furthermore the passage and implementation of the Every Student Succeeds Act (ESSA) creates a unique opportunity for states to focus on school climate as they draft their education plans: Sec. 1111 (p. 42-43) of ESSA requires that each state plan should detail how the state will assist LEAs with improving the conditions of learning through reductions in bullying, harassment, the overuse of discipline practices that remove students from the classroom and the use of aversive behavioral interventions that compromise student health and safety. Sec. 1111 (p. 34-35) of ESSA allows states to pick school climate and safety as an optional indicator for school success.

Thus, significant financial commitment and effort should be made on the state and federal level to enable local education agencies (LEAs) to invest in polices and practices that create a positive school climate and divest from practices that push young people of color including LGBTQ youth of color out of school or lead them to disengage from education.

**Creating Positive School Climates by Divesting from Criminalization and Investing in Support**

In order to end the criminalization of young people of color including LGBTQ students of color, LEAs should stop investing in positions that facilitate criminalization. Thus, LEAs should create a phase out plan that ends the regular presence of law enforcement, which includes sworn officers and School Resource Officers or School Safety Officers. These positions should be replaced with support staff, such as councilors, social workers, peacekeepers and restorative justice coordinators, who can get at the root cause of the problem and manage conflict without resulting to suspension or arrest.19 In addition, LEAs should create polices for removing metal detectors.20

In order to create a climate that would enable LEAs to phase out the presence of law enforcement and the use of metal detectors, there must be investment in developing practices that create a positive school climate and enable schools to decrease the use of punitive discipline practices. One proven approach to handling conflict and creating positive school climates is Restorative Justice (RJ), an initiative that can look different in each school but overall “involves processes and structures for building community, repairing relationships when conflict happens, and supporting everyone to be accountable to one another.”21 Case studies demonstrate that restorative justice is most successful when approached through a racial justice lens and implemented with a multilevel and multiyear commitment on both the district and school level. A case study of the implementation of restorative...
justice within Denver Public Schools discovered that over the course of six years suspensions of Black students decreased by approximately 7 percentage points and that suspensions of Latinx students decreased approximately 6 percentage points. One school in the case studied that was stereotyped as a “gang factory” found that after one year of implementing Restorative Justice that 11 of the 14 cases of fighting that were referred to the process were resolved, suspensions dropped by over 40% and police citations dropped by 86%.22

In addition to creating better school climates, investment in RJ is cost effective. For example New York City’s school safety budget, which covers the regular presence of police in school is $357 million while the implementation of RJ in schools with the highest suspension rates is projected to cost $66 million, a mere 18% of the school safety budget.23 Thus, for both moral and economic reasons, states should work with LEAs to reduce the funding of punitive punishment and policing and redirect those funds to practices and personal that will support our young people.

Creating Positive School Climates by Addressing Implicit Bias

It’s not enough to change practices, work has to be done to change hearts and minds of school administrators and teachers. Studies have confirmed that implicit bias is a root of disproportionate discipline. Therefore, states should provide funding for LEAs to engage in implicit bias trainings. However, a one off training is not enough to change behavior that is rooted in institutionalized racism, sexism, transphobia and homophobia that has existed in this country for centuries. Thus, LEAs must commit to working with schools on addressing bias regularly, which can be accomplished through restorative justice. For example, as teachers at Edward A. Reynolds West Side High School, a transfer school in New York City, worked to implement restorative justice, they found a need to contextualize their efforts within the broader struggle for racial justice. One teacher noted the practice is needed “because many teachers are unconsciously unaware of their own white privilege and embedded racism. We need to recognize the vast and varied forms of racism that our students face in our society.”24 Upon this recognition, teachers at Edward A. Reynolds West Side High School began have restorative justice circles where they engaged in facilitated conversations about race and racism. LEAs should support schools in holding similar conversations. In addition, these conversations need to have an intersectional frame which includes race, sexism, homophobia and transphobia to ensure that young women of color and queer and transgender students of color are not left out when addressing implicit bias.

Breaking Cycles of Violence by breaking away from Eurocentric Curriculum

As we work to keep students in school, efforts should also be made to ensure that school is an enjoyable experience where students can see themselves reflected in the curriculum. One major finding of our participatory action research study at Girls for Gender equity was that when the young women who participated in the study were asked to create the school of their dreams, many cited a curriculum that reflected their identities, which included queer and transgender identities, and allowed them to learn about their culture. In order to actualize this vision states should create curriculum requirements that enable there to be content grounded in an intersectional feminist lens, which allows students to not just seem themselves reflected in the curriculum, but also enabled them deconstruct oppressive structures.25

Equity through Equitable Funding

In addition to divesting from harmful practices, states need to invest in traditionally marginalized youth by providing schools with equitable funding. This can be accomplished by adopting a progressive funding model where states provide more funds to high poverty and low wealth schools who are limited in their ability to acquire funds through local property taxes. A 2014 study that compared New York, which has a regressive funding model where fewer funds are allocated to low wealth districts, to New Jersey, which has a progressive funding model, found that New Jersey out performed New York in both graduation rates and test scores.26

Conclusion

By owning that the United States education system is rooted in institutionalized racism and sexism, we can approach public policy through a lens of accountability as opposed to something that is meant to fix a current issue. Now is the time to stop divest from practices that perpetuate violence and to invest in the love and support that young people need. Moving forward this will require us to create new systems that students and the wider school community can finally have the schools that they deserve.

American Success in a Digital Future: The Importance of K-12 Computer Science Education

by Paul Escobar
Director, Policy & Education Programs
Silicon Valley Leadership Group, NLC Silicon Valley

Introduction: Digitalization, Automation and the Future of Work

We are on the cusp of perhaps the greatest shift in modern history, and we have the opportunity now to set the initial conditions that could make this new century a vastly more just, inclusive and safer one. Automation—from self-driving cars to language processing technologies, and everything in between—promises to disrupt existing industries and careers while also creating new ones; to inspire us to reimagine our cities and communities; to obligue us to develop more innovative ways to protect our privacy and maintain our national security; and to change the ways that we interact and relate to one another.

The digitalization of our society and economy—our greater
reliance on artificial intelligence, the use of big data and the ubiquity of computers—presents a unique set of challenges and opportunities for our nation. U.S. Treasury Secretary Steve Mnuchin recently suggested that the impacts of artificial intelligence (AI) are “so far in the future” that they are “not even on my radar screen,” but the fact is that AI technologies are already performing some of the most routinized jobs.¹ In the near term (and long term, if we are not careful), this could exacerbate and further solidify existing income inequalities in our country. Between 2002 and 2014, for example, the U.S. saw a nearly 10 percent decline in middle-skill jobs.² Estimates vary, but around 5 percent of existing American occupations and a striking 51 percent of job activities could be fully automated using currently available technology. This latter percentage is equal to 60 million full-time equivalents and nearly $2.7 trillion in wages.³ Though the most immediately impacted sectors require less formal education—manufacturing, food service and hospitality, and retail—as Jerry Kaplan observes, ultimately, “[a]utomation is blind to the color of your collar.”⁴ Automation’s effects will also be felt in high-skilled professions, such as law and medicine. The nature of work will change for everyone.

Regardless of one’s political persuasion, this narrative can appear alarming. It is important to keep in mind, however, that the transition to a highly-automated future need not be a fraught and frightening one. On the contrary, we have a singular and momentous opportunity before us. By enacting smart public policy, we have the potential to radically reshape our world. If we ensure equitable access to computing resources and education, the existing fault lines of our society—race, class, gender, and so forth—could be reimagined and renegotiated. We could raise more people of all backgrounds and beliefs into a renewed middle class. We have the opportunity to usher in a world that is safer, more efficient, more just and has greater intellectual and technological reach than ever before in the history of our species. The initial conditions for this future are being set now—and there is much to do.

Education for the Digital Age

In a world permeated by computers and automated technologies, what it means to be an informed and engaged citizen, a thoughtful consumer, and an active contributor to the economy will necessarily change. We must be persistent in our expectation of equitable access to a robust K-12 computer science (CS) education. This is an essential piece in preparing the next generation to move confidently in this world.

What is Computer Science Education?

Before discussing the broader issue of access to CS and its importance for American society, a brief overview would be helpful. CS is about more than computers, connected devices, algorithms, networks and programming. A well-developed CS education teaches a mindset. The first piece is computational thinking, “the thought processes involved in expressing solutions as computational steps or algorithms that can be carried out by a computer.”⁵ CS fosters collaboration skills as teams of students work together to achieve mutual goals. And, perhaps most critically in our era of “fake news,” hacking and Twitter wars, a robust CS education is also about teaching the norms for the ethical use of computers—principles of personal privacy, network security, the ability to evaluate the quality of information on the internet. As CS pedagogy and standards experts recognize, this includes cultivating an appreciation of the multicultural nature of computing and how the uneven distribution of computing resources raises pressing issues of equity, access and power.⁶ If our students—our future citizens and workforce—are to be able to maximize the benefits of computer technologies, this mindset is essential.

Disparities in Access to Educational and Professional Opportunities

The inequitable access to computing resources and education has immediate relevance. Only about a quarter of American schools offer any CS courses to their students. For the lucky few who do have access, racial and gender disparities are very real. For instance, out of the 57,937 AP Computer Science A exams taken in 2016—which represents only 1.2 percent of the total AP exams taken—only 23 percent were taken by female students. Just 7 percent of the students who took the 2016 AP exam were black; 21.5 percent were Latinx.⁷ Only 8 percent of college STEM graduates are in CS. This at a time when 71 percent all of new STEM jobs (the number one source of all new wages in the U.S.) are in CS and the nation is facing a projected 1.3 million unfilled computing jobs by 2022.⁸

These disparities in education contribute to disparities in the workplace. According to the U.S. Equal Employment Opportunity Commission, African Americans make up 7.4 percent of the tech workforce. That percentage is only slightly better for Latinx at 8 percent. Women comprise 36 percent of the tech workforce.⁹ In Silicon Valley, the numbers are actually worse: 2 percent are African American, 3 percent Latinx and 24 percent women.¹⁰ Such underrepresentation in the high-paying professions of the technology sector is part of the story of the growing chasm of wealth inequality in our nation, which very often unfolds along racial and ethnic lines. This, however, is just the current “tech industry”—in a world replete with automated technologies, computing skills will be relevant everywhere. Equity of access is therefore not only a moral and social obligation, it is an economic and national imperative.

The Role of the Nonprofit and Private Sectors

In the absence of widely-accessible K-12 CS education today, many nonprofit and private sector efforts have emerged to help fill the gaps and advocate for change. The nonprofit sector has been particularly active in providing curriculum, professional development and after school programming support. Bootstrap provides standards-based curriculum for math and programming that engages students through gaming. Code2040, YesWeCode, the Level Playing Field Institute and Black Girls CODE each focus on underrepresented (specifically Latinx and African American) communities, offering services designed to inspire and educate students as well as create pathways into the innovation economy. And Code.org, in addition to providing similar services as the others—classroom learning modules and teacher professional development—also conducts policy research and public policy advocacy efforts.

The private and public sectors are also engaging in notable partnership efforts. One such partnership is between Sales-
force.org, the philanthropic arm of Salesforce, and Oakland Unified School District (OUSD). In 2015, OUSD started the process of developing a district-wide rollout of CS for all grade levels. This effort coincided with OUSD's reorganization of the school day for some of their high schools, allowing the district to deeply integrate CS throughout the district and massively increase access. In September 2016, Salesforce.org donated $2.5 million to assist OUSD's effort. These funds are used to provide crucial support to teachers, student programming and initiatives to develop robust career pathways and expand students' college and career awareness—all with a special focus on African American and Latinx students. The results? Since 2015, enrollment in CS courses has increased by over 1,000 percent. Further, 45 percent of enrolled students are young women, 29 percent are African American and 38 percent are Latinx—all in line with district demographics. Intel, SAP, Code.org and the City of Oakland are also partners in this effort.

Another, much larger partnership worth noting is the Computer Science Education Coalition (CSEC), a DC-based nonprofit comprised of a wide range of business and other nonprofit organizations that has advocated each year since its founding in 2016 for Congress to appropriate $250 million for CS science education.

Not Just about Jobs and Equity: Computer Science, National Security and Digital Citizenship

With all their promise, computers and automated systems also come with substantial risk. Cybersecurity threats are on the rise. As these technologies permeate more aspects of our lives, we must ensure that they work in tandem with and augment our society’s values and goals. And we must be able to recognize when they are being misused to undermine our national security or weaken our civic culture.

The most recent incident that illustrates the ways in which these technologies can negatively impact American national security and civic participation is the Russian government’s overt and deeply alarming meddling in the 2016 U.S. Presidential Election. Russia’s interference is, of course, still under investigation and we therefore do not have all of the details. But one aspect of Russia’s intervention campaign is well-known: their use of automated bots—software systems that can be easily programmed by anyone with preliminary coding knowledge to autonomously perform a range of online tasks—on social media platforms, most notably Twitter, to influence public opinion and political discourse. The CIA, FBI and NSA concluded in their January 2017 Intelligence Community Assessment (and all 17 U.S. intelligence agencies agree) that the Russian government ordered the weaponization of bots to promote fake news articles, spread stolen information, heighten the positive and critical coverage of candidates’ campaigns (the Trump campaign with the former; the Clinton campaign with the latter), and confuse and manipulate public discourse. For example, over a third of all pro-Trump tweets between the first and second debates originated from automated accounts.

In observing the extent to which social media can be weaponized to influence elections, Atlantic journalists Douglas Guilbeault and Samuel Woolley ponder: “What does this mean for democracy?” A more appropriate question might be: What does this mean for an unprepared democracy?

The United States is currently an unprepared democracy. Parallel to the lack of CS education, the U.S. has over 209,000 (in 2015) unfilled cyber and information security jobs and only 1,000 security specialists with the specialized skills to operate effectively in cyberspace (we need 10,000 to 30,000 such people). This raises urgent national, corporate and personal security concerns. A robust CS education will help us rise to this challenge, preparing the next generation to navigate this world safely as well as to engage with it ethically and positively.

Policy Considerations and Support

There are a number of barriers to widespread access to CS education in the K-12 system across the nation, but they are surmountable. Though not an exhaustive list, some of the most immediate needs are: political leadership; public funding and investment; uniform standards; more and a sustainable source of qualified teachers; and, effective partnerships, including public-private partnerships.

Federal Leadership and Funding

Federal funding and political leadership are vital to expanding CS education. President Barack Obama, prior to the end of his second term, attempted to provide both with his CS for All initiative. This effort drew national attention to CS as a new basic skill “necessary for economic opportunity and social mobility.” The initiative called for $4 billion in funding for states to expand CS and another $100 million for school districts directly to provide teacher training, purchase instructional materials and help foster regional partnerships. Unfortunately, Congress failed to act. And while a few federal agencies have announced plans to provide funding for CS education, the current Congress also has not appropriated any funds and President Trump’s budget holds little promise.

Recommendation: There is still time for Congress to act. As mentioned earlier, CSEC is advocating that Congress appropriate $250 million for CS education. These funds would be a crucial first step and provide needed federal leadership.

State and Local Leadership – Develop K-12 Computer Science Standards

Standards are foundational for all other components of a comprehensive, effective CS strategy—the alignment of curriculum, the creation of student assessment tools, the development of instructional practices and relevant teacher professional development, and so forth. “[B]y setting learning goals for all students and the expectation that all schools will provide” students access to engaging and rigorous CS experiences, standards “democratize” the discipline.

The K-12 Computer Science Framework (hereafter Framework), developed in 2016 by a coalition of nonprofit, academic and professional association partners, offers comprehensive guidance to states, districts and schools on how to develop standards and align curriculum. The Framework structures the content of a CS education using two lenses: concepts (what students should know) and practices (what students should do to fully engage in the...
There are 5 core concepts and 7 core practices:

**Concepts:**

1. Computing Systems: Knowledge of the variety of computing devices, an understanding of hardware/software and the ability to troubleshoot.
2. Networks and the Internet: Understanding of how computers send/receive information and how to secure those networks.
3. Data and Analysis: Ability to collect and store data as well as analyze those data to build better models of the world.
4. Algorithms and Programming: Ability to selectively use information to create algorithms and programs, and to process/store or decompose/recombine information to create new solutions.
5. Impacts of Computing: Awareness and understanding of the social, cultural and ethical implications of the digital world.

**Core Practices** – by the end of 12th grade, students should be able to:

1. Foster an inclusive computing culture by identifying and incorporating diverse perspectives into the design and development of computational products. Inherent in this process is the ability to advocate for one’s own and the needs of others.
2. Collaborate around computing by learning to perform computational tasks in pairs or teams. Students learn to cultivate productive working relationships, refine their communication skills and ensure open channels for feedback and evaluation.
3. Recognize and define computational problems by breaking them down into component parts, and evaluating the parts and the whole to determine whether a computational solution is feasible or warranted.
4. Develop and use abstractions by identifying patterns and commonalities in data or code to reduce complexity and generalize.
5. Create computational artifacts (programs, simulations, apps, etc.) that are personally relevant or beneficial to society as a whole. This encourages creative expression and exploration.
6. Test and refine computational artifacts in order to address the changing needs or expectations of end users, or to improve functionality.
7. Communicate about computing with diverse audiences about the use and effects of computation and the appropriateness of computational choices. This includes the ability to use data to support claims and attribution of credit to creators and collaborators.

At present, only 8 states have developed rigorous CS standards for their K-12 systems. Some other states are in the process of creating standards, but they are too few. Statewide standards are essential.

**Recommendations:**

For states that do not yet have standards, the creation of an advisory group to develop them for the state’s department of education or Legislature to adopt would be a productive first step. It would also signal to school districts that this is a priority area deserving of investment. For districts and county offices of education that would like to move forward in the absence of state action, the Framework can also be a useful guide in developing local strategies and aligning curricula.

**State and Local Leadership – Increase Number of Qualified Teachers**

Thanks to the inclusion of CS as part of a well-rounded education in the 2015 reauthorization of the Every Student Succeeds Act, SAS predicts that CS will be taught in the majority of U.S. schools and by one-sixth of all secondary school teachers by 2025. To teach these classes, the country will need more than 30,000 qualified teachers. If we do not substantially expand teacher training, we could experience a shortage of more than 23,000. This is one of the greatest barriers to widespread CS education.

This rapidly approaching shortage can be addressed by introducing more preservice teachers to CS, opening up pathways to become CS teachers and providing sustained professional development. Currently, 27 states have established pathways for teacher certification, endorsement or licensure. This obfuscates, however, sizeable disparities not only between states—there is a difference between a state that offers certifications (vital for a sustainable teacher force) and one that offers only endorsements (more a short-term, supplemental measure to expand the pool of qualified teachers)—but also within states. For instance, in 2013, 12 states offering certifications did not require them to teach. Or, some states may require a teacher to have a dual certification in both CS and math, severely limiting the candidate pool. When there are no certification requirements at all, unprepared teachers can be assigned to CS courses—a disservice to both students and teachers.

Only 12 states have established post-secondary programs to offer CS to preservice teachers. In 2016, only 75 college graduates across the nation received explicit certification to teach CS. For comparison, over 15,000 English/Language Arts and nearly 12,000 Math certifications were awarded to graduates in 2016. On the other side of this equation, just 10 states provide funding for robust, ongoing professional development for CS teachers. We are not training nearly enough new CS teachers and we are not providing the requisite ongoing support to fill and sustain the anticipated demand.

**Recommendations:**

Money is often a substantial challenge. State policymakers can be helpful by creating grant pro-
grams and allotting funds that enable schools of education to augment the number of preservice teachers qualified to teach CS. State leaders can also help clarify CS certification requirements and ensure that certifications are in fact required to teach. Districts and local schools of education can partner, leveraging local colleges’ ability to design certificate programs and establishing direct pathways for new teachers into districts. Drawing inspiration from CS for All, states can create competitive grants to incentivize such partnerships.

**Recommendations to Local Leaders**

There are many options available to local leaders—mayors, county supervisors, superintendents, school boards and teachers—to expand access to CS, with or without state support. In addition to the above, one of the most effective tools available to local officials is the bully pulpit. For school board members or other high-level district officials, this can take the form of persistent vocal support or a resolution in support of CS. This does not need to be a mandate; it can simply express encouragement for initiatives and, if possible, make funds available. This can motivate internal champions, be they passionate teachers or parents, to create new initiatives and find imaginative ways to introduce their students to CS. This can be the catalyst for what ultimately becomes a district-wide strategy.

School boards can also create and fund a district-level CS position, charged with the creation and implementation of a district-wide strategy. Having a single point person in the district whose sole (or at least primary) responsibility is to expand CS is of immense value. For instance, OUSD, mentioned earlier, took this approach and has seen impressive results.

County Offices of Education can be powerful resources. They can facilitate convenings for sharing best practices between districts within the county and even between counties. These agencies can host or fund teacher professional development, build repositories of curricula and other classroom materials, and support more robust teacher recruitment efforts.

For mayors and other political leaders, the ability to convene diverse stakeholders—the business, nonprofit and public sectors—can be used very effectively. By drawing attention to the need for and importance of CS education, these officials can lend credibility to and facilitate the creation of public-private partnerships. Local elected leaders of all levels can also be effective partner advocates for state action—especially when working in coordination.

**Conclusion**

We are on the verge of a tectonic shift in our society. The capabilities of computers and automated systems are expanding rapidly, with profound implications for how we live, work and interact with one another. This is a singular moment in our history. We have the opportunity to set the foundation for an era unparalleled in its inclusivity and unprecedented in its potential for discovery and growth. In order to bring about this world, however, we must ensure that all have access to the requisite resources and education to thrive as active contributors to our society. Though only one part, a widespread and robust CS education is an essential one. Without this training, without cultivating this new basic skill for the 21st century, the U.S. will put at risk not only its economic, social and political success, but also its national defense.

There is much to do, and everyone can help. Now is the time to act.

**Making College Affordable: Keep the Focus on Low-Income Students**

*by Edward Byrne*

Director of Student Diversity Programs
Cambridge Public Schools,
Cambridge, Mass.
NLC Boston

**Introduction**

Economic mobility and a strong middle class are hallmark virtues of American democracy. Education, especially higher education, is supposed to be the great equalizer. The notion that you’re not limited by what you’re born into, but instead, you can transcend constraints of social class through education is central to the American values of freedom, liberty, and fairness. This understanding is under threat, as the promise of a brighter future with higher earnings and more choices is eroded by limited access to higher education, the increasing and unsustainable costs of attending college, and a growing concern that postsecondary pursuits may never pay off.

While not every person necessarily requires a college credential to find employment and contribute productively to society, increasingly we are a knowledge-based economy, and the workforce will require advanced study and skill sets. Projections vary but virtually all analyses point to the need for more educated workers and a more highly educated workforce in order to maintain competitiveness in a global economy. The challenges are significant: 1) providing access to higher education for more people, 2) finding ways to make higher education affordable for everyone while costs increase and state and local discretionary spending decreases, and 3) balancing the cultural values of a shared investment and sense of fairness in developing a workforce and economy that everyone can participate in.

**Background**

The first challenge to consider is the increasing cost of higher education and the accompanying debt associated with these higher costs. Cost of attendance is up significantly at both private and public institutions. This has led to more student loan borrowing to cover the costs. Additionally, more students are attending postsecondary programs, which is also contributing to what some have
called a crisis of student debt. There’s currently over $1.2 trillion in U.S. student loan debt which includes both federal loans and private loans.

The federal government and society as a whole have an interest in making sure people can go to college. Individuals with a college education earn more than those without college, and increasing the number of workers with college degrees has a positive effect on wages for workers without college degrees1. There are numerous other ways in which sending more people to college benefits society as a whole from increased economic output, higher tax receipts that can be used for public goods, and better health outcomes. Since the benefits of higher education are enjoyed by all, it is reasonable that the costs then should be shared by all too. Individuals surely reap the greatest benefit from their college education and thus pay a significant share of the cost. The debate on college affordability comes down to the percent of the cost of higher education that an individual should pay and balancing that cost against the societal contribution2.

Federal funding for student financial aid has actually grown significantly over the past three decades, however there has been a shift away from grants toward loans and debt financing3. This shift is one reason for the ballooning of student loan debt in the country. Additionally, because the costs of college have increased over time, the remaining grant aid effectively “buys less” leaving students needing to borrow more to afford the increasingly more expensive college tuition.

Low-income students are hit particularly hard. Low-income students need financial aid equivalent to at least 100% of their family’s annual household income to attend one year of a four-year college, whereas high-income students on average only need financial aid for the equivalent of 15% of their family’s annual household income4. The Pell Grant is a federal program created to support low-income students attending college. However, as the cost of attending college has increased, the Pell Grant does not cover nearly enough to make college affordable for the students in greatest need, dissuading many from attending. In fact, one study found that the maximum Pell Grant award today covers the lowest amount of college tuition since the Pell Grant was created5.

The federal government also provides various tax benefits to make college more affordable (e.g. Student Loan Interest Deduction, Lifetime Learning Credit, American Opportunity Credit6). These tax deductions and credits certainly are part of the affordability equation, but they typically do not factor into a student’s decision of whether they can afford to attend college because they do not reduce the term bill. These tax deductions therefore make college more affordable for middle-class students and families. If the federal government wants to address the dual affordability and accessibility problem faced by the students in greatest need, the Pell Grant has a stronger effect7. State higher education systems aren’t immune from these cost increases. State education systems rely on tuition and state investment to make the cost of attendance affordable for all. Public colleges and universities have paved a critical pathway to higher education for students from low-income families, students who are the first in their families to go to college, and are at the forefront of providing educational opportunities and postsecondary degrees to nontraditional students. Four million students attend public colleges and universities in the United States.

As costs have increased, state legislatures have disinvested in community colleges and state college and universities. This is due in part to flat or decreasing revenues and increasing mandatory funding liabilities such as Medicaid and pensions. A recent analysis by Moody’s Analytics found that state higher education funding over the next decade is likely to continue to be crowded out by non-discretionary funding liabilities8.

Community colleges serve an important role in the accessibility and affordability conversation. Typically, community colleges have the lowest tuition and fees of any type of higher education institution. Still, most community college students work while they attend school. The National Center on Education Statistics found that 60% of community college students work more than 20 hours a week. So while the cost of attendance is lower, many students choose community college because they have to work to live and/or support families. Unfortunately, research has shown that working more than 20 hours a week is a risk factor for not completing a degree program9.

Recently, some states have been experimenting with tuition-free state college programs that can address this affordability problem. For instance, New York has announced offering free tuition for public colleges for students whose family incomes are below $125,000 per year. It comes with stipulations that the student live and work in New York State for the number of years they received the free-tuition10.

Policy Options

Federal Investment in Pell Grants

The federal government could expand its investment in higher education by increasing the Pell Grant. Doubling the maximum award of the Pell Grant would make it possible for low-income students to attend college. This would immediately make higher education more accessible and affordable to the students most in need of financial support. It would address the future workforce problem by getting a population of students facing the greatest barriers to postsecondary education and ready for future jobs. The federal government could pay for the Pell Grant expansion by increasing overall expenditure on student financial aid. It could offset the expansion by a gradual reduction in the American Opportunity Tax Credit and the Lifetime Learning Credit. This reduction would hurt middle-income families the most, but would likely

Learn more about NLC at newleaderscouncil.org
have little effect on college accessibility or the ability of these families to afford higher education. One projection from the Congressional Budget Office has estimated that this reallocation could divert $195 billion to the Pell Grant program over 10 years. The accessibility of higher education and a college degree depends on many factors, but a prime one is financial and affordability should focus specifically on low-income students and families. The best tool that the federal government has in this endeavor is the Pell Grant. So long as the Pell Grant remains geared towards the neediest students, this program provides the best opportunity for the federal government to increase the number of low-income students who will be able to afford college. Expanding the Pell Grant by increasing the award amount would safeguard against low-income students starting college but being unable to finish a degree because the opportunity cost of attending college is too great. Expansion of the Pell Grant would also allow more low-income students to attend college. Reducing the net price of college for low income students provides the best return on investment of taxpayer dollars.

### Federal and State Government Partnerships

The federal government could partner with states that increase investment in higher education for low-income students. One of the reasons that tuition increases at state and community colleges is state disinvestment. The federal government could match state-level, need-based financial aid for low income students, in theory bringing in more federal dollars to state higher education institutions. Incentivizing states to invest in higher education and, in particular, their low-income students, would result in greater access for low income students by lowering the net price of tuition and having the added benefit of keeping tuition prices stable because of the additional dollars. Holding Colleges Accountable for Enrollment

The federal government could require that a student receiving Pell Grant dollars attend a particular institution and the institution would need to confirm that the student has enrolled and that the school has met a quota of enrolling low-income students. This approach would stave off the runaway tuition increases that the Pell Grant program will never be able to keep up with in the long run. It would incentivize colleges to keep their tuition stable to avoid needing to pay more in institutional aid for their students. Alternatively, when tuition prices increase, colleges would be highly sensitive to the needs of their low-income student population in order to guarantee continual flow of federal financial aid dollars. It’s unlikely a college would move away from serving low-income students all together because federal financial aid dollars are so important.

### Conclusions

The accessibility of higher education and a college degree depends on many factors, but a prime one is financial and the college’s affordability for a student. More college educated citizens and workers benefit us all, and we all have a shared responsibility in making sure college is accessible especially for low-income students who at the highest risk of being left out. Policy approaches to college access and affordability should focus specifically on low-income students and families. The best tool that the federal government has in this endeavor is the Pell Grant. So long as the Pell Grant remains geared towards the neediest students, this program provides the best opportunity for the federal government to increase the number of low-income students who will be able to afford college. Expanding the Pell Grant by increasing the award amount would safeguard against low-income students starting college but being unable to finish a degree because the opportunity cost of attending college is too great. Expansion of the Pell Grant would also allow more low-income students to attend college. Reducing the net price of college for low income students provides the best return on investment of taxpayer dollars.

### Sexuality Education: An Intersectional Policy Model That Young People Deserve

by Amanda R. Matos

Co-Founder, The WomanHOOD Project, Master in Public Policy Candidate, Harvard Kennedy School of Government, NLC New York City

#### Executive Summary

Every young person deserves access to resources that will help them make healthy, well-informed decisions about their lives. However, not all young people share the same lived experiences, and it is rare for public policy to holistically address inequity among youth through a race and gender lens. It is urgent for municipal governments to implement comprehensive sexuality education in grades K-12 in order to improve all young people’s lives, authentically center what they need in order to be successful and happy, and increase the overall health and wellbeing of local communities. A truly intersectional and holistic policy on comprehensive sexuality education must incorporate how cultural stigma and systemic racism impact cisgender and transgender girls of color and gender non-conforming youth.

Youth of color are disproportionately impacted by sexual harassment, sexually transmitted infections, and unintended pregnancy. The ability to make well-informed decisions is influenced by social and emotional learning as well as a person’s physical and mental health. Comprehensive sexuality education builds these skills through an age-appropriate developmental lens. At the same time, it also incites a culture shift in undoing the hyper-sexualization of women of color and equips young people with language and resources to build healthy relationships with each other and with adults in their lives.

The framework of reproductive justice, as coined by founders of SisterSong, holds firmly that in order to achieve justice, all forms of oppression must end and this...
Comprehensive sexuality education has the potential to be an effective public policy that is replicable locally and nationally and can serve as an empowering education model that centers youth-adult partnerships and empowers young people as agents of their lives. Youth of color are more likely to attend under-resourced schools and are being pushed out of those very schools due to implicit and explicit racial bias, strict dress codes, and harsh discipline. In upholding a reproductive justice analysis, comprehensive sexuality education intersects with the aforementioned issues by equipping young people with tools to understand their autonomy and agency and requiring educators to undergo thorough trainings on how to better support students.

Furthermore, implementing comprehensive sexuality education will aid in ending school push out of cis and trans girls of color and gender non-conforming youth. 40% of Black and Latina girls in New York City do not have access to support systems that would enable them to successfully complete high school. Six out of ten pregnancies in New York City are unplanned, and teen pregnancy rates are highest in the Bronx, where some of the country’s poorest districts are located. The Bronx has also experienced a steep increase in new HIV diagnoses among women, specifically Black women. Sexuality education is not the only solution to these problems, but it can educate young people at an earlier age about consent, bystander intervention, and safe sex while simultaneously destigmatizing these experiences and holding educators accountable in creating support systems for their students beyond academia.

Through a youth empowerment lens, this memo highlights advances in New York, New York, Broward County, Florida, and recent data from Texas proving the negative impact of abstinence-only education in addition to recommendations for passing comprehensive sexuality education as an urgent policy.

Current Landscape of Sexuality Education in New York City

In 2011, former Chancellor of the New York City Department of Education (DOE), Dennis Walcott, called for the incorporation of sexual health in the current health education curriculum in New York City public schools. This mandate leaves implementation up to the discretion of each school’s principal and only requires at least one semester of health education in middle school and one more semester in high school. The leniency of the mandate does not ensure that students will receive developmentally, age appropriate sexuality education during pivotal stages of puberty nor does it regulate how much of the health education course focuses on sexual health. Because the semester of heath education can be during any grade in middle or high school, it is likely that students are already sexually active and/or have experienced harassment or coercion prior to participating in the class; thus diluting sexuality education’s preventive purpose. New York City falls significantly below the National Sexuality Education Standards, which is part of a larger national problem: only 22 states mandate sexuality education and only 13 states require information to be medically accurate.

In February 2016, as a response to powerful advocacy efforts led by the Sexuality Education Alliance of New York City (SEANYC) and its member organizations, Mayor Bill de Blasio, with a unanimous vote from City Council, signed into law three reporting bills to ensure transparency of the current state of sexuality education in New York City. The reporting bills track the number of educators in New York City public schools that are trained, the number of licensed health educators, and how many educators participated in more than one health education professional development training. Data also shows the percentages of how many middle school and high school students received health education prior to graduating. Data from the reporting bills is not qualitative and does not track whether or not students are meeting curriculum benchmarks or if there is a shift in school climate. It is also unclear whether or not students are improving their social and emotional skills and if they are receiving emotional support from their educators. This is particularly important to youth of color in under-resourced schools where, instead of having the support of counselors and social workers to fill in the sexuality education gap with resources and guidance, there are more school safety officers than counselors creating unstable learning environments and perpetuating harsh discipline.

On December 1, 2016, the New York City Department of Education released data from reporting bills, Laws 14 and 15:

- 153 licensed health educators citywide
- 57% of 8th grade students have participated in a semester of health education prior to graduating
- Of 15,900 trained teachers in health, only 1,160 were trained in sexual health and 292 received more than one training

**“During the 2015-2016 academic school year, there were 556,819 middle and high school students enrolled in public schools.”**

There is no accountability measure on equipping non-licensed educators with skills and information on sexual health, implicit bias, or how to be affirming of lesbian, gay, and bisexual (LGB) youth and transgender and gender-nonconforming (TGNC) youth in classrooms through a racial and gender justice lens. Requiring core trainings in sexual health encompassing these topics is essential. New York City public school teachers are not incentivized to participate in any of these trainings to improve their ability in supporting their students’ overall health and wellbeing. Data from the reporting bills should be leveraged to advocate for accountability in training and licensing professional health educators in order to improve the quality of sexuality education that young people receive, which will

Learn more about NLC at newleaderscouncil.org
ultimately improve their lives, and would make implementation of comprehensive sexuality education in grades K–12 sustainable.

Advocacy to implement sexuality education in a tenuous political climate should be localized in order to push for effective and sustainable implementation that serves the direct needs of young people.

On May 30, 2017, Mayor de Blasio signed Local Law 90, which will create a Sex Ed Task Force that will monitor and evaluate the current state of sexuality education in New York City by December 1, 2017.10

While the creation of the task force may seem duplicative of the reporting bills, it is unique in that educators, administrators, health professionals, caregivers, and young people themselves will be active members in designing and reporting outcomes of the group’s evaluation.

Two influential youth-led groups testified in support of the task force and successfully pushed for the bill to require membership of at least two young people to participate as equal members. SEANYC’s Youth Advisory Council (YAC), whose members are high school peer educators, and Girls for Gender Equity’s Young Women’s Advisory Council (YWAC), whose members are cis and trans women of color and gender non-conforming youth who work in partnership with City Council’s Young Women’s Initiative, are emerging sex education advocacy leaders in New York City. Their active role in influencing policy demonstrates the increased need for young people to have the tools and resources to make decisions about their lives and inform policies that directly impact them.

During 2015-2016 school year, YAC polled 314 public and charter school students in all five boroughs on their sexual health knowledge to create data points on how young people view the importance of comprehensive sexuality education11:

- 59% of students did not learn about consent in school or elsewhere
- 63% of students did not learn about gender identity/expressions in school or elsewhere
- 66% of students polled said they know where to go for sexual and reproductive health care services

Data from YAC’s poll is not disaggregated by race or gender nor does it include whether or not students who know where to go for school and reproductive healthcare services actually access those services. However, YAC’s findings complement the DOE’s report by providing youth perspectives through qualitative responses specific to their experiences in schools.

In 2017, YWAC published their intersectional policy platform for New York City, which highlights race and gender equity in government, summons reform, culturally relevant curriculum in schools, and comprehensive sexuality education.12

Through an intersectional, reproductive justice lens, youth experts are advocating for their seat at the table in decisions made about their education and are proving the importance of shifting policy and culture around sexual health, proving the urgency for municipal government to support its youth constituents in their vocal requests.

**Comprehensive Age-Appropriate Sexuality Education (CASE) Act**

The Comprehensive Age-Appropriate Sexuality Education (CASE) Act is a formidable solution for New York City and can be replicated in smaller municipalities. Recommended by SEANYC and modeled after successful implementation of comprehensive sexuality education in Broward County, Florida, CASE encompasses a holistic approach in addressing systemic violence and health barriers young people face due to gender, sexuality, race, and class.

According to CASE and the National Sexuality Education Standards, comprehensive sexuality education for grades K–4 is foundational in providing medically accurate and age-appropriate instruction on anatomy and physiology, healthy relationships, and personal safety. Grades 5–12 expand on this foundation by including the following topics: abstinence, healthy relationships, decision making, gender identity, sexual orientation, and medically recommended contraceptives and barrier methods to prevent pregnancy and sexually transmitted infections, including HIV/AIDS.

Additional components of comprehensive sexuality education include:

- Social and emotional learning skills to support young people in critical thinking, decision-making, and problem solving for making decisions about their relationships
- Encouragement for young people to communicate with their parents or caregivers and healthcare professionals about sexual and reproductive health questions

It is important to note that the onus should not solely be on young people to navigate difficult decisions by themselves and they should not be blamed for trauma they experience based on factors rooted in gender, sexuality, race, and class. Therefore as a policy, sexuality education needs to emphasize youth-adult partnerships through parental and caregiver involvement and through ongoing joint-evaluations between local government, educators, and young people, themselves.

**CASE Implementation**

From Broward County’s curriculum to the National Sexuality Standards, curriculum and training materials that are age-appropriate, medically accurate, and culturally relevant already exist. Financing and implementing the policy has proven to be more difficult.

Implementation barriers, regardless of implementation
Sexuality education embodies the potential success of policy, direct service, and community building that centers and supports the lives young people and can make a significant impact on young cis and trans girls of color and gender non-conforming youth.

Creating Diverse & Inclusive Schools Through Relationship-Based, Anti-Oppressive Classrooms

by Sarah E. Ogdie
Program Director, Community Tampa Bay, NLC Tampa Bay

Diversity education has been cast as a way to police free speech in an era of political correctness. Building relationships with peers in classrooms and workplaces is considered a soft distraction from more important priorities at a time when test scores and profits reign supreme. We are failing our young people, not only in how we evaluate their success, but also in how we let bias impact their opportunities. By challenging traditional ideas about how much power and autonomy youth should have in their lives and

Parental requests and consent

- Curriculum should be available for public review on DOE’s website. Parents can follow along and provide supplemental support.13
- A student will only be excused from a specific lesson with a written request from a parent or caregiver; there will be no penalty for students who do not participate in a lesson when written parental request is provided.

Trainings and oversight of licensed educators

- DOE will designate an office, like the Office of School Health and Wellness, to oversee implementation, which includes a timeline, resources for schools, and ongoing trainings for educators.
- The Office of School Health and Wellness will maintain up-to-date records on sexuality education curricula that are aligned with the National Sexuality Education Standards.
- DOE should provide professional development opportunities for teacher trainings that include cultural competency and LBG and TGNC inclusion and affirmation.

School compliance

- Office of School Health and Wellness should develop a monitoring plan that includes key curriculum benchmarks to collect qualitative and quantitative data.
- Parents or caregivers are encouraged to file complaints if their child’s school does not teach comprehensive sexuality education in every grade.

In 2014, Broward County, Florida passed and implemented comprehensive sexuality education in grades K-12. Currently, they have all curriculum publicly available online, a supplementary guide for parents and caregivers, and an opt-out form if a parent or caregiver feels strongly about their young person not participating in a particular lesson or grade level of the course.14

Most opponents to comprehensive sexuality education attempt to advocate for abstinence-only education. Recently, models of abstinence-only education in communities in Texas have proven ineffective. Sexually transmitted infection and unintended pregnancy rates are either stagnant or have increased.15 Previous national polls on public opinion show that people are supportive of comprehensive sexuality education and that it does not increase sexual activity among youth, but actually delays it until young people feel ready and empowered to make informed decisions.16

When young people learn at an early age how to adopt “lifelong attitudes and behaviors” for holistic health and wellbeing, their risk of HIV or other sexually transmitted infections decreases.17 And when young people have the tools to openly communicate with their partners about intimacy and contraception, they are less likely to engage in unprotected sex.18 Data shows that women of color are at higher risk for STIs and unintended pregnancies. Comprehensive sexuality education is a concrete step toward improving the overall wellness of young women of color and all young people.

Concluding Recommendations

- Join existing sexuality education advocacy efforts in your municipality or state.
- Learn how your state and city’s educational system make and enforce decisions.
- Based on progress already made, consider advocating for quantitative reporting bills and a sex education task force to gather qualitative data on experiences of students, parents, and educators.
- Implement the Comprehensive Age-Appropriate Sexuality Education Act, which is modeled after the National Sexuality Education Standards and outlines measures to address common barriers for implementation regardless of size of the education system.
- Ensure youth are leaders in policy, curriculum implementation, and have an equitable role in evaluation.
- To build off of the importance of intersectional policy, design youth-developed school climate surveys to track shifts in culture and safety of youth, particularly cis and trans girls of color and gender non-conforming youth.
embracing collaborative and cooperative learning, relationship-based, anti-oppressive diversity education has the potential to revolutionize how we get along with one another, in schools and beyond.

This paper illustrates the merits of relationship-based learning, introduces common barriers to implementing these anti-oppressive best practices, and presents policy recommendations for educators in positions of power at both the school leadership and district leadership levels. If these practices and policies are implemented, not only will classroom procedures change, but school culture will be transformed. These ideas are a combination of applied and legislative strategies and are recommended for teachers, administrators, school principals, district leaders, and policymakers alike.

Overview of the Impact of Bias in Schools

Racism, sexism, and homophobia in the classroom are not new, and in many ways, not changing. Nationally, White students graduate at a rate of 88% as compared to their Black counterparts who graduate at a rate of 75%\(^1\). The school-to-prison pipeline illustrates the criminalization and disproportionate disciplinary practices applied to youth of color compared to their White peers. These practices result in Black students comprising 42% of those youth with out of school suspensions, and 31% of students arrested in-school despite only making up 16% of the student population\(^2\). LGBTQ+ students are regularly harassed and overhear homophobic and transphobic comments at alarming rates\(^3\). Immigrants and undocumented students face academic challenges, deportation threats relative to and sometimes unrelated to their immigration status, anxiety for the safety of their family members, language barriers within and outside the classroom, and fear about their own vulnerability to violence and bullying\(^4\). And many students are experiencing several layers of these systemic barriers at once alongside their developing complex identities.

Bias in schools not only impacts students of color and youth from other marginalized identities, but also young people from historically advantaged groups (e.g. heterosexual, Christian, middle and upper class, White, etc.). Allowing students from groups with privilege to pursue their education with unchecked stereotypes and prejudice sets them up to be less equipped to work with diverse groups as adults. Additionally, allowing teachers to teach in culturally incompetent ways contributes to the marginalization experienced by students of color and other youth (e.g. LGBTQ+ youth, students with disabilities, low income students, Muslim youth, etc.).

With these multifaceted levels of discrimination, classrooms need to be safe and equitable spaces for all different types of students to learn, where they can have positive and constructive cross-cultural interactions with their peers. Unfortunately, diversity training has become a requirement to check off for school districts, creating resentment and frustration instead of solutions that lead to truly transformed classrooms. Additionally, diverse classrooms themselves have become a barrier to overcome versus a strength with the potential to maximize learning.

Case for the Benefits of Relationship-Based, Anti-Oppressive Educational Practices

Identity-based groups can not only enhance how students feel about themselves, but also create a space where differences are seen as valuable instead of threatening. When identity and group membership is ignored in classrooms, students are not given the opportunity to be their full selves, let alone maximize their potential through collaborative group work. Relationship-based, anti-oppressive classrooms and schools use cooperative learning to not only cultivate more inclusive students, but also capitalize on the dynamics of group membership to empower students individually and together.

When youth experience strong ties and a sense of unity to their membership within a specific group (e.g. race, sexual orientation, or gender), they benefit personally and the group benefits as a whole. Understanding the assets and strengths of a group to which they belong has been shown to increase their self-esteem and opinion of that group\(^5\). In the absence of – or in addition to – belonging to a socially-determined group, like race, class or gender, individuals can develop a sense of relationship and identity with others who may not have any perceivable commonalities at first, through activities like team building and group identity development.

After groups have been brought together, utilizing shared goals creates interdependence – or the idea that my success and well-being is tied to yours, where one’s contributions and performances are connected to that of their group members. Working together cooperatively and collaboratively, strategies that have been consistently shown to be more effective than individual or competitive styles\(^6\). Not only do groups that have goal interdependence achieve more, but they also create new insights and use more advanced reasoning strategies throughout their interactions\(^7\). Thus, in our classrooms, moving toward a model where group identities are created and nurtured, and groups are encouraged to work together toward shared goals, can not only increase our students’ self-esteem, but also increase our students’ overall achievement.

So how do we begin to create cohesion within our classrooms? How do we bridge student interactions when dynamics like race, class, sexual orientation, faith and gender are so often used to divide groups rather than unite them?

Merely being in the same space or classroom is not sufficient to create a relational group identity with the benefits of higher group achievement and higher individual self-esteem stated above. Spending time creating emotional investment through team building is a worthwhile way to build these relationships and subsequently increase productivity. Effective group members must a.) trust one another, b.) use

Share Your Feedback: newleaderscouncil.org/compact

59
direct and honest communication, c.) provide support and acceptance for other group members, and d.) productively solve conflicts together (Johnson and Johnson 2005). These dynamics can be created with a combination of strategies including, but not limited to: leaders (both teachers and student leaders) displaying vulnerability to build trust; establishing community agreements (e.g. ground rules, team “bill of rights”, etc.) to help navigate conflict; encouraging commitment and buy-in through peer-to-peer accountability; and focusing on team outcomes, versus individual ones. Too often, we assume group cohesion and safety exists when we have never taken proactive steps to create these conditions. It is unrealistic to assume that students will inherently trust each other and collaboratively solve problems, especially when that behavior has not been modeled for them within or outside school and does not reflect how teachers interact with students.

In fact, without intentional relationship building and bridging between students who already belong to different social identity groups, strong group identity can actually cause more tension and divisions. A further examination of Tafjel's work demonstrates that “in group bias” or prejudice toward members of the “out group” can occur if group identity development is not combined with empathy-based prejudice-reduction strategies. Individuals will experience the self-esteem boost that comes with having a strong group identity without any connection to care for others outside that group. In practice, this dynamic can play out in a diverse classroom with students of different races and ethnicities, each feeling a strong group connection to their respective racial and ethnic groups. Although this connection is incredibly positive and should be encouraged, when the identity work stops there, individuals are more likely to experience prejudice toward members of other racial or ethnic groups in this example. Similarly, the experience would be the same with students who belong to different social groups, teams, or other aspects of social identity (e.g. faith, sexual orientation, gender) to which they have a strong bond.

Giving students the opportunity to work collaboratively and successfully together in diverse groups can help interrupt this seemingly expected inclination toward prejudice. As originally posited in the Contact Hypothesis, intergroup contact that meets certain conditions has the most positive effect on interrupting “in group” prejudice. Groups must have goal interdependence, as defined and discussed earlier, in addition to all group members having equal status and having opportunities for informal interpersonal interactions. By being given equal status within groups, power dynamics present outside these spaces (e.g. racism) are mitigated. Additionally, informal interactions allow for vulnerability and authenticity, core aspects of trust building.

Moving classroom culture away from competition and bias-charged group interactions will take time and intentional tone-setting from the top. At the classroom level, teachers have the most influence in maximizing productive combi-

**Barriers to Inclusive School Culture Change**

**Lack of Culturally Competent Faculty & Staff Support, Skills, and Training**

The first barrier to overcome in creating diverse, inclusive, and collaborative classrooms involves addressing educator bias to move toward supporting the proposed methodologies and intentionally interrupting the ways in which bias impacts behavior. Working to increase the quality of faculty and staff training in schools will interrupt these explicit and implicit educator biases if training is provided in congruence with the social action model discussed later. Diversity and inclusion training should be comprehensive, compensated, and ongoing throughout the school year, while also focusing on values-based culture change outcomes versus fulfilling a minimum set of quantitative requirements.

Diversity and inclusion training for school faculty and staff must include a minimum set of requirements to unpack the historical oppression that impacts students. For example, in many school districts, cultural competence for both students and teachers is limited to the first one or two levels of multicultural education: the contributions approach and the additive approach. Whether in a student multicultural club or in the highest level of faculty & staff development, many districts focus on contributions, meaning celebrating certain days, weeks, or months related to different cultures (e.g. Cinco de Mayo or MLK Day), and diversity engagement ends there. Schools implementing the next level of multicultural education, or the additive approach, may include adding a case study, example, or vignette of the experience of a marginalized group. However, at this level, the overarching narrative is still being told from the perspective of the dominant or oppressive group. For example, in textbooks, the experiences of traditionally oppressed communities are often included in a special section, breakout box, or sidebar, and could easily be left out while the primary components of the text remain unchanged.

By moving these educational spaces toward the transformative or social action levels of multicultural education, schools will fundamentally move toward inclusion and away from tokenism. The transformative approach presents many different perspectives as equally valid with important viewpoints on different sides, and can be an effective way to start changing the dominant narrative. Meanwhile, the social action approach – and highest level of multicultural education – empowers students and educators to take ownership of changing the social dynamics of their own school with regard to how prejudice, stereotypes, discrimination, and exclusion manifest. The social action approach is successful when students and faculty not only believe in the values of inclusion and diversity, but are also given tools, resources, and training for interrupting bias, and creating intentional, ongoing opportunities for dialogue and cross-cultural contact.
Faculty and staff cultural competence programs should be required to include ways of integrating these levels into the culture of the school. The anti-oppressive social action approach would also require educators to explore their own implicit bias as one of the first steps in creating inclusive schools, followed closely by developing a plan to change exclusive and relationship-breaking behaviors exhibited by both students and other faculty. Lastly, students and teachers would need safe spaces—meaning anti-oppressive values are enforced—to continue the conversation, both to provide affirmation for what is working and accountability for what is not. These spaces could include elements like a monthly dialogue series, a committee or club with influence, an advisory board including students and faculty, a one-day youth leadership conference several times a year, and/or identity-specific caucuses. This type of training and ongoing dialogue would lead to teachers being invested in all of their students engaging in the collaborative, identity-based teambuilding Tafjel describes as being crucial in prejudice-reduction.

From a policy level, educators also need to be compensated for their time in required trainings as they should be happening on an ongoing and annual basis. When teachers are expected to attend training on their own time or during the summer, not only do teachers have a disincentive for attending, but the lack of financial backing communicates a lack of priority and respect for the training itself. These minimum bar requirements of training easily lead into what the subsequent indicators of success would be for true transformative change.

Culture change indicators should focus on meaningful goals, not just quantitative outcomes. Without context for what is ultimately trying to be achieved, educators may not be supportive of, let alone be allies in, creating the end goals. School personnel may also pursue loopholes in implementation to fulfill mandates while completely missing the mark on what the measure was reaching to accomplish.

For example, reducing referrals for students of color may be a positive indicator in interrupting the school-to-prison pipeline wherein disciplinary practices disproportionately impact black and brown students. However, many schools have found a way to reduce the number of referrals reported without actually interrupting any of the factors that contribute to students of color being given more referrals than white students. Some administrators simply ask that teachers write fewer referrals; other schools have created in-school suspension programs or detention classes where students are still being punitively removed from class, but are simply not issued corresponding paperwork; still, other schools pressure teachers to use creative, and arguably potentially successful, alternative approaches to discipline without giving them any training, tools or support to do so.

Genuine cultural change with regard to the school-to-prison pipeline would instead address the factors that lead to the referral disparity to begin with: training would include interrupting implicit educator bias that contributes to students of color being given more referrals than White students for similar offenses; the reasons for referrals would be analyzed to identify themes and subsequent action plans (e.g., if referrals are being given because students are late, what other less punitive strategies can be implemented that will impact tardiness?); student voice would be systemically included in school policy changes with students being asked what they need in order to follow the school rules; relationship-building between teachers and students would be encouraged to increase ownership in attending and succeeding at school; training around alternative discipline practices (e.g., having a quiet room) would be supported and explored; and youth-adult partnerships that work toward shared power would be implemented over hierarchical classrooms to further invite youth to participate in their own education. These examples represent just a sampling of what could be implemented to create context for a singular outcome of reducing the number of referrals to interrupt racial disparities in discipline. Combined with effective faculty training that integrates the highest levels of multicultural education, and financial incentives for ongoing educator learning, teachers would be much more equipped to support the previously described practices for relationship-based classroom education.

Lack of Educator Autonomy in Implementing Relationship-Based Practices

Once educators are on board with the aforementioned recommendations, barriers to implementing these practices at the school and district levels still exist. Teacher autonomy to implement cooperative and relationship-based learning strategies is often limited. Specifically, standardized testing, pacing guides, and a dearth of teacher planning time not only disincentivize teachers from implementing these strategies, but also can result in penalties if they don’t follow the guidelines in place for daily classroom requirements.

A movement toward standards-based reform (SBR) like the No Child Left Behind Act has included both new standards and new ways of assessing standards. Although there is no clear negative relationship between having standards themselves and curriculum change in the classroom, there is a strong correlation between high stakes standardized testing and what educators choose to do. Specifically, research shows that educators move curricula away from the very standards the tests are purported to move students toward and instead focus on test specifics as a style of learning. Not only does this “teaching to the test” style disadvantage students in the breadth of knowledge they receive, it also drastically cuts into teacher ownership within their own classrooms.

Many districts also mandate overly specific pacing guides that dictate which lesson plan should be taught on each day of each week. Teachers who are found to be off their pacing guides during observational evaluations without the support and advocacy of a principal or administrator
are at risk of receiving negative evaluations or disciplinary actions. If eliminating standardized testing is not an option, eliminating pacing guides may be a tangible next step.

In the same realm of creating space for teachers to innovate, enforcing implementation of in-school teacher planning time would allow teachers to create relationship-based lesson plans that still accomplish the standards of SBR without the mandated structure of standardized testing, pacing guides, and punitive oversight. Revisiting the concept of compensated trainings posited above, by providing paid in-school planning time for teachers, the school or district would be communicating that they not only see the value and necessity of preparation, but that they also value the time and expertise of their teachers, already drastically limited by the constant state of crisis so many schools experience.

**Lack of School-Wide Infrastructure Support to Minimize Crisis Management**

Mitigating a school-wide climate of constant crisis is the final frontier of inclusive school culture change once teachers have the passion and skills to build relationships. By decreasing the amount of perceived emergencies to which teachers are required to respond, schools can create space for classroom innovation. Creating strategies for faculty-based teacher support can encourage implementation of relationship-based classrooms. For example, adding more faculty positions, including teachers, guidance counselors, community liaisons and social workers, would decrease the number of situations classroom teachers are simultaneously managing in addition to giving schools the option to enforce class size limits, allowing for more individualized learning. Teachers could also be given more opportunities to provide feedback, such as an anonymous or third-party system that allows educators to share thoughts with their area supervisor or district leadership about their principals and administrators without risking their jobs, thus giving teachers’ some power to influence their circumstances while working within the hierarchical school system.

If districts are unwilling or unable to provide support through traditional solutions, creative strategies at the school level can be effective in securing the benefits while going around district-mandated policies. These alternative strategies could include creating the role of a mentor for teachers, an individual who is not required to report everything to the principal punitively, but who will instead problem-solve with teachers, hold them accountable, and give personalized affirmations and feedback. This mentorship role could be a new faculty position or an additional job responsibility for one or more current faculty members.

Finally, implementing other student-support systems will allow students themselves to be open to classroom relationship-building if they experience less psychosocial stress from the other aspects of their lives. Providing systemic support and resources for academically challenged students, those living in poverty or transient circumstances, students experiencing homelessness, and students experiencing other types of oppression (e.g. youth of color, LGBTQ+ youth, youth with disabilities, etc.) should be a priority for all schools. Support may include pairing students with a faculty mentor, referring community resources, and creating different metrics for measuring their success without lowering the bar. Without the structured barriers of standardized testing and pacing guides, students would be able to move at their own pace, take time off from school to more easily be referred to mental health professionals, and ultimately give the school itself the ability to create the circumstances for all students to succeed, which should ultimately be the goal of all schools.

In conclusion, students have the best chance to succeed in safe, cooperative, relationship-based classrooms where diversity is integrated as an asset through social action. To create these classrooms, teachers need to be on board with true diversity and inclusion - as opposed to tokenizing additive approaches - and be able to explore their explicit and implicit biases through compensated and comprehensive cultural competence training. Supportive teachers need autonomy and freedom from the overly structured mandated standardized testing and pacing guides, and be given indicators of success that are contextual and actually representative of school change. Lastly, schools themselves should create the circumstances to reduce crisis-based conflict management to foster innovation and relationship-centered learning. By implementing this multi-tiered approach of practice and policy, the first steps toward equity for all students can be achieved.

---

**Reforming Our Tax Code**

**Making the Tax Code Work for All Americans: Inequality, wealth, and tax policy**

by Scott B. Astrada

Public Policy Professional
NLC Washington, DC

I. Introduction

In a 2014 speech, President Barack Obama proclaimed that inequality “is the defining challenge of our time.” Economic inequality was a defining theme of the 2016 Presidential election, and continues to be a central concern in current media and political debates. Income inequality, especially, has been in the spotlight. However equally significant, and even more startling when analyzing the data, is the destructive effects of wealth inequality. Growing wealth inequality has resulted in
solidified poverty, with “[t]he wealthiest 1 percent own[ing] 42 percent of all wealth in 2012 and [taking] in 18 percent of all income.”4 This is tremendously important because wealth stabilizes income volatility and bouts of unemployment for middle and low-income wage earners. Ultimately, wealth is, “a fundamental pillar of economic security, and without it […] hard-won gains are easily lost.”5 A discussion of wealth building necessarily involves a discussion of the tax code and its relation to economic mobility and poverty alleviation (primarily through social safety net program funding). In regards to the federal safety net, direct public spending related to public assistance, taken as a whole, is only a fraction of overall federal spending, but it occupies almost the entirety of public and media debate, especially when politicians are seeking to cut funding. What is less discussed is the sizable amount of wealth transfer through the tax code that involves upward transfers, driven by provisions in the tax code that determine who benefits from taxpayer subsidies and who bears the brunt of the cost of these subsidies. The central focus of this discussion involves critically reexamining the economic logic that undergirds current tax code provisions that shape the U.S. economy, determine growth, and affect who is included in overall economic prosperity.

II. How market structures and policies create and drive economic inequality

At its best, the tax system can serve as an efficient means to incentivize business investment and personal savings and combat inequality. However, it has become apparent that parts of the tax code have reified economic inequality for millions of working class Americans and instead has subsidized corporate and investment interests. As Americans work harder they are falling farther behind in personal savings, economic advancement and financial stability.6 While a comprehensive overhaul of the tax code is on the horizon for policy makers, there are key tax code provisions that must be addressed to make significant strides toward economic equity. Ultimately, economic inequality is the result of policy choices and priorities. Policy proposals that strictly rely on a free market/supply side ideology as the ultimate arbitrator and source of equity, overlook the fact that “[…] markets do not exist in a vacuum; it is government that structures markets and sets the rules and regulations under which they operate. Rules and institutions are the backdrop of the economy, and the way we set the rules, and keep them up to date and enforce them have consequences for everyone.”8

Working harder and falling behind: The state of the American worker

As expenses have ballooned, hourly wages for most American workers have only increased, on average, a paltry 0.1 percent per year since 1980,8 and median family income has decreased by 7 percent from 2000 to 2013.10 One of the most disturbing consequences of this stagnate growth is that an estimated 2.8 million people worked full-time year round but still did not earn enough to be over the poverty line.11 There is no statistic that highlights the tenuous stability that most low-income full-time workers face, and the fact that their precarious financial state has less to do with any supposed lack of motivation,12 than the lack of a tax code that ensures everyone pays their fair share and works to support the interests of all society, especially the most vulnerable.

The need for reform is clear. The tax system should ensure everyone pays their fair share according to principles of equity, rather than rely on partisan economic theories that lack broad support. The belief that economic growth and decreasing economic inequality are preclusive (“we could only have more equality at the cost of a reduction in economic performance”13) has been questioned, if not invalidated, by new research that has analyzed countries that have successfully reduced economic inequality without jeopardizing economic growth and performance.14 Making the tax code work for all Americans is a tremendously complex legislative and political battle, and below is only the start of a discussion of how to get to tax code to work for all Americans, not just the wealthy.

Everyone must pay their fair share: tax rates and the wealthy

One of the most significant drivers of economic inequality is the privileging of financial gains derived from wealth over those based on income. This privilege is evident in the lower tax rates and deferral opportunities applied to financial gains from wealth as opposed to income from salary. Unfair and unbalanced tax cuts solidify and exacerbate existing economic inequality. Since the early 1980s, tax rates for the wealthiest Americans have been reduced under the promise of increased investment and economic growth.15 The combined impact of these tax cuts for the highest earners resulted in a dramatic increase in after-tax-and-transfer inequality and plummeting government revenue.16 According to the Congressional Budget Office (“CBO”) in 2011 the equalizing effect of tax-and-transfer has decreased since 1979, or put more directly, the tax code has played a decreasing role in promoting equality.17 A specific example of this is the capital gains tax, which accrues disproportionately to the wealthiest taxpayers. According to the Tax Policy center “in 2016, three-quarters of the tax benefit of the lower rates were received by taxpayers with incomes over $1 million […].”18 According to the same report, “68 percent of the $161 billion capital gains tax expenditure [the tax savings of the taxpayers who claimed the deduction] goes to the top 1%, while only 7 percent goes to the bottom four fifths of Americans.”19 Supporters of the reduced capital gains tax rate, hold that the lower tax rate incentivizes more work and investment among the top earners,20 thereby increasing “the size of the pie”.21 Yet there is nonpartisan research that has disproven this contention. According to the CBO there exists “no conclusive evidence… to substantiate a clear relationship between the 65 year reduction in the top statutory tax rates and economic growth.”22 The CBO has actually found the opposite to be true, in regards to a reduced top tax rate it, “appear[s] to be associated with the
increasing concentration of income at the top of the income distribution.” Additionally, on a thematic level, supply side economics relies on specious logic, as one economist puts it “[…] why do we need to make the rich richer to make the them work harder, but make the poor poorer for the same purpose?” Yet, this is the foundation of supply side economics, which set the foundation for 30 years of tax policy.

Another example of an inequitable tax break is the inheritance tax. Because capital gains are taxed only when they are realized (i.e. a stock held for 10 years is only taxed on increases of value the date it is transferred/sold), and inherited assets receive a stepped-up basis upon an owner’s death, this effectively eliminates inheritance tax for the wealthiest families— a loss of approximately $644 billion of revenue for the government between 2013-2023. This provision benefits only those with high value assets, i.e. in 2013, 65 percent of all inherited capital gains tax deductions were claimed by top 20 percent of taxpayers (the top 1 percent accounted for 21 percent).

Give the Middle Class a Break

According to CBO “more than half of the $900 billion paid in individual income tax and 80 percent of the tax deductions in 2013 accrued to households in the top 20 percent, with 17 percent accruing to the top 1 percent, while those in the middle income quintile received just 13 percent, and those in the lowest 20 percent of income received just 8 percent.” At the same time transfer payments, have substantially declined. According to the CBO, “In 1979 households in the bottom quintile received 50 percent of these transfer payments. In 2007, similar households received about 35 percent of transfers.” The current tax policy favors the incomes of the wealthiest Americans, while other taxes, such as sales and payroll tax, are in essence regressive. There are numerous provisions that favor the wealthiest individuals, and by reforming them the government would have a tremendous boost of capital that could be used for economic investment, poverty alleviation and social safety net programs, for example “[a] 5 percent increase on the top 1 percent’s current income tax rate would raise between $1 trillion and $1.5 trillion of additional revenue over 10 years.” This is enough money to purchase the NFL, MLB, NBA, NHL, and NASCAR, or for the more civic minded, that is enough to reduce the national debt by approximately 5%, or you can put more than 8 million students through 4 years at a private university.

Executive Pay Reform: The Stop Subsidizing Multimillion Dollar Corporate Bonuses Act

Sky high executive pay does not provide any of the desirable incentives that its advocates claim. In contrast, excessive salary and stock options actually distort incentives that contribute to inequality. In addition, it also has an exacerbating effect on economic inequality as a whole. The most straightforward way to begin addressing executive pay is to adjust the tax code, which privileges compensation of executives through equity heavy compensation, particularly stock options. In the 1990s, Congress capped the deductibility of certain executive pay to $1 million, with an exception for performance-based compensation. In response to this, over the last two decades, compensation for senior executives has often been structured so that organizations can write off large amount of salary expenses by offering compensation packages comprised of an outsized amount of stock options tied to performance based outcomes. The Economic Policy Institute estimates that “[a] total of $121.5 billion in executive compensation was deductible over the 2007-2010 period. Roughly 55 percent of this total was for performance-based compensation.” Furthermore, according to the Economic Policy Institute, “[o]ver the entire period from 1978 to 2013, CEO compensation increased about 937 percent, a rise more than double stock market growth and substantially greater than the painfully slow 10.2 percent growth in a typical worker's compensation over the same period.” In 2015 U.S. Senators Jack Reed (D-RI) and Richard Blumenthal (D-CT) reintroduced the Stop Subsidizing Multimillion Dollar Corporate Bonuses Act. This legislation would close this major loophole in the tax code by capping the salary deduction of each employee at $1 million, regardless of its classification. According to the Joint Committee on Taxation, “this loophole costs U.S. taxpayers about $50 billion over a 10-year timeframe.” Ultimately, middle and moderate income individuals subsidize these tax cuts for CEOs, because “[…] corporations deduct CEO pay from their income taxes, requiring the rest of us to pay more proportionality in taxes to make up the difference.”

Close the carried interest loophole

The carried interest loophole allows certain investment managers to take advantage of a tax provision that allows them to pay a reduced 15 percent or 20 percent long term capital gains tax rate on any income received as compensation. This is income that would otherwise be taxed as ordinary income, with rates as high as 39.5 percent. As compensation for providing the service of managing their investors’ assets, fund managers oftentimes are paid by receiving a percentage of the fund’s profits that is usually 20 percent of profits and 2 percent of the value of the assets managed. An article in the New York Times reported that, “the four biggest publicly traded private equity firms alone — Blackstone, Apollo, Kohlberg Kravis Roberts and Carlyle — reported over $12 billion in carried interest from 2008 to 2013. A 20 percent tax increase on that amount would have yielded over $2 billion in tax revenue just from the owners of those four firms.” Legislation has already been introduced to close this loophole, and, according to the Joint Committee on Taxation’s most recent score, would raise approximately $15 billion in revenue over 10 years.

III. Conclusion

The provisions listed above are a small part of the overhaul that is needed to restructure the tax code. However, what is essential is that the economic theories that ground reform must be reexamined and critiqued, so that tax reform occurs in the context of social and economic equity. The tax code
is one of the most powerful legal tools available to combat economic inequality, and has the potential to completely restructure the future of the country. We cannot afford to sit on the sidelines as tax reform moves through Congress, as the fate of millions of low and moderate-income taxpayers will significantly be determined by whether or not we have a tax code that serves all Americans.

A Progressive Vision for Tax Reform

by Brett Seifried
General Counsel, New Leaders Council

Matthew A. Tompkins
Vice President, New Leaders Council

When there is an income tax, the just man will pay more and the unjust less on the same amount of income.
--Plato, The Republic, Book I, Section 343D

The rich should contribute to the public expense, not only in proportion to their revenue, but something more than in that proportion
--Adam Smith, The Wealth of Nations, Book V, Chapter 2

Our tax code should provide economic security for all Americans, treat incomes equally regardless of source, and provide the revenues necessary to provide all Americans equal opportunities.

Unfortunately, though, tax policy is rarely a strong suit for most progressives. Beyond the general notion that the rich should pay their fair share, it is uncommon to find progressive activists who are conversant in tax considerations. This is not to say that progressives do not have tax knowledge. Instead it is to say that a unified and specified tax policy has not yet become part of the progressive canon. This is a shame and does a disservice to progressives’ ambition to govern. More so than any other nation, the United States expresses its social policy through tax policy. Where other nations have opted for direct services or benefits, the United States opts to a provide myriad tax incentives, credits, deductions, and enticements to further social goals. Because of this, progressives must be able to express a clear vision for the tax code.

This paper provides an overview of the current state of U.S. tax law, and presents a vision for how it can be reformed to better express progressive values. We aim to

(i) increase overall tax revenues, (ii) increase rates of tax compliance and discourage tax avoidance, (iii) remove provisions that favor capital income over labor income, (iv) ease tax administration, and (v) encourages investment in distressed American communities.

With these ends in mind, we recommend at least the following steps:
1. Increase the number of individual income tax brackets and rates;
2. Remove or greatly minimize the gap between ordinary income rates and long-term capital gains rates;
3. Eliminate entity level taxation of corporations, and replace with a direct tax on owners’ profits year by year;
4. Encourage small business growth and support “sharing economy” workers through a generous small business standard deductions and reform to tax withholding rules;
5. Extend payroll taxes to all income levels, eliminating preferential treatment for high earners;
6. Reinvigorate wealth transfer taxes by reforming the estate tax to apply to estates over $3.5 million dollars to combat wealth inequalities; and,
7. Remove tax incentives to replace human workers with automation.

The Structure of Federal Taxation

The federal system of taxation stands on four broad legs: income taxes (personal and corporate); payroll taxes; estate taxes; and, various excise taxes on goods and services. This paper focuses only on the first three (income, payroll, and estate taxes) because excises taxes are largely determined through trade policy considerations and have less bearing on social policy.

As a percentage of total government revenues, individual income taxes are by far the largest federal tax. They represented 47.3% of total government revenues in 2016. Next, payroll and social insurance taxes brought in 34.1% of total government revenues, followed by corporate income taxes at 9.2%, excise taxes at 2.9% and, finally, estate taxes at a mere 0.7% of total revenues.

Reformation of the Income Taxes

Federal income taxes are collected from two types of persons: individuals and corporations. Progressives should reject this artificial distinction. Taxes are, and should be, paid by individuals. By simplifying the tax code in this way, we can ensure that all individuals pay the amounts they owe and cannot, through artful legal and business maneuvers, shift or evade their tax burden. Also, eliminating this distinction removes incentives that push businesses to support an extensive tax avoidance industry that undermines overall tax compliance in all sectors.

Personal Income Taxation
By far, the largest single source of government revenue

Share Your Feedback: Newleaderscouncil.org/compact
is individual income taxation. As detailed by the Joint Committee on Taxation, individual income tax revenues accounted for 47.3% of total government revenues in 2016 and represented 8.4% of gross domestic product. Among taxpayers, 68% of taxable earnings are simple salaries and wages. An additional 12% come from Social Security, pension, and IRA distributions, and 10.1% come from business, farm, or so-called Schedule E income. The remaining portions of taxable income from in the form of long-term capital gains (6% of source income), dividend income (2.4%) and interest payments (0.8%).

While current law brings in significant revenues, it also produces significant distortions in the macroeconomic picture of the United States. Specifically, it contains numerous provisions that significantly privilege capital income over labor income. Though capital income represents a mere 9.2% of source income, it is dramatically claimed by the highest earning members of society. And for this privileged minority, the tax code provides particularly low rates of taxation and myriad avenues for tax avoidance. This has the long-term effect of lowering the effective tax rate of the highest income earners, exacerbating the effects of spiraling wealth and income inequalities.

To remedy this, we propose several adjustments to individual income tax rates and brackets. Our central proposal for reform is to add new brackets at the highest end of the income schedule, and to increase the marginal rates on incomes of the highest earners. We believe that as progressives we must be willing to embrace a higher tax rate on the highest incomes, and that most of the public years for a clear, progressive tax system.

**More Brackets: Higher Rates**

At the outset, progressives should be clear that we support the progressive taxation of income. As incomes rise, the share paid in tax should increase. This expresses both our morals and our commitment to fiscal responsibility. Moreover, we should recognize that our commitment to progressivity should not penalize the middle class. Therefore we should commit to adding both more tax brackets to the top end of the code as well as raising the marginal rates within those brackets. Specifically, progressives should at least push for the following new brackets and rates:

- **40% - $750,000 to $999,999**
- **43% - $1,000,000 to $2,499,999**
- **46% - $2,500,000 to $4,999,999**
- **49% - $5,000,000 +**

Each of these increases would bring in significant new revenues for the federal government. For instance, the new top bracket alone would apply to roughly 43,000 filers and would bring in roughly an additional $25 billion per year. Unfortunately, a full budget analysis is beyond the scope of this paper. But a few important points are self-evident. First, this proposal restores marginal rates to levels not seen since the Reagan-era tax code reforms of 1986. Second, it brings the effective top rate above those of the pre-Reagan era because numerous deductions and loopholes of that era have been closed. Third, these new revenues help address the crisis of inequality by redistributing incomes from the highest earners to be available for social investment. This is an especially important goal as spiraling inequality undermines faith in the entire American system of governance. Fourth, by adding new tax brackets this proposal breaks the powerful union of upper middle class professional and true plutocratic interests that is currently in effect—easing the way to political viability. Indeed, the new revenues may allow for tax breaks to be provided at nearly all income levels below $750,000 per year. And fifth, it provides a policy framework that can unite the centrist and populist wings of the current progressive coalition. When combined with the new tax rates for capital investments described below, this framework is a powerful tool in the progressive political agenda.

**Equality of labor and capital**

There is no starker expression of our national systemic preference of capital over labor than in taxation of long-term capital gains. This differential treatment undermines federal revenues, provides vastly disproportionate tax benefits to the already wealthy, and works to undermine overall public confidence in the government as a whole and the tax administration process in particular.

Under current law, while labor and wage income is taxed at the ordinary statutory rate, long-term capital gains (i.e., gains from the sale of capital assets held for longer than a year) are taxed at much lower rates. For instance, “taxpayers in the 10 and 15 percent tax brackets pay no tax on long-term gains on most assets; taxpayers in the 25-, 28-, or 35- percent income tax brackets face a 15 percent rate on long term capital gains; and those in the top 39.6 percent bracket for ordinary income [pay merely] 20 percent on long-term capital gains.”

Critically, though, these preferences are not distributed equally across taxpayers—the savings from this 10 to nearly 20 percent rate differential accrue nearly exclusively to the highest earners. According to one estimate, in 2016 “three-quarters of the tax benefit of the lower rates [accrued to] taxpayers with incomes over $1,000,000.00.” This results in average tax savings for those households (which represent a mere 0.3% of the total number of taxpayers) of $146,050.

According to the CBO, the preferred rates for long-term capital gains and dividends is the third largest tax expenditure in the tax code, representing .7% of all U.S. gross domestic product. Using 2016’s GDP as a baseline, this means that capital preferred rates account for $129,990,000 in lost potential revenue. Yet these benefits flow almost exclusively to less than half a percent of U.S. households. We cannot imagine a more clear example of systemic priority of capital over labor in U.S. law.
Supporters of this preference argue that (i) preferential rates for capital are necessary to incentivize the investment activity required for economic growth, and (ii) that the preferred rate is merely accounting for the fact that capital gains (in general) have already been taxed at the corporate level through corporate entity taxation. Both of these arguments are specious.

First, there is no evidence that preferred rates have any relationship to overall economic growth. Indeed when compared together over a 65 year timeline it is hard to discern a meaningful relationship at all between the two, much less a causal relationship. There have been periods of high growth along with high capital gains rates as well as low growth, and vice versa. Furthermore, because capital asset losses can be used to offset capital gains in current and future years, the question of risk is largely eliminated. The ability to advance losses and offset gains smooths the risk profile of investment far more than a slashed rate in the year of realization.

And second, it is important to remember that gains from the sale of corporate shares accounts for only half of all claimed long-term capital gains. So, for at least half of long-term capital gains there has been no prior tax at the corporate level. Even for those gains that were possibly subject to corporate taxation, though, there are myriad corporate tax deductions and preferences that can render the value untaxed before the shareholder receives the value. Finally, we note that under our plan for corporate profit taxation set out below, there would be no corporate entity-level tax; instead the owners bear the full weight of tax on their profits. This eliminates yet another argument for maintaining the preferred treatment of capital income. Instead, we propose a simple solution: all income, whatever its source or character, be taxed at the statutory rates set out above. This vastly increases federal tax revenues, removes a massive distortion in favor of the already-wealthy, and would undermine the massive tax avoidance industry that has developed to undermine tax collections.

**Small Business Standard Deductions**

Real economic growth—growth that increases the living standards of a majority of Americans—is founded on middle-out economics. To enhance the vitality of the middle of the American economy, we propose to provide a robust (and simple) small business standard deduction. Like the standard deduction that two-thirds of Americans take on their wage income, this standard business deduction would streamline the tax process for small business owners (particularly those whose business supplements their wage income--so-called “gig” workers).

Under current law, any expenses incurred by a contractor or small business owner in the course of their business may be deducted against the pretax gains of their business to arrive at a taxable profit. Unfortunately, the rules for business deductions can be confusing and the recordkeeping required to take them is time consuming. This leads to low and middle class income earners not taking deductions they are allowed, either because they did not know they exist or they did not retain the records necessary to support them. This is another instance where being a wealthy allows individuals to maximize their share of tax savings, with low income earners leaving business deductions on the table and high income earners retaining professionals to seek every last option out. By providing a standard business deduction for all who maintain a side or small business, we can streamline the cost of tax administration and provide a way for ordinary taxpayers to maximize their tax value.

To help foster small and side businesses, progressives should propose a standard business deduction (SBD) that operates in large part like the current standard wage deduction. That is, it works as a “below-the-line” deduction that taxpayers may elect instead of itemizing their business expenses, or, if their actual expenses exceed the SBD they may choose to deduct their actual expenses. The remained would be their net business income to report on their annual 1040’s.

Unlike the standard wage deduction, though, the SBD should not be a flat dollar amount. Instead, it should be a set percentage of gross business receipts—60% of gross business receipts for businesses up to $500,000 in gross revenue. The beauty of a set percentage is that is scales regardless of whether the business is a side or a small business. This provides relief for tax compliance costs to those who only want a “side hustle,” while also streamlining and (potentially) lowering taxes on small business owners.

**Accrual tax on Corporate Profits/Losses to Replace Corporate Income Taxation**

Along with the above, progressives should fundamentally reform the corporate income tax. The current corporate entity-level income tax applies to the net profits of corporations. This has an intuitive appeal to progressives, as corporations hold vast sums of liquid assets and benefit from legal privledges. It makes sense, at first glance, to...
tax those corporate entities for those privileges. Also, corporations are owned by capital-rich individuals so, at first blush, any tax is presumably paid by wealthy capital owners.

Unfortunately, decades of practical experience undermine this intuition. Corporate tax revenues as a share of total federal revenues have declined year over year for decades, and now represent only 9% of total revenues. This decline is the result of aggressive tax avoidance and offshoring techniques. A multi-billion dollar avoidance industry has been fueled by ability to avoid the corporate tax, and its pernicious effects have crept into individual income tax avoidance.16

Furthermore, there is strong reason to believe that a substantial portion of the 9% paid by corporations is not paid by capital owners—but rather is paid by labor in the form of depressed wages and higher consumer prices. Indeed, one study noted that in a survey of relevant experts on corporate tax incidence the median respondent believed that more than 60% of the burden of corporate entity taxation is in fact paid by workers and consumers.17 The corporate income tax thus has had the perverse effect of imposing itself on already strapped labor income and, at the same time, of providing ready expertise to the wealthy to further avoid tax. Progressives should take steps to ensure that capital income bears the full burden of corporate income tax thus has had the perverse effect of corporate tax incentives. In the modern world capital flows freely between nation-states, while labor is often locked into specific areas and tax jurisdictions. In these conditions, the burden of the corporate income tax shifts from capital to labor. As one analysis bluntly notes, these “taxes are borne by those who cannot easily adjust.”19 In many ways, labor ultimately pays the bulk of the tax through lower wages and benefits and higher prices. Worse still, the wage depression caused by pushing this tax burden to workers is not limited to one sector. Instead, the corporate income tax depresses wages and benefits across the entire economy (corporate and noncorporate). Finally, for the amounts that that cannot be shunted onto labor, an entire industry devoted to tax avoidance is able to expatriate or recharacterize to avoid the entity tax so that capital pays an ever-fleeting proportion of a tax nominally directed at capital.20

It is important here to understand the dynamics of corporate tax incentives. In the modern world capital flows freely between nation-states, while labor is often locked into specific areas and tax jurisdictions. In these conditions, the burden of the corporate income tax shifts from capital to labor. As one analysis bluntly notes, these “taxes are borne by those who cannot easily adjust.” In many ways, labor ultimately pays the bulk of the tax through lower wages and benefits and higher prices. Worse still, the wage depression caused by pushing this tax burden to workers is not limited to one sector. Instead, the corporate income tax depresses wages and benefits across the entire economy (corporate and noncorporate). Finally, for the amounts that that cannot be shunted onto labor, an entire industry devoted to tax avoidance is able to expatriate or recharacterize to avoid the entity tax so that capital pays an ever-fleeting proportion of a tax nominally directed at capital.

In its place, we call for all business income to be treated equally on a basis akin to the current treatment of pass-through business income. Earnings from corporate activity—whether in the form of dividends, stock buybacks, accrued value of shares, or otherwise—should be taxed as individual income, at the same rate as wage income. This tax would be assessed on a yearly basis on the accrued gains of publicly traded securities. Losses on those securities could be applied against future gains and carried forward or back in accordance with current rules. For non-publicly held securities, i.e. closely held corporations, the tax would be assessed on the same basis as pass through entities.21

This would help again to eliminate special treatment that unduly privilege capital over labor.22 By clearly assigning tax liability to the shareholder we ensure that capital owners are not able to indirectly shift the tax onto workers and consumers through lower wages or higher prices. As noted by the researchers who first proposed this idea, the switch to a shareholder tax could increase total revenues by anywhere from $17 to $27 billion in 2018, with this increasing the average tax rate of the top 1% and decreasing the average tax rate of the lower 99%.23 This ensures progressivity in the tax code and helps to lower overall income inequalities.24

In short, progressive reform would tax the rich on their corporate profits without undermining the job and wage security of those working for those companies.

Reformation of the Payroll Taxes

When discussing tax policy, payroll and employment taxes are often overlooked. Famously, during the 2012 presidential campaign the Republican nominee, Mitt Romney, told a private group of donors that “47%” of Americans do not pay federal taxes and so do not have a stake in the game. This vastly mischaracterizes the burden of federal tax because it overlooks the large amount of revenues derived from payroll taxes that apply to all wage-earners regardless of total income.

These taxes are used to finance our nation’s social insurance programs—social security, Medicare, and Medicaid primarily. These programs are successful progressive programs that have lifted from or prevented millions of Americans from falling into deprivation. Yet, there is a core irony in their funding: these progressive programs are funded by a deeply regressive tax. Moreover, with the growth of so-called “platform companies” and the coming tide of automation it is high time we as progressives have a clear tax policy to ensure the sustainability of our national social insurance programs.

Caps and Rate

Under current law, the Social Security tax applies at a 12.4% rate (split between employer and employee paid) to all wages below $127,200. This phase out represents a tax expenditure large enough to fund the Social Security trust fund through 2055 if lifted today.26 As a matter of economic reality, this system privileges high income earners over low and middle income earners. In addition, we should increase the rate by at least 1%. Even without lifting the cap, a 1% increase in rate would ensure our social insurance program solvency for decades at a cost.
of only around $3 per week for the average employee. Pairing these two together—a small rate increase and a broadened tax base—we could assure the basic fabric of our social safety net without burdening the middle class that is the engine of American prosperity.

**How to Deal with Platform Companies**

In recent years, so-called “platform” companies have come to occupy a prominent place in our national economy. These companies host a market network to connect buyers with individual contractors for ride sharing, home assistance, and many other personal services. For the privilege of access to their network, the individual contractors pay a flat percentage of their fairs.

Setting aside potential issues with employment status, these companies' business model presents a challenge to the federal payroll tax system. Specifically, because the suppliers are independent contractors, they are responsible for the full burden of payroll taxes owed but because of the character of the work at a day to day level, many providers are unaware and unequipped to prepare for these obligations. This is a peculiar problem for low and middle income earners who have no prior experience with self-employment. This challenge acts in many ways as a regressive tax, in that it results in low and middle income earners paying more proportionately—especially when penalties and interest for failure to pay are included.

As a solution, progressives should propose that platform companies be required to withhold the full amount of estimated payroll tax liability for these contractors but need not contribute to that amount as an employer would.

When combined with the standard business deduction highlighted above, this would ease the process of tax compliance for a large number of service providers. Also, it does not place an undue burden.

**How to Deal with Automation and Labor Replacement**

Since the industrial revolution, technological changes have typically created new opportunities for economic growth. While certain work was destroyed, new industries and economies were created in the wake of innovation and new technologies.

However, over the last thirty years there is strong evidence that we reached an inflection point when it comes to technology and job creation. The pace and character of technological improvements are fundamentally faster and different than in generations prior. Today, we face dramatic social upheavals due to technologization, without the confidence that replacement industries will arise. Indeed, one major analysis predicts that over the next 20 years every major American metropolitan area will lose a majority of its jobs to automation. Worse, the hardest hit areas will be in the low wage metro areas such as Las Vegas, Orlando, and Louisville. These are communities rely heavily on retail, food preparation and serving, office and administrative support, and sales as the hubs of industry. These industries are highly susceptible to automation and, at the same time, these areas are not likely to create new industries that can support the level of new industry necessary to re-employ those who lose out. A choice by employers to replace workers with automatons will create a massive displacement of workers in these areas, which in turn drives down total tax revenues available to support families, local institutions, and the civic fabric in these areas.

Oddly, the federal tax code actually encourages employers to make precisely these kinds of replacement decisions, though. As one review notes, current law “encourages automation by providing employers with preferential tax treatment for robot workers. Automation allows firms to avoid employee and employer wage taxes levied by Federal, state, and local taxing authorities. It also permits firms to claim accelerated tax depreciation on capital costs for automated workers, and it creates a variety of indirect incentives for machine workers. All of this is the unintended result of a tax system designed to tax labor rather than capital. Tax policies may thus result in automation in some cases in which a firm would otherwise choose a human worker.” This is not only an egregious example of an unintended, non-progressive tax incentive, it is in many ways an inhumane tax incentive.

This perverse incentive has not gone unnoticed—many leaders in technology and policymaking communities have expressed concern of the potential setbacks it will create for everyday people. Bill Gates, founder of Microsoft and the wealthiest person on the planet, has advocated for a direct automation tax. Progressives should adopt this policy as well. As gates notes, “you ought to be willing to raise the tax level and even slow down the speed” of automation.

Therefore progressives should propose that where an automated system eliminates a substantial class of workers in an industry or firm, that the firm be required to maintain the full amount that would otherwise be paid into the payroll tax system, at the least. This proposal does not penalize industry advancement, adaptation, or growth, but instead only levels the currently skewed set of incentives in favor of automation. When a firm eliminates actual human jobs, in short, the firm should not reap a tax reward. This policy ensures that our social insurance programs are not starved due to automation, and paves the way to an expanded social safety net and may slow the dislocation of workers. This policy would also help to slow wealth inequalities as it would shift revenues from the capital ownership class to those replaced by automation—the working class. Also, advocating strongly on this policy ensures that progressives are clearly on the side of working Americans at a time when historically low numbers of Americans believe they are, easing the way to political viability for the policy.

**Reformation of the Estate Taxes**

Share Your Feedback: newleaderscouncil.org/compact
The estate tax may be the most progressive and the most American of all federal taxes. In a nation that constitutionally bars "titles of nobility," the estate tax should work to ensure that the vast agglomerations of wealth that empower a nobility do not arise. Furthermore, an estate tax represents a social commitment to the value of work and of earned success. Yet, decades of rhetorical framing has left the estate tax in tatters, belittled by the public and now limited to an absurdly small number of estates at shamefully low rates. Progressives should embrace the estate tax, and push for it to cover more estates at higher rates. This is true as a matter of policy, as well as a matter of political advantage. Robust polling indicates that informing the public about the estate tax—how it works, its current paltry coverage and low rates, etc—actually increases political support for raising the tax.

As it stands now, the estate tax covers a small subset of taxpayers—affecting only roughly 5,000 taxpayers a year (compared to over 2.7 million yearly deaths) and accounting for only 0.7% of total federal receipts. Because each individual in a married couple can claim a $5.5 million dollar exemption, and because that exemption can be transferred to the other spouse, the current estate tax does not touch any two-spouse family estate under $11 million dollars. Further, the nominal tax rate of 40% applies only to amounts above the threshold, making a maximum effective rate of less than 20% (which is often significantly lower with appropriate tax planning).

During the 2016 election, Hillary Clinton proposed lowering the exemption amount to $7 million dollars per couple and raising the rate on amounts above that to 45%. This would have raised an additional $160 billion in new revenue. Progressives should go further.

We believe that the individual beneficiaries should be the focus of wealth transfer taxes in the same way that shareholders should be the focus of corporate taxes. An inheritance tax is simpler, can raise more revenues for the government, increases incentives for the wealthy to spread their wealth at death rather than concentrate it, and is politically more viable. This inheritance tax would apply only to beneficiaries of estates that total more than $3.5 million dollars (with exemptions for primary residences), and would be taxed at the ordinary income rates applicable to the individual in the year of the transfer. By taxing the beneficiary as an individual rather than the estate as an artificial entity, this system provides fewer opportunities for avoidance. As with the rest of the proposals set out here, a focus on the human individual recipient of income clarifies the enforcement regime.

Conclusion

The American tax code is in many ways the skeleton of American social policy. Its myriad provisions, exemptions, exclusions, and elections set out—in rather dry language—the collective values we Americans choose to express as policy together. For too long, progressives have not set out a clear and comprehensive vision for the Code based on our morals and values. This document is a small, first step in that direction for the coming generation of progressives. If nothing else, this paper may be useful as a means to begin a robust conversation amongst progressives in the Millenial generation on these issues. When our time to govern comes, we will need to know where we intend to direct America’s tax code.

Learn more about NLC at newleaderscouncil.org
Our American story is a communal story, a story of a Great Society and a Shining City Upon a Hill.

For generations, our patriotic narrative was one of self-sacrifice, duty to others, and kind appreciation of our neighbors. Of course, even in our best of times that story was not fully accurate. Racism, sexism, and fear of those that did not conform to established norms excluded many from this shared community--too many times violently so. Yet, the story of America as a community of Americans has for generations held us together and to welcome formerly excluded communities into better version of America. Doctor King made use of this common creed when he called upon all Americans to live up to its own terms.

Today our American community is divided, and worse our individual members often feel adrift -- disconnected from the social, familial, and civic connections that once sustained so many. It is time for a reconciliation and a recommitment. First, a reconciliation among our two warring tribes -- a reconciliation build on the principles of social justice and human equity. And second, a recommitment to the basic support structures--governmental, social, and familial -- that keep a community strong. You will find in the following pages proposals to revitalize our education system, to rebuild our communities through food, to ensure strong community bonds through labor organizations, to end systemic biases that entrench white supremacy, to foster the civic lives of women, and protect our basic environment, among many others. It is time we all remind our neighbors that the story of America is the story of our fellow Americans.

We intend to rebuild our American community into a better, more just, more equitable version of ourselves. Here are some ways how we intend to do it.
Free and Compulsory?

In the United States, access to free and compulsory public education is a mandate for all youth, including youth with disabilities. Many have argued, however, that this standard does not apply to all students. Throughout history, there have existed policies and laws to formally and informally track and separate students based on the political climate of the times. More recent policies have increased the risk of exclusionary discipline practices that create a course into students being pushed out of school through punitive and of the times. More recent policies have increased the risk of exclusionary discipline practices that create a course into students being pushed out of school through punitive and exclusionary discipline practices that create a course into the juvenile justice system and/or adult imprisonment. This is referred to as the “School to Prison Pipeline”. However, this risk is not random. The school to prison pipeline disproportionately impacts students experiencing poverty, students with disabilities, and students of color. Despite comparable rates of rule infraction, these youth are suspended and expelled from school at significantly higher rates. With shifts in school policy over nearly two decades as the springboard, inequalities in access to public education have continued to systematically target some of the most vulnerable populations and undermine the very opportunities that a public education is intended to afford.

Zero Tolerance Policies

Despite sizeable drops in rates of juvenile crime in American communities since the late 1990s, there remains a growing concern about school safety due to a number of high profile, tragic events on school campuses. In response, schools are also reporting a drastic influx in exclusionary discipline practices and application of a “zero tolerance approach”. The term generally refers to a harsh predefined mandatory consequence applied to a violation of school rules without regard to the behavioral severity, mitigating factors, or situational context. Although it may seem intuitive that a removal of rule-violating and unsafe students from school settings would reduce rates of disruption and improve school climate and culture, extensive research on zero tolerance policies and school safety disconfirms this theory and resoundingly shows that, when in place, these policies are being misapplied. Moreover, zero tolerance policies are widely understood as the most direct entry point to the school to prison pipeline.

First, there is no evidence that out-of-school suspensions and expulsions reduce disruption or improve school climate. In fact, a decrease in suspensions and expulsions is related to increases in student and staff perceptions of safety. Exclusionary discipline practices are also not found to improve student behavior and may even lead to poorer outcomes for those students. Students that are suspended or expelled are more likely to fail classes, be targeted for grade retention, and eventually drop out of school. Further, there is a high degree of variability both in rates of suspension and expulsion disciplinary approaches and in the types of offenses to which this is a response. Zero-tolerance policies often do not distinguish between serious and non-serious offenses, nor do they adequately separate students that engage in rule violations intentionally from those whose behavior is a result of underlying emotional and behavioral disabilities. A multitude of factors outside of student behavior, including school climate, leadership, school demographics, and staff attitudes also play a substantial role in predicting rates of exclusionary discipline in school.

Additionally, certain groups of students are being disproportionately targeted for school removal, calling into question the fairness in execution of the policies. According to 2014 data released by the U.S. Department of Education, students of color were three times more likely to be suspended and expelled relative to white students. Black students receive harsher discipline for the same conduct, making up 17% of all school age youth, but accounting for 37% of suspensions and 35% of expulsions. Among students with disabilities being provided special education services under IDEA, studies have shown suspension rates of more than 5 to 1 as compared to non-disabled peers.

The interactive effect of race and disability status is of graver concern. A disproportionate number of students of color are diagnosed with learning, cognitive, and emotional disabilities. Compared with their white peers, black students are “twice as likely to be identified as emotionally disturbed and 2.7 times as likely to be identified as cognitively impaired.” Researchers attribute this disproportionality to a range of factors including early experiences affecting brain development including poverty and trauma, cultural or linguistic differences that may be misinterpreted as disability-related, and/or differences in methods of referring students for special education services. Students of color with disabilities face an increased likelihood of arrest at school or referral to law enforcement due to both levels of their identity. A review of national trends found that about 25% of black children with disabilities received one or more suspensions whereas less than 10% of their white counterparts were suspended. Additionally, based on recent data from the U.S. Department of Education, Office for Civil Rights, Black students with disabilities constituted nearly eight percent school-related arrests despite only comprising just approximately two percent of the U.S. student population.
Crime and Punishment: Fading Distinction between Schools and Police

Schools are increasingly building security presence (including metal detectors, cameras, and access to Tasers) at school and forming direct connections with local police (including employment of school resource officers). 14 As a result, more students are getting involved with official legal systems following disciplinary issues that have been historically managed in schools. 15 Paradoxically, the very security measures that were inspired by the school shootings in largely white suburban schools are mostly adopted and enforced in urban and low-resource schools with higher percentages of students of color. 16

Borrowed from the “tough on crime” and “War on Drugs” politics of the 80’s and 90’s, and the Gun-Free Schools Act of 1994 (GFSA) specifically, zero tolerance policies continued a trend of harsher penalties and weaker protections for youth. The GFSA requires that all schools receiving federal funds must have policies to expel for a calendar year any student possessing firearms on school grounds and report that student to local law enforcement. Because states must rely on federal funds to supplement their educational needs, compliance with this legislation has been essential. Later amendments to the law only broadened its reach to many other kinds of weapons (and items labeled as weapons) as defined by the school. 17 Not only do these laws blur distinctions between disciplinary infractions at school and the legal system, but they fail to offer provisions for due process rights of students. More importantly, these laws do not prevent school violence.

The presence of school-based police officers has longstanding origins in the community policing movement initiated in the 1950s, but more recently schools have seen a precipitous climb in school-based policing and, according to the National Association of School Resource Officers, it is now considered the fastest growing area of law enforcement. 18 Indeed, in a span of three decades since the mid-70s, the percentage of schools with on-site police or security increased from 1% to 69%. 19 Many officers and school administrators believe that school-based policing is an effective method of preventing criminal activity on school grounds and breaking down barriers between law enforcement and the community. 20

Despite the influx of police presence in schools, research has not supported the effectiveness of this investment to reduce crime and violence in schools. Although adults in schools may report less subjective fear of violence at school following the implementation of a school policing program, there is no conclusive evidence to support these programs based on objective measurements of student behavior. 21 Moreover, these programs have a range of deleterious effects for students already at a disproportionate risk of becoming involved with the justice system, including students of color and students with disabilities. 22

The Context of Educational Disparity

To date, American public schools continue to be the most unequal in terms of learning opportunities among industrialized nations. The academic development of Black youth and other youth of color is uniquely compromised by the presence of deeply rooted systemic barriers within their lives, homes, and communities. The compounding effects of generational poverty, trauma, and racial isolation results in considerable obstacles for students to be able to access quality education and achieve the same educational outcomes as students without such barriers. The obstacles start long before the onset of formal education and the inequalities continue. By school entry, the gap between the wealthiest and the poorest children is evident, with youth from low-income families academically performing a year or more behind their more advantaged peers. Children of color are more likely to face early developmental challenges due to housing and food insecurity, greater health risks, and less access to relevant early literacy materials and high-quality early educational or care experiences. 23 24

As compared to many countries that fund schools at the federal level and distribute resources equally, the discrepancy between school district spending is considerable, with the wealthiest of schools spending as much as 10 times more than schools with the fewest resources. Moreover, in almost all major American cities, most students of color attend public schools where a majority of their classmates qualify as poor or low-income. Living in poverty and being surrounded by classmates in the same circumstances, is considered the single-most powerful predictor of racial gaps in academic achievement and graduation. 25 Yet, despite limited resources to support teaching and learning compounded by increased isolation and stress experienced outside school walls, students continue to be the target of focus and blame when they are not successful academically and/or behaviorally.

Financial Incentives and Financial Realities

The push for school accountability in education in an effort to promote student proficiency and close the achievement gap has resulted in a number of unintended consequences, including a strong incentive to push out the lowest achieving students. Indeed, studies conducted in a variety of cities and states found increased suspension rates and duration during district-wide testing periods, with rates higher for students of color. 26 Public schools that have to rely on federal dollars in order to fund school costs are also subject to the federal sanctions in place if test scores are not deemed adequate. Notably, following the removal of a low-achieving student, a school is no longer responsible for paying the sometimes-costly resources to educate that student and is not responsible for their test scores, but those schools maintain the money that they originally obtained for that student. 27

Although the social justice implications are clear, we continue to see communities that are driven to methodically exclude students of color, with disabilities, and students in poverty from their schools. This is not simply a moral
argue, however. The practice of pushing students out of schools and into the school to prison pipeline has substantial financial costs to communities as well. According to U.S. Census data, the financial strain for incarceration is significantly higher, sometimes nearly five times the cost of educating a student. Because funding for both schools and prisons largely pulls from state discretionary funds, the increase in incarceration necessarily results in the denying of funds to public education. A review of specific communities has resoundingly shown that the connection between school performance and incarceration is not coincidental. Research conducted by the NAACP has shown that the lowest-performing schools are clustered in areas in which rates of incarceration are the highest.27

Policy Recommendations and Considerations

Investment in the School Environment

Research shows that a focus on the emotional and behavioral development of students is both an important target in its own right and is a path to improved academic achievement. However, teaching and learning does not occur in a vacuum. The many layers of systems surrounding students – from the national political climate to the classroom climate - become important targets for change in effective prevention of exclusionary and disproportionate discipline practices.

The relationships between teachers and students are widely understood as fundamental to student socioemotional and academic development, and serve as a resource for students at risk of school failure. As such, the relationships formed within the classroom setting provide a unique entry point for school reform. This has been the catalyst for a number of new and innovative programs that should be considered in the context of prevention.28 However, teachers in the very school districts whose students face the most obstacles are more likely to be less experienced (many of which in their first year of teaching), temporary, show higher absenteeism, are paid significantly lower than teachers in wealthy districts, and/or in the greatest need for targeted in-service training and coaching.

Additionally, teachers consistently emphasize their need for professional development and other supports specifically to help address socioemotional and behavioral issues in the classroom. Indeed, teachers’ emotional and behavioral response to classroom aggression is influenced by their prior training in behavior management and their level of confidence in delivering classroom management strategies, with more punitive practices and experiences of professional stress found among less prepared educators.29 Without an understanding of student behavioral needs and access to effective behavior management tools, teachers are also more likely to underestimate their power to effectively change student behavior and place the blame on within-child factors such as a mental health disorder.30

The success of any classroom also relies heavily on the climate of the school more generally. The environment and conditions of a school, including perceptions of safety, level of support, and relationships among members of the school community has a significant effect on teacher stress and burnout, and in turn, use of punitive practices.31 Unfortunately, overall teacher satisfaction has dropped precipitously from 65 percent in 2008 to only 39 percent in 2012 according to a MetLife Survey of teachers in the U.S. More recently, advocacy groups are identifying further deterioration in the school climate, due to increases in diversity- and disability-related bullying. In a survey administered by the Southern Poverty Law Center to over 8,000 educators to date 90% of respondents reported “a negative impact on school climate since the election,” with the biggest concern being anxiety experienced by vulnerable students.

In light of ongoing and exacerbating budgetary concerns for public schools, school reform requires a shift from a “doing more with less” business model to an emphasis on changing perspective, policy, and practice without costly additions to the structures and functions of a school. Indeed, with the support of School Improvement Grants (SIGs), one can find many successful examples of reform efforts that shift from zero tolerance policies to a focus on the school climate.32 At their core, common elements include building relationships, empowering students, and culturally informed instructional practices (including specifically addressing the role of poverty on learning).

School Mental Health & Positive Behavioral Supports

It is recommended that schools move away from rigid disciplinary responses to tailored, culturally responsive, and evidence-based, supports and interventions. School-based mental health and behavioral supports are a critical resource for both accurate identification of student’s needs as well as timely intervention for those in need. Research demonstrates that students who receive school-based emotional and behavioral support and services achieve better academically, improve in their classroom engagement, and feel more connected to school. Social-emotional learning opportunities are responsible for the prevention or reduction of risky behaviors when part of an integrated effort to develop students’ social and emotional skills. Research conducted on the effectiveness of Positive Behavior Supports (PBS) and programs such as Second Step have resoundingly shown that a) behavioral skills can be taught, b) when taught, these skills enhance positive behavior in school, build students’ sense of connection to school, and improve academic achievement.33

Restorative Justice in Schools

Restorative Justice is an alternative to traditional disciplinary and retributive approaches that offers non-punitive strategies for responding to legal or social violations, addressing associated harm resulting from the violation, and problem solving following social conflict.34 It has been used as an alternative to traditional school discipline and is viewed as a remedy to the negative consequences of

Learn more about NLC at newleaderscouncil.org
exclusionary practices and their inconsistent or disproportionate application. Restorative justice approaches involve a whole-school, universal intervention that both creates a strong community-oriented foundation among members of the school and provides a framework for responding to disciplinary incidents.

Unlike the focus on teaching in all other facets of student learning and development, punitive and exclusionary discipline practices disempower students by removing them from the process of learning and offer nothing to improve capacity for social, emotional or behavioral development. The Restorative Justice approach not only fosters a sense of community within the school, but also teaches, empowers, and supports ownership over one’s behavior and agency in building relationships and resolving conflicts. Indeed, students who are given a voice in the problem-solving process are more likely to view school and community authority figures as more legitimate and fair and improve in their self-regulation and compliance. The effectiveness of Restorative Justice has been well documented across communities and cultures as both a prevention program and an intervention targeting higher risk groups (including youth with disabilities and those already involved in the juvenile justice setting). Indeed, even among some of the most challenged U.S. schools, from the nation’s largest urban communities (e.g., Los Angeles Unified School District) to rural mill towns in Northern New England (e.g., Pittsfield, NH), adopters of restorative practices have experienced dramatic improvements in school discipline, climate, and achievement.

Protecting Student’s Rights

Due to a lack of transparency and clarity, school disciplinary practices (and particularly zero tolerance policies) have undermined the discretion and professional judgment of school administrators to determine culturally informed and evidence-based approaches for addressing behavioral issues. Many schools are unable to clearly distinguish between serious and trivial policy violations due to systematic vagueness in, and lack of direction provided by, state laws. The failure to define expectations and processes makes it impossible for students and families to understand school expectations and prohibitions, or advocate for their due process rights. Moreover, there is lack of clarity as to when and under what circumstances police become involved in school disciplinary matters.

As an alternative, schools should be required to develop clear written policy guidelines for families that detail the scope of disciplinary policies, students due process rights, and appeal procedures. State mandates should include the procedures for, and conditions under which, schools report disciplinary infractions to law enforcement. Further, there is a clear need for protections for students that, at minimum, are comparable to those in the community setting (e.g., engaging in Miranda rights and search/seizure protocols). However, in the absence of reform within the court system to provide legal guidance for schools, much of the burden will fall on school districts to do this important work.

Additionally, compulsory education should be a shared burden of the school district, entities that support schools, and the family, with accountability practices in place for all systems. In this regard, states should mandate appropriate alternative education plans so that exclusionary discipline is reserved for students that pose an active threat to the school community, with clauses for nonviolent students that inadvertently bring prohibited items to school. For students suspended or expelled, there needs to be clearly defined and enforced reinstatement procedures available to them.

Summary

When working under the principle that children belong in schools and have the right to a free and appropriate public education, the imperative to dismantle the school to prison pipeline and direct reform efforts toward widespread implementation of alternative school approaches is clear. Failure to do so will continue to be costly, in terms of calculable funds diverted from schools and communities to incarceration of youth and in the immeasurable emotional toll from damaged lives and lost potential. Once incarcerated, many youth are never able to re-engage in their educational system. As a society, we not only lose the opportunity to see talented children realize their goals but also continue to bear the burden of resources needed to fund the costs of criminal activity and incarceration.

Reducing Recidivism by Expanding Economic Opportunity

by Oren Jacobson
Chapter Development Director, New Leaders Council, NLC Chicago

How can policy makers craft policy to improve economic opportunity for people with criminal records? This is a question without easy answers. As the literature explored in this paper demonstrates individuals coming out of our criminal justice system face substantial systemic barriers to employment and significant individual challenges. People with criminal records, particularly those returning from incarceration, find a heavily front loaded series of institutional roadblocks and negative incentives that can be incredibly discouraging, even for the most prepared individual.

Policy makers must tackle many challenges. As the literature we will explore suggests, people with criminal records often lack the necessary hard skills many employers are seeking, the soft skills needed in the workplace, face significant mental health and substance abuse issues, and re-enter communities with limited opportunity. However,
even when people with criminal records possess the hard and soft skills necessary to be successful, the stigma of having a criminal record parleys with systemic barriers, and a lack of traditional resources, to create a tall set of hurdles. This paper explores those hurdles and outlines a set of policy options that would ease the burden, reduce barriers, and establish bridges to successful reintegration.

It must be stated at the outset that these challenges disproportionately affect marginalized communities and we cannot ultimately solve these challenges without directly addressing issues of race, and systemic racism, in addition to classism and sexism, in the criminal justice system and beyond. Additionally, the best way to change outcomes is to focus on the front end of the equation. Broad based criminal justice reform, a focus on restorative justice ahead of punitive measures, equity in education, and economic investment are among the many necessary steps to change outcome for individuals and communities most affected by mass incarceration. Until we fix the front end all policy options on the back end are simply a band-aid.

Literature Review:

The state of Illinois has one of the largest prison populations in the nation and thus provides a good place to start the exploration of this issue. La Vigne, Mamalian, Travis and Visher published A Portrait of Prisoner Reentry in Illinois in 2003. According to the report, as of 2001 Illinois had experienced a 500% increase in the prison population over 40 years, a fact that is not isolated to the state alone. The report identifies three main causes of this increase. An increase in violent crime, a major increase in the incarceration of drug related crimes, and a spike in parole revocation, or technical recidivism. The report paints a clear picture of the challenges reentrants face:

“More [incarcerated individuals] nationwide are returning home having spent longer terms behind bars, exacerbating their already significant challenges of finding employment, obtaining housing, and reconnecting with family. [Incarcerated individuals] today are typically less prepared for reintegration, less connected to community-based social structures, and more likely to have health or substance abuse problems than in the past. In addition to these personal circumstances, limited availability of jobs, housing, and social services in a community can affect the returning (incarcerated individual’s) ability to reinte grated. These challenges affect more than recurring (incarcerated individuals) and their families; they can also have serious public safety implications for the communities to which prisoners return.”

States have increased spending on incarceration while cutting spending on recidivism reducing programs. The overall trends across the country show that most people in prison are not engaging in the types of activities that could help them re-enter society more effectively. About one in four inmates participate in vocational training. 35% report being involved in education programs. 10% report being involved in substance abuse programs, and only 13% engage in a pre-release program. All of these numbers are trending the wrong way, meaning fewer and fewer people are experiencing programs proven to help.

This issue has dramatic consequences for our economy as well. Schmitt and Warner explore the reality of the labor market for those coming out of our nation’s prison systems in their 2010 paper Ex-Offenders and the Labor Market. The report highlights the scope of the negative economic impact nationwide. The authors suggest that there is more than a one point five (1.5) percent decline in employment and a loss of approximately $60 billion in economic output annually.

The report also breaks down underlying causes that reduce employment for people with criminal records. Time behind bars has a negative impact on education, experience, and necessary soft skills defined as a loss in human capital. Further, surveys suggest that only 40% of employers would definitely or probably hire someone with a criminal record, which means that even those with the skills desired are severely limited in their options on the basis of stigma alone.

Birens and Carvahlo’s 2010 report Job Search, Conditional Treatment and Recidivism: The Employment Services for Ex-Offenders Program Reconsidered draws directly from Chicago, San Diego and Boston. Specifically the paper examines the results of the ”Employment Services for Ex-Offenders” (ESEO) program on recidivism.

The report concludes that these ESEO programs reduce recidivism but with age variations by region. Ex-offenders over the age of 27 in San Diego and Chicago, and over the age of 36 in Boston, saw decreased recidivism rates. All others saw negligible results. The paper itself does not provide a clear explanation for the age variation. It seems intuitive, though, that the general trend (older people with criminal records seeing better results) may be connected to developmental factors like maturity or soft interpersonal skills.

The study also offers two important conclusions. One is that a “one size fits all” approach is unlikely to succeed, encouraging a more individualized approach in transition strategies. The other conclusion is that the quality of job attained by the formerly incarcerated individual is key in reducing recidivism. In fact, some studies referenced in this report show that transfer payments are often more effective in reducing recidivism than employment when the employment is of low quality or of short duration.

Bruce Western, of the Brookings Institution, released From Prison to Work: A Proposal for a National Reentry Program as part of the Hamilton Project on Advancing Opportunity, Prosperity and Growth in 2008. According to the report, the average person in prison has about a tenth grade education. Surveys show about one third of people in state prison were unemployed and two thirds had a history of heavy substance abuse prior to the time of their incarceration. Further, people in prison often have little by way of work experience before their incarceration. After release, people with criminal records are unemployed about half the time and on average earn just $9,000 per year. Roughly two thirds of former state prisoners were rearrested within three years and about half we re-incarcerated.

Western identifies four types of programs that have been broadly used to try and support people with criminal records in their transitions. They are transitional employment...
programs, residential and training programs for disadvantaged youth, prison work and education programs, and income supplements. While he acknowledges there is a shortage of empirical studies on these programs, largely because many aren’t designed appropriately to isolate and verify results, there is some information we can reliably consider.

Western argues that transitional employment programs for up to six to twelve months following release is indeed associated with reduced recidivism, at least for the first year or two. Results show that arrest rates after a year were at 48%, versus 57% for those who didn’t participate. Participants also experienced higher initial wages coming out of prison though that difference disappeared over three years. Reviews of income supplement programs were also found to be effective in reducing re-arrest rates when accompanied with housing and job placement assistance.

Based on this evidence Western suggests a program with three main pillars. First, he suggests in prison education, work, and discharge planning. In particular, he discusses compulsory GED education as a potential standardization. Second, transitional employment assistance, housing, and substance abuse treatment to create the stability necessary to succeed. Lastly, he calls for parole reform. This is largely based on the fact that a substantial amount of recidivism is based on technical violations and not actual new criminal activity. By the early 2000’s nearly one third of all recidivism was generated from technical violations of parole.

Western suggests that his program would result in a reduction of overall spending of $1.5 billion. He assumes increased spending of approximately $8.5 billion nationwide on the program but estimates savings at just over $10 billion assuming reductions in recidivism. A recent report from the State of Illinois shows how this math might work. A single recidivism event costs taxpayers almost $120,000 which suggests that it may in fact be less expensive for the state to invest in reduction efforts rather than continue down this path. That report isolates more than $40,000 in direct hard costs to the state within that broader total and estimates $37 million in savings for the state with a single percentage point decrease in recidivism.

The Center for the Study of Social Policy released a report in April of 2012 called Results-Based Public Policy Strategies for Promoting Workforce Strategies for Reintegration of Ex-Offender. In identifying root causes the Center reinforces a theme we’ve seen thus far. Lack of skills, education, and housing, mental health and substance abuse challenges, all combine with a lack of economic opportunity specifically, we need to make sure that the potential employee has the right skills and the potential employer is willing to hire these individuals. The following recommendations are made in an attempt to provide a more effective transition, remove systemic barriers, and directly confront stigma that may prevent a hiring decision. However, the first recommendation will focus less on attacking the employment barriers and focus more on a moral failure of our system, which if fixed, will also help to reduce crime, better allocate taxpayer resources, and improve transitional outcomes. It should be noted, and strongly reinforced, that where the federal government cannot or will not act on these policies, many states can and must step in.

Recommended Policy Options:

Any legitimate effort to improve economic opportunity for people transitioning out of our justice system must focus on attacking all sides of the problem. In the case of economic opportunity specifically, we need to make sure that the potential employee has the right skills and the potential employer is willing to hire these individuals. The following recommendations are made in an attempt to provide a more effective transition, remove systemic barriers, and directly confront stigma that may prevent a hiring decision. However, the first recommendation will focus less on attacking the employment barriers and focus more on a moral failure of our system, which if fixed, will also help to reduce crime, better allocate taxpayer resources, and improve transitional outcomes. It should be noted, and strongly reinforced, that where the federal government cannot or will not act on these policies, many states can and must step in.

Restore Basic Benefits of Citizenship:

• Once someone has paid their debt to society and has been released to rejoin the community by the appropriate authorities they should be eligible for the full benefits of citizenship. This includes the restoration of access to monetary benefits (transfer payment) and non-monetary rights available to citizens without a criminal record, including the right to vote.
• Congress should immediately pass a law ensuring that once a person has served their time and paid their debt to society they rejoin the community without further penalty or prejudice. This would include ensuring the right to vote and access to other financial support resources otherwise offered.
• Restoration of voting rights is critical to empower people after serving time. The right to vote helps individuals view themselves as a valuable part of society who can contribute to their community, while depriving someone of their franchise ensures they are left out. Today, nearly 6 million formerly incarcerated people lack the right to vote. The data is overwhelmingly clear on this issue. “Taken as a whole, these findings indicate that states which permanently disenfranchise ex-felons experience significantly higher repeat offense rates than states that...
do not. If it is the case that disenfranchisement policy has a causal relationship with recidivism, then states that disenfranchise permanently can expect to see a significant reduction in the re-arrest rates of ex-felons should they restore the franchise post-release. A reduction of this sort would be a potential boon for states, not only in terms of the general principles of crime control, but economically as well.”12 Further, we cannot ignore, or understate, the importance of the issue of race and the history of systemic disenfranchisement in America when considering the issue of restoring the benefits of citizenship. Ensuring every person has the right to vote is not only good policy to reduce crime, make our communities safer, and save taxpayer dollars, it’s the moral and just thing.

- Additionally, the research is pretty clear about the need for individuals to have access to broad based support in their transition. As such, legislation restoring the benefits of citizenship would mean that individuals would have access to all other programs that provide support for things like food, housing, basic income, etc. The cost of the financial benefits being restored is less than the cost to incarcerate for a year, and far less than the full cost of a recidivism event. So, this would not only reduce recidivism (and thus crime) but also would also reduce government spending and allow us to redirect those dollars to other investments in communities.

- Where Congress will not act on this issue, states can. While there may be some circumstances or reasons to restrict access to benefits, our frame from a policy perspective should start from a zero restriction baseline.

**Support for Employment Skill Development, Education, Transition Programs.**

- Among the many impacts of the Great Recession was a decrease in state funding for programs proven to help support effective transitions. These programs are strongly correlated to reducing recidivism. People who participated in an educational program experienced a 43% reduction in recidivism, and those who participated in a college program experienced a 50% reduction.13

- Congress should work with each state to identify the most successful programs that were cut in each state and provide restricted block grant funding to restore these programs at the local level, and/or fund the expansion of successful programs that weren’t cut.

- Congress should also ensure funding for the Federal Bureau of Prisons to implement and/or expand programming with a demonstrated track record of reducing recidivism and create a comprehensive transition strategy that begins prior to release and leverages holistic reentry tools and strategies like those suggested in the Council of State Governments Justice Center’s Reentry and Employment Project.14

- Where Congress will not act, states can. While many may point to budget challenges as the reason to avoid such expenses, a strong argument can be made that effective programs will save money. As previously mentioned, the State of Illinois estimates the cost of a recidivism event as exceeding $40,000 in direct costs to the state and that a drop of a single percentage point in recidivism could save the state $37 million.15

**Tax Incentives For Offering Skills Training.**

- As states have cut public funding for rehabilitative and educational programming in the state system, states could incentivize private entities to provide similar programs by offering a tax incentive for any entity that provides specific forms of skills training to individuals who are pending release, or recently released, in addition to existing related employment tax credits. This should be done in addition to, not in place of, direct state spending on these programs.

**Enhance The Chance of Employment (modified and supplemented)**

- The Georgia Center for Opportunity proposed a program called “Enhance The Chance” which is modified slightly here.16 In order to deal with the stigma and hesitancy of an employer to hire someone with a criminal record, this modified version of “Enhance The Chance” is proposed with a goal of ensuring each candidate is judged individually, and each employer is aware of the benefits and protections offered to the employer should they make a hiring decision.

  - Employers should not be allowed to check criminal background records unless a direct interview has been conducted or a job is being offered. This will allow a personal relationship to form, which will decrease the stigma. Further, it benefits the company as they may otherwise pass over a well-qualified candidate and the associated benefits.

  - At the time of a background check, states should be required to provide employers with the following information:

    - Specific details regarding the potential tax break available to the business if they choose to hire the individual and how to secure them.

    - Specific details regarding the Federal fidelity bonding program17 designed to help offset employer risks and how to secure the bond.

- The combination of these actions would mean that each qualified candidate is given a real chance to earn the job from the perspective employer based on their individual merits and not simply a record. At the same time, by providing tax break information and fidelity bonding information along with the background check, states can help educate employers about incentives and risk mitigation policies already on the books designed to combat employer stigmas. Research shows awareness of these benefits may be limited. According to the IRS between 2008 and 2012 fewer than 45,000 tax credits were awarded under this provision of the Work Opportunity Tax Credit.18 There is a reason to believe this low usage rate is due to awareness as

Learn more about NLC at newleaderscouncil.org
Research suggests that it takes up to three years for a successful transition and as such extending the tax credit for employers to three full years incentivizes them in a way that matches the ideal transition timeframe. As an alternative, you could model policy at the state level to mirror California’s five-year tier structure to encourage retention.

Further, we should expand the federal fidelity bond program in two ways:

- Ensure that employers receive the maximum bonding insurance of $25,000.
- Extend the fidelity bond opportunity to full (12) months from its current (6) month period.
- Both of these are very low cost options that can help employers feel more comfortable with hiring a formerly incarcerated individual. These expansions are proposed to minimize perceived risk for the employer.
- As previously noted, this policy can be implemented on the state level. The fidelity bonds and federal tax credits remain in place and are available to the states, including the opportunity to extend or maximize them as mentioned above.

Additional Initiatives:

- States should pursue “Clean Slate Initiative” options to limit the applicable time frame and ensure that background checks are narrowly focused to the relevant scope.
  - Per a 2015 report by the Center on Budget and Policy Priorities, “In order to reward rehabilitation and prevent the release of criminal history information that is old or irrelevant to hiring decisions, expungement and sealing laws should be broadly expanded...Between 2009 and 2014, 23 states broadened their expungement laws, including a number of states that now allow for expungement of drug offenses and several nonviolent felonies after waiting periods of three to 10 years.”
- States should eliminate or greatly reduce incarceration for technical recidivism.
- States should reduce minor non-violent drug related incarceration, including the full legalization of marijuana or at the very least the decriminalization of possession for recreational purposes.

Reducing Recidivism by Expanding Economic Opportunity

by David Sargent
Senior Advisor, Chicago Justice League, NLC Chicago

Reproduced with the permission of the Illinois Justice Project and partner organizations.

While the following analysis focuses on the city of Chicago, the issues it examines are present in cities across the country. While the particulars of each location may vary, the underlying causes and resulting overt symptoms of inequity are universally evident. Thus, the recommendations contained herein serve as a blueprint for effectively addressing inequality and improving the justice system across America.

Within the last two years, homicide reduction in Chicago has not only slowed, but sharply reversed. It is too early to tell whether our increased gun violence will become part of a longer-term pattern, or is a temporary deviation from an overall decline. What we do know is that several of our neighborhoods are – and have been – experiencing persistent and disproportionately high levels of violence. It ripples through families and communities and should be a matter of concern to every Chicago resident. We need to focus on doing what works. It may seem difficult to abandon longstanding but failed policies and embrace accountability, but it is simplistic and wrong to characterize the justice system as insufficiently punitive and to prioritize temporary crime suppression tactics over lasting crime reduction strategies. Experts have cautioned that we cannot arrest, prosecute, or imprison our way out of the problem. Instead, we must develop a comprehensive plan on a scale adequate to address root causes of violence.

Highly politicized national attention to gun violence in our city began in earnest with the 2008 election of a Chicagoan to serve as the first African-American President of the United States. Increasing over the course of eight years of vigorous local and national debate about guns, race, policing, and crime (culminating in the 2016 election cycle), the political intensity surrounding discussions of Chicago has thwarted progress toward sound antiviolence policy in our city at least as often as it has fostered it. Chicago’s issues are urgent and serious, with distinctive complicating factors, but the underlying nature of our problems is far from unique among American cities. In recent years, our state has increased penalties for firearm possession six times, instituting new mandatory minimum sentences. As a result, the number of Illinoisans incarcerated for possessing a weapon in violation of licensing laws tripled, while arrests remained flat. Consistent with research showing that sentence severity is unlikely to deter violent crime, homicide rates fell no faster here than they did in states which had not
increased such sentences -- and seem to have increased at a faster pace. Yet claims persist that still-longer prison terms for unlawful gun possession, including further constraints on impartial sentencing by a judge, are necessary in order to address gun violence. Lively policy discussions of the matter in the Illinois General Assembly in 2013 revealed that our state’s longstanding practice of lengthening prison terms piecemeal and in isolation as a rash response to crime has contributed to debilitating, overcrowded, and counterproductive levels of incarceration. Public calls for a complete reevaluation of the nature and function of Illinois’ criminal justice system resulted in the creation of a bipartisan legislative committee in 2014 and the commitment of Governor Bruce Rauner in February 2015 to reduce the state prison population 25% by 2025. Yet, over the course of 45 committee meetings as of this writing, neither body has convened a thorough discussion of whether any of the current mandatory minimum prison terms for gun possession are consistent with best practices. Worse, despite years of near-constant local media coverage of gun violence, Chicago remains without a comprehensive plan to prevent and respond to it. Such a plan is sorely needed. Residents of our city, like all Illinoisans, deserve an approach in which seriousness of purpose is conveyed by justice system results, not longer and more mandatory prison terms. Residents of our city, like all Illinoisans, cannot afford more blame-shifting and cost-shifting in lieu of investment to prevent violent crime. There are innumerable bright spots — individual community members, organizations, service providers, teachers, businesses, philanthropists, pastors, police officers, justice personnel, and policymakers who focus each day on building positive change. But too often, their ingenuity and best efforts are undercut. Promising practices are not brought to scale, struggle in implementation, or are adopted reluctantly and in name only, only to be abandoned at the first sign of difficulty. Systems suffer from routine lack of program assessment, fidelity, and transparency. Meanwhile, bedrock public services and supports relied upon by hundreds of thousands of Chicagoans suffer death by a thousand cuts, widening historic and racialized gaps in opportunity, health, education, and safety. The deep-end criminal justice system, unreasonably expected to compensate for all of the above, is characterized as our first political priority or our only remaining hope, despite the fact that it is our most expensive and least effective tool. Chicago can do better. Residents, media, and stakeholders alike must answer the call to redirect Chicago’s immense political will away from reactionary and unproven policies, and to focus exclusively on developing a truly comprehensive public safety and violence prevention plan -- one that is grounded in principles of effectiveness, system accountability, and equity. Such a plan will: 1) put public health first; 2) reduce illegal handgun availability; 3) tailor punishment to the crime; 4) ensure police effectiveness, and 5) invest to achieve equity.

Put Public Health First
- Prevent violence, reduce risk, and treat trauma using proven approaches that include the highest-risk people.
- Design, build, fund, and assess a comprehensive plan to keep Chicagoans safe, using a collaborative public health process.
- Consistently prioritize public health approaches -- especially prevention -- including during upward trends in violence.

Reduce Illegal Handgun Availability
- Require Illinois gun dealers to be licensed, in order to:
  - Track lost or stolen gun shop inventory.
  - Identify and track probable straw purchasing incidents.
  - Focus enforcement efforts on the small number of bad-actor dealers.

Tailor Punishment to the Crime
- Laws should recognize and respond to the fact that most unlawful gun possession is defensive and nonviolent, but risky.
- Reduce repeat gun possession by identifying and addressing its causes.
- Evidence-informed programs delivered via probation show promise for medium-to-high risk gun possessors – especially young people – and are more proportionate, effective responses to many repeat gun possession cases than prison terms.

Ensure Police Effectiveness
- Build trust through responsiveness and accountability.
  - Develop equitable response in police services.
  - Adopt Mayor’s Police Accountability Task Force reforms.
  - Increase closure rates of violent crimes.

5. Invest to Achieve Equity
- Prioritize community-based alternatives to pretrial detention and incarceration and reinvest savings into community-based prevention and early intervention.
- Reassess traditional spending priorities by program and neighborhood.
  - Determine demographics of potential beneficiaries of publicly funded projects.
  - Restructure projects to reduce existing service and investment gaps, especially racial- and poverty-related gaps.
- Work with economically disadvantaged communities to set spending priorities.

Implementing these policies requires a large amount of work – logistical, political, evaluative, and participatory – to develop a truly comprehensive public safety plan that deviates from traditionally accepted but ineffective criminal justice approaches. Through diligent effort and the careful coordination of all stakeholders, this challenge can be overcome.

For the full report, summary, and press releases please visit www.iljp.org.

Learn more about NLC at newleaderscouncil.org
Empowering Communities

Social Enterprise and the Racial Wealth Gap

by Joseph Pileri
Supervising Attorney and Clinical Teaching Fellow, Georgetown University Law Center Social Enterprise & Nonprofit Law Clinic, NLC Los Angeles

The United States faces a massive wealth gap between White Americans, on one hand, and Americans of color on the other. This gap is both widespread and quantifiable — according to a recent study from the Survey of Consumer Finances, the median White household possesses thirteen dollars in net wealth for every dollar held by the median Black household in 2013. The causes of this disparity run a gamut of systemic economic discrimination and segregation — from slavery, the failure of reconstruction, and Jim Crow segregation in the South to housing segregation in Northern cities to sub-prime lending last decade. Put simply, massive walls have existed and continue to exist that deny Americans of color, particularly African Americans, from accessing wealth generated by American enterprises. Many speculate that large policy interventions that address home ownership and income levels would be required to overcome this centuries-old disparity. Short of (or in addition to) such policies, governments would be wise to support an array of policies aimed at protecting wealth that has already been built in communities of color and promoting the accumulation of additional wealth. One way of doing so is to support social enterprises in which the value of a business accrues to those individuals who have been historically denied access to wealth.

A growing social enterprise movement seeks to use the innovation of private enterprise to tackle social issues traditionally left to the charitable sector. The definition of social enterprise is widely debated, but a social enterprise is generally a business “that seek to address social problems by combining the dynamism of capitalized for-profit enterprise with the intentionally pro-social orientation of nonprofit organizations” while also generating profits. Social enterprise describes an approach to, rather than a type of, business. By harnessing the innovation and incentives of the private sector, social entrepreneurs attempt to create sustainable enterprises that incorporate a charitable or otherwise publicly beneficial purpose into their mission. These entrepreneurs are seeking to cut through the for-profit/nonprofit dichotomy and combine methods from business and the charitable sector to solve pressing social issues.

Social enterprises address the environment, hunger, poverty, education, and more. But, social enterprises also generate wealth; both social and other entrepreneurs list wealth generation as a reason for founding their enterprise. Can social enterprise work to grant access to wealth in communities that, for the reasons described above, have been historically denied that access? I believe so. This blend of profit and purpose presents an opportunity to address the racial wealth gap in America by creating businesses that both create access to and keep wealth in communities on the losing end of the racial wealth gap.

I propose a social enterprise approach in which the enterprise not only conducts commercial activities in a way that addresses social ills but is also structured such that the value of the enterprise accrues to those who have been historically denied access to wealth. Policy makers should support the creation of business structures that help direct profits in these ways and increase incentives to businesses that integrate addressing the racial wealth gap into their mission.

Social enterprises can address the wealth gap by embracing a stakeholder-shareholder model of corporate governance. In the stakeholder-shareholder model, members of intended beneficiary classes are made owners of the business and stand to profit from the business’s success. In traditional American enterprises, income flows to the workers in the form of wages, while wealth – the value of the business itself – accrues to the owners. That may also be true of some social enterprises. Those that employ workers who lack access to wealth or foster an environment in which the workforce creates, attracts, and attains wealth may not themselves be owned by those individuals.

A common example of the stakeholder-shareholder model is the worker cooperative. In a worker cooperative, workers are both the owners and employees of the business enterprise. The benefits to workers in a cooperative can be summed up thusly:

“Workers can design an enterprise that pays a living wage, hires from their community, and sets standards for workplace safety and worker dignity. This structure provides an exciting opportunity for job security, wealth retention, and enfranchisement of vulnerable workers otherwise facing low wage employment opportunities with little control over their working conditions.”

Worker cooperatives therefore create assets in underserved communities in the form of business ownership interests that retain wealth within the community rather than leaving to outside ownership.

Cooperatives are not the only business form that lends itself to this form of wealth creation within communities. Corporations, limited liability companies, and others can similarly foster wealth access by making the intended beneficiaries of the social enterprise the owners of the busi-

Share Your Feedback: newleaderscouncil.org/compact
ness as well. Doing so gives these beneficiaries a say in how the social enterprise runs, gives communities a stake in the social enterprise’s success, and gives these owners a valuable asset in the form of the value of the underlying business. This can be done in new businesses by bringing on workers and other community members as owners from the outset or with existing businesses through stock option or stock purchase plans, stock awards or performance shares, employee stock ownership plans, and other methods.11

Social entrepreneurs interested in tackling the lack of access to wealth in diverse communities should be mindful to make members of those communities’ owners rather than just employees and beneficiaries of social enterprises. Public policy can also encourage and support this form of enterprise in several ways.

Facilitate Inclusive Ownership Entities: First, legislatures can pass legislation facilitating the creation of worker cooperatives and other forms of inclusively-owned business. States that have not already should pass legislation providing for the creation of worker cooperatives; other states that have worker cooperative statutes should remove burdensome membership requirements.12 For businesses that are not organized as cooperatives that nonetheless give workers and community members ownership of the entity, states should look into legislative reforms that give those ownership groups more say over decision-making and a greater stake in the long-term profitability of the enterprise.13

Incentivizing Social Enterprise: Second, states and localities can use procurement law to direct public funds to companies that fit into this model. For example, the California legislature passed a bill in 2016 giving procurement preference to businesses that “(i) earn greater than 51 percent of their revenue from the sale of goods or services and (ii) include in their organizational documents a mission to hiring and assisting people who face multiple barriers to employment (i.e., individuals who are or have been homeless, or ‘out-of-school-youth’).”14 Cities across the country have similarly used procurement preferences to boost employment opportunities for these communities.15 Although the California bill was ultimately vetoed by Governor Jerry Brown, similar legislation that gives preference to social enterprises that do not just employ but are also owned by people who face barriers to wealth would help those communities create and grow valuable assets.

Utilizing Economic Development Zones: Finally, economic development zones should be altered such that government incentives go not just to companies working in communities harmed by the racial wealth gap but also to companies whose owners come from those same communities. Federal and state governments designate areas in which they offer tax incentives and bonds to companies that provide employment opportunities in those areas.16 These programs do necessarily, however, prioritize businesses that are actually owned by members of the communities they intend to serve. Policy makers should look to use these programs to benefit businesses specifically structured in such a way that wealth created by the social enterprises (in addition to employment opportunities) stays with intended beneficiaries of the programs, much as governments already provide support for minority- and women-owned businesses generally.17

By using a social enterprise approach that focuses not just on directing income but also wealth towards those who have been denied access to wealth, entrepreneurs can turn their expertise towards addressing the racial wealth gap. That said, social entrepreneurs face the same challenges that other entrepreneurs face. Can the business be profitable? Will the business model be sustainable? Is this an industry that presents an opportunity for growth and good wages? Approaching enterprise with a mission-driven approach, even if utilizing a structure in which wealth accrues to workers, is no guarantee of a successful enterprise. If these enterprises are not themselves high performing enterprises, then they will be no different from low-performing enterprises that already proliferate throughout underserved communities and create neither jobs nor wealth. That said, worker-owned social enterprises at least foster conditions in which wealth that is created remains with workers providing indispensable labor and give those workers, and their communities, power over their economic future.

Policy-makers should take steps support these entrepreneurs and create an environment in which these enterprises can thrive. Though no one policy or proposal will remedy the racial wealth gap, the private and public sector, working together, have an opportunity to begin to break down the wall that has for so long separated Americans of color from accessing wealth. A social enterprise approach to this problem, supporting by smart public policy, has the potential to be one part of a solution that addresses this gap.

Reevaluating Stigma to Win Back the Working Class: Poverty Examined through the Military

by Erin Kennedy-Rogers
Chief of Staff, Assemblywoman Nily Rozic, NLC New York City

In the 1976 presidential election, then-nominee Ronald Reagan would get off the bus at every stop and tell his tale of the “welfare queen.” He painted a picture of a woman in Chicago with “80 names, 30 addresses, 12 Social Security cards. ... She’s got Medicaid, getting food stamps and she is collecting welfare under each of her names. Her tax-free cash income alone is over $150,000.”1

It does not matter that this story was not truthful; it was a compelling story that riled people up, playing into what
would become a decades long battle between the parties over poverty alleviation policies, even after actual “welfare” no longer exists. Though less elegantly stated, this sentiment continually arises in our presidential elections with multiple Republican nominees in different cycles bashing Democrats for being the party of “free stuff.” And now, telling the better story laced with a heavy dose of fear, the right has won the highest office in the land, putting into power a polarizing, hate-filled person with no policy experience whatsoever.

In 2016, Hillary Clinton led the lowest income voters in exit polls over President Trump. However, the biggest story was the way she lost the working class in places like Michigan and Wisconsin, where President Obama was successful. These people, often times under the pressures of unemployment and wage stagnation, are the exact people who benefit the most from government assistance programs. It is time for progressives to win back the working class but in order to do that, progressives will need to find a way to captivate audiences with a better story than that of the infamous welfare queen.

Progressives need a story of a hero, a story that already exists. There are people working hard in this country every day who are barely scraping by, dependent on the programs that only the left is championing. These people are nothing like the story former President Reagan told and they are not people that someone like President Reagan would ever tear down. This is the story of the American servicemember and how social service policies viewed through the lens of the military could become a catalyst for positive change within the Democratic party.

The Stigma of Poverty

Being poor in America elicits intense and often conflicting feelings from most anyone who considers themselves more financially sound than those they are casting judgment upon. At the base of negative feelings towards the “other” is fear, fear of the unfamiliar, fear of being targeted, fear of the truth behind the sentiment that anyone could hit rock bottom and end up on the streets. This fear, even when overcome through direct connection with the poor, not only drives personal opinion but also drives public policy opinion and ultimately, how individuals vote. In the 2017 elections, the right capitalized on this fear while progressives ignored it.

When people feel fear, they often do not take an in depth look at what it is causing this fear. This applies to perceptions of poverty, allowing stereotypes to form and judgment to be placed on impoverished people and the policies surrounding them with little to no understanding of the systemic reasoning behind poverty. In her 2016 analysis of homeless people and housed persons’ perceptions of the homeless, Jean Calterone Williams unpacks these stigmas further. Importantly she notes that “often little distinction is made between the low-income person who cannot make ends meet on her salary at a low-paying job or on her welfare benefits and the wealthy person who loses his or her money as a result of an unwise investment or profligate spending.” This means that a person who is perceived as poor, regardless of how they got this way, is also perceived as lazy, which is another very important concept to understand when winning back voters who do not connect with progressive policies that would help them.

Laziness is inherently, in many people’s minds, “un-American”. It rejects the idea of the American dream, so certain people can deem poorer people “not worthy”. “The notion of ‘Americanness’ is often racialized; many white housed people use ‘American’ interchangeably with ‘Anglo’ or, more specifically, to refer to nonimmigrant Anglos, in addition to identifying Americanness with productivity.” This comes full circle back to President Reagan’s welfare queen, who was generally thought to be a black woman.

American wealth, class and poverty are historically intertwined with racial tensions. This dynamic must be acknowledged, as any winning political coalition in the future will need to address the country from all angles, but is not the focus of this memo. To be clear, this is not to disregard identity and racial politics. Rather, this is an acknowledgement of the magnitude and challenges of it, which warrants as much inspection and examination as possible that are not appropriate to sum up here.

Ultimately, poverty is viewed through the stigma of a massive individual failing, one which others are afraid they will make themselves. The autoworker in Detroit is all too familiar with unemployment but to collect unemployment benefits would deem him lazy, un-American, other. It would conceptualize his fear that the worst has happened so instead, he blames the faults of a changing job market on people “taking advantage” of the system. The stigma and fear of judgment being cast back upon him allows him to instead push back against government assistance and exercise his duties of citizenship with a vote for someone who promises to stop giving people free stuff for doing nothing, free stuff purchased with his money.

Modern Military Living: A SNAP Story

Those who self-identify as progressive and those who directly work with low-income people or assist with government benefit programs know the welfare queen is not living well and is certainly not a queen. In 2013, the Bureau of Labor Statistics compared yearly spending between families who do use traditional government assistance and those who do not; the families utilizing government assistance spend an average of 29 to 79 percent less on every category of evaluated spending than those families not on assistance. To someone who has bought into the myth of the welfare queen, though, to simply say it is not true is...
not enough. Luckily, a compelling counterexample exists.

Little known to most of America, a substantial portion of the Active Duty (AD) force of the United States military qualifies for and is on government assistance.\textsuperscript{9} When comparing the monthly base pay chart of an AD service-member and the United States Department of Agriculture (USDA) Supplemental Nutrition Assistance Program (SNAP, or “food stamps”) and Women, Infant and Children (WIC) program charts, all of which are updated daily and available online, it is noticeable that an E-1 (first enlisted rank) through E-3, married with a non working spouse, qualifies for assistance. Similarly, an E-4 or E-5 with a non-working spouse and at least one child also qualifies for assistance. In fact, in 2014 alone, more than $84 million worth of food stamps were spent in military commissaries\textsuperscript{10} just after an all time high of $103.6 million had been spent in 2013.\textsuperscript{11} This matters because it debunks the lazy, un-American stigma associated with anyone using government assistance.

In the post-9/11 era, our servicemembers experience a revival of respect that was largely lost during the Vietnam era, though without much of the understanding by the public of what it means to serve in the military, an understanding that existed post World Wars when the draft still affected close to every family. Americans put yellow ribbon magnets on their cars, solemnly stand in moments of silence before the big game and often make the assumption that it is the Republican party, not the Democratic, that is the champion of the military. All the while, most go about their business without any real understanding of military life. Much like the welfare queen, this too is a shallow story at best.

In 2006, the 109th Congress codified a law (37 U.S.C. 1009) linking military base pay raises with private sector growth. While much of the reproachful pay raises in the last nine years have been blamed on President Obama, it was a Republican led Congress in both the House and Senate that passed this law, signed by a Republican President. Further, other than in 2009 and 2010, the right has controlled at least one house if not both, giving them the negotiating power to bring about greater pay raises, which would have alleviated young military families’ needs for extra assistance. Instead, a fully Republican Congress in 2016 eliminated the Family Subsistence Supplemental Allowance (FSSA) in the yearly National Defense Authorization Act (NDAA), which specifies the budget and expenditures of the Department of Defense.\textsuperscript{12} The FSSA was created to try to bridge the gap for military families as an alternative to SNAP when the media blasted the government for military food stamp usage earlier this decade. Republicans hide behind the guise of touting a larger defense budget without specifying that the majority of these funds buy weapons while military families struggle to buy food.

Progressives are often caught in a corner, over-explaining or apologizing, while the right crafts a succinct message of “us versus them” based in fear that has won both houses of Congress and the White House in just seven short years. It is time that progressives take over the story.

Welfare benefits were created to get people back on their feet. They are to be used as a safety net, not a ham-mock, and according to the Bureau of Labor Statistics, they mostly are. As exemplified by the spending habits of families on and off assistance mentioned above, when Americans have more money in their pockets, they spend more, making programs such as SNAP, WIC and even permanent housing programs beneficial to the economy as well. Moreover, government assistance is not just food stamps. Howard Gleckman, a tax expert at Tax Policy Center, points out that between SNAP, WIC, Medicare, Medicaid, home mortgage interest deductions, corporate tax subsidies\textsuperscript{13} and more, virtually every American utilizes a government benefit.\textsuperscript{14} Yet despite the economic advantage and the overwhelming number of Americans using assistance, progressives still lose the conversation on poverty alleviation every time. This is where the story of the servicemember comes in.

Picture a 21 year old woman from Wisconsin named Maggie. She joined the Marine Corps right out of high school and works tirelessly everyday as an E-3 0621, an enlisted radio operator. She recently married her high school sweetheart, who is still in school. She is looking forward to her new orders with an infantry battalion and deploying. They love their new life down in North Carolina but every two weeks before pay day hits, they are barely getting by on repeat meals of ramen and rice and beans. The Family Readiness Officer reached out to Maggie to let her know that her family qualifies for SNAP, making those trips to the commissary a little easier. Fast forward 10 years, Maggie used the GI bill to get her degree. She and her spouse are both working, about to purchase their first home and have a new baby. She worked hard to get where she is and had a little help from Uncle Sam along the way when the times were tough.

Utilizing Positive Storytelling to Push Policy

Maggie isn’t un-American, she’s not simply out to get “free stuff” and she is not lazy. Her story is not unique. There are many like Maggie but her story is critical in a time when an administration proposes a budget that slashes SNAP, Medicaid, student loan assistance and disability payments, lobbing a grenade in the middle of the foundation of Middle America. Now is the exact moment in which progressives need to regain the trust of voters by highlighting the economic benefits of poverty alleviation programs without sounding too much like the “free stuff” party. The story of the American servicemember is the

Learn more about NLC at newleaderscouncil.org
key to doing so, specifically because of the reverence for their occupation, paired with the misunderstanding of their lives. It may sound like a simple stump speech tool, but championing social services through the lense of the military gets people elected, keeps people elected and puts more people in positions of power in order to keep the average American fed.

Taking it one step further, it is time that progressives change the notion that only conservatives know how to support the military by speaking about these issues properly and proposing fixes to them. Maggie and her family need the SNAP benefits now, but it would be more beneficial to the individual and the American people if they did not. This could be addressed through changes to the military salary policies but it could also be addressed more quickly and with less of a budgetary impact through a military spouse hiring tax benefit.

Military culture is such that it perpetuates the ideals of a 1950s household. Moreover, the restraints of constant moving and deployment lend to military spouses being the most unemployed demographic in the US, with the DOD reporting an 18 percent unemployment rate in 2016. In the DOD's 2014 Demographics Report, it is estimated that upwards of 90 percent of military spouses, 92.5 percent of which are women, are un- or underemployed. This matters because it is the young military family who often find themselves on government benefits, with the servicemember unable to increase their pay and the spouse unable to find a job.

As it stands, the nation does a decent job at incentivizing the hiring of veterans, or those who served and have been discharged, by the private sector, especially if they were disabled or have been unemployed for an extended amount of time. The Work Opportunity Tax Credit (WOTC), specifically applied to veterans as the Returning Heroes Tax Credit, provides incentives of up to $5,600 and the Wounded Warriors Tax Credit almost doubles this, providing for incentives up to $9,600. The Special Employer Incentives program provides assistance to businesses who hire veterans through a special hiring program, where the government reimburses the business for up to half of the veteran’s salary.

These programs should all be expanded to include benefits for hiring spouses of AD servicemembers. It could be called the Heroes at Home Tax Credit and could model the Returning Heroes Tax Credit. The expansion of the WOTC paired with an information campaign disseminated through the popular military family channels, such as Family Readiness Officers and Military OneSource, would radically change the income of military families, eliminating heavy dependence on further social services like SNAP and WIC. Even if every military spouse currently married to an AD servicemember received a job where the employer would qualify for this tax incentive, this would only be just over .02% of the United States population. In other words, there would be a minor fiscal implication for the nation as a whole but a major fiscal implication, in the positive sense, for our military. Military members are able to serve better abroad when they know their family back at the home front is taken care of. Not having to live paycheck to paycheck and have additional income would be a game changer for the keepers of our democracy.

Progressivism is the party platform of the people. Assistance is just that, a helping hand to pull a person up when pulling up the boot straps does not go far enough. Today, progressive leaders need to ensure that poverty alleviation programs hold strong. This is done through understanding and overcoming the fear that drives people by a direct message that all people utilize the government one way or another; using social services is not a sign of laziness but rather is as American as apple pie. Tomorrow, progressive leaders need to step up and discuss expansion of benefits, through the creation of the Heroes at Home Tax Credit for example, in order to strengthen our military, strengthen our economy and strengthen our families. Hard working people like Maggie should be able to make ends meet on their own and progressive leaders can make that happen. Only in meeting people where they are at, acknowledging their very base fears of poverty and understanding it, rather than feeding into it, will progressives be able to win back the working class. The story of the United States servicemember is a good place to start.

I Am The Statue of Liberty
by Stephanie M. Oghia
New Kentucky Project, NLC Kentucky

“I am the Statue of Liberty!” I sang. It was my third birthday, the Fourth of July in 1984, in Staten Island, New York. I stood on my father's back as he tried to sleep in on a holiday, with my right arm extended in the torch position. New York City is always a hub of activity during the weeks leading up to Independence Day. With Lady Liberty standing proudly in New York Harbor, the city starts celebrating early with fireworks and the excitement of the holiday. The Fourth of July in New York City is a special time; it’s as if the City comes alive with the ghosts of immigrants past celebrating their arrival to a country that represents new opportunities, a chance at a better life for their children, and a shot at the American Dream.

New York City is home to the world’s largest population of foreign-born immigrants. Washington D.C. may house our nation’s Capitol; Boston, MA may be the home of the Bos-
I am the daughter of Middle Eastern immigrants. The Oghias came to the US from Egypt, the Dalatis from Lebanon. My family is also Syrian, Armenian, Syriac Christian, Chaldean, Iraqi, and Assyrian. I come from people who have been persecuted by the Ottoman Turks, who have immigrated and migrated, and who are resilient.

In early 2017, President Trump made headlines when a seven-country travel ban from countries in the Middle East was implemented. Specifically, citizens of Syria, Iraq, Iran, Libya, Somalia, Yemen, and Sudan were impacted by this ban. Over 60,000 visa holders were impacted by Executive Order 13769, and hundreds of travelers were stopped from traveling to the United States. Others were detained upon arrival at U.S. airports. Green Card holders and dual citizens from one of the seven countries also experienced trouble. Families were separated, refugee families were delayed or prevented from entering the country, and tensions were high in many American cities.

I attended a rally for immigration and Arabs in my city of Lexington, KY on the weekend the ban was ordered by the Trump Administration. Several White friends attended the rally with me. To say that I was affected is like stating a known fact such as ‘lemons are sour.’ During the rally, I found myself in tears several times. After the rally, I was speaking to one of my girlfriends. I started to sob, and all she could do was hug me while I cried. My brothers, cousins and I are the products of Arab immigration. The children that may be born to us will be products of Arab immigration. To turn our backs on Syrian and Iraqi refugees escaping civil war and ISIS, or on religious minorities facing persecution in their home countries, or children who have lived through more horrors than should ever be allowed, upset me. The United States is a melting pot, and immigrants have made this country great. To refuse immigration or travelers because of where they originate is un-American. I felt as though Donald Trump, and my country, had slapped me in the face. We were suddenly unwanted because of the blood flowing through our veins.

I am proud of my Arab resilience and strength. I am proud of my loyalty to my friends and family. This country is built on the backs of immigrants who left their homelands to provide better opportunities for their children and grandchildren. Those of us who grew up with immigrants as parents and grandparents have a unique love and respect for America. I am Arab and I am also an American.

Supporting Undocumented Students: An Investment in America’s Future

Bernardo Castro Chalate was one of the top students at Miami Senior High School in Miami, Florida. His high school counselor described him as “a brilliant young man who does not allow obstacles to deter him from his goals and ambitions.” Bernardo’s chief ambition was to attend a top university to study computer science and use his education to change the world for the better. Throughout his college admission process, Bernardo felt that his options were limited because he was an undocumented student, and undocumented students do not have access to federal financial aid. His Mom is a waitress at a restaurant and could not afford the high costs of a college education for Bernardo. Fortunately, Bernardo’s friend told him about Rice University. Rice treats undocumented students with DACA status as domestic students and meets 100% of their demonstrated financial need. Bernardo applied and was admitted to Rice with a generous financial aid package. He will be able to achieve his dream.

Bernardo’s story is like so many other undocumented and DACA students in the United States. They have spent the majority of their lives in the U.S., have contributed greatly to our society, and just want the ability to achieve the American Dream. Unfortunately, current policies within higher education at the institutional, state, and federal levels are limiting the options for these students in attaining a higher education. This significantly limits the prospects of these students and their families. Therefore, it is important that we invest in our undocumented and DACA students by providing them the means to attain a higher education in order to further our society through their talents and contributions. In this paper, I will outline the benefits of offering financial aid opportunities for DACA and undocumented students and the ways in which our country can offer these opportunities at the institutional and state level.

Undocumented Students in America

Undocumented students represent one of the most vulnerable groups served by U.S. schools. Current estimates indicate that 80,000 undocumented youth turn 18 and approximately 65,000 graduate from high school each year.1 Furthermore, just 54% of undocumented youth have at least a high school diploma, compared to 82% of their U.S. born peers.2 Of those with a high school diploma, only 5 to 10% of undocumented high school graduates

Learn more about NLC at newleaderscouncil.org
continue their education and enroll in an institution of higher education. The primary reason for this low statistic is because of the limited options available to undocumented high school graduates to pursue and finance their higher education pursuits. These students do not have access to Title IV Federal financial aid, including student loans, work-study, and grants. However, in spite of these difficulties, those undocumented students who have pursued a higher education have become role models for their families, friends, neighbors, and our society. Through their success and determination, undocumented students inspire a whole generation of students to do well in school, think positively about their communities, and become engaged, informed members of society. Claremont University Professor William Perez found that undocumented students in California exhibit higher than average levels of community and civic activity. Through participant observation and in-depth interviews, he concluded that the unique experiences of being undocumented have led some of them to develop leadership skills and an orientation towards community service. Moreover, the leadership experiences they have in school have provided the necessary skills to actualize their organizing and advocacy pursuits.

Therefore, investing in the educational pursuits of undocumented students is a wise investment in the America’s future. By providing the means for these students to pursue their higher education ambitions, we are providing a mechanism for a more informed and active community to move the progressive agenda forward.

DACA and President Trump

During his administration, President Barack Obama tried to start the process of giving undocumented students a pathway to attaining their higher educational pursuits through a program called DACA or Deferred Action for Childhood Arrivals. Through the DACA policy, undocumented youth who were brought to the United States as children, and who meet certain criteria, could request consideration for deferred action. Deferred action prevented the Department of Homeland Security from pursuing an individual’s removal from the United States for an initial two-year period. DACA recipients were able to live and go to school in the United States. As a result of this program, undocumented youth were able to make significant improvements in their lives, educationally and economically. 680,000 undocumented young people have received DACA status. These youth were able to gain access to internships, stable transportation, housing, paid work experience, and access to institutions of higher education.

Unfortunately, President Donald Trump has threatened to eliminate this program. During his campaign, he pledged to rescind all of President Obama’s executive orders, including the DACA policy. In response to Trump’s pledge, students and faculty from 100 campuses around the U.S. launched a campaign to demand that their universities become sanctuaries for undocumented students. Without the DACA program, there is a greater need for institutional and state policies to provide higher education access for undocumented students.

Recent events have quickened the need for a solution to protect undocumented students. On June 29, 2017, 10 attorney generals from states led by Republicans sent a letter to President Donald Trump threatening to sue the administration if the White House did not take steps to phase out the DACA Program by September 5, 2017. On July 12, 2017, Department of Homeland Security Secretary John Kelly told a meeting of Hispanic lawmakers that he doesn’t expect DACA to survive a court challenge. Groups, including the Federation for American Immigration Reform and the Center for Immigration Studies, are pressuring the Trump Administration to honor its pledge of ending the DACA Program, and promising to provide funding for other high-profile immigration reforms, such as border wall funding, in exchange for DACA elimination. These latest events show that states, higher education institutions, private organizations, and any other entities that care about the educational attainment of undocumented students need to provide solutions quickly.

Institutional Policies

Private institutions of higher education have been the leaders in the movement of supporting undocumented students. While these institutions generally have higher costs of attendance, they also have greater resources to financially support undocumented students. As private entities, they also have the ability to craft their own policies governing the treatment of undocumented students within their admission processes and the financing of their educations. Most colleges and universities consider undocumented students as international students, which means that undocumented students are competing with international applicants for financial aid. However, when institutions treat undocumented students as domestic students, these students are more likely to get good financial aid packages and are more equitably evaluated within the college admission process. Therefore, I recommend that colleges and universities consider undocumented students as domestic students. At Rice University, undocumented students who have DACA status are considered within the same pool as domestic students. This is more reflective of the student’s experience of living and attending schools within the United States. Institutions can employ this same methodology when considering undocumented and DACA students who apply to their universities by including these students in their domestic applicant pools, rather than including these students in their international applicant pools. Students who are attending institutions abroad will have a different cultural and socioeconomic context that will not reflect an accurate comparison to undocumented students who are coming from an American cultural and socioeconomic context. Therefore, this practice is more

Share Your Feedback: Newleaderscouncil.org/compact
equitable for undocumented students in terms of competing for admission into institutions of higher education. Generally, undocumented students are less likely to be able to afford college than their international counterparts and may not offer a different cultural perspective, a trait highly valued by some institutions. Therefore, in order for the college admissions process to be more equitable for undocumented students and to provide them with the best ability to compete for admission, these students should be treated as domestic students within college applicant pools.

Some of the best universities in the country have adopted policies to classify undocumented students as domestic students and to provide generous financial aid for these students. Brown University meets 100% of the demonstrated need for all admitted undocumented students. Since the fall of 2016, Cornell University has considered any student with DACA status to be a domestic applicant. Rice University admits undocumented students and meets 100% of their demonstrated need. Emory University treats DACA status students as domestic students and meets 100% of their demonstrated need. These institutions regard the policies as an investment in their students and recognize the contributions these students make to the intellectual and social life of the institution. I encourage other institutions to adopt these policies to support the educational attainment of undocumented students.

State Policies

States can have a powerful impact on undocumented students’ educational attainment. States can make the process easy or they can make it impossible. Three states explicitly bar undocumented students from enrolling in universities within their states: Alabama, Georgia, and South Carolina. Alabama and South Carolina bar undocumented students from all public institutions of higher education. Georgia bars undocumented students from enrolling in the five most selective public institutions. These prohibitions have a negative impact on students, but also on the states themselves. This denial of access to higher education is discriminatory. Also, these states impact their own economies by denying upward mobility to their immigrant populations. Therefore, it is bad business for states to deny undocumented students access to institutions of higher education. Research illustrates that graduates from state institutions have a tremendous impact on state economies. Keivan Deravi, an economist from Auburn University – Montgomery found “the contribution from the students graduating from high school this year that are going to Alabama universities would be close to $200 million to the economy. The impact to the GDP would also be about $200 million. Then the total of the impact would be $400 million...the graduating class of high school students who are going to college are going to create about $400 million a year investment in the economy.” A 2011 study by the University of South Carolina found that the institution’s “current and future working alumni earn higher average incomes than their non-college educated counterparts, which provide not only individual benefits, but also economic spillover effects resulting from a generally higher educated population. There are also direct benefits to the state through increase income tax revenue.” These facts demonstrate that it would be a good business practice for states to allow undocumented students to attend state institutions, receive an education, and then contribute to their state economies.

Currently, there are 20 states that not only allow undocumented students to attend institutions of higher education, but also permit those students to pay in-state tuition. These states include: California, Colorado, Connecticut, Florida, Hawaii, Illinois, Kansas, Maryland, Michigan, Minnesota, Nebraska, New Jersey, New Mexico, New York, Oklahoma, Oregon, Rhode Island, Texas, Utah, Washington. Of these states only five offer financial aid to undocumented students: California, New Mexico, Texas, Minnesota, and Washington. These states are making a significant investment in their undocumented populations. More states should adopt similar policies of offering in-state financial aid to undocumented students and offering in-state tuition costs for those students. This is a great way for states to support immigrant populations and to also provide economic mobility for these students and their families.

Private Scholarships for Undocumented Students

Private scholarships have also increased the opportunities available to undocumented students pursuing a college education. These scholarship programs provide private entities the opportunity to invest in these students through financial dollars, employment opportunities, and partnerships with colleges and universities. The DREAM US Scholarship Program is the nation’s largest college access and success program for undocumented and DACA students. This organization provides scholarships to students and partners with over 75 colleges and universities. It is supported by major foundations including the Bill and Melinda Gates Foundation, Bloomberg Philanthropies, and the Coca-Cola Foundation. Their National Scholarship provides up to $12,500 for an associate’s degree and $25,000 for a bachelor’s degree at one of the partner colleges. Their Opportunity Scholarship is available to high school graduates who live in targeted, locked-out states that do not offer-state tuition for undocumented students, or states that bar these students from attending state colleges and universities. Recipients of these scholarships receive up to $80,000 for tuition, fees, housing, and meals towards a bachelor’s degree. Over 1,700 students have benefited from this program, with 94% of these students persisting to their second year of college. These results show that when undocumented students are financially supported, they succeed and persist within higher education. This program also exposes students to institutions...
that support undocumented students, which illustrates an institutional commitment to diversity that benefits the reputations of colleges and universities. This win-win relationship can be used to change the educational landscape for undocumented students.11

The Golden Scholars Program is another example of an organization that offers a marriage between private companies and colleges and universities in supporting undocumented students. Since 2013, this program has supported 45 undocumented and DACA students by providing four-year college scholarships to 18 different colleges and universities. Program supporters include: The SunTrust Foundation, Wells Fargo, Fifth Third Bank and Red Ventures. These companies provide the financial support for the college scholarships and internship opportunities for the students. Through this partnership, students have been able to persist through their college and university years and become marketable candidates for employment. This illustrates another example of how private companies can invest in the educational goals for undocumented students yielding a superb and qualified workforce for our country. Private investment is a win-win for the students and our society.12

Conclusion

Financial support for undocumented students is an investment in the future of our country. As the United States continues to diversify, it will become even more important for our underserved communities to be educated to meet the needs of our society. This is a wise investment in the educational landscape for undocumented students. Hopefully, through these investments we will be able to make federal changes in the future.

“We All Do Better When We All Do Better”: The Case for Transgender Equity

by Phillipe Cunningham, Senior Policy Aide and Advisor to Mayor Betsy Hodges, City of Minneapolis, NLC Twin Cities

Introduction

Transgender and gender diverse people, particularly people of color, experience some of the worst disparities across all quality of life indicators1. Despite the intensity of challenges faced by individuals in the community, up until the recent Twitter announcement banning transgender people from using the restroom, this rather than tackling the needs of our society. This is a wise investment in our future. This investment in the future of our country. As the United States continues to diversify, it will become even more important for our underserved communities to be educated to meet the needs of our society. This is a wise investment in our future and we can make those investments at the institutional and state level. Hopefully, through these investments we will be able to make federal changes in the future.

First, it is important to understand how transgender equity connects to the bigger picture of building a fair and just society. The late US Senator Paul Wellstone from Minnesota put it best: “We all do better when we all do better.” The transgender and gender diverse community is uniquely rich with a diversity of life experiences. Folks are people of color, white, poor, extremely rich, undocumented immigrants, American citizens, disabled, veterans, and so much more. People carry labels from all paths of life and experiences. That “melting pot” or “salad bowl” of diversity in America is personified in the trans community.

Moving the dial and improving the quality of life for transgender Americans can be hugely informative. This is a particularly relevant opportunity for policymakers. Achieving equity requires tailored strategies to the specific cultural needs of people within a community, to most effectively remove the systemic barriers and gaps in opportunities requires understanding how their marginalization shows up. Lessons learned from working with the transgender community can be used to inform future community engagement, as well as shape other culturally-responsive policies and strategies relevant to the broader marginalized communities represented within the intersectionality of the transgender and gender diverse experience.

II. Principled Leadership is Needed

In 2014, under the leadership of Andrea Jenkins, a Black transgender woman who was a City Council Policy Aide at the time, the City of Minneapolis launched its Trans Issues Work Group with the portfolio of work being coordinated through Council Vice President Elizabeth Glidden’s office. This work group grew to a coalition of nearly forty members from across all city departments ranging from the health and public works departments to the police department and community planning and economic development department. Cross-jurisdictional partnerships were forged with Minneapolis Parks and Recreation Board and Hennepin County, both of whom consistently had representatives attend meetings and were active in coordinated efforts. Additionally, local transgender and queer-led organizations were also brought in as partners. The coalition carried the mission to improve the lives of transgender and gender diverse Minneapolitans. The group agreed they can achieve this mission by collaborating across institutions and sectors and adding an intersectional lens to our decision-making process that takes the unique needs of the transgender community into consideration in the development of policy, practice, and funding decisions.

Share Your Feedback: newleaderscouncil.org/compact
In 2015, Jenkins went on to become the University of Minnesota’s first transgender oral historian, and leadership of the work group transitioned to me, I, a Black queer transgender man, stepped into the role of chair of the Trans Issues Work Group after being appointed to Mayor Betsy Hodges’ administration as her senior policy aide and advisor for education and youth success. The work group’s goal expanded its focus to look to creating a more equitable decision-making process and institutionalizing transgender equity throughout the City of Minneapolis’ operations to sustain the efforts rather than risk having it connected to an elected official up for election every four years. It was decided for the work to permanently live in the City Coordinator’s Office led by the city manager responsible for coordinating city departments and citywide projects. Transitioning the transgender equity portfolio to the Coordinator’s office provided a perfect opportunity to be intentional and create sustainable, impactful work.

More importantly, the priority was to institutionalize community voice in the decision-making process because marginalized communities like the transgender community have the strengths, assets, and insights needed to address the challenges they face and are experts in their own experience. Through establishing a permanent advisory committee—the Transgender Equity Council (TEC)—the City of Minneapolis leveraged the power and brilliance the community has to offer by having transgender and gender diverse people advise and guide local systemic efforts focused on transgender equity. The council also is responsible for driving how city government serves and engages with the transgender community.

In May 2016, the Trans Issues Work Group collaborated with the City Council to pass a resolution of support for and solidarity with the transgender and gender diverse community during a national flurry of “bathroom bills” in state legislatures and City Halls. With Minneapolis taking proactive, principled leadership on this topic, the resolution included an action item to explore an official City of Minneapolis advisory committee as a strategy to promote transgender equity.

The Transgender Equity Council (TEC) was developed as a formal collaboration between the transgender and gender diverse community, the City of Minneapolis, and public sector partners. It is a fifteen-member body comprised of eight community members (including at least one young person), four City of Minneapolis employees, one Hennepin County representative, one Minneapolis Parks and Recreation Board representative, and one Minneapolis Public Schools representative. Launching TEC was also coordinated in collaboration with the Mayor’s Office. Mayor Hodges created an ongoing funding stream specifically for transgender equity work in her 2017 budget proposal, which successfully passed City Council in late 2016.

TEC is responsible for shaping policies, practices, and procedures to proactively move the City of Minneapolis to be a more transgender-inclusive as an employer and service provider. Also, this body helps to facilitate decisions around transgender equity funding investments, leads outreach and engagement efforts, and serves as liaisons between the City of Minneapolis and the transgender community. This is an innovative governing system that has created space for one of the most marginalized communities to be empowered partners and leaders driving how the City of Minneapolis can best engage and serve the transgender and gender diverse community.

IV. Recommendations
Below are recommendations to begin work specifically building transgender equity in ways that are culturally-responsive and, therefore, more sustainable. Again, with transgender equity work requiring such an intersectional approach, learned lessons from bringing in diverse voices into the process from the beginning can help guide work for broader cultural communities.

These recommendations based on a theory of change that incorporates influencing individual human behaviors to promote population-level positive social change (The Influencer), creating sustainable change through working alongside the community (Living Cities study), and lessons learned from launching the Transgender Equity Council.

1. Gather Data on the Experience and Learn
Conduct internal and external policy analysis
Before jumping into work externally facing, work with diversity and inclusion consultants with knowledge of the transgender community’s experience to first do a deep dive through internal policies, processes, practices, and unspoken rules of the workplace. Consider whether or not internal policies and culture are transgender inclusive. Improving the workplace to be more inclusive as an employer can serve as firsthand experience in leading by learning new information and applying it to adapt the decision-making process to be more culturally-responsive.

It is important to comprehend the statistics and the stories behind the numbers, as well as clarify how the transgender community is currently being served, governed, and engaged before diving into work meant to improve life conditions for transgender and gender diverse people. Compile quantitative and qualitative quality of life data on the local experience of being transgender. As a part of this external policy analysis, include a landscape analysis that includes people and organizations leading local transgender-centered work and the services, resources, and opportunities they provide. Also, identify needs and systemic barriers. Gathering this information is a tremendous opportunity to build meaningful relationships with members of the community. Relationships and trust—core to most African, Latino, and Native American cultures—can help begin to facilitate the process of healing and reconciliation for the harm many
systems have caused the transgender community. Please pay transgender people for their time. It is out of alignment with the value of promoting transgender equity while perpetuating the economic hardships.

Individual Development
On an individual level, it is the responsibility of changemakers within systems to be committed to constantly refining their policy analysis lens and expanding their worldview based on lessons learned. For most people in the US, there is a lack of a mental model for gender diversity, which causes even well-meaning people discomfort and rejection because they say “just don’t get it.” This has led to many people developing prejudices and biases against the transgender community based on misinformation and negative media representation. The best way to break this cycle is to just get to know a transgender or gender diverse colleague or acquaintance and strive to be an ally for social justice.3

Building a sustainable career in breaking the systemic status quo requires a general commitment to listen to hear, an eagerness to learn from others; to seek out current and changing data; to learn from the mistakes, challenges and successes of peers. This will help leaders build the skills needed in our modern multicultural reality. Without constant learning and growing, the status quo will simply adapt and continue marginalizing vulnerable communities like the transgender community.

Test Public Accommodations
Public accommodations are particularly vulnerable spaces for the transgender and gender diverse community. It is often shared space in public accommodations that are centered in political discourse around transgender rights—most notably being restrooms and locker rooms. Cisgender people tend to legislate around feelings of comfort and what academic researchers call “disgust sensitivity” when it comes to transgender people and bodies. In the transgender experience, however, it is the general hostility of simply occupying public spaces—unwarranted aggression, lousy or refusal of service, inappropriate comments, being treated as a suspect—that typically has the most profound, harmful impact on their lives.

In late 2016, the City of Minneapolis invested in a study through the Civil Rights Department that tested a wide range of public accommodations for prejudice and discrimination specifically facing the transgender and Muslim communities. The methodology of the study and measurable were developed from the perspective of the affected communities. The findings of this study will help drive policymaking and reshape how the city can set and enforce higher standards to drive the creation of inclusionary public spaces. This work is one strategy being put into place to ensure Minneapolis is becoming a city where transgender people, as well as those from other marginalized communities, can feel safe and feel proud to call home.

2. Change Systemic Processes
Create an Institutionalized Process for Community Voice in the Decision-Making Process
An ideal starting place for building transgender equity work is to go directly to the community to engage in a conversation about how and where they would like to be engaged in the process of change, as well as shape what the process and vision look like overall. It is the responsibility of changemakers within systems to figure out how to adapt the institution to meet the community where they are based on what is directly heard. This is where changemakers can do the crucial work of remove systemic barriers, which can then create a tear in the system. With the right leadership, this tear can then be expanded into new space for something better to be built in its place.

Build legitimacy by collaborating with local nonprofits and neighborhood organizations from the very beginning of the work (Living Cities study). Build transparent processes for community engagement and information/feedback loops on policies, processes, and procedures. To achieve this, an analysis is recommended of Roger Hart’s Ladder of Young People’s Participation (1992) through a lens to instead examine power dynamics between systems and community.

In Hart’s framework, there are eight levels of engagement (adapted here to fit context): 1) manipulation 2) decoration 3) tokenization 4) community is assigned and informed 5) community is consulted and informed 6) systems-initiated with shared decision-making with community 7) community leads and initiates action 8) community-initiated with shared decision-making with systems. The levels are not necessarily linear nor as clearly defined as these levels.

Levels 1-4 should be urgently addressed and avoided. Level 5 can be problematic because this usually results in the community having information and data mined from them only to be later informed about what is next after all the decisions have been made. Levels 6-8 are best practices that can be adapted and implemented to best suit the efforts being undertaken. The Transgender Equity Council is an example of adapting level 5 to create a governing body that facilitates the shared decision-making process with the transgender and gender diverse community. This governing body and process was systems-initiated, but driven by transgender leaders working within the system.

While conducting analyses to improve governing processes or community initiatives or building new ones, name where they fall on this spectrum on how the work is being built in relationship to the community. Compare that to which level would be most impactful to guide and sustain the work. It is recommended to write an explicit remediation plan to move the work towards the envisioned level of engagement. Build this plan with the intention to leverage the governing process or community project as an opportunity to empower and give voice to historically unheard communities.
like transgender and gender diverse people. This will create agency for the community to determine its own vision and path, as well as build more culturally-responsive policies, practices, and programs in the systems that serve them. This has been shown to sustain population-level change.\(^6\)

Invest in Gathering Spaces for Community Dialogues and Learning
One of the best investments systems and institutions to build the community’s capacity to strengthen and scale work already being carried out by the community. One of the ways to do this is to invest in gathering a disenfranchised community to be in conversation about their experience and brainstorm ways to tackle the challenges faced by the community. Professional facilitators can guide these conversations to be meaningful, empowering, and informative.

Another strong strategy is to invest in community learning forums that bring the transgender community and allies together to strengthen skills and build knowledge on trans-related issues. The City of Minneapolis has made such an investment with the annual Trans* Equity Summit. Topics are identified by community members and have included employment, public safety and policing, and civic engagement. Workshops are meant to build people’s capacity for self-advocacy and allyship. For example, the 2016 Trans* Equity Summit included workshops for coming out as trans on the job and building a trans-inclusive workplace.

Work across jurisdictions and sectors
Artificial barriers between departments (e.g. health, city planning, police, and public works), jurisdictions (e.g. city, school board, and park board), and levels of government (i.e. city, county, state, and federal) often get in the way of building the most impactful work. Often times, public employees cite these artificial barrier causes institutions for “the right hand doesn’t know what the left hand is doing.” The landscape analysis should include work happening in other institutions and sectors to reveal where there are opportunities for collaboration to address gaps in services, resources, and opportunities. This information can be used to drive and sustain change. Building a work group of public, private, and nonprofit partners who work together to focus improving the lives of local transgender and gender diverse people can be a good starting place as evidenced by the City of Minneapolis’ Trans Issues Work Group.

V. Conclusion
Transgender equity may seem to many as too specific to relate other communities; however, as we have discussed here, the intersectional nature of the transgender and gender diverse community actually provides a unique opportunity to simultaneously address racial, socioeconomic, gender, and other forms of marginalization. Principled leadership is needed in the area governing and transgender rights. Leadership by example looks like conducting an internal review of organizational policies, practices, and procedures as an employer to improve the workplace and recruit transgender talent. It is necessary to conduct a policy analysis of the policies, practices, and procedures of how an institution interacts with the transgender community. This analysis must also include an environmental scan of who is doing the work and what is already out there. Both bodies of information are crucial for understanding the lived reality of the local transgender and gender diverse community, as well as the systemic barriers that have led to such intense marginalization.

It is important for governing systems and institutions to begin creating processes and procedures that empower the transgender community to have voice in the decision-making process, particularly in regards to how the system interacts with the community. There are no greater experts on the challenges faced by the transgender community than transgender and gender nonconforming folks themselves. The valuable insights gained from lived experience are critically needed to shape the direction of transgender equity work meant to lift the community up. A diverse group of transgender people will all look at the same challenge with a different life experience. The varying perspectives will uncover where there are gaps that need to be addressed and opportunities needed for transgender people to be set up to succeed. These new perspectives will likely produce new ideas, as well as valuable, new lessons crucial for us to build the democracy and governing bodies we need in our multicultural reality. The vision of this sparked the Transgender Equity Council to come to life with the mission of removing systemic barriers to build a healthy and thriving Minneapolis where transgender individuals feel not just welcome, but at home.

Unlocking Victims of Human Trafficking: Designing Policies for Correctional Institutions

by Colleen N. Fonseca
Public Information Officer,
Suffolk County Sheriff’s Department,
NLC Boston

The commercial sexual exploitation or sex trafficking of women and children is easily one of our nation’s most shameful series of crimes, and one of the most under-addressed issues within the United States. Human trafficking of individuals is a commonly misunderstood and unrecognized domestic problem that if we continue to ignore, will continue to threaten the fabric of our communities. Despite the media, academic, and policy attention drawn to human trafficking as a whole, American citizens in general believe that this is an international issue in which girls from Asia and Eastern Europe are brought here illegally and kept captive in shackles and chains.
Although this does indeed happen, human trafficking today is also much more complex. The focus on human trafficking as an international issue has dominated discourse and fails to address domestic born citizens being exploited and trafficked. On the contrary, most victims of human trafficking are not foreigners, but are born here in the U.S. In fact, the Bureau of Justice Statistics reports that more than four-fifths of sex trafficking victims identified are United States citizens.

Today, human trafficking victims are often young women who have run away from home and are in desperate need of a place to stay. During a traumatic ordeal like this, a trafficker watches and identifies the same young woman via her social media. The trafficker approaches the young woman to get to know her, provides her shelter and caring. Methods of coercion such as the one exemplified make human trafficking difficult to identify because young women are commonly being “boyfriend in” or recruited into the sex industry by the “Romeo method.” This is usually done with a trafficker showering vulnerable women with love, affection, gifts, and the promise of safety and stability only to later exploit the only form of currency she has, her body.

When a victim is immersed in “the life”, their exploiter is constantly warning against going to law enforcement and ensures that they will do this by involving them in unlawful activities such as drug use and theft. In addition, victims are also provided with drugs in order to increase their dependency on their trafficker. For the Commonwealth of Massachusetts that is currently battling drug addiction and overdose deaths, the presence of human trafficking should not be forgotten and can have a disastrous effect on its citizenry.

The Problem:

Commonly referenced to as “the new modern-day slavery,” human trafficking impacts the United States at all levels, including federal, state, and local. A failure to address the systemic community challenges that undermine effective resolutions to human trafficking will inhibit our nations ability to sustain safe and resilient communities.

The intent of bringing forward this information is not to have a dialogue about the morality surrounding prostitution and the adult industry, but to rather demonstrate human trafficking as a structure that is rooted in a system of violence and trauma. The presence of violence, abuse and trauma is especially relevant because young girls in the juvenile justice systems are most commonly arrested for running away, substance abuse and truancy – which are all common symptoms of abuse, violence, and neglect. Fifty-five to ninety percent of all sexually trafficked individuals report a childhood sexual abuse history. In a study done that interviewed and researched 854 adults involved in the sex industry, seventy percent cited a past of abuse as having an influence on their entrance into “the life.” Young women and girls who are runaways, in the custody of the state, or who lack the resources to flourish, are prey for pimps and traffickers who lure them in through the appearance of safety and security, often as early on as 13-14 years old.

In recent years, the Commonwealth of Massachusetts has enacted meaningful and comprehensive reforms for victims of human trafficking, especially minors who are commercially sexually exploited. Despite this, however, there still remains a lack of connection of this pipeline of violence and trauma to the experience of currently incarcerated adult women. Identifying and luring in vulnerable young women on the outside world, is much easier in a correctional institution with woman who often are experiencing extreme poverty, prior trauma, mental health and substance abuse issues, and facing barriers to employment upon release. All of these factors make local criminal justice institutions, such as county jails and houses of correction, a prime location to recruit and retain victims. In a recent study that analyzed human traffickers and pimps in San Francisco, traffickers stated that they relied less on physical coercion, but rather preyed on socio-economic vulnerability, prior abuse in the home, drug addiction, and mental health issues. Psychological manipulation is critical for traffickers and they are commonly masterminds at orchestrating methods to win victims over and their trust.

The hurdles for currently incarcerated women are plentiful and include the spikes in the cost of living throughout the Commonwealth of Massachusetts which has resulted in a lack of affordable housing, lack of substance abuse and mental health services upon release, and more. All of these factors make it easier for incarcerated women to believe false promises of safety, housing, and steady income in the face of no other alternative. Unfortunately government and service agencies only have limited amounts of capacity, and this provides a prime opening for more women to fall into human trafficking.

The Solution: Identification and Reporting

With a recent surge in the amount of cases visible to the public such as the duo arrested on charges of rape and human trafficking across Massachusetts, correctional institutions should create protocols to identify and eventually track trafficking victims.

Victims of commercial sexual exploitation come into contact with not one, but multiple structures that fail to identify them. The Commonwealth of Massachusetts lacks resources for critical correction officers and staff serving incarcerated women, making identification and reporting more difficult. It should come as no surprise that victims of sex trafficking are within the custody of criminal justice
institutions for months or years before any mention of human trafficking arises, if at all. It is for this reason that all staff should receive trainings tailored to the needs of human trafficking victims.

Currently incarcerated women who are also victims of human trafficking sometimes have a deep rooted distrust of those behind the shield and are sometimes even coached about what to say to correction officers as they serve out their sentences, and even out on the street with police officers. Training county and state correction institutions to recognize, identify, and assist victims will allow for more thorough investigations and appropriate services for victims. After staff and officers are all thoroughly trained on the red flags, screening for human trafficking should begin through sources such as those from the 2014 Vera Institute of Justice Victim Identification and Validation Screening Tool. The tool was funded through grant money from the U.S Department of Justice in 2014 and features a variety of questions to incorporate at appropriate timings for service providers with an understanding that victims may not be willing to disclose sensitive information or victimization immediately.

Beyond the standard trainings all officers and staff should receive, criminal justice institutions should also collaborate with their in-house Gang Units to exchange information and resources. Gang Units that operate within county jails, houses of correction, and state prisons often pore through databases that include visitor logs and commissary money, which are all critical in terms of piecing together potential trafficking. Although there is limited research on the relationship between gangs, organized crime and human trafficking there is absolutely a link and recent court cases allude to this emerging trend. Generating revenue is of the utmost importance to gangs and organized crime organizations, and unlike drugs that can only be sold once, money, which are all critical in terms of piecing together potential trafficking. Although there is limited research on the relationship between gangs, organized crime and human trafficking there is absolutely a link and recent court cases allude to this emerging trend. Generating revenue is of the utmost importance to gangs and organized crime organizations, and unlike drugs that can only be sold once, women can be forced to meet quotas and come back with $500-$1,000 daily.

Furthermore, another critical piece of identifying and reporting victims of human trafficking within the criminal justice system is through the National Human Trafficking Hotline. Started in 1998, the Human Trafficking Hotline is a phone number that any person can call and ask for resources, how to report things, and any questions that they may have in relation to human trafficking. Within some facilities, incarcerated women are restricted to calling only pre-approved phone numbers. Having the National Human Trafficking Resource Center number available for incarcerated women to call and visible throughout their units would allow for potential victims of human trafficking to ask for information they may not be comfortable asking from officers and staff at the facilities they are detained in.

With the recent slashes in local and countywide Sheriff’s Department’s, correctional institutions are stretched thinner than before and the policies set forth in this proposal should be prepared to address this. There may be capacity and budget issues in some of the proposals set forth, but the Human Trafficking Hotline readily aggregates data in relation to calls, the amount of cases that resulted in those calls, the top venues these calls were coming from, their genders, age, and the types of requests they were receiving. There is even a section dedicated to victims of human trafficking hotline calling in which would greatly bolster victim services and influence the future of victim identification.

**Conclusion:**

Within the Commonwealth of Massachusetts alone, we have seen the large impact of public policies targeted at the issue of domestic sex trafficking. Moving forward, a dedication to the women who are often on the margins of our society should be considered and there should be a commitment to assisting survivors of sex trafficking from all walks of life. As the Commonwealth continues to embark on a journey to more comprehensive human trafficking legislation, I am confident including incarcerated women will help victims and survivors of these atrocious crimes.

**The Critical Role of Anti-Racism Work in Preventing the Sexual Exploitation of People**

by Amanda Koonjbeharry

Administrative Manager, Hennepin County, NLC Twin Cities

This memo outlines the way that racism has created an overrepresentation of people of color and indigenous people (POCI) who are sexually exploited and includes state and federal policy recommendations that can be critical in diminishing this disparity. I propose two alternatives, neither of which are mutually exclusive, to incorporating antiracism strategies in anti-sex trafficking work: (1) Amend the Justice for Victims of Trafficking Act of 2015 (Sec. 802) to mandate a race-based disaggregated data collection practice and (2) Mandate that all state anti-trafficking specific Requests for Proposal (RFP) require a Racial Equity Impact Assessment with their proposal.

**Problem**

Trafficking persons is inherently discriminatory and is most often seen as a clear violation of gender-based civil and human rights that enslaves women and girls in commercial sex and is rooted in gender-based discrimination. This analysis, although incredibly important, fails to recognize the intersectionality of race and how racism has created structural racial inequities that produce an overrepresen-
It is difficult to know the true scope and prevalence of the number of people of color and indigenous people being sexually exploited, however, in 2011, “the U.S. Department of Justice confirmed that of their 2,515 suspected incidents of human trafficking for investigation between January 2008 and June 2010, 82% were classified as sex trafficking, and of those cases, 60% of the victims were Black”.

It is important to understand the role that slavery and colonization have played in the justification and facilitation of sexual exploitation of people of color. “To justify the sexual exploitation of Black slaves, White society constructed Black females as “Jezebels”—“innately oversexed and overly fertile.” The Jezebel myth framed slave women as the epitome of sexual immorality; thus, “Black women came to represent the modern Jezebel who, like her Biblical counterpart, was a symbol of lust, sexual immorality, ‘innate wickedness,’ and even ‘disobedience to God.’” This stereotype created a “gendered allegory of sexual racism” and deemed Black women unworthy of legal protection from sexual exploitation. Thus, slavery gave America an ideology for the systemic depiction and use of Black women as designated sexual deviants or targets of sexual abuse."

Racialized gender stereotypes formed in slavery further perpetuate the sexual exploitation and trafficking of people of color as well as the “historical sexual colonization of Native American, Asian, and Latino people”. "Similar to the Black American experience in slavery, Native American children have been historically targeted and seasoned for prostitution and sex trafficking in the United States. Native Americans endured systemic sexual exploitation as part of their colonization by American troops. For example, as part of its program to force Native American tribes to assimilate into American society, the U.S. government sanctioned practices that included sexual abuse and prostitution. The federal government removed Native American children from their native lands and placed them in “boarding schools” and urban cities where they were indoctrinated with American culture. In these government-sanctioned boarding schools, sexual abuse of Native Americans was a common means to forcibly strip them of their native culture, language, and religion. Officials further denigrated Native American women and girls by normalizing and exposing them to sexual abuse and subjecting those who resisted colonization to “rape, physical abuse, and racist verbal abuse from colonists.” This systemic assimilation also pushed Native American minors into prostitution. Similar to the subordination of Black female slaves, American settlers and troops used racialized sexual stereotypes to justify this systemic sexual exploitation.”

The historical, systemic sexual exploitation and abuse of Native Americans and Blacks provides a critical look at how racism was used as a means to justify the sexual abuse, including exploitation, of POCI. Another aspect of the racialization of sexual exploitation is the impact of racial disparities. Many of the common risk factors that increase someone’s vulnerability to sexual exploitation – poverty, childhood sexual abuse, and homelessness - disproportionately impact POCI.

- **Poverty**- The 2015 American Community Survey (ACS) found that “non-metro Blacks and African-Americans had the highest incidence of poverty in 2015 (33.8 percent), while non-metro American Indians and Alaskan natives had the second highest rate (32.4 percent). The poverty rate for non-metro Whites in 2015 was less than half as much (15.0 percent) of both groups. Non-metro Hispanics had the third-highest poverty rate, which was 25.9 percent.”

- **Childhood Sexual Abuse**- This category is measured by child welfare data. The 2016 “Racial Disproportionality and Disparity in Child Welfare” issue brief noted that “Black children experience maltreatment at higher rates than White children in several categories of maltreatment.” It also highlights the disproportionate number of Native American and Black children identified by Child Protective Services compared to the total child population.

- **Homelessness**- “According to HUD’s 2014 Annual Homeless Assessment Report, people of color make up only about a third of the U.S. population but comprise just over half of all sheltered people experiencing homelessness. These disparities are even starker for African-Americans and Native Americans.”

These sweeping racial disparities create a greater level of vulnerability for communities of color and Indigenous communities. Therefore, the following state and federal policy recommendations are being proposed as the first step in anti-racism work to end the sexual exploitation of others.

**Policy Recommendations**

Amend the Justice for Victims of Trafficking Act of 2015 (Sec. 802) to mandate a race-based disaggregated data collection practice. The current Justice for Victims of Trafficking Act of 2015 directs that “each state receiving a grant must work with the U.S. Department of Health and Human Services (HHS) to make an annual data report that includes the number of children determined to be victims of sex trafficking.” The current data collection practices do not provide data that will “allow states to understand whether specific segments of the population are experiencing adverse impacts of systemic racism. We also need a standard framework and guideline to ensure data is collected consistently. Reliable, usable and comparable disaggregated race-based data across government-funded (anti-traffick-
Since 1993, sexual assault in the United States has fallen by more than half and yet, someone is still assaulted every 98 seconds, making sexual assault a pressing social issue. Sexual assault is defined as unwanted sexual contact or behavior targeted a person who has not actively given consent. In the United States, prevalence of sexual assault correlates with relative power hierarchies along lines of race, class, gender identity and expression, sexual orientation, age, ability, citizenship status and participation in criminalized economic exchanges like sex trade. Individuals in a marginalized social position, or multiple intersecting marginalized positions increases vulnerability to sexual assault. Please note we are defining marginalization as the relegation of a person or people to a relatively powerless position within a society or group. This paper examines the problem of sexual assault and policies that can reduce occurrence of sexual assault and shift the cultural discourse around sexuality and consent.

Sexual Assault in the United States: Policy Recommendations

by Norah Langweiler
NLC New Jersey

by Liz Mahn
NLC New Jersey

by Jenna Mellor
NLC New Jersey

Problem Statement

“A man could, feasibly, sacrifice his coffee break raping a woman. That woman would then spend her entire life dealing with it. So would her daughters. So would theirs. This distribution of power is not acceptable.” - Inga Muscio

Mandate that all state anti-trafficking specific RFP’s require a Racial Equity Impact Assessment with their proposal. In order to prevent further racial discrimination and inequities, this assessment will challenge potential grantees to think about their proposals from a racial equity perspective prior to the implementation of their program, policy and/or procedure, and will imbed an intentional evaluation process that’s aligned with the proposal.

Significance

Sexual assault touches nearly every member of American society. A look at the statistics is staggering:

- 1 in 6 cis women (cis meaning someone who identifies with their sex assigned at birth) reports an attempted or completed rape in her lifetime.
- 1 in 33 cis men report being sexually assaulted.
- More than 1 in 4 American Indian/Alaskan Native (AIAN) women report an attempted or completed rape at some point in their lives, and almost 13% of AIAN high schoolers reported they were forced to have sexual intercourse at some point in their lives.
- Nearly 50% of trans and gender expansive people (meaning someone whose gender identity does not match the sex assigned at birth) report being sexually assaulted in their lifetime and an estimated 10% of trans folks have been assaulted in the last year.
- 46% of women who identify as lesbian and 75% of women who identify as bisexual reported sexual violence other than rape during their lifetimes.
- 40% percent of men who identify as gay and 47% of men who identify as bisexual reported sexual violence other than rape during their lifetimes.
- Sex workers have a 45-75% percent chance of being sexually assaulted in their lifetimes, and a 32-55% percent chance of having been sexually assaulted in the past year.
- Individuals with developmental disabilities experience sexual assault at higher rates than those with physical disabilities, but both groups experience sexual assault at twice the rate of their peers without disabilities.
- 4% of people incarcerated in state and federal prisons and more than 3% of people incarcerated in jails reported experiencing sexual assault within the previous 12 months of incarceration, reporting sexual assault by both peers and staff at relatively equal rates.
- A study of over 125,000 veterans who served in the Afghanistan and Iraqi wars found 15% of women and men experienced sexual assault in their lifetime.

Learn more about NLC at newleaderscouncil.org
0.7% of men reported sexual assault during their deployment.15

Evolving Definition of Sexual Assault

Prior to 2012, the official definition of rape, generally considered the most severe form of sexual assault, had not been updated since 1927 and limited victimhood to women with the narrow definition “the carnal knowledge of a female, forcibly and against her will.”16 The newly updated definition of rape makes room for the understanding that women are not the only victims of this pervasive crime, nor is rape the only manifestation of sexual assault.

Rape Culture in the Context of Patriarchy and White Supremacy

While this new, legal definition is broader than historical perspectives on rape, it does not highlight the social context in which rape occurs. Sexual assault and rape are symptoms of systemic preference for men, which we refer to here as patriarchy, and the systemic maintenance of power for white people, which we refer to here as white supremacy.17 Within this system, vulnerability to sexual assault is correlated with one’s position on various intersections of power hierarchies and the politicization of the bodies, sexual expressions, and reproductive choices of marginalized groups. This supports our core tenant that sexual assault is not a reflection of sexual desire but rather an expression of power through violence that plays out sexually.18 19

Rape culture is a set of beliefs that normalizes male sexual aggression and minimizes the individual and social impact of sexualized violence, harassment, and commentary on one’s bodies and sexual choices. Rape culture manifests in a number of ways and takes culturally- and context-specific forms, so this description is not comprehensive. It can contribute to the frequent acquittal of rapists in legal cases through cultural scripts that require a victim to have suffered “real rape” that follows a cultural stereotype about how rape happens. “Real rape” is generally considered to mean that the victim did not know their assailant, were threatened with a weapon, and sustained injuries from the attack. It promotes victim-blaming, the idea that victim/survivors of assault are responsible for the assault because they did not prevent it. Victim-blaming has impacts on the outcome of legal trials and a victim/survivor’s decision about pursuing legal recourse.20

Only 3% of people who perpetrate a rape spend any time in jail.21 The prevalence of rape, paucity of legal convictions, and widespread underreporting are concrete evidence of rape culture which can, at times, feel exaggerated to those who are not at its mercy.22 23 24 25 26

Rape culture operates within and helps reinforce white supremacist cultural and institutional structures of the United States. For example, studies show that white people are more likely to uphold aspects of rape culture like victim-blaming when the victim/survivor is a person of color.27 The normalization of rape as a tool of colonization and enslavement throughout United States history continues to impact us in the present, and any policies enacted must be mindful of and intentional about addressing this history and its contemporary manifestations. We recommend Dorothy Robert’s seminal work Killing the Black Body: Race, Reproduction, and the Meaning of Liberty to more deeply delve into the interplay of patriarchy and white supremacy.

Policy Recommendations

To emphasize the cultural and historical context of sexual assault our recommendations follow the social-ecological model for violence prevention, which looks at sexual assault prevention and response through overlapping individual, relational, community, and society-level lenses.28 Due to the impact of patriarchy and white supremacy within the criminal justice system, we believe that comprehensive policy responses to sexual assault must look beyond this punitive system and toward a restorative and ecologically-minded one with policies enacted at the federal, state, local, and organizational levels.

Interpersonal Interventions

Bystander intervention is a tool to help ensure the safety of others. According to the Rape, Abuse, and Incest National Network a bystander is “a person who is present when an event takes place but isn’t directly involved.”29 Bystander interventions can include taking someone home if they are too intoxicated, calling out people who make rape or sexual assault jokes, or stopping someone from taking a person away from a group who appears to be too drunk to consent.

We recommend the increased expansion and implementation of bystander intervention programs, which have been shown to decrease rape myth acceptance, increase knowledge of sexual violence, increase positive belief in bystander interventions, increase engagement in bystander interventions, and increase efficiency when intervening.30 Rather than victim-blame, bystander interventions address how community norms contribute to rates of sexual violence and how community members can mitigate it this.31

Former Vice President Joe Biden has been a vocal proponent of bystander interventions with his 2014 campaign It’s On Us. Following recommendations from the White House Task Force to Prevent Sexual Assault, the campaign trains and educates students and community leaders on rape culture and bystander intervention techniques in an effort to end sexual violence and highlight that it takes a whole society to end sexual assault.
Comprehensive Sex Education

We recommend implementing age-appropriate comprehensive sex education (CSE) nationally in grades K through 12. CSE is evidence-based and engages youth in long-term conversations about human development, relationships, communication skills, sexual behavior, sexual health, and the influence of social and cultural norms on our personal values and decisions. CSE is shown to increase empathy, decrease rates of sexual assault, and improve personal relationships.

As CSE is a concept that comes with preconceptions of what it is or means, it may benefit from new branding. CSE may be more accurately called “empathy education” or “emotional and social skills education.” A research pilot would be necessary to determine the impact of a name change on community acceptance of CSE.

Inclusive, Survivor-Centered Care & Restorative Justice Models

While individuals from marginalized groups are more likely to be sexually assaulted, the organizations and institutions they encounter are likely to be staffed and funded by dominant groups. Steps to address this include:

• Ensure all materials and services are in languages of the communities served or in other accessible formats.

• Create modes of connection for people with different abilities. Barriers documented by victim/survivors living with a disability include phone-based crisis lines as the gateway to support, inaccessible physical spaces, or real or perceived biases from staff at rape crisis centers.

• Recruit staff, volunteers, board members, and executive leadership who are reflective of the community being served and who have relevant lived experience with the organizational mission.

• Engage in race equity reflection as an organization and take concrete steps based on this reflection. We recommend the Center for Social Innovation based out of Boston, MA or the People’s Institute for Survival and Beyond as starting points.

• Recognize and reflect in materials and types of counseling available that the manifestations of rape culture and the impact of sexual assault are culturally and contextually specific. Program structures need to be tailored to this specificity.

• Create meaningful feedback and leadership mechanisms for victims/survivors who have engaged in services, including board participation and organizational advisory roles.

• Meet victim/survivors where they are at. Assure that the places where people gather or attend regularly, like salons, drop-in centers, and community spaces, have clear opportunities for people to connect to supports if needed. This way crisis intervention and long term support can start where the victim/survivor feels the most comfortable and all individuals and systems will be committed to a survivor-centered approach.

The problem of sexual assault does not end with the jailing of a guilty offender; restorative justice models can reinforce shifts away from rape culture, prevent future sexual assault, and contribute to healing. Restorative justice models reorient the punitive justice process, creating a legal and social response that addresses the loss experienced by survivor/victims and those who care about them, perpetrators and those who care about them, and the community at large that adapts to the existence of sexual violence. Two key components of the restorative justice framework are that it emphasizes survivor choice and sees perpetrators active participants in the justice process.

We recommend that municipalities explore, implement, and evaluate restorative justice diversion programs. One example to consider for local adoption are the RESTORE program in Tuscon, Arizona where the survivor/victim and perpetrator are offered the opportunity to collaborate on a restitution plan, with the option of including their family and friends as well. Another is the Circles of Support and Accountability (COSA) model, where community facilitators engage in dialogue with perpetrators to help convey the community impact of their actions.

Legalize or Decriminalize Sex Work

The criminalization of sex work increases vulnerability to assault and places undue barriers to victim/survivors who seek to access legal, medical, or mental health supports. Amnesty International published a policy recommendation on May 26, 2016 based on a comprehensive analysis of human rights violations against sex workers globally and their recommendation is clear: decriminalize sex work. We recommend that the United States adopt Amnesty International’s recommendation on the federal, state, and local levels in collaboration with local sex worker advocacy groups that include advocates with a range of lived experiences with sex work and sex trade, which we believe exists on a spectrum that includes choice, circumstance, and coercion. Key aspects of the Amnesty International recommendation are:

• “Ensuring that legal protections pertaining to health, employment and discrimination are accessible to sex workers and are effective in protecting them from abuse and exploitation.”

• “Putting in place specific economic, social and cultural law and policy measures in order to address the intersectional discrimination, harmful gender stereotypes and denial of economic, social and cultural rights that may lead to entry into sex work, stigmatize sex workers and prevent exit for those who wish to stop selling sex.”

• “It is necessary not only to repeal laws which criminalize the sale of sex, but also to repeal those which make the buying of sex from consenting adults or the organization of sex work (such as prohibitions on

Learn more about NLC at newleaderscouncil.org
renting premises for sex work) a criminal offence. Such laws force sex workers to operate covertly in ways that compromise their safety, prohibit actions that sex workers take to maximize their safety, and serve to deny sex workers support or protection from government officials. They therefore undermine a range of sex workers’ human rights, including their rights to security of person, housing, and health.”

We recognize that there are substantive arguments to encourage not only the decriminalization of sex work but also its legalization. Much like prohibition of alcohol and the war on drugs, prohibition of sex work makes the work more dangerous by creating underground economies that increase vulnerability of workers to exploitation and sexual assault, and decrease the likelihood that existing medical and legal resources will be sought. By legalizing sex work and creating national or statewide standards for business practices, the industry will become safer for both sex workers and customers. Best practices like noncoercive regular STI testing, condom use, and legitimate business space will protect both parties.

We hesitate to be more proscriptive around specific legalization policy measures because of an interest in assuring that legalization does not disproportionately benefit white, cis workers with access to economic and social capital, therefore allowing them to dominate a newly created legal marketspace, as we are seeing become a concern in the legalization of marijuana growth and sales. We urge all legalization processes and policies to actively consider economic justice and accessibility as a new legal markets are created. All legalization measures should also be developed in conjunction with members of the marginalized group and include “high road” labor standards including a living wage, paid sick leave, and protections from wage and hour violations.

Increased Diversity within Law Enforcement

Sexual assault reporting and the consequent number of arrests was positively correlated with higher percentages of female police officers. This is due to the large amount of face-to-face contact that street-level bureaucrats have with the general population - “their attitudes, values, and predisposition are important in understanding policy implementation.” It is likely that as the police force’s makeup more closely aligns with that of the community in which they police, sexual assault reports and arrests will both be impacted. We recommend:

- Diversity quotas for one-the-ground police designed to reflect the gender and racial makeup of the community in which they work.

End the Rape Kit Backlog

There is no standardized method or procedure for tracking and testing rape kits in the United States. In city-wide research studies, Detroit had 11,000 untested rape kits, 8,000 of which had never been sent to the forensic lab; Houston had 16,000 untested rape kits, and Los Angeles had another 11,000. That’s a total of 38,000 untested rape kits in just 3 cities in the United States. In Detroit, researchers found 5 risk factors for high numbers of untested kits: (1) victim-blaming beliefs and behaviors, (2) no written protocol for submitting kits to the lab for testing, (3) budget cuts reducing the number of personnel assigned to sexual assault cases and crime lab staff, creating problems with capacity and equipment, (4) high turnover in leadership, and (5) difficult relationships with partners and lack of training. In cities with these risk factors, there are likely to be high numbers of untested rape kits.

Research shows that someone who perpetrates a rape is likely to rape more than once, suggesting that timely action to determine the contents of the rape kit are likely to find evidence of serial rapists who have gone unpunished or have been wrongfully acquitted. A model for this kind of legislation can be found in Georgia’s House Bill 827, the Pursuing Justice for Rape Victims Act, which requires that law enforcement:

- Notify the Division of Forensic Sciences of the Georgia Bureau of Investigation via email within 72 hours of collecting the evidence.
- Ensure that the kit is submitted to the Division within 30 days.
- Create a list of evidence from the forensic medical examination.

It is the responsibility of the Division to issue an annual report detailing the number of tested and untested rape kits.

We recommend ending the backlog through municipal and statewide efforts, demonstrated by New York City and Los Angeles who cleared their backlogs, and federal funding that supports rape kit testing. We encourage municipalities to develop policies and procedures for rapid testing and accountability mechanisms to ensure that backlogs do not accumulate.

Demarginalization as Prevention

Because marginalized identity categories contribute to greater vulnerability to sexual assault and inaccessibility of appropriate response and justice structures, policies that protect marginalized persons and explicitly recognize their dignity and human rights can influence societal shifts, reduce the rate of victimization, and mitigate the secondary trauma often associated with reporting to a shaming and/or unresponsive system.

For example, essential policy positions for reducing discrimination and sexual assault vulnerability for trans-identified individuals include instituting protections for trans and gender expansive individuals in schools, hiring
processes, and workplaces; obtaining health care coverage and access for trans-inclusive care, and legislation to address gender identity-related hate crimes.53

Empower Tribal Law Enforcement and Courts

Victimization of Native American women is more likely to occur on tribal lands, but by non-native perpetrators. California has tried to tackle the problem of sexual violence against Native Americans by increasing partnerships with state, local, and tribal officials including sharing information, increasing resources to tribal communities, and empowering both tribal and local law enforcement to enforce protective orders given by either court. Under the Obama Administration, greater authority was given to tribal authority to arrest and prosecute a limited number of non-native domestic and sexual violence perpetrators.54

Increasing this authority would greatly increase the timeliness and effectiveness of prosecuting sexual violence of Native American women.

Conclusion

“There is no such thing as a single-issue struggle because we do not live single-issue lives.” - Audre Lorde

Sexual assault is a multifaceted, pervasive form of gendered and racialized violence that cannot be undone with a single policy. Nonetheless, policy changes that take a social-ecological approach, like those outlined above, can have tangible impact in preventing and addressing sexual assault in the United States. We urge readers to consider how these policies can be implemented at all levels of government and within our organizations. We aspire to a world where bodily autonomy and access to resources to flourish are guaranteed for all.

Fair housing: Where do we go now?

by Neil Reilly
Senior Policy Analyst, Citizens Housing & Planning Council, NLC New York City

The federal government has made progress on fair housing for the past century. It has been a long, slow process. Since the adoption of the Fair Housing Act in 1968, enforcing what the law means in daily practice has never been fully clear or agreed upon. In recent years, the government took up the topic with a vigor that has, in some corners of the progressive left, been twisted into an argument that pits the role of government in rebuilding neighborhoods against its role in eliminating segregation. Now, with Ben Carson in charge of the federal housing department under the Trump administration, the meager advances of the Obama years are in jeopardy. The federal government needs to work more closely with local agencies, to ensure fair housing practices are followed. And America’s cities must bear the burden of setting an example for their neighboring jurisdictions.

In 1956, the National Committee Against Discrimination in Housing held its annual meeting in New York City. Two years removed from the Brown v. Board of Education decision on education, many civil rights activists were turning their attention to residential segregation. Frank S. Horne, then at the New York City Commission on Intergroup Relations, spoke about the progression in issues:

Too many “housers” still cling to separate-but-equal living as though they do not realize that the American way of life has taken on entirely new dimensions... The issue is paramount. The tools are actually at hand. It remains only to be certain that we are really committed to the eradication of the separate-but-equal thesis wherever it arises and that we are committed deeply enough to devote our fullest resources to this last great arena in the civil rights field.1

The efforts of advocates like Horne, Robert C. Weaver, and many others led to local legislation the following year. The Urban League conducted a survey on support for the law and its enforcement in Crown Heights, Brooklyn. The authors pointed out that one’s “freedom to choose one’s neighbors” was still restricted under new the law. This led Edward S. Lewis, then the executive director of the New York Urban League, to suggest, “Minority group members need to be encouraged to seek living quarters in areas of the city from which they have previously been excluded.”3

An executive order from President John F. Kennedy in late 1962 protected all residents against discrimination based on race, religion, or nation of birth.5 Still, it took until the Fair Housing Act, otherwise known as Title VIII of the Civil Rights Act of 1968, for Congress to recognize the importance of protecting all Americans from housing discrimination.

Enforcing fair housing

Enforcing the Fair Housing Act falls primarily on the U.S. Department of Housing and Urban Development (HUD).5 HUD has an Office of Fair Housing and Equal Opportunity, whose mission is “to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities by leading the nation in enforcement, administration, development, and public understanding of federal fair housing policies and laws.”6 7 In recent years, enforcement has meant pursuing the goals of the Fair Housing Act in both the executive and judicial branches of our federal government.

Land use in urban and suburban settings, however, is very much a local issue. It cannot feasibly be the domain of the federal government. In a joint statement about applying the Fair Housing Act to land use laws and practices, HUD and the Department of Justice point out the dilemma: “The

Learn more about NLC at newleaderscouncil.org
In 2013, HUD announced a new way for state and local governments to ensure compliance with the Fair Housing Act. This new method is known as the Affirmatively Furthering Fair Housing (AFFH) and it received a warm welcome from the anti-discrimination advocacy community. Essentially, any housing agency that receives government subsidy is required to complete a standardized form every five years. If HUD reviewers find obstacles to fair housing in a jurisdiction’s submission, the jurisdiction must come up with a strategic plan and an action plan to overcome them.

HUD created several online landing pages for AFFH, which have many links but little practical, plain-language information. The Assessment of Fair Housing tool—the key innovation of the new AFFH rule—requires an extensive “frequently asked questions” section and a 47-page PDF guide, both also written in technocrat-speak. The HUD website includes an AFFH mapping tool that displays census-based data, but whose function and goal are unclear. If anything, these documents and “tools” seem more like a jobs stimulus program for public policy school graduates than a way for state and local agencies to fight discrimination.

The legal doctrine that guides enforcement of the law is known as “disparate impact.” The National Fair Housing Alliance, a non-profit coalition of anti-discrimination advocates, was among many groups that celebrated the 2015 U.S. Supreme Court decision in Texas v. ICP (which was about the siting of housing subsidized with Low Income Housing Tax Credits, a program of the Internal Revenue Service, not HUD). The court’s ruling affirmed the ability to challenge housing discrimination under disparate impact. “The Court found that the Fair Housing Act’s ‘results-oriented’ language—’otherwise make unavailable,’ under §804(a) and ‘discriminate against any person in’ making certain real-estate transactions ‘because of race’ or other protected characteristic, under §805(a)—address the ‘consequences of an action rather than the actor’s intent.’”

Theoretically, the AFFH rule and the Supreme Court’s interpretation both make sense. Considering the racial history of federal, state, and local housing policy that are ingrained into housing markets today, disparate impact is the right way to approach combating discrimination. The questions still remains—what does following the “results-oriented” guideline mean for actual residents of low-income neighborhoods? And, where should the government allocate the scarce housing subsidies?

Turning theory into practice

In the context of fair housing practices what does fighting discrimination mean? Does it mean spending resources to fix neighborhoods that have been ignored for decades? Or does it mean giving low-income households the chance to live among high-income households? Another way of asking this is: should the government focus its limited resources on low-income housing in low-income neighborhoods, or spread those subsidies around geographically? Both are worthy goals. At the same time that one household wants to move from its neighborhood to one with more amenities, its next-door neighbors simply want improvements to their neighborhood. This dichotomy is not new and has created a dilemma for policymakers since its inception. Today, government fair housing policy, with the support of the Supreme Court decision, favors that second strategy.

Relying on mixed-income or mixed-race neighborhoods as the sole planning strategy is not just impractical, it is offensive to residents of low-income neighborhoods. More than 50 years ago, Frances Fox Piven wrote, “In effect, the desperate need for better housing and facilities in the ghetto has been and continues to be sacrificed to the ideal of residential integration.” The vocabulary has changed, but the conversation is fundamentally the same today.

Should it be the government’s job to relocate black households from Harlem or Chinese immigrants from Chinatown to make room for a more heterogeneous population? (Let’s leave aside for now the fact that folks who answer that question in the affirmative would find themselves in conflict with other advocates on the left dedicated to fighting residential displacement—if they aren’t the same people.) If that’s what those households wanted, then yes, that would be a reasonable policy to pursue. Date, a critical mass of advocates with that goal has not emerged.

The tools now on hand to promote fair housing deserve to be tweaked, as the reality of implementation varies so widely from city to city—or even among neighboring municipalities. Those same tools, and the federal government’s emphasis on them, represent progress toward eliminating discrimination in housing.

What can policymakers do?

In fair housing, the government has confused its goals with the tools at hand to achieve those goals. The driving goal should be safe, sanitary, affordable housing for all residents so they can live where they prefer to live. Discrimination is a primary impediment to that goal. By turning a useful policy lever—creating incentives for mixed-income communities into the overarching policy goal, government has twisted itself into a pretzel. A more holistic approach would balance the approaches of revitalization and integration.

Much of the criticism of AFFH from the right centered on the idea that HUD was overreaching and the federal government was intruding into local policies. Indeed, context and circumstance vary throughout the country—and even within metropolitan regions—to the extent that the federal govern-
ment will have a hard time implementing and enforcing AFFH. But that critique is not a cause to abandon AFFH. Rather, the federal government should get even more involved so that AFFH evaluations consider any history of discrimination and remedy that a jurisdiction has experienced.

We cannot leave fair housing governance up to state and local bodies, because we will continue to see what has proved true over generations. Some jurisdictions do discriminate, whether intentionally or in effect, and the federal government must be present in order to enforce the laws we have that prohibit those policies. Ideally, that would mean having HUD representatives physically present in towns across the country on a regular basis, not just when it comes time to re-certify their AFFH evaluations. That is not feasible under the current federal administration, but is a good target.

It is also imperative that local governments take the lead on being proactive about fair housing. Cities have an important role to play in driving progressive policy. Much in the way that the Sanctuary Cities movement of the late 1970s and early ‘80s to protect the rights of immigrants, cities can set an example that is not only morally powerful but also legally solid.

**Fair housing now**

The administration of Donald Trump represents a threat to the progress of the 20th Century—and a general threat to the rights of everyone except wealthy, heterosexual, white men born in the United States. Revoking housing subsidies is never going to capture headlines in the same way as taking away someone’s healthcare or deporting immigrants, but the threats are just as real. Subsidies for the construction and management of new affordable housing, the enforcement of housing maintenance standards, and direct help to tenants are all at risk.

The National Low Income Housing Coalition is just one of countless organizations that has rung alarm bells since November 2016. That group warned, “Look out for language on spending bills that would prevent HUD from implementing its Affirmatively Furthering Fair Housing rule. HUD Secretary Ben Carson called it ‘social engineering’ and federal overreach.”

The 2015 Supreme Court decision should be a sufficient signal that abandoning fair housing enforcement altogether would be unconstitutional, but it’s still too early to know what will happen at the federal level.

Ben Carson has no housing policy experience and no policymaking deputies are yet in place. It is hard to determine where HUD’s priorities will be. The president’s proposed budget has some clues: massive cuts to HUD could indeed manifest themselves in a lack of enforcement of AFFH—or a lack of appropriation from Congress to do so. There is also a bill in the House of Representatives to prohibit the creation of databases mandated by AFFH that would provide transparency and clarity to the evaluation process; whether that bill will make it through the legislative process is still unclear.18

Aside from the worrying prospects for AFFH, there are political ramifications that have yet to shake out from the strengthened rule and the Court ruling. As Kriston Capps wrote in CityLab in mid-2015, “Fair housing is coming, slowly but certainly. Racism isn’t going away so soon.” It’s conceivable that a backlash to AFFH-enforced housing policies could lead to more conservative outcomes in elections—not just in 2018 but also subsequently. It is also not out of the question to imagine some local governments interpreting Texas v. ICP to encourage the development of mixed-income residential buildings in both high-rent and low-rent neighborhoods. The latter creates yet another headache for many advocates on the left.

There was some good news that emerged from the federal judicial system in April 2017, when a judge decided that the Fair Housing Act’s protection from sex-based discrimination extended to sexual stereotyping. Rather than relying on a more direct guideline that HUD issued in 2016 about sexual discrimination, the court ruled based on legal precedent, further from the reach of the White House. The case “provides a reminder that even if HUD alters its fair housing policies or reduces fair housing budgets or staff, the underlying law will still allow individuals to file claims in federal and state courts.”

As with many of the constituencies and policy areas at risk under the Trump administration, state and local governments may be the best bulwark against the erosion of progress. Do not expect local policies in America’s large, diverse cities to mirror the antipathy to the poor or people of color that the federal government espouses. Those cities may strain under a lack of funds that typically flow from the federal level, but they must uphold their moral and constitutional obligation to protect their citizens from discrimination.

**The Triple Bottom Line: The Policies and Practices of Achieving Environmental Sustainability, Affordable Housing, and Exceptional Labor Standards**

*Titles are for identification purposes and do not necessarily represent the views of these commissions.*

According to the Environmental Protection Agency’s Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990–2014,1 transportation-related emissions presently account for just over a quarter of the nation’s greenhouse gas (GHG) emissions. Reducing GHG emissions in the transporta-
tion sector must be a significant part of the solution as a growing coalition of scientists, nonprofit advocates, and the more enlightened of government and private sector industry leaders attempt to contain a growing rise in average atmospheric temperature before it is too late. Certainly research into and the growing use of alternative fuels that are less CO₂ intensive than the venerable internal combustion engine is an important part of the solution. However, shifting the entire system of thinking about land use from a more suburban – and sprawling – way of life made popular in the second half of the twentieth century to one that embraces more compact, typically urban, growth coupled with a car-free or car-less sustainable communities strategy is also necessary.

This, of course, is easier said than done, particularly in those of our nation’s cities that are already relatively dense and built out and are reeling from an ever-higher cost of living. I should know; I reside in the San Francisco Metropolitan Area, an area with a white-hot housing market from which increasing numbers of residents have already been displaced and many more are at risk of being priced out. As a four-year member and current chair of the Berkeley Zoning Adjustments Board, I recall approving nearly 1500 new units, only to continue witnessing a stubborn rise in median rents quarter after quarter and merely a sluggish increase in the affordable housing that was being added to the rolls. My personal experience is backed up by copious research. A newly released report from the Greenbelt Alliance is just the latest in a long line of work confirming that the Bay Area (and cities in numerous other pricey metropolitan areas) is in a housing crisis. It includes with the following cautionary note: “If affordable homes are not available close to jobs, people ‘drive ‘til they qualify’ to find a less expensive home farther away, and commute long distances—mostly in cars. The resulting costs affect all the region’s residents: worse traffic, polluted air, more carbon changing our climate, and a lower quality of life.”

A commonly proposed solution to the housing crisis is to aggressively enhance the supply of housing until it catches with demand. In 2015, Paul Krugman succinctly encapsulated this strategy in an editorial, concluding with the following: “The good news is that this is an issue over which local governments have a lot of influence. New York City can’t do much if anything about soaring inequality of incomes, but it could do a lot to increase the supply of housing, and thereby ensure that the inward migration of the elite doesn’t drive out everyone else.” Again, easier said than done. First, in built-out urban area with little infill development potential, local zoning requirements would need to be completely upended to allow single-family housing and lower-density multi-family apartments to be replaced overnight. And upended they would have to be in order for cities to accommodate the brunt of the growth that is needed just to keep housing prices stable – let alone allow them to moderate over time – at a time when the California Legislative Analyst’s Office estimates that between 70,000 and 110,000 additional units per year must be built statewide for this to happen (in addition to the 140,000 new units already in the pipeline). And this is assuming that the zoning revisions can be done with broad community support, the housing applications approved by-right – both truly optimistic assumptions.

But neither do we have an excuse to bury our heads in the sand and do nothing. The survey of best practices below can be used as a roadmap to solving the housing crisis in the parts of our nation where it is rampant, and therefore radically reduce GHG emissions.

Element 1: Dense Housing, Compact Growth, and Sustainable Communities
This element is not new; it was built upon a compilation of ten ingredients that were developed by the Smart Growth Network two decades ago. According to the Environmental Protection Agency, they include: (1) a mix of land uses; (2) compact building design; (3) a range of housing opportunities and choices; (4) walkable neighborhoods; (5) distinctive, attractive communities with a strong sense of place; (6) preserving open space, farmland, natural beauty, and critical environmental areas; (7) strengthening and directing development toward existing communities; (8) a variety of transportation choices; (9) predictable, fair, and cost effective development decisions; and (10) community and stakeholder collaboration in development decisions. Some of the elements described later build upon a few of these ingredients. The compact growth approach must, above all, facilitate density – which in a built-out city may require building up rather than horizontally. It must balance appropriately sized accommodations for various household sizes through a variety of bedroom counts and floor plans with the need to build efficiently and in a manner that reduces urban sprawl. Higher density should be concentrated along major transit corridors, with step-backs possible along to harmonize the building with adjacent lower-density residential buildings.

But it is easy to lose sight of a key aim of smart growth, which, according to the Maryland Department of Planning, is “providing people with more choices in housing, shopping, communities, and transportation.” Thus, a holistic integration of land use and transportation, enhancing the availability of high-quality, high-reliability transit service; “complete streets” which provide connectivity between pedestrian, bike, transit, and road facility traffic; and other elements of a multi-modal approach are a must. Social equity goals undergird a needed focus on ensuring that the economically disadvantaged have the same opportunities to get around their living environs as those with greater economic advantages. An Institute for Community Economics states that “[t]here are many obvious ways in which the [regional] implementation of good, smart growth strategies will improve the lives of low-income people and reduce the disparities between the quality of life of lower-income people and those of people with more resources. It can offer more transportation choices for people.

Share Your Feedback: newleaderscouncil.org/compact
who often cannot afford to own cars, reducing isolation and opening up new job possibilities. It can reduce the number of vehicle miles traveled per person and hence reduce air pollution and related public health problems like asthma, which often disproportionally affect low-income people. It can create more parks and open spaces in neighborhoods, thus improving the quality of life for all people in those neighborhoods. It can refocus public and private investment toward existing communities, bringing new capital, amenities, housing, and jobs to areas with long histories of disinvestment.10 But the key that is integral to the achievement of these goals from a social equity lens is to involve in a meaningful way in the planning process the communities who have the most to gain from the goals’ being achieved.11

**Element 2: Affordable Housing, Anti-Displacement Strategies, and Land Value Recapture**

Neither sustainable communities nor transit-oriented developments are able to achieve their goals of reductions in greenhouse gases and vehicle miles traveled unless they benefit residents at a mix of incomes, including those whose household incomes are significantly below the poverty line. Much has been written about affordable housing and anti-displacement strategies, and particularly in cities with the highest cost of living not a day seemingly goes by that these issues are not hotly debated.11 A major portion of the debate can be summed up as whether the production of market-rate housing – which are generally unaffordable to those earning below-median household incomes – is a net positive or net negative, particularly in high-rent metropolitan areas such as New York, Washington, D.C., and San Francisco and its immediate surroundings. Does the production of new market-rate housing drive down rents in the aggregate due to heightened supply, or does this development in the short term create its own displacement (as longtime renters earning below-median income, in the absence of rent control, are gradually unable to afford rent that dramatically rises in tune with increasing property values)? The result is murky. For instance research conducted by UC Berkeley’s Anti-Displacement Project “shows that while market-rate housing produced in the 1990s can lower median rents in 2013, it was also related to higher levels of housing cost burden for low-income households. In terms of … displacement measures, production seems to be related to a reduction in displacement, but the effect from production in the 1990s disappears when you add production in the 2000s. How could this be? […] it could mean that … really market-rate housing is not relieving displacement pressures in and of itself.”12

Land-value recapture is a contemporary way to deal with this problem. Five core principles of the land-value recapture model that are being proposed or, to varying extents, utilized in Berkeley, California are as follows:

1. A city should accommodate its “Regional Fair Share”13 of housing;
2. To maintain the existing quality of life in the city, development should pay for all the impacts it generates whenever feasible (including those of any potential of displacement created by the production of new market-rate development);
3. It is landowners who benefit from the general growth of the region and the city – and especially from plan or rezoning changes that increase the value of their properties;
4. It is only fair that the city recapture a portion of those increases in land value for community benefits; and
5. It should be the city’s goal to seek the highest possible level of community benefits without making the proposed development financially infeasible.14

Some of the best practices involved in optimizing the efficiency of land-value recapture are as follows:

1. **Market expectations and land values.** The value of the land potentially underlying the market-rate development generally increases based on the expectation that a local plan that would improve development potential of the land will pass through a city council or by voter ballot measure. Thus, to lower the land value increases and increase land value recapture, landowners and developers should be warned by cities that land value recapture will be in effect once a plan is implemented.15

2. **Economic cycles and impact fee levels.** As a Berkeley white paper on land value recapture states, “The real estate market, following the up and downs of the economy, is of a cyclical nature. Fees adopted at a particular point of the real estate cycle might become too burdensome during a recession and inadequate during a boom.”16 Tying all fees to an economic index (such as the Construction Cost Index or the retrospective price index for private fixed investment in new structures that is issued by the U.S. Department of Commerce’s Bureau of Economic Analysis) will ensure for posterity that the fee level at any given time is a sound economic decision and not a political one.

3. **Inclusionary housing, plan changes, and land value recapture.** Inclusionary housing refers to housing that is included “on site” as part of the market rate development. Usually, this is required by a city ordinance (as it is economically disadvantageous for market-rate developers to voluntarily rent out a unit at less than the market will bear, which, in high-cost areas, can be quite a bit). In 2017, recognizing that lower-income housing was not keeping pace with its Rental Housing Needs Assessment goals, the City of Berkeley increased its inclusionary housing requirement to 20% of the total units on site in market-rate developments of 5 units or more17 (although a 2009 California Superior Court decision has also been interpreted to require...
that municipalities can give developers the option to pay an affordable housing mitigation fee in lieu of building the inclusionary units.\textsuperscript{18}

Ideally, in order to promote equity and “socioeconomic mixing,” the creation of new inclusionary housing units should be provided with a mix of different income levels. The maximum amount of on-site affordable units should be provided as what is allowable by a nexus study (which most cities have either completed or are in the process of conducting now). These units should be at a mix of various levels of affordability, including extremely low income (30% of Area Median Income (AMI) or below), very low income (50% AMI or below), low income (51%-80% AMI), and moderate income, or “workforce housing” (81-120% AMI).\textsuperscript{19} The affordable units should be interspersed throughout the building, including some on the upper floors.

When a municipality up-zones a property or zones a parcel for greater height or density, the associated land value increases. The land value recapture white paper argues that part of that value can be recaptured for affordable housing or other community benefits either through negotiation on a project-by-project basis or a holistic planning area approach.\textsuperscript{20} The latter approach is recommended as it ensures certainty for both the developer and the community, reduces staff time, and can remove possible vitriol from a public process.

4. Development Fees for Other Community Benefits and Public Infrastructure. Many California cities have adopted Development Impact Fees (DIFs) that compensate for some or all of the costs of growth. According to the aforementioned white paper, “the City of San Diego adopted DIFs in 1979. In the “urbanizing” areas developers pay for all costs of growth - including freeway interchanges - based on the plan for a specific community. These cost are based on Planning Standards (number of acres of parkland for 1000 new residents, for example)…” The white paper goes on to suggest this as a best practice in Berkeley, which does not currently have one, positing that “More development without concurrent building of infrastructure and public facilities can only lead to a lowering of the quality of life in [the city].”\textsuperscript{21}

In addition to these principles of land value recapture, anti-displacement tools such as rent stabilization, just cause eviction protections, tenant protection ordinances, and regulations on short-term rental platforms such as Airbnb have been found to have various degrees of effectiveness in keeping the rents in high-cost areas from skyrocketing even more than they have.\textsuperscript{22} For brevity, they are not discussed further in this paper.

Element 3: Project Labor Agreements Coupled with

Local Hire

For years, the concerns of labor, which wish to be employed in construction jobs that pay a decent, middle-class wage, hire from union halls, and have a local hire provision, were considered separate from those of affordable housing advocates and developers, who wish to maximize the production of lower-income units in a manner that controls the costs to the developer (particularly if it is an affordable housing developer not motivated by profit). In the last few years, however, their concerns have been merged together in several jurisdictions (including my own). There is a broadening recognition that a promotion of project labor agreements (PLAs) with skilled craft unions such as the Building Trades, when coupled with a local hire provision, is and of itself a highly effective way to prevent displacement and promote the ability of skilled labor to earn a middle-class income that allows them to afford rent or homeownership in areas near where they work. Hence, such an arrangement also supports the greenhouse gas and vehicle miles traveled reduction goals discussed at the beginning of this paper.

Different models are in place to achieve this end result. One possibility, which is based on a concession in wages to guarantee the production of affordable housing and enhanced local hire standards, can be found in Philadelphia. There, the Philadelphia Housing Authority negotiated a PLA with the local building trades that provided for “affordable housing rates” that resulted in a 20% reduction in construction wages and benefits. In return, the agreement requires 25% of the employees on the project to be PHA residents (who tend to be lower-income), a further 20% of employees to be women, and another 20% to be minorities.\textsuperscript{23}

A Community Workforce Agreement between the Seattle Housing Authority and local building trades offers another model. On construction projects valued at more than $500,000, the agreement provides for a goal of 21% of work performed by minorities, 20% by women, 4.5% by minority women, and 15% by apprentices, in order to provide them with valuable on-the-job experience. In addition, as part of the agreement, 14% of work performed on the project is to be done by women- and minority-owned businesses, with another 10% done by Section 3 businesses (owned or predominantly staffed by people with low incomes).\textsuperscript{24}

Conclusion

The threat of a climate change catastrophe globally, an equally existential threat of displacement of low-income and even middle-income families in many locales of the United States, and a seeming race to the bottom as middle-class and blue-collar construction jobs – once sufficient to afford a family to live comfortably – seem to be evaporating in favor of low-wage, nonunionized, out-of-
town labor: these are today’s realities which reinforce the need for us to support the efforts to combat these environmen- tal, housing, and job crises head-on.

If it is politically infeasible to enact all of the above ele- ments, a recommended start is with land value recapture which, in turn, can accelerate the production of new affordable housing within communities that are sustain- able and attractive to lower-income residents. But the strategies provided above are most successful if launched concurrently. At all times, they should be assessed and, once implemented, continuously monitored to ensure that they harmoniously interface with (or, as in the current era, compensate for) federal and state laws and funding rules governing housing affordability.

As localities are often incentivized to maintain exclusionary zoning policies that discourage the production of afford- able housing,26 these strategies are also most successful when they are adopted on a regional – not a city-by-city – basis.26 We can no longer afford to fight the same battle separately. As we join hands in the worthy effort of envi- ronmental, housing, and workforce equity, the quote from Sierra Club’s founder John Muir rings even truer today than it was then: “When we try to pick out anything by itself, we find it hitched to everything else in the universe.”

Access to Quality Care

Revitalizing Public Health: Tech and Innovation as a Path Toward the Future

by Vanessa Mason
Co-Founder and Managing Director, P2 Health, NLC San Francisco

I. Introduction

Americans are largely unaware of the outsized role that public health plays in making their lives better and longer. Researchers from Brigham Young University, for example, found adults think that about 80 percent of increased life expectancy is due to medical advances and clinical care.\(^1\) The truth is that public health has been a secret success story, providing 25 years of the 30-year increase in life expectancy since 1900.\(^2\)

Our healthcare system is undergoing a radical transforma- tion driven by the realization that health and healthcare are not the same things. The World Health Organization defines health as “a state of complete physical, mental, and social well-being and not merely the absence of disease or infirmity.” In the United States, our healthcare system is built to deliver health care services, a reactive rather than proactive approach to addressing disease. Not only does this fall short operationally, it also falls short financially.

Health care services are priced and charged on the fee-for-service model: the more services that a patient consumes, the higher the costs. To address this shortfall, new models have emerged that ameliorate the shortcomings of the fee-for-service model, largely grouped under the paradigm of value-based care. Value-based care along with unpreced- ented gains in access to healthcare driven by the ACA holds great promise for the United States finally developing a health care system that can support the WHO’s defi- nition of health. This promise will be unfilled unless public health becomes part of the conversation.

II. Background

Despite the lifesaving role that public health serves in our communities, the industry receives only three percent of the health care spending pie.\(^3\) This fact is even more outrageous when you examine the ROI of clinical care compared to public health: Access to clinical services ac- counts for 10-20 percent of your health status while 70-80 percent is affected by social, behavioral and environmental factors shaped by public health efforts.\(^4\)

Public health relies mostly on public sector funding that has been declining and overburdened due to decades of budget cuts.\(^5\) Public health spending had increased signifi- cantly from $39 per capita, adjusted to account for in- flation, to $275 per capita from 1960 to 2002, but a recent study has found that it has since been declining.\(^6\) Most of the increase in funding, approximately 80-90%, was a result of federal or local government spending. In 2010, the ACA committed $15 billion in public health funding, it reduced that commitment by $6.25 billion in 2012 and even further via sequestrations in 2013. Most recently, Republican efforts to repeal and replace the ACA have put even more public health cuts on the table even amid a skyrocketing opioid crisis and spikes in seri- ous medical conditions in millennials including stroke and colon cancer.\(^7\) The repeal of the ACA would eliminate the Prevention and Public Health Fund, significantly reducing the budgets of many agencies responsible for deploy- ing public health services and interventions. In 2016, the Centers for Disease Control and Prevention, our national public health agency, received $891 million, including $324 million for immunization programs, $160 million in block grants for preventive health services, and $126 million for awareness programs focused on the harms of tobacco use. Loss of this funding would represent roughly 12% of their annual budget. States would lose more than $3 billion over the next five years.\(^8\)

The policy uncertainty surrounding the ACA has already had a negative impact on the delivery of public health interventions, especially with the continued interference of the Trump administration outside of the legislative activ- ity.\(^9\) The Department of Health and Human Services has

Learn more about NLC at newleaderscouncil.org
repurposed taxpayer money intended to increase awareness of ACA open enrollment instead to fund a public relations effort to torpedo support for the ACA. The Kaiser Family Foundation reported that policy uncertainty, confusion and instability caused insurance companies to seek double digit premium increases across the country. The Trump administration has publicly floated the idea of eliminating the cost sharing reduction payments to insurance companies. The Congressional Budget Office estimates this action would raise insurance premiums by 20%, increase the budget deficit by $200 billion, make insurance unavailable in 5% of America and increase the amount of uncompensated medical care for hospitals for the first time in a decade.

This uncertainty has also caused more philanthropic stakeholders such as foundations and community benefit hospital programs to divert funds intended for more innovative initiatives toward back filling direct services that already are or will soon be overwhelmed by demand from the increased health care premiums. This march toward greater risk aversion threatens to roll back hard-fought progress made toward greater health equity. Local and state public health departments are now scrambling to enact revenue-generating activities such as fees and fines, which are a drop in the bucket compared to the estimated shortfall in public health spending of $20-24 billion. More importantly, these activities don’t provide the scale and operational efficiency required to run on lean budgets with the necessary positive impact on health outcomes. We are already starting to see the early effects of underinvestment in public health; for the first time since 1993, life expectancy in the United States has decreased.

Major health care stakeholders are feeling the pain from the public sector pinching public health pennies. Both payers and health systems have been shocked by the high costs of populations with poorly managed, largely preventable chronic conditions such as asthma and heart disease. The Institute of Medicine found that $55 billion in wasteful healthcare spending was attributable to “missed prevention opportunities.” The United States has one of the largest income-based health disparities in the world, outranked only by Portugal and Chile. These health disparities cost another $309 billion in direct and indirect costs. Super-utilizers, or patients with complex clinical conditions and typically multiple non-clinical problems such as homelessness also drive up health care costs. Although super-utilizers only comprise five percent of the U.S. population, they contribute to 50 percent of health care spending.

III. Efforts to Date

Technology and innovation are key drivers of disruptive transformation and health care is no exception. Digital health or health tech is one of the fastest growing areas of health care. Kaiser Permanente CEO Bernard Tyson recently said, “If I was redesigning Kaiser Permanente today, I would start with technology. Everything else follows.” However, public health has largely been left out of this wave of innovation, propelled by stakeholders with vested interests in clinical care.

Clinical care can no longer afford to go it alone. Public health cannot afford to continue with business as usual. We need more innovative, cost-effective ways to deliver public health essential services to high-need populations. The adage “An ounce of prevention is worth a pound of cure” has never been truer. The best answer to this challenge is bringing technology and public health together as a new discipline — public health technology. Public health tech leverages public health strengths (integrated, systems-level approaches based on evidence) as well as the strengths of technology (aptitude in driving integration and scalability) to prevent disease onset and protect the health of our communities. Public health tech, as defined by P2Health Ventures, is any tech product or tech-enabled service that prevents the onset of disease or addresses the needs of medically vulnerable populations. It is a subset of digital health and sits at the intersection of public health and tech.

To realize public health’s potential to take a leadership role in “confronting and influencing the social, political, and economic factors that determine population health” and “reducing inequities by working to narrow health gaps” as outlined in a recent JAMA article, it’s necessary to build a supportive ecosystem complete with the requisite talent, investment, and operational know how that leverages the strengths of key stakeholders and fosters collaboration. These converging trends in diminishing public health funding, increasing costs of care, and growth of value-based care are an optimal opportunity to invest in public health technology. The nation’s largest insurers, UnitedHealth, Aetna, and Anthem have already reached the point where nearly half of their reimbursements are paid through value-based care models. This trend will continue to accelerate through programs such as Medicare Advantage and Medicaid ACOs.

Digital health has certainly produced many changes in the healthcare industry. According to Rock Health, 2016 digital health VC funding slightly dipped to $4.2 billion after a record $4.5 billion in 2015. At the beginning of 2017, the overwhelming sense was that the industry had entered the “trough of disillusionment.” The whispers are starting to grow in volume: digital health is more new than improved and sorely in need of more significant results rather than facile claims. A few of the factors that brought the over-exuberance down to earth were a renewed focus on evidentiary standards and a reevaluation of the role of technology. Much of the boom was driven by assumptions that technology was the panacea even those most solutions were built around the fee-for-service model, that validation would inevitably emerge with wide scale adop-
tion, and that the adoption of technology would inherently lead to reduced costs.\(^{30}\) None of these assumptions have proven to be true.

Unlike the digital health ecosystem, the public health tech ecosystem is underfunded, disjointed, fragmented, siloed, and lacks the "collision density" that tech experts like Brad Feld have said is required for innovation. Addressing these issues is essential to accelerate public health tech innovation. There have been no comprehensive sustained efforts to support the intersection of tech and public health. Fostering more public health innovation will require the development and harmonization of the critical components of the ecosystem including:

1. Access to talent: Identification of key stakeholders and their inter-relationships including support organizations, funding organizations, service providers, large companies, research organizations, and the government
2. Access to modern research and development: Development of public health tech frameworks, rules, operating procedures, and a robust research and development infrastructure
3. Access to expertise: Knowledge management systems and networks for disseminating innovations and evaluating efficacy
4. Access to capital: Pathways for commercialization that support startup growth including incentivizing private sector investment in innovations that offer public benefit

Creating an organized and visible public health tech ecosystem has the potential to create new areas of collaboration between research, technology, and community of greater sustainability and growth. Cross-sector public health efforts are still extremely nascent. In July 2017, the deBeaumont Foundation and the Aspen Institute announced the launch of the Public Health Reaching Across Sectors (PHRASES) Initiative, “a multiyear project designed to provide the tools and training public health practitioners need to effectively engage, communicate, and work with local partners, like mayors, housing commissioners, hospital executives, and school superintendents.”\(^{31}\) The recently published *Future Health Index*, a Royal Philips-commissioned international survey of healthcare professionals and the general public to assess their awareness and attitudes about connected care technologies demonstrated that almost a quarter of healthcare professionals polled said they would be more likely to use digital health apps and connected devices if they had the evidence to back them up.\(^{32}\) A recently published paper in Learning Health Systems has outlined the PETAL framework, a practical framework grounded in community partnership that incorporates supportive technology, the social determinants of health, and sustainability to improve health equity.\(^{33}\)

Although siloed, the four critical components outlined above exist. With some aggregation and harmonization, they have the potential to effect transformative change in quality of life nationwide. The venture capital community is slowly coming around to making cost savings and clinical results their North Star instead of growth at all costs.\(^{34}\) Venture capital is a powerful tool for accelerating public health tech and innovation given that it is a viable and growing alternative to diminishing public sector funding as well as a unique opportunity to improve outcomes and reinforce the role of public health in protecting and promoting health. Andrey Ostrovsky, chief medical officer for the Center for Medicaid and CHIP Services is one of public health tech’s biggest champions. "My gut is that [Medicaid’s] big opportunity with $500 billion in federal spend every year in a system that hasn’t evolved technologically much since 1965," Ostrovsky said.\(^{35}\)

As more entrepreneurs and investors begin to delve into the market opportunity in prevention and protecting the health of the most vulnerable populations, P2Health Ventures has already seen a few early breakout successes with venture capital-backed startups revolutionizing public health efforts through technology:

- Omada Health (raised $76.5 million) developed Prevent, a digital therapeutic modeled off of the CDC’s National Diabetes Prevention Program--a program that is proven to reduce the risk of developing type 2 diabetes from pre-diabetes by 58 percent. Prevent leverages web design, tech, and health coaches, allowing for greater scalability and patient monitoring compared to conventional methods, making Prevent a cost-effective program for payers and health systems. Prevent, is currently being used in three clinical trials for underserved populations, specifically: Medicaid enrolled, Medicaid eligible, or uninsured.\(^{36}\)
- Clover Health (raised $295 million) leverages data analytics to proactively identify and fill gaps in care as a Medicare Advantage plan for seniors and low income populations to drive down costs and improve health outcomes.

City government and public health departments are starting to realize the promise of venture-backed public health tech startups as well.

- The City of Louisville embarked on a citywide collaboration with Propeller Health, a startup founded by a former CDC epidemiologist, to address the high rate of asthma in the city.\(^{37}\) Propeller Health’s FDA-approved sensor that attaches to an asthma inhaler paired with a mobile app helps users to monitor, track and analyze the effects of asthma. This data helps consumers better understand social and environmental triggers asthma attacks and worsening symptoms and the aggregated data allows the public health department to make decisions to guide interventions.
- The Baltimore City Health Department has launched

Learn more about NLC at newleaderscouncil.org
TECHHealth, a program that pairs officials in the health department with technologists to co-develop products that address public health challenges. This pre-accelerator has already produced seven prototypes that are currently being validated in pilots to address public health challenges in Baltimore. This model offers a promising path for health departments to have a front row seat in innovation as well as a clear role for strategic partnerships with venture capital to scale successful innovations so they can be used in other localities for significant social impact.

- The Association for Community Affiliated Plans (ACAP), in partnership with the California Health Care Foundation (CHCF) and Village Capital, is hosting an innovation challenge to connect ACAP members (59 Medicaid managed care plans covering over 17 million lives in Medicaid, Medicare and the Marketplaces) with emerging young companies or solutions that enable health plans to offer a better way for Medicaid recipients to access needed care and resources to promote better health outcomes.

It's been shown that investing $10 per person per year, or $2.9 billion, in proven community-based disease prevention could yield net savings of more than $16 billion annually within five years. And 73 percent of registered voters support public health investments that improve the health of communities. The global market for preventive health services alone is projected to hit over $432 billion by 2024, an surefire statistic that will pique the interest of venture capital firms aiming to become more active in this space.

IV. Policy Recommendations

There are several potential policy measures that local, state and federal government could adopt to support the development of a robust public health tech ecosystem. In healthcare, just as in several other industries, where money goes, innovation follows. Even the reallocation of existing funding streams would go a long way toward advancing disruptive innovation. This investment will be even more impactful with harmonized strategies focused on stopping disease onset and addressing the upstream factors, or social determinants of health that create the conditions for disease onset and impede treatment for vulnerable populations.

A number of proposed recommendations below:

- **Access to talent**
  - Leverage the U.S. Digital Service to fund more innovators who will join the government to address public health challenges.
  - Develop fellowship programs for diverse public health innovators to join state public health departments as civic innovators and support graduate training in public health tech.
  - Encourage cross-department policy development between the Department of Health and Human Services and other departments that address non-clinical needs. (ie. Department of Housing and Urban Development, Small Business Administration etc.)

- **Access to expertise**
  - Use the federal government’s convening power to bring together stakeholders around opportunities in public health tech.
  - Provide guidance from the Centers for Medicare and Medicaid Services on product development minimum requirements as well as reimbursement.
  - Co-develop quality improvement metrics and clinical trial endpoints with industry stakeholders to ensure they do not inhibit the use of innovations.
  - Coordinate with key trade associations such as Association for Community Affiliated Plans to develop and issue guidance on procurement standards and requirements as well as reimbursement.
  - Release Medicare and Medicaid claims data for researchers to better understand the cost-effectiveness of public health tech interventions.
  - Incentivize the inclusion of demographic and social data in electronic medical records so providers and payers can act on significant needs.

- **Access to capital**
  - Carve out innovation funding for city, county and state health departments receiving federal funding.
  - Improve procurement processes for technologies that address the health needs of vulnerable populations. (ie. preferences, etc.)
  - Accelerate expansion of alternative payment reform such as bundled payments and capitation.
  - Allow states greater flexibility to blend funding streams between Medicaid and social services based on efficacy of effective innovations.
  - Offer waivers and/or incentives for hospital community benefit programs to invest in public health innovations that address the needs of vulnerable populations.
  - Designate multi-year quality improvement funding focused on public health tech and innovation for nonprofit and disproportionate share hospitals.

- **Access to modern research and development**
  - Provide research funding for public health investigators aiming to leverage technology and innovation to identify potentially effective technologies and define standardized metrics and meaningful outcomes.
  - Initiate fast track regulatory clearance for technologies and innovations that address the health needs of vulnerable populations.
  - Incentivize licensing and tech transfer of government-funded research that improves the health outcomes of vulnerable populations.
  - Facilitate access to research funding for community-based organizations looking to collaborate
with startups that improve health outcomes for their constituents.

- Compel hospitals and health systems to release social needs data to target approaches to improve care.

Although this is not an exhaustive list, it is a starting point for testing to see what works best.

V. Conclusion

The prospect of ACA repeal is a significant threat to public health as well as the health of millions of Americans. Federal data show, absent policy uncertainty and Trump administration interference, the exchanges are profitable and would continue to be so going into 2018. Paradoxically, repeal and replace efforts have increased support for a bipartisan solution to healthcare challenges as well as the adoption of a single payer healthcare system. Seventy-eight percent of Americans, including 52% of Republicans, want the Trump administration to fix the ACA rather than repeal it.46 60% of Americans say the federal government is responsible for ensuring health care coverage for all Americans.47 The conversation sparked by this legislative issue hanging in the balance is also an opportunity to have a broad strategic conversation about what we need from our healthcare system and where there are areas for improvement.

Venture capital has a clear role to play in advancing public health tech that achieves the target outcome of improved population health, wellbeing, and equity. By scaling and accelerating technologies that place improvements in health outcomes at the center of product development, venture capital backed startups will necessarily engage high need communities to support activities that demonstrate the value of health.

Policies that support collaboration will spark a virtuous cycle of innovations that can be validated by public health departments to ensure the products and services meet their needs. Venture capital is well funded and well placed to invest in the effective innovations that result from this increase in cross-sector collaboration. In particular, everyone becomes healthier when public health and the health care system collaborate closely to ensure access to effective interventions that prevent disease onset and ensure that the most vulnerable populations can access the care they need.

The growth of the public health tech ecosystem will support healthier social and economic environments for more equitable communities. The collaborative effort between the City of Louisville and Propeller Health uncovered the unexpected benefit of increased trust in government as well as boosting morale in local government about their ability to deliver services that people really need. Furthermore, increasing innovation enables local economic development in localities with a supportive ecosystem for public health tech.

Technology has a major role to play by increasing access to information and services, reducing inefficiency, supporting decision making and early intervention, and reinforcing trust, and strengthening patient-physician relationships. Venture capital-driven public health tech offers a roadmap to lower costs and improve outcomes.

Besides Medicaid managed care, there is an overabundance of stakeholders and therefore potential customers in healthcare seeking public health tech solutions to meet the need of their super-utilizers and most vulnerable populations: Medicaid ACOs, Accountable Communities of Health and patient centered medical homes just to list a few. Public health tech represents the future of healthcare by providing a path to more cost-effective sustainable healthcare delivery and supporting the emerging value-based healthcare system.

Wars Are Won at The Dinner Table: Promoting Healthier Lifestyles and Better Communities

by Chad Cherry
Chief Executive Officer, Chef Kulture, NLC Broward 2016

The United States faces a host of health problems that plague communities across the nation. It is no longer sufficient to simply address the symptoms of these problems. Policymakers, activists, and concerned citizens must identify the root causes. Food is vital for mental and physical wellbeing and can foster feelings of security and comfort curating the perfect environment for collaboration and social justice advancement. We must develop strategies for addressing the health, social justice and economic battles the country faces.

Americans have been lulled into a false sense of security and complacency where the health of the nation is concerned. That health is like the health of one’s body because both are dependent on the efficiency of their interconnected systems, large and small. As this network grows it creates redundancy that is the source of the body’s strength. Through this strength, the body grows and people enjoy health and prosperity. Sure, adversity arises when a system falls ill, but through the strength of the network, bodies can heal and continue to grow.

Today, Americans face the threat of an epidemic that, if left unchecked, can cripple the country.

The threat is the growing obesity epidemic that impacts multiple industries, areas, and economic markers. It
endangers the healthcare system at an annual cost of $147-$210 billion per year and impacts national security by decimating the numbers of available staff for first responders. Statistics show that obesity could impact the country’s military readiness by leading to 70% of potential military recruits failing their physical exams. As of 2014, job absenteeism has cost American companies more than 4.3 billion dollars annually, an amount that will only grow and continue to affect the national economy. How did the country get here? One-word: obesity.

Obesity is akin to a malignant cancer, starting small and spreading, causing minor inconvenience, but still not enough to take action. The disease affects system after system leading to decline or decay and potentially causing complete, catastrophic system failure. When this happens in the body we take immediate action, but we cannot just treat the major symptoms of the cancer, we must also treat the cancer itself. Even if that treatment is painful, inconvenient, and expensive, a person must take the necessary steps to regain their health. It is through the dual fight of the symptoms (micro) and the disease (macro) that we win. That same dual fight must be waged between rebuilding communities (micro) and fighting obesity (macro) to save the health of this society.

If a foreign nation had a detrimental impact on the health of American children - impacting their happiness, potentially causing them to be depressed and have poor self-esteem - the federal government would likely go to war. Americans would defend their families. The entity that is waging this battle against American children is not foreign at all. They are food corporations based in the United States that operate throughout the country, often with the assistance and blessing of the federal government. This system was designed to be complicit in the obesity epidemic and, because of big corporation food lobbyists, will need serious policy overhaul if it is to change. The current farm subsidies on corn, wheat, soy, and sugar make it cheaper to buy heavily processed foods than natural foods, hence a burger costing $1 and a salad costs $7. There is a driving demand for empty calorie foods that keep profits high for corporations while exacerbating the nationwide obesity problem. Until recently, obesity and the food related illnesses it impacts, were largely viewed by society as an individual problem, affecting only the person carrying the weight. This viewpoint created very little political or social will to implement large-scale solutions to curb the problem. Tackling a problem like obesity, which leads to cancer, diabetes, and other food related illnesses needs to be addressed on a community level starting with education about food around the table.

One in three children are expected to develop Type 2 Diabetes and many healthcare dollars will be spent on the maintenance or treatment of chronic metabolic diseases. The fact that this country is facing a tsunami of debt from the obesity epidemic complications is a perfect indicator of the reality that obesity is everyone's problem. Studies show that more than 35% of adults and 16% of children are obese, numbers that are expected to rise considerably by 2030 and significantly raise the risk of disease in the general population. It is projected that there will be as many as 7.9 million new cases of diabetes a year, compared with 1.9 million currently. There could also be 6.8 million new cases of chronic heart disease and stroke every year, compared with 1.3 million currently.

The traditional responses for weight control are diet, exercise, and personal accountability but these combined solutions will only make a small dent in the problem. In order to make significant and sustainable changes, people must be educated and empowered. The easiest way to do this is by bringing their communities together around food.

Research shows that many Americans have lost the art of building relationships in the real world. Unfortunately, social media has become the substitute for human interaction. In years past the question was asked, “If a tree falls in a forest and there is no one to hear it does it make a sound?” Today the question would be, “If a statement is made but it is not posted online does it still matter?” People crave authentic experiences and have a need to go beyond transactional interactions in order to build with others, but it has become increasingly more difficult because of technology, which allows them to create self-supporting echo chambers. In an article entitled Four Types of Spaces That Support Creativity and Innovation in Business, author Kursty Groves writes, “Human beings thrive on stimulation – mental, emotional and physical. Stimulating spaces speak to people through non-verbal means, reinforcing messages, attitudes and values. They lift spirits, connect people to a common purpose and appeal to the senses. Stimulating spaces can enable people to connect with the problem, subject or consumer they’re working on by allowing them to immerse themselves in that world, deriving mental energy from the stimuli itself.”

The lack of real community is one of the root causes of health problems. Communities built around gyms increase membership sales, health groups at work have better weight loss results, and seniors that are connected in community groups live longer. A maxim that holds true is, “If you want to go fast, go alone, if you want to go far, go together.” Meeting around the “dinner table” can mark the first step in solving many of the country’s most challenging problems. Dinner parties were the original social network and, with some structure, can now be used in that capacity again. This creates the social capital needed to tackle tough problems. As these dinner table communities consistently improve their spaces by solving problems, they create permanent social anchors. Social anchors are the key to lasting positive change, which creates lasting self-sufficiency. Social anchors allow a community to achieve authenticity by preserving the uniqueness of the community through a consistent marker.
When space is not created to foster stimulation, it limits an individual’s ability to learn new things, directly affecting their decision-making ability and arguably leading to long-term lapses in judgment. In the case of obesity, scientists have been warning about the effects of processed food and unhealthy diets for more than two decades, but the influence of food lobbyists on policymakers, as well as constant advertising has proven too much for Americans to resist. Most people do not make decisions based on logic and fact, but on information from their accumulated life experiences so a person may not be able to readily absorb a fact that does not support their established beliefs. To effect change in our communities through food, it is imperative that people are brought together to create new life experiences in a safe environment or the country will continue to experience an onslaught of micro issues that feed into larger macro ones. This will only cause societal and economic problems to grow increasingly out of hand. As leaders, the choice must be to face the issues head on with the implementation of policies on the federal, state, & local levels, then to reach the masses with campaigns like T.R.U.T.H. (anti-smoking). It is time to redefine what the public knows as truth and reconstruct their environment to support those new truths. In the end, it is not facts alone, but experiences, that will win the war against obesity and food related illnesses that lead to social burdens.

In reference to wars that can be won at the dinner table, “dinner” can be described as any place or time where people gather together around food. Studies show, teens who regularly eat dinner with their families are less likely to smoke, drink, or do drugs, are twice as likely to get A’s in school, less likely to develop eating disorders, and less likely to be overweight. For example, Food Cycle, a British based non-profit, uses leftover food to create dinners that help people in their service areas meet and connect with each other. This helps people suffering from food poverty and those suffering from social isolation. Their program has been successful in decreasing the number of 911 emergency calls in their geographic area, effectively relieving some of the pressure on that country’s already stressed, health care system. In Atlanta, Georgia, Civic Dinners promotes community good including the creation of non-profits, running for office, and assisting with drafting policies for positive change. Founder Jenn Graham states that, “Civic Dinners is about creating space for everyone to be heard. It’s not about hearing experts talk. It’s an invitation for people to participate in a community conversation that requires they engage as active citizens. It is also about inviting diverse voices to the table, asking big questions, listening, and discovering new possibilities. Our goal is to make significant issues more personal, accessible and actionable to everyday citizens.”

Social Anchor success stories can be found in the YMCA and the 22 million people they serve. Two signature programs are the YMCA’s Diabetes Prevention Program and Togetherhood, a social responsibility program. These programs represent the outliers of the solution landscape but with such promising results, communities across the country should be emulating and supporting these efforts.

The creation of specific and targeted policies by federal, state, and local agencies is vital to giving communities the ability to solve issues relating to obesity and other socioeconomic problems that stem from it.

Federal Policy Recommendations:

- Full review of current farm subsidies and revisions to ensure that real food can compete with processed food products on price.
- Change organic food regulations to European standards.
- Lower the barriers of entry for smaller producers to become certified organic.
- Create actual standards for natural food claims to avoid misleading packaging.
- Create natural food certification as a stepping stone to organic certification.
- Create a certification for businesses and organizations similar to L.E.E.D. certifications for buildings, possibly naming the certification M.O.V.E. (Mechanisms for Obesity and Vehicles of Engagement)
- Prohibit companies that make or sell processed food from advertising to children.
- The USDA needs to redesign “my plate” to properly reflect what healthy meal should be not what food lobbyists say it should.
- Create tax incentives for people to be more active.

State Policy Recommendations:

- Add additional consideration to grants that include food education, interaction, and/or nutrition components.
- Create funding for the establishment of organizations like Civic Dinners which can facilitate the dinner series in local communities.
- Establish less stringent guidelines for food donation.
- Create a sugar tax that is placed on all products with excessive amounts of sugar like soda and yogurt.
- Remove toys from fast food kid meals.
- Create nutrition and culinary courses for high schools.

Local Policy Recommendations:

- Establish tax incentives for commercial real estate in food deserts that will rent to tenants willing to build and operate a new type of Co-Op which features rescued food, local farm fresh food, and meals created from waste food
- Fund local nonprofits to provide food education with a tasting and nutrition component

Learn more about NLC at newleaderscouncil.org
• Establish a cash fund and or tax incentives to support non-profits and entrepreneurs that participate in establishing these Co-Ops
• Provide churches or organizations with meeting space incentives to allow nonprofits doing food and health education reduced price rentals
• In conclusion, sometimes the simplest answers are the best. Activists, policymakers and stakeholders can focus on the root causes of the issues we face by creating spaces for collective interaction. Implementing the policy recommendations is critical to creating sustainable communities and having a model that can be transplanted anywhere. This is not government solving the problem for its citizens; this is government equipping citizens with the tools and the environment to make change themselves. The war on obesity starts with nutritious meals, greater food access, and practical conversations around dinner tables across America.

Awareness of Mental Health in Female Adolescents

by Taylor L. Beale
Community Organizer, Illinois Leadership for Educational Equity, NLC Wisconsin

Female adolescents suffer from low self-esteem, irregular eating habits, social isolation, and poor academic performance. These factors are associated with mental health issues that also affect how adolescents cope with stress, form social and familial relationships, and make decisions. In order to strengthen our approach for providing and increasing healthcare provision in female adolescents, we must promote mental well-being. ¹

For a general overview, a report conducted in 2012 in the United States found that over 16% of its population was diagnosed with a chronic illness, major depressive disorder. In addition, 85% of individuals who reported having a single episode of depression encountered another within 15 years.² This is particularly important since families and communities are limited when identifying best practices for prevention and early detection of mental illnesses in young adults. Families in low-income communities are either unaware of these issues or neglect to properly classify the issue at hand to request provision.³ This includes prioritizing healthcare for female adolescence in regards to positive mental health.

There are three lenses that lead to a better understanding of adolescent depression and the prevalence of episodes in adulthood. First, there is a direct connection of early depression to later outcomes, especially those living in low-income communities or neighborhoods with limited resources such as adequate food supply that aids to proper nutrition, public safety, and educational equity.⁴

Second, adolescent depression may exist due to preexisting factors that are directly linked to depression such as early exposure to child abuse or trauma.⁵ Adolescents are not equipped with the requisite judgment, decision-making skills and authority to choose a residence in close proximity to high-quality schools in safe environments.⁶

Third, depression comorbid with another disorder leads to later negative outcomes.⁷ This is the existence of two mental disorders simultaneously. The prevalence of a previous disorder stems from social background, familial, or personal circumstances, which lead to an increase in harmful factors that prevent mental well-being in adulthood.⁸

This paper identifies how to promote mental well-being in female adolescents by understanding gender differences when identifying mental illness in adolescents. It also discusses early warning signs and recommendations to support female adolescents with mental health issues.

Research Summary

Mental health is the ability to effectively perform mental functions that lead to useful activities, constructive relationships with others, and coping with challenging situations.⁹ This is a topic that deserves more consideration, and ought to be prioritized when discussing the well-being of adolescents. About half of mental health issues are diagnosed in individuals by the age of 14.¹⁰ One in five adolescents experience at least one symptom of emotional distress that have adverse consequences.¹¹

The most common mental health disorders in female adolescents include depression, anxiety disorders, attention-deficit/hyperactivity disorder and substance use disorder. Research has found that females aged, 15-20, experience depression at higher rates than males.¹² Female adolescents who experience depressive symptoms may also encounter episodes of anxiety, substance dependence, early parenthood, social isolation, and low academic performance.

Anxiety disorders may also go unnoticed, particularly in teenagers who have been affected for quite some time. Anxiety is a normal adaptive system that allows the body to recognize when it is in danger.¹³ There are coping mechanisms that allow the individual to balance their anxiety to live a healthy lifestyle. For instance, female adolescents who have properly managed their anxiety choose when to participate in activities, or which social circle to join that does not exceed their level of comfort.¹⁴ The challenge is presented when anxiety becomes overwhelming and affects the well-being of the teenager.¹⁵

Share Your Feedback: newleaderscouncil.org/compact
About eight percent of female adolescents will experience their first episode of depression by age 16. Initially, most people notice symptoms such as appetite, energy level, or sleep patterns. It must be noted that depression is an internalizing disorder meaning a disturbance in emotions. This makes it complicated to notice right away, especially since most teenagers go through a period of time when they experience a shift in their mood or behavior.

Without proper management of mental health issues, social learning and relationships and workplace productivity are impaired. Mental health not only affects the individual experiencing the issues, but also directly places a burden on families and society. In addition, social status and relationships are also harmed.

The Importance of Early Detection

Mental illness is prevalent in young adults at an alarming rate leading to outcomes that limit their potential to be productive citizens within their communities. One out of five adolescents are diagnosed with a mental health disorder and one-third of those diagnosed display symptoms of depression. Those experiencing occurrences of mental illness are unable to maintain or improve their academic performance, which leads to lower attendance and graduation rates in schools. They also suffer from harmful relationships that may lead to ideation of suicide or the act itself.

When considering the importance of early detection, it must be noted that proper mental health treatment – a plan that includes an accurate diagnosis and consistency between both the healthcare provider and receiver – can eliminate the presence of a mental disorder to the point where a client no longer meets the criteria for depression. Instead, it reduces the negative impact on an adolescent’s life as well as the likelihood of recurring episodes. When conducting observations of behavior and emotions for early detection, one must consider signs that are less noticeable and may be perceived as typical teenage behavior.

It is imperative that we acknowledge mental health habits that may be beneficial to the well-being of the adolescent. Behaviors such as coping, resilience, and good judgment are a few indicators that suggest a healthy social and emotional functioning later in adulthood. Teens with high self-esteem and are more likely to be productive citizens and maintain healthy relationships with family members and friends.

Disparities in Gender

When diagnosing female adolescents with mental health issues, gender stereotypes emphasize the social stigma that women are more likely to experience an emotional issue compared to men. This belief may deter women from seeking help and receiving the treatment necessary to be productive in their workplace and within their homes. The number of women who work outside of the home has significantly increased, and mental health should be considered a priority as it directly relates to societal productivity. In addition, mental health issues affect a woman’s children and other persons in her care. Adolescents who reside with a depressed parent are at a greater risk of developing internalizing disorders (emotional) or externalizing disorders (behavioral).

It is believed that female adolescents are far more at risk of suffering from mental disorders compared to male adolescents for several reasons. In response to girls maturing faster than boys, they are more sensitive to emotional recognition, which leads to a higher propensity for depression and anxiety. In addition, since girls were known to be the primary caregivers, it made more sense for them to be more responsive to their emotional stimuli for the purpose of nurturing their children. However, men were more likely to be seen as the protector and sole provider of the household. It was unnecessary for them to utilize their emotional responsiveness. These gender roles and stereotypes create a significant challenge for female adolescents to truly determine the status of their mental health. Being told that women are more “sensitive to emotions” creates a suppressive culture that communicates an expected occurrence of depression and anxiety within their lifetime.

Recommendations

Schools that serve students in underprivileged communities are not equipped to educate students with mental health issues. The type of services needed to support student productivity and maintain satisfactory academic performance are not considered a priority. As a result, adolescents with mental health issues, such as depression, may experience later adverse outcomes in adulthood. To support students experiencing mental health issues, state and local legislatures should:

- Provide a mental health course in schools that educates students on the early detection of mental health disorders as well as the effects, symptoms, and resources that are available within their school and/or local community.
- Develop a curriculum that includes programs that relieve stress and anxiety such as fitness, expressive therapeutic classes similar to yoga, painting, or mindfulness activities.
- Mandate an integration of social and emotional learning into the classroom curriculum so students are receiving strategies and are engaged in real-time practice on how to deal with situations that support their well being as adolescents.
- Provide training for teachers to identify symptoms that are related to mental health issues. Teachers must also receive training on proper protocols and proce-
dures for supporting female adolescents who have been diagnosed with a mental health disorder.\textsuperscript{34}

The barrier that prevents healthcare providers from properly identifying and treating female patients can be avoided by considering a gender analysis to reduce the likelihood of wrongfully diagnosing female patients with depression due to bias. Differentiating biological and social factors will improve the understanding of mental health issues, decisions, and treatments and ensure appropriate allocation of benefits and resources to support female adolescence.\textsuperscript{35}

**Conclusion**

The discussion of mental health issues in relation to female adolescents deserves to be prioritized and highly considered as it directly relates to the productivity of societal and familial functions as well as success later in adulthood. Without awareness of early detection and strategies for prevention, young girls will continue to suffer from mental disorders that lead to adverse outcomes in adulthood.

---

**Do Mothers Count in the United States? The Growing Maternal Health Problem and Proposals for Improved Outcomes**

by Melissa Breazile, MPA  
NLC Omaha

"If you want to know how strong a country’s health system is, look at the well being of its mothers."  
– Hillary Clinton

**Do Mothers Count in the United States?**

In 2015, the United Nations reported encouraging news for mothers and families across the world: deaths related to pregnancy were plummeting. The world was on track toward achieving better outcomes for women who were pregnant or who had recently given birth, a central tenet of the Millennium Development Goals. Between 1990 and 2015, the rate of deaths among pregnant and new mothers had declined by 45 percent worldwide.\textsuperscript{1} Mothers were surviving at unprecedented rates. And it was a good sign for health care systems in general, as maternal deaths reflect quality of healthcare overall.\textsuperscript{2}

Yet a strikingly different picture emerged in the United States.

Instead of improving, the rate of mothers dying due to pregnancy-related complications worsened. Between 1990 and 2015, the U.S. maternal mortality rate climbed steadily until it rose above that of other developed nations – which had experienced a 48 percent drop in the same time period (see table).\textsuperscript{3} Each year in the United States, between 600 and 800 women die from complications related to pregnancy and childbirth. An additional 50,000 to 60,000 women suffer from pregnancy-related conditions and problems that often result in disabilities and long-term problems.\textsuperscript{4}

More studies have followed as healthcare providers and researchers work to determine why mothers in the United States are more likely to die in this country than they were 25 years ago, and why they are dying at rates higher than in other developed nations.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Worldwide</td>
<td>385</td>
<td>216</td>
<td>-44%</td>
</tr>
<tr>
<td>Developed regions</td>
<td>23</td>
<td>12</td>
<td>-48%</td>
</tr>
<tr>
<td>United States</td>
<td>12</td>
<td>14</td>
<td>+16%</td>
</tr>
</tbody>
</table>

* Rates are number of maternal deaths per 100,000 live births.


Here is what we know about maternal health in the United States:

- Women\textsuperscript{5} in the U.S. die of pregnancy-related complications at a higher rate than those in other developed nations.\textsuperscript{6}
- Despite the establishment of the United Nations Millennium Development Goal and a decrease in worldwide maternal mortality rates, the maternal mortality rate in the United States has not improved – and appears to be getting worse.\textsuperscript{7}
- The risk of dying or suffering serious adverse health effects related to pregnancy is worse for women of color, older women\textsuperscript{8}, and women with barriers to healthcare.\textsuperscript{9} Black women have suffered a maternal mortality rate 3 to 4 times higher than White women for the greater part of the past century.\textsuperscript{10}
- National reforms have prioritized fetal and child health over maternal health.\textsuperscript{11} Meanwhile, maternal deaths have climbed.
- Many pregnancy-related deaths are preventable. Estimates vary, though studies have suggested that upwards of 30 percent of deaths could be prevented.\textsuperscript{12}

---

**Share Your Feedback:** newleaderscouncil.org/compact
Meanwhile, the loss of a mother ripples across family members and communities, including any surviving children, for generations. And while this impact is well known to families who have experienced such a profound loss, mothers have far too often been an afterthought in ‘maternal and child health’ policymaking and in healthcare delivery. In an interview with Vox, one leading researcher articulated the problem bluntly: “The argument we make internationally is that [a high maternal death rate] is often a reflection of how the society views women. In other countries, we worry about the culture — women are not particularly valued, so they don’t set up systems to care for them at all. I think we have a similar problem in the US.”

This memo will consider some of the factors that make pregnancy in the United States dangerous for all women, particularly for women who face additional risks due to race, age, income, geography, and other factors. Next, the memo will discuss research around preventable maternal deaths and the various points at which problems occur, including case studies of state-level programs intended to improve maternal outcomes. Finally, several key policy priorities will be proposed.

Before proceeding, however, a few definitions may be helpful:

Maternal death or mortality “is the death of a woman while pregnant or within 42 days of termination of pregnancy, irrespective of the duration and site of the pregnancy, from any cause related to or aggravated by the pregnancy or its management but not from accidental or incidental causes.”

Late maternal death or mortality refers to “pregnancy-related deaths that occurred from 43 days to 1 year after the end of pregnancy.”

Maternal mortality rate (MMR) is the number of maternal deaths per 100,000 live births.

Maternal morbidity may include different factors from study to study, but in general refers to health conditions or procedures related to pregnancy. Examples of morbidity include organ damage, cardiac arrest, renal failure, hemorrhage, sepsis, obstetric shock, complications of anesthesia and obstetric interventions, and need for life-saving procedures including transfusion, hysterectomy, and mechanical ventilation.

**Many Maternal Deaths Are Preventable**

Any maternal death leaves a deep mark on the surviving child and family members. While some of these deaths cannot be prevented even under the best of conditions, a large share of maternal deaths could potentially be averted. The literature estimates that 20-50% of maternal deaths could be preventable with some studies suggesting an even higher share – an especially troubling conclusion considering the far-reaching impacts of such a loss to a family.

One method of analyzing “potentially preventable” maternal deaths is to identify one or more of three areas of failure that are contributing factors. These areas include the following:

- Provider-based failures may be delays in assessing or evaluating a client or in diagnosing a high-risk status;
- Systems-based failures may be communication issues between providers, departments, hospitals, and patients; and
- Patient-based failures may include failure to seek care or enough care; belief systems that result in refusing some medical interventions; lifestyle factors such as smoking, alcohol, or drug use; obesity; and history of comorbidities such as asthma and hypertension.

An Illinois study, conducted between 2002 and 2012, found that about a third of the 610 maternal deaths that occurred during this time period were related to pregnancy; of those, one-third were considered to be potentially preventable. Hemorrhage and infection, in cases of death directly related to pregnancy, were more likely to have been considered potentially preventable – leading researchers suggest that system-based solutions could have prevented at least some of these deaths. Other causes of maternal death including cardiomyopathy, vascular accidents, cardiac factors, and cancer were more likely to have been considered “not preventable.” In other words, many of the deaths that could not have been prevented resulted from a preexisting medical condition.

In another smaller study, researchers studied maternal deaths in a Louisiana hospital system across nearly two decades to assess whether deaths there could have been prevented and to determine the problems that may have contributed to each death. Of the 16 deaths included in the Louisiana study, a 75 percent majority were considered potentially preventable; the remainder, not preventable. More than one factor could have been at play in each death. Nine of the deaths were linked with provider-based failures, and systems-based failures were present in nine of the deaths as well. Patient-based failures were noted in half of the deaths.

While the aforementioned studies are limited in size and scope, their findings provide direction for healthcare providers and policymakers working to identify points of systemic failure and potential strategies to improve outcomes.

**Some Groups Face Worse Maternal Outcomes Than Others**

The upward trend in poor maternal health outcomes touches women across the United States regardless of...
race, place, age, or income. Nonetheless, the risk of pregnancy-related death or morbidity is higher for some groups than others. In particular, women of color, older women, and women who face barriers to healthcare are at highest risk.

Black women in the United States face worse birth outcomes than any other racial or ethnic group. For the greater part of the past century, Black women have been 3 to 4 more times likely to die due to pregnancy-related complications than their White counterparts.23 Black women also face higher rates of complicating factors including preeclampsia, diabetes, and unintended pregnancy.24

Among Asian American/Pacific Islander (AAPI) women, maternal health outcomes are also worse than among White women. Specifically, AAPI women have higher rates of morbidities including gestational diabetes, peripartum hemorrhage, perineal lacerations, and infection, as well as a higher rate of mortality. Higher rates of mortality in this population may be linked to higher rates of postpartum hemorrhage, and other unidentified factors may also contribute.25

High rates of maternal morbidity also affect American Indian and Alaska Native women. For women in this group, the rates of postpartum hemorrhage, gestational diabetes, and preeclampsia were notably higher than for the general U.S. population of women.26

In addition to race and ethnicity, age plays a significant role in maternal health outcomes. As mentioned previously, one of the demographic groups facing the highest rates and largest increases of maternal mortality is women aged 40 years and older.27 This rise coincides with an upward trend in maternal age, along with an overall drop in teen births.

In a study by MacDorman, Declercq, and Thoma examining maternal mortality trends by sociodemographic characteristics, findings for this group were particularly troubling. Over a 5-year span, mothers aged 40 and older faced a spike in MMR from 141.9 maternal deaths per 100,000 live births to 269.9—a striking 90% increase. By comparison, women aged 25-29, the lowest risk group, experienced a slight increase in MMR from 14.1 to 14.7 during the same time period.28 The study’s authors note that problems with U.S. data quality, particularly among older age groups, may have led to over-reporting; nonetheless, their research still concluded that “the U.S. maternal mortality rate has not improved and appears to be increasing.”29

On the other end of the age spectrum, teen mothers also face a disproportionate risk of death compared with other age groups. While aging increases the risk of problems like renal failure and elevated cardiac, cerebrovascular, and respiratory morbidity, younger age is associated with a higher risk of sepsis.30

Why Is Pregnancy Increasingly Dangerous in the United States?

Despite advancements in technology and vast financial resources poured into the American healthcare system each year, numerous factors converge to put pregnant and new mothers at risk of death or serious illness. To help understand why maternal mortality and morbidity occurs in the United States, we can look deeper intopatient, social and environmental, political, and systems factors. Examining the intersections of all these factors can help policymakers, healthcare professional, social workers, and advocates identify priorities and solutions. The scope of this paper does not allow for in-depth analysis of each area; however, selected policy solutions will be proposed in a later section.

Patient Factors

Changing social norms, like rising maternal age, along with increases in addiction, obesity, and chronic illness all demand consideration when addressing the conundrum of poor maternal health outcomes. Personal risk factors including the mother’s age, risk behaviors, and health status require thoughtful intervention from healthcare providers and support networks.

Social and Environmental Factors

A person’s health can be affected by where the person lives, works, and spends time—factors that converge in positive or negative ways. As with other health effects, maternal health outcomes can be influenced by a woman’s environment and social sphere.

These factors influence one’s ability to access quality education, stable housing, a safe neighborhood, reliable transportation, healthy food, and more. Increasingly, evidence suggests that social determinants have the greatest impact on health outcomes, even more so than the medical care one receives.31

Political Factors

Access to health care, unsurprisingly, affects maternal mortality and morbidity—a stark reminder that public policy around health insurance can have life or death consequences for mothers. In the Louisiana study mentioned previously, researchers analyzed unpreventable and potentially preventable deaths according to whether and how women were insured. Their findings showed that maternal deaths became more common as health insurance status ranged from private insurance to Medicaid to uninsured. Patients with health insurance are more likely to access prenatal care; indeed, the two patients in the study without any insurance were already very ill when they became
pregnant yet had not received any prenatal care. Both deaths were deemed potentially preventable.32 Rises in maternal mortality and morbidity rates can reflect public policy changes that overtly restrict access to healthcare or yield unintended consequences. For example, Texas data show unusual maternal health outcomes in the years 2011-2012, when the maternal mortality rate suddenly doubled. Prior to those two years, the trend had been modestly increasing. While it is not fully understood why the sudden increase occurred, some have pointed to the closure of several women’s health clinics during that time frame.33

Healthcare System Factors

The Louisiana study examined transfers within the hospital system where a patient required a higher level of care. Such patients, including those with potentially preventable deaths, had high maternal mortality rates. According to the study, “Three-quarters of the potentially preventable deaths after transfer were linked with provider- and systems-based failures before their transfer.”34 Specifically, these failures point to late transfers of already critically ill patients. A lower threshold for transferring could put extremely sick patients into the care of specialists early enough for a better outcome.35

Another systemic barrier to optimal maternal health is inconsistency in healthcare providers and access, whether due to geography or insurance status. Delays in accessing prenatal care occur when women live in provider shortage areas, such as rural areas, because of the transportation, time, and financial hurdles that exist when no providers are available locally, according to a Georgia study of rural and peri-urban areas.36 This was compounded for Medicaid patients in the study, who not only reported challenges with the application system, but also in finding healthcare providers who both accepted Medicaid and had capacity for new patients.37

Working Toward Solutions

Even as the human toll of maternal death grows, hope exists thanks to the efforts of innovative change makers working at the state level. Following are two such cases of progress toward saving lives.

In California, the Maternal Quality Care Collaborative was formed to investigate maternal deaths and develop quality improvement initiatives. The group also developed tool kits to help address obstetric hemorrhage and preeclampsia, two of the most common and preventable factors in maternal deaths. Overall, maternal mortality appears to have gone down as a result of the collaborative’s efforts.38 However, the disparity between Black and White maternal mortality has persisted even as rates for both groups have gone down.

By contrast, a North Carolina program may be to thank for vast improvements in maternal mortality among Black women and the closure of the racial gap between Black and White mothers in that state. A program called the Pregnancy Medical Home for low-income pregnant women starts by incentivizing doctors to conduct early screenings for potential issues. If the woman could be at high risk as a result of any of issues identified during the screenings, a “pregnancy care manager” will work with her throughout the pregnancy to help her stick with a care plan, including addressing issues like nutrition, housing, and access to insulin. The approach is intended to control for as many risks as possible before delivery.39

Other initiatives have been formed to conduct research, implement new programs, and advocate for maternal health. A few of these include: Alliance for Innovation on Maternal Health, Association of Maternal & Child Health Programs, Every Woman Southeast, Health and Medicine Division of the National Academies of Sciences, Maternal Health Taskforce of the Harvard School of Public Health, Merck for Mothers, Black Mamas Matter, and Moms Rising.

Public Policy Recommendations

As discussed, some states and groups have undertaken policy- and systems-based initiatives to improve health outcomes for mothers in our nation. Successful programs provide models for lawmakers, healthcare providers, and advocates to implement change locally, particularly if locales are facing similar challenges. Following are key public policy recommendations for all states.

Form Maternal Death Review Teams Where They Don’t Exist

For too long, child and maternal health research has deprioritized the mother. Maternal death reviews focusing on preventability can help shed light on what went wrong and possible interventions moving forward. However, a persistent lack of good data limits deeper understanding and analysis, and only about half of the states have maternal death review boards.40

States that do not yet have such review boards could benefit from their creation. Any data collected should be used to guide changes that are necessary to improve health outcomes for mothers.41

Protect and Expand Healthcare Access

In the current political climate, access to healthcare remains uncertain and precarious for millions of Americans. Efforts by Republican legislators to repeal the Affordable Care Act (ACA) and replace it with an unknown plan raise questions about previously-enjoyed benefits conferred under the ACA. For instance, under the ACA, insurance plans are required to cover antenatal and maternal care.

Learn more about NLC at newleaderscouncil.org
as essential health benefits. However, Republican have attempted to make coverage of these essential benefits optional for insurance companies, while also rolling back Medicaid access, defunding Planned Parenthood, restricting insurance coverage of abortion.

Passage of the ACA gave new and important protections to Americans in the healthcare system; yet, even with the progress made for many women, the ACA still fails multiple groups of immigrants. For example, lawfully-present non-citizens must wait five years before enrolling in Medicaid. For undocumented immigrants, Medicaid is barred, and purchasing from the marketplace is prohibited. Having health insurance is a life and death matter. Women without health insurance are three to four times more likely to die of pregnancy-related complications than women who have health insurance. This is in part due to the connection between having health insurance and the ability to access prenatal care – an essential service for the health of both mother and child. Every effort should be made to protect and expand access to health insurance for pregnant and post-partum mothers, regardless of income and regardless of race, ethnicity, or citizenship status.

Assure Access to Family Planning Services

Closely connected to access to insurance, access to family planning services helps protect against unplanned and unintended pregnancies.

The United States falls behind other countries in terms of access to family planning. According to the World Health Organization, the United States ranks eighth place among countries in the Americas for women who “have their family planning needs satisfied with modern methods.” This includes universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programs. At 83%, the U.S. trails Brazil, Costa Rica, Cuba, Dominican Republic, Paraguay, Nicaragua, and Colombia in this indicator. Access to family planning services may be especially limited due to geography, local and state policies, and immigration status. To cite just one example, low-income Latinas and immigrants in the Lower Rio Grande Valley of Texas have been hit especially hard by service shortages, funding cuts, and lack of family planning services – leading to late detection of cervical and breast cancers, chronic pain from reproductive health problems, and unintended pregnancies.

Other Legislative Actions

The previous recommendations are broad policy priorities to be adapted according to state and local needs. Advocates and policymakers can also draw from specific legislation that has been proposed at the state level. Some examples of such legislation include: bans on shackling during labor and post-delivery recovery; provision of reasonable accommodations to job applicants and employees regarding pregnancy, childbirth, and related circumstances; insurance requirements to provide out-of-network referrals when women face geographic barriers to providers; paid sick leave programs that include birth, adoption, and new foster care placements; comprehensive reproductive health care; and bans on pregnancy-based harassment.

Summary

Mothers in the United States are at a greater risk of pregnancy-related death now than they were 25 years ago, and they are, on average, more likely to die than pregnant women in other developed countries. Each year in this country, between 600 and 800 women die because of pregnancy and childbirth, and tens of thousands additional women suffer from severe morbidities. Outcomes are worse among women of color, older women, and women who face barriers to healthcare. Some statewide initiatives have helped reduce deaths and close the racial gap between Black and White mothers. Public policy recommendations to reduce maternal mortality and morbidity include: formation of maternal death review teams, expansion of healthcare access, and provision of family planning services.
Innovating Our Democracy

“The United States should strive to re-establish its position as the world’s exemplary democracy” - U.S. Senator Tim Kaine

Our nation is fundamentally built on trust—trust in each other, trust in our history, and, curiously, trust in our processes.

As we move deeper into the twenty-first century, we Americans need to repair the bonds of trust between our democratic process and ourselves. Civic participation is at historically low rates, as is trust in institutions and faith in the inherent legitimacy of our democratic process. Decades of unregulated campaign finance, systemically gerrymandered district lines, and, worse, foreign manipulation of our democratic national debate has dimmed the luster of American democracy. This cannot stand. As progressives we believe that the American democratic experiment is truly exceptional, and worthy of preserving. Indeed, it is worthy of bettering. So, in the following essays leaders from the Millennial generation set out their vision for building a new, frictionless, and equitable framework for the American democratic process. From automatic voter registration to redistricting reform, and from enhancing government service delivery to rebuilding social institutions, our NLC leaders set forth a clear and urgent vision for our country. This vision ensures that all citizens have a say in their government—a real and undiluted say—and that the government provides for all citizens in a citizen-centric manner.

This is democratic governance for the 21st Century. It is our vision for reform, and our Compact with America.
Building a System of Reform

Automatic Voter Registration Offers a Solution to Low Voter Participation

by Dave Rini, Esq
PREA Project Coordinator, Boston Area Rape Crisis Center, NLC Boston

“A democracy in which barely more than half of eligible voters participate risks real challenges about its legitimacy.”

I. Introduction

One of the lesser-discussed stories of the 2016 Presidential election is the number of voters who didn’t participate. Between Donald Trump and Hillary Clinton, voters cast 128 million votes.1 The US Census estimates that the total size of the eligible US voting electorate is close to 227 million people currently2 (that number shifts over time).3 Trump was elected by about 32% of registered voters, or less than 30% of the eligible voting population.4 Close to 40% of voters didn’t vote.5 Although a lack of enthusiasm about the candidates is one way to make sense of this gap, a better way to examine the problem is to find out why eligible voters aren’t voting. Overall turnout was fairly similar to 2012.6 Still, only around 57% of eligible voters cast a vote in 2016.7

Eligible US voters in 2016 can be categorized in roughly four buckets below. The total estimated population of people who could lawfully vote in the US is about 224 million in 2016, and of that number, about 70% (157 million) are registered to vote.8 Another 14% indicated they were not registered (about 32 million) and 15% did not answer questions about registration status (33.8 million).9

Registered voters who voted: the vast majority of people who voted in the 2016 election were registered voters. These folks were eligible to cast a vote, and also were able to execute whatever registration task they were required to do in order to be placed on voter rolls prior to the election. This portion of eligible voters represents about 60% of all potential voters.10 There is a much smaller number of voters who were not registered to vote on election day, but who cast provisional ballots which may or may not be counted, depending on their state’s registration laws. Registered voters who didn’t vote: this is the set of voters who were eligible to vote, and included on voter rolls, but who didn’t vote on Election Day. While exact figures are difficult to determine, as of October 2016, roughly 200 million voters were registered to vote (although the US Census estimates its closer to 157 million).11 Researchers at the statistics blog FiveThirtyEight.com estimated that roughly 54.8 million registered voters chose not to cast a vote in the 2016 election, with the biggest reason for not doing so being that they were not interested in the candidates.12 It’s unclear what forms of public policy would encourage these voters to vote, if they are uninterested in the candidates or don’t believe voting will improve their lives.

Eligible voters who were not registered, and would not have voted even if they were: Research from Oregon’s recent automatic voter registration experiment has indicated that this number of voters is fairly small—when offered an easy way to register to vote, only about 8% of eligible voters choose not to.13 Like registered voters who chose not to vote, it’s not clear what public policy would encourage these voters to vote.

Eligible voters who would have voted, but were not registered: The population of eligible voters who aren’t registered is substantial—the Census estimated it was up to 14% of the eligible voter population, but could easily be larger.14 The think tank Demos estimates this number to be closer to 51 million voters, or nearly one in four.15 And registered voters vote at much higher rates than those who aren’t registered.

A democracy in which barely more than half of eligible voters participate risks real challenges about its legitimacy. A major public policy imperative is to ensure that more eligible Americans are able to vote. Although public policy may not be the right place to address the concerns of voters who are unimpressed with the candidates, or who do not want to interact with voting at all, it is well-placed to address the concerns of that last, large bucket of eligible voters.

Voters may have many reasons for not voting—for those who decide not to vote because they are uninspired or do not believe that voting is a valuable activity, public policy may be poorly placed to change their minds (cultural change may be more necessary here). However, research discussed below indicates that one major reason why at least some Americans don’t vote is because they aren’t registered to vote. Changing that one aspect of their voting status would have substantial impact on their ability to exercise the franchise.

 Voter registration as it currently operates in most of the United States is an anachronistic affair, riddled with unnecessary complications and inaccuracies. It chills voter participation because the rules are often complicated or poorly explained, or because the process to register is an additional task that busy and overworked voters do...
not have the time to address. Automatic voter registration (AVR) is a policy tool that significantly reduces the barriers this fourth group of voters has to voting. Preliminary results from Oregon’s turnout this year indicate that AVR is an incredibly promising tool for increasing voter turnout, and modernizing some of the old, out of date systems that make registration as easy as possible have the highest voter turnout at elections. This is logical—the easier it is for eligible voters to vote, the more they do so.

The promise of AVR is that it switches the administrative burden of voter registration from citizens to government. It removes that set of obstacles that prevent deny people the opportunity to vote.

Paper Systems are Inaccurate and Costly to Update

Voting information is, in many states, still kept in paper records that contain numerous inaccuracies. In a study by the Pew Charitable Trusts on paper voter registration systems across the US, researchers determined that national voter records are woefully inaccurate. Amongst other issues, researches estimated:

- One in eight voter registrations aren’t currently valid or contain substantial inaccuracies;
- Close to two million deceased people are listed on voter registration rolls;
- 2.75 million people are registered in more than one state.

Researchers didn’t pin this issue on wide-spread voting fraud; no investigation has found evidence of that form of election tampering. Instead, the implication is that paper systems are not well placed to address the complexity of modern voting records. Paper systems are costly to maintain and update and small errors or duplications can significantly impact the system.

In addition, with paper records, there are few viable options for addressing cross-state registration concerns. Especially for voters who are highly mobile and who move regularly for work (like Millennials), this can create serious confusion. A voter who is registered in more than one state, because the paper voting registration systems have no accurate way to communicate with each other when the voter moves from one jurisdiction to another, may be at increased risk of being purged from both jurisdictions because their registrations appear duplicative.

These inaccuracies are harmful to voters: the Election Assistance Commission looked at the 892,000 provisional ballots cast nationally in the elections of 2014. Of the reasons voters were required to cast provisional ballots, half had to do so because of a flaw in the address or location of their registration. Additionally, most states have certain administration deadlines for voter registration: potential voters have to tackle whatever opt-in task they need to perform within a certain amount of time before an election, or they will be barred from voting that time around.

These requirements already place obstacles in front of otherwise eligible voters—they may not have the time or ability to to address these tasks, even if they want to. In Demos’s report on Automatic Voter Registration, researchers estimated that between 6 and 7 million Americans tried to register to vote, but were denied because they missed an administrative registration deadline, faced language barriers, or did not knowing where to go to register. These are all opt-in administrative barriers, and they prevented otherwise eligible voters from voting. There is a very real question about the purpose of requiring eligible voters to opt-in to the voter rolls—so far, the main impact of those tasks is chilling participation from voters who are unsure of their voting status. Indeed, research indicates that states that make registration as easy as possible have the highest voter turnouts at elections. This is logical—the easier it is for eligible voters to vote, the more they do so.

The vast majority of states across the US use similar voter registration systems. They can be summarized by a few key consistencies, all of which produce problems and complications for voters. The general characteristics are:

- An opt-in model that requires voters to proactively register to vote, placing barriers and hurdles to their voting activities;
- Paper-based records that are costly to maintain and often inaccurate, and with no clear way to address cross-state registration concerns;
- A purge-based setup to occasionally clean and maintain accurate lists that itself is often inaccurate and incorrectly removes eligible voters from the rolls.
- These problems all put roadblocks in the face of voters who are not registered. AVR shows real promise is addressing all of these concerns, and in modernizing our voting infrastructure as well.

II. The Registration Problem: an old, out of date system

Opt-in Systems Create Unnecessary Hurdles to Participation

Only nine jurisdictions currently have some form of AVR. The rest of the states use an opt-in model for voter registration. This means that voters have to take some pro-active steps to place themselves on voter rolls—sometimes this requires sending a postcard or letter, other times it means visiting a city or town’s clerk. Additionally, most states have certain administration deadlines for voter registration: potential voters have to tackle whatever opt-in task they need to perform within a certain amount of time before an election, or they will be barred from voting that time around.

Learn more about NLC at newleaderscouncil.org

16

18 This is logical—the easier it is for eligible voters to vote, the more they do so.

19 Amongst other issues, researches estimated:

20

21

22

23

24

25
tion to have to cast provisional ballots.

The Current System Inaccurately Purges Voters

Part of the reason for the inaccuracy of paper voter rolls is the difficulty of keeping them up to date, especially for Millennial voters who are more likely to move jurisdictions. The National Voter Registration Act (NVRA) is the primary piece of federal legislation that governs what actions states are allowed to take to remove old or invalid registrations from their books. Although none of these actions is nefarious or malicious, paper records are difficult to maintain consistently and many of these activities (often called “purges”) end up removing eligible voters from the rolls. Some of the common techniques include:26

Postcard Purges: election officials send postcards to voters who are suspected of no longer living at the address at which they registered. If a voter does not respond to the postcard in time, they may be removed from voting lists. But voters may not live at traditional addresses (especially students); their mail may not be correctly delivered, or the voter may have language issues that prevent them from understanding what the card says. Many voters also believe incorrectly that their registration travels with them from jurisdiction to jurisdiction.27

Death Purges: election officials who believe that a voter has died may purge them from the rolls. States use different mechanisms to determine whether a voter is actually deceased—some use obituaries, other require a board of health to certify the death; others allow other voters to provide an affidavit. Because there is no consistent mechanism, voters with similar names as deceased voters may be removed if they live in the same area.

Duplicate Record Purges: when officials believe that one voter has registered multiple times, they can cancel older registrations that are duplicates. Since paper systems cannot be automatically matched, though, simple clerical errors like typos or misplaced hyphenations can make records appear to be duplicates when they aren’t. In Georgia, a set of purges removed 42,000 voters from the rolls for simple clerical issues like these.28

Inactivity Purges: voters who do not vote in a certain number (determined state-to-state, but the NVRA requires a minimum of two) of elections can trigger a postcard purge. If a voter does not return the postcard (as above), their registration can be removed.

These techniques, although not intended to remove valid registrations, often have that impact. They also have a disproportionate impact on Millennial voters, poor voters, and voters of color. These voters are most likely to not receive time off from work29, and may miss small or mid-term elections and trigger a purge due to inactivity.30 Especially for Millennials, who are drastically more likely to move than other age brackets, being purged from voter rolls for having duplicate records or not being registered in a new state are serious obstacles.31

III. Automatic Voter Registration: the Solution to an Outdated System

As we saw at the beginning of this paper, removing the obstacles to registering and solving the registration problems that paper voting records cause are two relatively easy ways to increase voter turnout and ensure accuracy in voter rolls.32 Automatic Voter Registration (AVR) is a system to do that. AVR has two simple premises: first, registration becomes an opt-out system instead of an opt-out one. Second, once a voter is registered, their registration follows them electronically throughout their life.33

The core assumptions behind AVR is that if voters no longer have to go through the small, but significant tasks of registering to vote, they will be more likely to be registered, and that registrations will be more accurate if they are digitized and updated regularly. Voters that are registered are more likely to vote.34 Likewise, voters who might otherwise be culled from voting rolls due to inactivity or moving won’t experience that same attrition under an AVR system, because the automated nature of the systems means only voters who truly should be purged from the system are removed.

Current Vectors for AVR

Most AVR systems work by opting voters into registration when they interact with the Registry of Motor Vehicles. Demos uses the term “source agency” to refer to the set of state agencies that policy makers should consider when determining what agencies should serve as the opt-out mechanism, voters with similar names as deceased voters may be removed if they live in the same area.

• Are able to capture voters of differing socio-economic and racial groups that may not make use of the RMV.37

This set of criteria typically produces a similar set of potential state source agencies outside of the RMV: State public universities (which are already required to offer registration opportunities under the NVRA); State social safety net or disability support agencies; and state departments of correction.38 With appropriate technological investment, a state should have multiple overlapping source agencies,
both to confirm registrations, and to ensure broad reach to potential voters. Other agencies or vectors for AVR could include state income taxes, municipal permitting agencies, and courts. AVR systems do rely on having an initial wave or introductory period to capture as many new registrations as possible, so those records can be digitized and added to the voter database.

**Oregon: a Promising Case Study**

Oregon is the only state that had a fully implemented AVR system in 2016. The “Motor Voter Act” was passed in 2015, and automatically registered Oregonians who had “qualifying interactions” with the state’s department of motor vehicles. Qualifying interactions included applying for a new license or ID, or replacing or updating one. Once they had this interaction, the citizen’s voter registration was updated and processed into the state’s electronic system. Citizens who did not want to automatically register could opt-out. Oregon addressed the initial wave concern by sending 145,000 postcards to voters who did not have interactions with the DMV in 2014 or 2015 to determine if they wanted to join the automatic system or not.

Although this is only one election so far, the results look promising. Data from the 2016 election indicates that Oregon’s AVR law was able to:

- Register 225,000 new voters;
- Set a record for the most votes cast in a general election in state history, with 2.02 million;
- Receive 100,000 votes from those who were automatically registered;
- Increase overall turnout by 4.1%.

As of May 2016, roughly half of the 100,000 new voters were 35 and under. The implication of Oregon’s experience so far is that removing the barriers to registration really does lead to both more voters being registered, and to more voter turnout on Election Day. AVR was doing exactly what it set out to do—reduce the obstacles in the way of voters who wanted to vote. Oregon’s numbers imply that AVR is a good policy—it can increase the number of citizens voting, and it can make tracking and handling registrations much faster, more accurate, and easier.

Although the initial results out of Oregon are promising, there are some caveats about the initial results. The first is that Oregon is a Vote by Mail (VBM) state—all registered voters receive ballots in the mail to their residential address. This all mail system has already shown a higher rate of participation over other, non-mail based voting systems. In 2018, Oregon will be the only state in the country with both VBM and AVR systems in place.

Upcoming local elections and the mid-term in 2018 will provide more nuanced information about the impact of AVR in Oregon—the rush of new registrations in 2016 was due primarily to the passage of the new law. Without that push ahead of an election, voter turnout may return to a more moderate level. Still, a 3-4% increase in voter turnout is substantial for most states, especially if the system to do so also helps improve the accuracy of voter rolls.

**IV. Potential Problems**

Not all policy makers are excited about the possibility of AVR. Some lawmakers have had concerns about privacy and record protection. The OSET Institute recommends policy makers consider AVR a dual-purpose system: its purpose should be equally to register more eligible voters, and to improve the accuracy and trustworthiness of elections. Other lawmakers are concerned with fraud: Governor Chris Christie has vetoed several AVR bills that have crossed his desk, in 2013, 2015, and 2016. In his statement last year, Governor Christie said, “This is just like a cocktail of fraud,” and suggested the bill should be renamed “The Voter Fraud Enhancement and Permission Act.” One of the main components of an AVR system is that the source agencies already collect citizenship information as a part of their normal business transactions, however. AVR systems would substantially reduce the chance of inaccurate voting records.

The Governor may instead have been referring to the possibility of having so many duplicate registrations (assuming election officials had no access to systems that would allow them to digitally match and remove electronic records) that voters could vote multiple times. This type of voter fraud is virtually unheard of in reality. In fact, AVR systems show significant promise in helping to clean up voting rolls that include old or outdated registrations.

Finally, critics also cite the cost of creating AVR systems. On the surface, this can be compelling, but technology already exists within the private sector, however, to process the amount of material a typical AVR system would create, and digitally match records and remove duplicates with a high degree of accuracy. Also, critics miss that AVR systems are also modernization and infrastructure projects, and help replace the older, more expensive systems. Pew’s study found that AVR systems were substantially less expensive than the paper systems they replaced. States that have migrated their registration systems to digital records have already seen substantial savings in terms of costs—oftentimes, the savings from moving to electronic records would provide enough funding, if reinvested, to create most of new infrastructure needed for AVR.

**V. Conclusion**

Putting the administrative burden on the state to register voters can remove many of the barriers that prevent people from voting. AVR show promise as a policy that gets more people registered, and as a likely outcome, helps to drive more voter turnout. AVR is a simple solution to a
serious voting problem, and one that would help address concerns with the accuracy and age of our current voting system. In order to better represent the needs of our country, more people need to be able to participate in the franchise. AVR is a mechanism that will allow voters to do exactly that.

Partisan Gerrymandering in State Legislative Districts and the Search for Fair Representation

by Hon. Kimberly Dudik
Montana State Representative, NLC Montana

I. Introduction

Democracy and representative government are an interesting and delicate pair. They can work together well but when there is discord in the relationship, it can have far-reaching impacts throughout all levels of our society. Legislative redistricting is one area where this discord can develop. Abuses in this process through gerrymandering based on race are well-documented and addressed, especially on the federal level. However, a key area where more focus needs to be had on gerrymandering is partisan gerrymandering, based on political orientation, at the state legislative level. This paper discusses the process of state legislative redistricting and what can be done to ensure fair and equal representation in state legislative districts.

II. State Legislative Governance

States govern themselves through their state legislatures. These legislatures are made of districts where individual legislators are elected that are supposed to accurately and fairly represent the people living in the districts and the state. However, the way these district boundaries are drawn can lead to abuses that inaccurately and unfairly affect the balance of political representation. Following the United States census that occurs every ten years, state legislative district boundaries are redrawn. The process for this redistricting (who draws the lines and how they are drawn) is usually provided for in state constitutions and varies.1

The districts are redrawn because people move and this affects the population of the districts. Each district is drawn so that they have approximately the same number of residents. This helps ensure that every voter has an equal say in our government when decisions are made by elected officials.2

When state legislative redistricting occurs, federal and state rules provide specific guidelines to guide how the district lines should be drawn (although these are not hard and fast rules). These include contiguity with at least 49 states requiring at least one chamber’s state legislative districts to be contiguous. This requires that travel can be had in the district from any point to another without crossing the district’s legislative boundary.3

Second, political boundaries of county, city, town, or ward lines are required to be followed to the extent possible, with 42 states requiring this when possible.4

Third, compactness of a district is to be taken into account with 37 states requiring legislative districts to be reasonably compact in which people live near each other and not having widely contorted boundaries. Six states specify any particular measure of compactness (AZ, CO, CA, Michigan, MT, Iowa).5

Fourth, preserving “communities of interest” is a criteria considered in redistricting. This can include social, cultural, racial, ethnic, and economic interests common to specific areas and that are probable subjects of legislation, including such areas Native American reservations.6

Fifth, political outcomes are considered in drawing lines and this is permitted to an extent. However, excessive partisanship in drawing legislative boundaries is unconstitutional. Deciding what is “excessive” seems to be the question that is undecided. Eight states (California, Delaware, Florida, Hawaii, Iowa, Nebraska, Rhode Island, Washington) prohibit drawing legislative district to unduly favor a candidate or party.7

III. Methods of Legislative Redistricting

Legislative redistricting occurs in various ways depending on the state.

First, a state legislature is in charge of redrawing the lines and pass redistricting plans as they would regular legislation. The politicians can use hired consultants to do this. To approve redistricting plan legislation, it requires a simple majority vote in nearly all states that utilize this method (and the plan is subject to a possible gubernatorial veto although CT, FL, MD, and MS, NC, do not permit this veto). The main problem with this procedure is that sometimes the lines are drawn to keep the currently elected legislators or majority party in power. These states frequently have a deadline by which the redistrict must occur.8

A. Courts

If for some reason the state legislature does not pass such a plan or the plan is found to not meet legal muster, a court (state or federal) may become the entity that sets the district lines so that they are done before the next election cycle).9

B. Backup commissions

Additionally, some states utilize different types of commissions as backup in case the legislature is deadlocked and does not pass a plan or if the governor vetoes a plan. Six states currently use a backup commission. These commissions have varying membership depending on the state. Statewide elected officials may make up the commission (as in MS and TX) or legislative leadership may elect commissioners (as in CT, IL, and OK).10 In one state, Maryland, the governor holds great power in that if the state legislature does not pass a plan, the governor’s redistricting proposal becomes the default plan.11

Share Your Feedback: newleaderscouncil.org/compact
C. Advisory Commission

Advisory commissions, established by the state constitution or by statute, are used to recommend redistricting plans to state legislatures in five states (IA, ME, NY, RI, VT). These commissioners may be legislators or non-legislators. The plan recommended by the commission is then voted on by the legislatures usually with a simple majority vote (except Maine and CT that requires a supermajority 2/3 vote). The legislature frequently has the option to ignore the recommendation of the commission. Iowa has a unique provision that has a nonpartisan bureau draw the redistricting lines and if the legislature twice rejects plans, the state legislature can then draw its own districts. The Iowa legislature has not yet exercised this right.12

D. Independent Commission

Using an independent commission not made up of currently elected officials or lawmakers (although legislators may be able to help select the commission members) would tend to keep the redistricting process less likely and able to be abused. Six states (AK, AZ, CA, ID, MT, WA) currently use this model. These states have additional safeguards in place attempting to stop the abuses inherent in the redistricting process by now allowing a commissioner to run for office in the districts they helped draw for a period of time. These siderails do not allow a candidate or sitting legislator to draw their own district lines, possibly biasing the district so that they could win more easily. State like AX and CA do not allow legislative staff to serve on the commission and WA, ID, and WA bar lobbyists form serving.13

E. Politician Commission

A politician commission is another type of commission that may draw legislative district lines. Seven states (AR, CO, HI, MO, NJ, OH, PA) use this method and have different commission makeups. For example, all commission members in AR, HI, and MS are elected officials or incumbent lawmakers. Commissions may also be a combination of non-politician and elected members, as in CO, NJ, OH, and PA. These commissioners are usually appointed by the governor, supreme court chief justice, party leadership, or legislative leadership, frequently with balanced numbers of commissioners from each party.14

IV. Partisan Gerrymandering to Influence Elections

Gerrymandering occurs when legislative district lines are drawn so as to unduly favor the victory of one party. This has been used by both parties since at least 1812 when Massachusetts Governor Elbridge Gerry drew a salamander-shaped district to favor one party’s candidates.

Now, over two hundred years later and with technological and computer programming advances, the ability to significantly distort legislative districts has greatly increased. As an example, Ohio has been impacted enormously by gerrymandering at the state legislative (as well as U.S. Congressional). The results are seen when democratic candidates for the Ohio House in 2012 received more than 55,000 more votes than Republicans yet the Republican Party still won a 60 out of 99 seats, giving the Republican Party a supermajority. This is “electoral disproportionality” that can be used to measure unfair representation by elected representatives. In 2012 Ohio ranked fourth worst, following Pennsylvania, Maryland, and Virginia.15

Problems resulting from electoral disproportionality lead to elected officials unfairly and inaccurately representing voter preferences and also eliminates election competitiveness. Additionally, communities become disenfranchised because their communities are not fairly represented if they are divided up and put together with other areas that are dissimilar and distant. Voters can also become disenchanted with the political process and then choose not to participate.16

The way the legislative districts are drawn can influence who wins the elections and the balance of political power. Because this can influence the political makeup of a state legislature, it also influences what communities are represented and what laws are passed.17

Legislative redistricting is important because it affects who is elected and what political party is in power. This affects what policies are put forth in legislatures and what issues are focused on by the lawmakers. Fair legislative redistricting will provide meaningful representation to the communities represented. This allows all votes to be counted equally.18

Gerrymandering legislative district boundaries is illegal when this abuse is based on race. North Carolina’s congressional districts were determined to be unconstitutionally racially gerrymandered in 2016 and had to be redrawn so that the they provided fair representation to those living in North Carolina and minority populations were not packed into discrete districts causing a diminishment in their voting power.19

However, partisan gerrymandering that is based on political orientation is more ambiguous regarding legality. Former Supreme Court Justice John Paul Stevens strongly opposed partisan gerrymandering, saying “The government cannot gerrymander for the purpose of helping the majority party; the government should be redistricting for the purpose of creating appropriate legislative districts.”

In 1986, the U.S. Supreme Court determined partisan gerrymandering could be unconstitutional, but a high standard of proof was required and the Court has not determined whether a viable judicial standard exists to determine if a district has been illegally partisan gerrymandered.20

Citizens need to focus on state legislative partisan gerrymandering because if state legislatures grow to no
longer fairly represent the people in the state, the laws passed frequently are not supported by a majority of people in the state and they are sometimes harmed by these laws.\textsuperscript{21}

V. How to Ensure Fair Representation in State Legislatures

States and citizens must be vigilant to not permit unconstitutional gerrymandering of state legislative districts. Citizens are not powerless to stop the abuse of state legislative redistricting through partisan gerrymandering.\textsuperscript{22}

Although gerrymandering has existed for centuries, significant progress has been made in the last twenty years to foxt the legislative redistricting process and prevent unjust legislative representation through partisan gerrymandering.\textsuperscript{23}

State legislative districts will be redrawn following the next census in 2020. Most states continue to utilize state legislatures to redraw their legislative district boundaries. Nonetheless, individuals should push to have fair representation in their state legislatures. Over the past two decades, reforms have been lead to stop the abuse of this process. This has occurred with citizen leg initiatives and referendums demanding a fair process for state legislative redistricting.\textsuperscript{24} Personal contact can help with this. Individuals can contact their elected officials and let them know they demand fair representation in state legislative districts.

A more uniform and comprehensive approach to take that will change the political landscape is to push for a fair procedure for legislative redistricting. The method with the most safeguards against gerrymandering and personal benefit is the best choice to do this is to have an independent commission with sufficient safeguards to protect against abuse. Having an independent commission without elected officials, lobbyists, or legislative staffers (including prohibitions on commissioners running for the seats) can help to guarantee fair representation in the legislature.\textsuperscript{25}

A growing citizen-led trend has also begun to take root. Citizens are no longer satisfied to have their voices diluted, regardless of which side of the political spectrum they are on. Because of this, more states are beginning to use different processes for redrawing their legislative districts and these changes are forced through citizen-driven ballot initiatives.\textsuperscript{26}

Voter legislative initiatives have worked to greatly reduce gerrymandering of legislative districts. One example of this is a redistricting reform that occurred in Arizona in 2000 as well as in California in 2008 and in 2010. Following this trend, New York adopted reforms in 2014 and Ohio, one of the most gerrymandered states, adopted reforms in 2015.\textsuperscript{27} A good example to follow is Ohio that constitutional amendment approved in 2015 that will reduce gerrymandering of legislative districts by 2021 because it requires more equal representation of the minority party and required approval form the minority party of redistricting plans so that the majority is not permitted to simply draw plans that will keep it in power.\textsuperscript{28}

VI. Conclusion

Fair representation at all levels of elected government is a hallmark of a successful representative democracy. All voices must be heard equally. Partisan gerrymandering has caused unjust representation in the past and continues to do that to this day. However, a growing force is requiring state legislative redistricting to be done in a way that is fair and does not permit the majority party to ensure their majority through manipulation of legislative redistricting plans. Fairness requires this type of fair process. Our very democracy relies upon this fairness in order to continue.

Increasing Civic Engagement by Getting Big Money Out of Politics

\textit{by David Edward Burke}

President and Founder, Citizens Take Action, NLC Los Angeles

A representative democracy only works if a critical mass of citizens is politically engaged. Voters hold their elected officials accountable by staying informed and keeping the best politicians in office while finding replacements for the bad ones. Elected officials do what is in the best interests of their constituents, knowing that their jobs are on the line if they don’t. That is how things are supposed to work. But what happens if that system is broken? What happens if people are so discouraged by the way their government works that they stop doing their job as citizens?

In the past few decades, money has flowed into politics at unprecedented levels. Poorly reasoned Supreme Court decisions have paved the way for ultra-wealthy individuals, corporations, and unions to spend unlimited amounts of money to influence elections. Not coincidentally, during the same time period, many Americans have disengaged from their political system, resulting in low voter turnout and a government that increasingly seems to work better for campaign financiers than for constituents. As big money as gone into our political system, more and more people have stopped paying attention.

Though many solutions to this problem have been proposed, only a bold solution that strikes at the heart of the matter can get things moving in the right direction again. A constitutional amendment to overturn Citizens United and pave the way for additional campaign finance reforms is that solution. Getting big money out of politics will lead to a more functional government, which will in turn lead to a more engaged citizenry, which will make for even better government. An amendment can be the catalyst we need to jump start the process and though it may sound like a drastic measure, these are drastic times. Just ask the
American people.

What Do Americans Think of Their Government?

Recent elections and surveys speak volumes about what Americans think of their government and their elected officials. In 2016, voter turnout reached a 20-year low, with only 55.4 percent of eligible voters casting ballots, almost 19 million votes behind the total turnout as recently as 2008. Only 13 percent of Americans felt proud about the election leading up to it whereas 70 percent felt frustrated and 52 percent felt angry.

Low voter turnout and feelings of shame and frustration echo feelings about government as a whole. As shown by the chart below, we are in the midst of the longest period of distrust of government in at least 50 years. Just 19 percent of Americans trust the government to do the right thing most of the time and only 4 percent of Americans have a great deal of confidence in the United States Congress.

Looking at the gradual decline of public trust in government, it is easy to see the influence of scandals and the terrorist attack of September 11th, 2001. Watergate and Bill Clinton’s sex scandal (and the accompanying, highly partisan impeachment process) were both followed by steep declines of public confidence in government. By contrast, 9/11 was followed by a sharp but temporary increase in public confidence. But with knowledge of a few prominent Supreme Court cases, one can also see how the influx of big money in politics appears to have made an impact as well.

Big Money Goes In, Public Confidence Goes Down

Though Citizens United v. FEC gets more attention, the Supreme Court’s first major campaign finance law blunder was Buckley v. Valeo in 1976. In Buckley the Court reviewed provisions of the Federal Election Campaign Act, which limited many types of campaign contributions and independent expenditures. The Court’s majority could have upheld those limits and recognized that large aggregations of money in any form pose a grave threat to the integrity of our democracy, but instead they went in a very different direction.

Though the Court upheld limits on campaign contributions, the majority struck down limits on independent expenditures to support or oppose candidates for elected office. The specious reasoning for this distinction was that direct contributions to candidates posed a significant risk of corruption while independent expenditures supporting candidates did not. Under the Court’s logic, Jane Doe could not contribute $50,000 to a candidate’s campaign, but she could spend $5 million on ads to support that same candidate. Buckley is why people like the Koch brothers can spend unlimited amounts of money to influence elections today.

Unfortunately, Buckley was not merely an ill-conceived decision in its own right; the decision also created the toxic framework under which future campaign finance cases have been evaluated. Under that framework, preventing quid pro quo corruption or the appearance of such corruption is the only interest the Court considers sufficiently compelling to justify restrictions on campaign related spending. Other interests such as ensuring that all citizens have a meaningful opportunity to affect the outcome of elections, or opening the political system to candidates without access to large amounts of money, have not been deemed important enough by the nation’s highest court. Given how out of touch the Court’s decision in Buckley was—especially at a time when Americans were very concerned about political corruption after Watergate—it is not surprising that shortly after Buckley, public confidence in government dropped below 30 percent for the first time in decades. The more infamous Citizens United decision seemed to have a similar effect.

The Supreme Court’s 5 to 4 decision in 2010 did for corporations and unions what Buckley did for individuals—gave them the power to spend unlimited amounts of money to influence elections. The decision was widely criticized and extremely unpopular, with polls showing that over 80 percent of both Democrats and Republicans want the decision overturned. Shortly after the decision, public confidence in government and the Congressional approval rating both reached their all-time lows.

It is not difficult to connect the dots between the growing influence of big money in politics and a corresponding decrease in political engagement. A psychologist might call it learned helplessness. Voters who feel angry about their political system and helpless to change things are
less likely to be politically engaged. Recent studies have demonstrated a link between learned helplessness and depression. It is not a stretch to argue that the American electorate has become justifiably depressed, which explains diminishing voter turnout and widespread political apathy.

**The Consequences of Decreased Civic Engagement**

The drop in political engagement stemming from a loss of faith in government has had swift and dire consequences in the United States. An outsized incumbency advantage in Congressional elections and a glut of legislation that seems designed to favor special interests over average Americans are two of the more alarming consequences.

Despite polls showing that Americans have deep dissatisfaction with Congress, incumbents are routinely reelected at a rate of around 90 percent. This apparent contradiction reveals the disconnect between people’s desire for change and their willingness to be politically engaged enough to make it happen. Other countries do not suffer the same fate. In Australia, for example which has a much higher voter turnout due largely to compulsory voting, the incumbency advantage is significantly smaller.10

The sizable incumbency advantage in the United States allows elected officials to spurn their constituents in favor of wealthy donors and special interests without facing significant risks. This results in legislation that often ignores what the majority of voters want. For example, even though 74 percent of Republicans and 93 percent of Democrats favor letting the government negotiate prescription drug prices, legislators voted for a ban on price negotiation in 2003 in a provision known as Medicare Part D. The provision is widely viewed as a multi-billion dollar gift to the prescription drug industry with taxpayers footing the bill.11 More recently, House Republicans successfully passed the American Health Care Act even though the AHCA only had a 24 percent public approval rating.12

Legislation that favors powerful interests over constituent’s needs is not confined to a few specific bills, but endemic to our political system. According to one study, corporations receive tax breaks of $220 for every dollar they spend on lobbying, for a return on investment of 22,000 percent. In theory, the voters should be sufficiently outraged by such chicanery to send their representatives packing. But voters end up being part of a vicious cycle. Big money in politics makes our system seem broken, which deters people from trying to fix that broken system. Why vote in someone new if they are just as corrupt as the incumbent? Some part of the cycle must be disrupted in order to turn the tide. Striking a major blow against big money in politics with a constitutional amendment may be the best way to encourage people to become more politically active.

**An Amendment to Restore Democracy**

The only two ways to effectively overturn a Supreme Court decision are with a reversal of that decision by the Supreme Court or with a constitutional amendment. In the wake of Citizens United, many different amendments were proposed by various members of Congress, but whether they were sincere, serious attempts at reform is questionable. Because passing an amendment is so difficult, there is a strong argument that many of the amendments were proposed more as a symbolic gesture than as a legitimate policy proposal. “Look at what I or my organization is doing to fight Citizens United. Vote for me or donate to my group!” Besides, many people believed that Citizens United would likely be overturned by the Supreme Court when a new left-leaning justice was appointed by President Hillary Clinton.

But the 2016 election and Neil Gorsuch’s confirmation to the Supreme Court dramatically changed the landscape. Now, not only is Citizens United likely to stand for the foreseeable future, but more decisions that allow big money to flow into politics are likely on their way. As a result, a constitutional amendment has become the most realistic way to achieve major federal campaign finance reform.

Though passing an amendment may feel impossible or unprecedented, virtually every generation of Americans has successfully passed a constitutional amendment except for ours.14 And the most critical element necessary to pass an amendment—the will of the people—is already in place. Recent polls show that addressing the influence of big money in politics is one of the most important issues to voters, trailing only perennial major issues like the economy, health care, fighting terrorism, or education.15 The next step is to harness that energy and unite behind the best amendment proposal.

To further that goal, in 2016 I wrote the Restore Democracy Amendment,16 which I believe offers our best chance of success by striking the right balance of impact, clarity, and bipartisan appeal. Prior to the Restore Democracy Amendment, every other major amendment proposal fell into one of two undesirable groups—either too extreme to succeed or too timid to lead to the reforms we desperately need.
The first group is exemplified by Move to Amend’s We The People Amendment, which would not only overturn Citizens United, but abolish the corporate constitutional rights of corporations and unions. That may sound great in theory but the reality is not so rosy because corporate constitutional rights are not all bad. First Amendment rights are why the New York Times and Washington Post could publish the Pentagon Papers. Fourth Amendment rights are why a corporation’s assets cannot be seized without due process. And the reason corporations can be sued in court when they do something wrong is because of the legal standing they have obtained in part through their constitutional rights. Abolishing corporate constitutional rights entirely would not only cripple the ability of corporations to function, but our ability to hold them accountable as well. More importantly, the vast majority of Republicans and a significant chunk of Democrats do not support such extreme measures, making the amendment about as politically viable as a tax on baseball and apple pie.

The second group of proposals is exemplified by the leading proposal in Congress, the Democracy For All Amendment. The Democracy For All Amendment would give Congress and the states the power to enact campaign finance reforms without the Supreme Court preventing their enforcement, which is an important and much needed reform. However, the amendment does not actually overturn the disastrous Citizens United decision. Congress would have to take that step through additional legislation and it is clear that the current Congress would not overturn Citizens United even if it could. That means even if the Democracy For All Amendment was ratified tomorrow, Citizens United could stand for decades. It seems incongruous to make a historic push for an amendment that does not even overturn the decision that was the primary impetus for that amendment.

The Restore Democracy Amendment resides on the middle ground between the aforementioned groups. Like the Democracy For All Amendment, the Restore Democracy Amendment would shift power back from the Supreme Court to Congress and state legislatures so that accountable elected officials and voters would be able to enact necessary campaign finance reforms. But the Restore Democracy Amendment goes one step further by overturning Citizens United in the text of the amendment. The day the amendment is ratified is the day we push big money from corporations and unions to the sidelines. However, the Restore Democracy Amendment will not deter potentially allies by seeking to abolish the constitutional rights of corporations and unions. It also does not include vague language that would require many new Supreme Court decisions to interpret. Most importantly, by going after big money from both corporations and unions, the Restore Democracy Amendment has as good a chance as any proposal to gain critical bipartisan support.

Civic Engagement Required

Regardless of which amendment proposal ultimately gains enough momentum to move forward in Congress and penetrate the public consciousness, it is clear that any amendment will need widespread support—the approval of 38 state legislatures—in order to succeed. That will take a national movement that requires the exact kind of civic engagement that has been in decline. As a result, an amendment to get big money out of politics can actually increase civic engagement in two ways.

First, any amendment that effectively overturns Citizens United will increase civic engagement directly by giving individuals a greater voice in our political system. If corporations and unions can no longer spend unlimited amounts of money to influence elections, their influence over campaigns and legislation will diminish while the voices of individuals are enhanced. But the process leading up to an amendment will also increase civic engagement on its own.

Because an amendment must be ratified by both red and blue states, the effort to pass an amendment will require people of all backgrounds and political persuasions to unite behind one proposal. People who have never been politically active before will need to become engaged. Partisan activists will need to reach across the aisle. Groups and organizations that rarely find common ground will need to cooperate. Petty differences will need to be put aside in furtherance of a common goal.

In that sense, a constitutional amendment to get big money out of politics can be both a reward and an opportunity.

Conclusion

In the wake of poorly reasoned Supreme Court campaign finance decisions and an ugly 2016 election, many Americans feel like our political system no longer works for us anymore. And it doesn’t. Corporations, unions, and ultra-wealthy individuals wield undue influence over our government at every level. The result has been declining civic engagement and a low opinion of our government and elected officials. Our elected officials have responded accordingly.

But a critical part of the solution to these problems is within sight and ironically, or perhaps essentially, that solution must come directly from we the people who have been marginalized. By supporting a constitutional amendment to overturn Citizens United and pave the way for additional campaign finance reforms, we have an opportunity to restore a government that is more responsive to us, and by extension give Americans a reason to believe that their political engagement is not only necessary, but well worth the effort.
How Right to Work Laws Entrench Economic and Political Inequality

by Amber Baur
Political Director, UFCW Western States Council, NLC San Francisco

Many Americans understand the term “Right to Work” to describe a sensible policy of allowing workers to choose whether or not to be represented by a union in their workplace. In contemporary politics, it now represents a concerted effort by several billionaire funders to defund and weaken the progressive movement through the destruction of labor unions. Having spent decades framing the issue and defining the narrative with a coordinated legislative and judicial assault, unions’ ability to organize workers, fund electoral efforts to turn out union members and other democratic voters and support progressive candidates for public office has been severely weakened.

The effort to push “Right to Work” is not a novel concept. In the early 1900s, it was actively touted by known white supremacist Vance Muse to advance an agenda of hatred and racism directed at Black American workers.¹ There was a focused effort in the South during the 1930s and 1940s to weaken labor unions to push a segregationist agenda through the “Right to Work” fight. They pushed hard to keep “Right to Work” in the South and resist labor unions’ efforts to organize in the region; decentralizing power and weakening efforts to build organizational structure for a coordinated strategy around economic and racial justice¹.

In 2010, a conservative backlash led by the “Tea Party” reform movement swept the nation; resulting in Democrats losing control of the U.S. House of Representative, the United States Senate and many state governorships and legislatures. This emboldened a small network of billionaire funders to renew focus on the crippling of labor unions, unleashing a coordinated legislative attack on the foundation of union organizing². The “Right to Work” strategy sought to undermine labor unions’ ability to organize and represent union workers by allowing workers to opt out of paying union dues while still requiring labor unions to represent them in the workplace and at the bargaining table.

Since then, conservatives have continued to exploit majorities in state legislatures by ramping up attacks on labor unions by passing legislation that limits the ability of unions to represent workers in the workplace and restricting the ability of unions to participate in political activity. Labor unions serve a critical role in the fight to reduce income inequality and increase political participation; without unions actively working to turn out members, and key progressive constituencies that include low propensity voters, voters of color and lower income voters, progressive turnout around the country plummeted.

In 2016, these attacks had real consequences across states that in past elections had voted democratic. The commonality amongst these states was they had recently passed “Right to Work” legislation. This legislation limited unions’ abilities to turn out their members and communicate widely to voters that would have likely supported the democratic candidate. Donald Trump’s ascendency to the presidency was directly linked to losing the traditional democratic states Wisconsin and Michigan.

In states with “Right to Work” laws, unions have less resources to engage members on issues and a diminished capacity to organize. Staff resources are spent organizing workers to become members. “Right to Work” laws also being require unions to continue to represent all workers in a given worksite, whether they are members or not. Time spent on servicing and membership recruitment limits the capacity of the union to focus on broader issues that affect a wide cross section of workers. There are less resources available to communicate through targeted communication, organizing efforts and outreach activities³.

The effort to push “Right to Work” is not a novel concept. There are other impacts felt when “Right to Work” legislation passes in states. States see a decline in union membership after legislation passes.⁴ Not all RTW states see a drastic reduction in members, but nearly 50% see a drop in organizing efforts within the first five years, results in an overall decrease of 5-10% of new members.⁵ Labor unions may be able to hang on to most of their current members after RTW state laws are enacted, but resources needed to organize new industries or workplaces dry up as staff prioritizes organizing those workers already in union shops. RTW state laws are also associated with elevated rates of workplace injuries. In 2011, Richard Zullo explores a direct link between the higher rates of industry and occupational fatalities to the passage of RTW states laws and finds that these laws may be directly responsible⁶. In states with RTW laws, safety training and injury prevention are underfunded and correlated to increased injuries and fatalities on the job.

The impact of RTW legislation affects all workers, regardless of union membership. The reduction of the union’s ability to organize and represent union members increases income inequality for all workers. Wages in RTW states are 3 percent lower than those in non-RTW states. This means the average full time worker sees $1,558 less annually⁷. The average median wage is $2 less an hour in these states; controlling for union membership we see a wage differential at 4%⁸. This conclusion is echoed in a study done by the University of Illinois that controls for education, occupation and demographics and finds that workers in Indiana, Michigan and Wisconsin all have seen a decrease in hourly wages by 2.6%⁹. African American work-

Share Your Feedback: newleaderscouncil.org/compact
ers, who are statistically more likely to be union members than white workers, experience this decrease in wages more acutely, as do similar workers in higher paying jobs such as construction. For female workers belonging to a labor union, the wage gap between them and their male coworkers is markedly lower than the national average, about 9.4 cents versus 18.7 cents.

American citizens with significant financial resources are more likely to engage in the political system and have their values reflected in policies passed by elected officials. Labor unions offset the over representation of wealthy Americans and their interests by providing a mechanism for workers to engage in the political process through collective action. Unions spend resources organizing their members to participate in electoral politics. States that have high union density, such as California, Washington and New York, have higher minimum wages, more participation in the healthcare delivery system, higher labor standards and protection for consumers. States that have passed “Right to Work” laws are more likely to have legislatures dominated by elected officials who pass more “business friendly” legislation, less regulation, and are usually more conservative in the approach to social issues.

Union members receive more consistent information directly related to left leaning progressive ideas. This results in union members acting more progressive than their cohort; belonging to a union changes members outlook and challenges previously held perceptions and ideas. Union membership is an important connection between the member and the civic engagement structure; it makes the process more easily navigable to those already suffering from greater income inequality. One key indicator of increased engagement in the political process by union members is higher levels of turnout. Union members tend to turn out in higher numbers than other workers with similar demographics. Union engagement programs not only have an impact on members’ beliefs, attitudes and behaviors, other white working class voters and voters of color are impacted as well. These cohorts are more likely to participate if there is a union organizing campaign in their district. Decreased union membership results in lower turnout among this same group. Specifically, union engagement increases midterm election turnout.

As union membership continues to decline and with national “Right to Work laws” looming, we will see a direct impact on progressives’ ability to organize voters and pass progressive policies. “Right to Work” laws are directly related to lower rates of union membership, lower wages, lower levels of trust in political institutions and less progressive tax structures; shifting the power even further in favor of corporate interests and the wealthiest Americans. States with higher levels of union membership have more progressive policy outcomes than states with lower union membership. This relationship is not evident when looking at campaign contributions, so this suggests that the outcome is tied directly to unions’ ability to organize and mobilize members.

Case Study: Michigan
Long considered to be a union stronghold, Michigan came under Republican control in 2010. Republicans took advantage of the Tea Party wave and favorable district lines drawn by a gerrymandered process for state legislative districts. The shift in power brought the return of “Right to Work” principles into civic conversation and unions feared for their future. Unions moved quickly to try and protect union rights to collectively bargain through a ballot proposition in 2012. The proposition was defeated and Republicans ceased an opportunity to go on the offense by introducing “Right to Work” legislation that would severely cripple unions’ ability to engage in organizing and political activity.

Led by the billionaire donor Dick DeVos, an aggressive effort was undertaken to push the newly elected Governor and other Republican Party leaders to engage in a RTW fight. This legislation was designed to cripple the ability of unions to engage in politics. This legislation, when passed, increased the likelihood of the Republicans winning the 2016 presidential election. The legislation quickly passed through the Republican legislature and was signed into law by Governor Snyder, who had been quoted as saying that RTW wasn’t even on his political radar.

The impact of “Right to Work” was felt gradually in Michigan as union contracts under the previous system begin to expire. In 2016, Michigan’s unions experienced a loss of 15,000 unionized workers or about a 1% decrease. The greatest job losses were in occupations that traditionally provided pathways to middle class employment. The reduction in the unionized workforce was particularly felt by those workers with two and four year college degrees the hardest.

Michigan’s unemployment rate is below the national average at 4.5%. The low unemployment rate is due to fewer workers, not the creation of more jobs. Michigan’s auto industry was hit hard during the recession, and the state experienced a mass exodus of younger residents moving out of the state for employment opportunities. As the state of Michigan became less unionized, less educated and less urbanized politics in the state became increasingly reactionary. The reactionary conditions created within Michigan’s political environment led to the embrace of Donald Trump’s hateful rhetoric.

Michigan voters that have been left behind in its post-recession economy see trade agreements such as NAFTA, the reason employment opportunities in Michigan have been reduced. The message Donald Trump carried in the
campaign around his ability for the country to renegotiate these agreements resonated with many of Michigan’s voters. This was not a triumph of the Republican nominee winning over white working class and union voters in the Rust Belt, instead Democrats were not able to engage them and get them out to vote. Participation was down in both key democratic precincts and in concentrated urban areas. Counties like Genesee where Flint, Michigan is located went Democratic by 10 points, but still fell short of the larger margins Obama saw in both elections. Michigan lost approximately 49,000 union during and after the RTW fight and Trump won Michigan by about 10,500 votes.

While the recent RTW law did not lose the Presidential election for Democrats, it created an environment that made it harder for union members to mobilize while promoting a progressive message that could have engaged union and nonmembers alike. This instability shifted the center of power and allowed Trump’s economic populist message to gain traction among those disengaged from the political process, exacerbating the impact of economic inequality. Candidates, their campaigns and their messages are fundamental to political outcomes, but so are organizations that involve citizens in civic engagement and engage them in efforts to turn them out to vote.

The success of labor unions is integral to the advancement of progressive electoral and legislative outcomes in local, state and national politics. Progressive organizations and their members must participate in active campaigns to organize workers, build a strong base of engaged citizens and create a center of power for all workers that builds the movement. Organizations seeking to further progressive causes must be involved in the fight against efforts to enact RTW legislation, engaging in coordinated efforts with labor and community partners to beat back efforts to crush the left.

Blocking National and Regional “Right to Work” effort is only part of the fight; there must also be a broad, progressive coalition moving an offensive plan to build the movement. Legislative efforts to redress the inequities in labor organizing must be pushed in areas with progressive strength. Legislators must be held accountable on legislation that builds power for workers and alliances between labor unions and progressive groups real and meaningful, not transactional. Labor unions and their allies must explore a coordinated strategy that includes both legislative ideas and judicial challenges to effect real change and shift the narrative.

In 2013, California legislator Jimmy Gomez authored AB 880, legislation that targeted large corporations attempting to shirk their obligation to workers’ health care benefits under the Affordable Care Act. The legislation would have fined employers when their workers are forced onto MediCal, instead of working enough hours to qualify for a company plan. Highlighting these employers would allow unions and community groups to focus on these unscrupulous actors and emphasize the value of union membership; providing a powerful counter narrative that focuses on the wealthy corporations and businesses responsible for the vast income inequality in the economy.

The bill did not pass due to several business-aligned, moderate Democratic legislators either neglecting to vote or voting no on the legislation. In 2016, a coalition of environmental advocates, consumer attorneys and labor unions formed to hold one of these legislators accountable for this and other votes in direct opposition to progressive priorities. Assemblymember Cheryl Brown represented the Inland Empire, a community hit hard by the environmental impact of extreme pollution, gun violence and the impact of income inequality. The coalition built a campaign based on grassroots organizing that focused on progressive values and dignity and respect for working families. They were successful in ousting Brown from office and elected a Eloise Gomez Reyes, a champion for their values. This fight was critical to building a mutually beneficial, long-term relationship in the community that strengthened both the labor movement and the partner organizations.

Mandated disclosure laws requiring transparency in wage and salary information could help organizers identify bad employers and target potential work sites for organizing. Employee dissatisfaction with income inequity, noncompliance with wage and hour laws or wage discrimination can all be more easily identified with more transparent compensation disclosure. It could serve to shift some of the power dynamic to the workers and worksite organizers looking to address wage discrimination and work place violations, arming them with information to educate and unify workers.

Legislation that strengthens the position of workers and labor unions while organizing should be explored in areas with progressive majorities throughout the country. In 2017, Assemblymember Lorena Gonzalez Fletcher authored AB 306 in California, which would allow workers locked out of their place of employment due to a labor strike, to be eligible for unemployment benefits. Providing striking workers with economic relief while on the picket line supports labor organizing efforts and empowers workers to stand up for a union contract.

Further research must be done to test pre-emption in areas with strong, progressive majorities. In “Right to Work” states, additional research should focus on exploring proposed changes to federal law that would redefine exclusive representation, perhaps creating a member only bargaining unit. All workers within the bargaining unit could pay a fee for representation and those who did not want to be included in the union would be outside that bargaining unit and would enter into a direct agreement for
Finally, progressive organizations must take a principled stand on fundraising. Monetary contributions should not be accepted by organizations that contribute and fund efforts to devastate labor unions, fight against attempts to organize workers, or contribute in any way to the advancement of “Right to Work” principles. Organizations should adopt principled fundraising guidelines that reflect the values of the organization and support efforts to build power among workers to form a union and therefore reduce income inequality in the most effective way possible.

Re-imagining Local Party Governance: A Call for Constituent-Driven Party Reform

by Elizabeth Adams
Brooklyn Democratic County Committee Member, NLC New York City

Executive Summary:

The 2016 presidential election revealed the extent to which U.S. voters distrust government and their elected officials. Many Americans who voted for Trump said they liked that he is “not a typical politician,” and cited “cleaning up corruption” in government as one of their top concerns. Voter drop-off also increased in the 2016 election most noticeably among the “Rising American Electorate” of young people, people of color, and single voters.

However, in an increasingly interconnected world, constituents have the ability to be more linked to local government and political action than ever before. The post-2016 election world has shown voters to be engaged at new levels, attending public town halls and community meetings, writing letters, and calling legislators’ offices about the issues that matter to them.

This increased constituent engagement affords new opportunities for civic participation. Moreover, it requires us to re-examine our current political systems and party governance to unpack the systems that have led people to feel disenfranchised, disempowered, and disconnected from local government for so long. If the Democratic Party sees itself as the part of progress and aims to be accountable to the interests of the communities it serves, it needs to do more to build trust and engage community members in the political process, starting at the local level.

I propose that a critical first step in rebuilding the Democratic party as a whole is to revitalize local party commit-
tees through constituent-driven reforms.

What is a County Committee?

The Democratic and Republican Parties are really a constellation of political committees: the Democratic National Committee and the Republican National Committee, fifty state committees, and myriad county and local committees. To examine the most basic building block—local party committee—I will focus on New York state. In New York, the county committee is the most local level of party governance.

County committees hold significant power in determining who represents the party at the local level. They endorse candidates for local public office, nominate judicial candidates, determine the state’s party platform, and select the Democratic nominee during special elections. Each committee has an executive committee, usually comprised of elected officials, and is served by local representative Committee members, who organize their neighborhood, help decide committee rules, and work with their local District Leader to provide community input in the County’s Executive Committee decisions. At its full capacity, each county committee could have upwards of 1,000 members.

Community representation and membership is a defining feature of county committees. The structure was designed to give residents a voice in their political party’s decisions and empower community members to direct the interests and actions of local political leaders. Because the committee determines party endorsement in local races and often selects the democratic candidate during special elections, Committee leadership influences who runs for office and so shape the legislative issues the state party prioritizes.

Local Party Governance Challenges – A Case study of New York’s County Committee Structure

In practice, New York’s county committee structure is not a democratically run process. County leaders hold immense power in determining candidate endorsements, and local party platforms are set by party leadership with little community input or oversight. This is largely a result of how the membership is chosen, a significant lack of public transparency, and an entrenched system of political quid-pro-quo.

I. Committee Membership

Any registered Democrat can petition to run for County Committee and represent their local electoral district (approximately 3-5 city blocks dependent on number of votes). County leaders and local district leaders can also appoint members to the committee and often do so to fill vacancies, as each electoral district has 4-6 available committee seats. Many of these seats sit empty for years.

Learn more about NLC at newleaderscouncil.org
With such a large membership, committee members have the option to vote by proxy, and appoint another member to vote for them. In practice, this has led to members handing over their proxy votes to the County leader as soon as they are appointed, without ever attending a meeting. County leaders have regularly had well over a thousand proxy votes for meeting votes, making debate unnecessary. Reports have also surfaced of local County parties appointing committee members without their knowledge or consent to increase proxy votes.1

ii. Public Transparency and Engagement

Public awareness of the county committee is relatively low, due to a lack of education on the process and few materials sent to primary voters on local engagement. As a result, County committee membership is extremely low and committee procedures are not transparent. Only 28.5% of Queens county committee seats are filled by elected members and only 27% of Brooklyn committee seats are filled. Moreover, most committee debate is held in executive committee meetings, which are closed to the public. With a more active membership, full committee meetings could be held more regularly, include more debate on the committee process, and better reflect current community issues.

iii. Entrenched Party Favoritism

The committee structure grants the local party leadership the power to select candidates during a special election and determine party endorsements.2 Without democratic voting processes and transparent meetings, political support is easily granted based on favoritism. Without county backing, new candidates are at a significant disadvantage with regard to fundraising, endorsements, and public attention. County leaders also provide candidates significant legal backing, a critical resource as campaigns often challenge opposing candidates’ petition signatures to get knocked off the ballot. A candidate looking to run outside of the local party system’s support faces an uphill battle, and as a result community leaders interested in running for office often feel pressured to vote with County leadership and support local party decisions.

County Committee Impact

New York’s County Committee governance reveals deep structural issues the Democratic party is facing today. A lack of transparency and accountability has led community members to distrust the party, it’s platform, and the political process as a whole. The current county committee structure discourages candidates running from outside of the political system. The democratic party has struggled to cultivate a strong bench of young, diverse, and progressive candidates, often a result of entrenched and outdated political systems. If we want the party to better reflect the communities it serves and support community leaders to get involved in politics, local party systems need to become more open to community participation.

Re-imagining Local Party Governance

In order to enact meaningful changes to improve the democratic process and engage community members throughout the process, the committee structure ought to become more transparent and accountable, and encourage greater community engagement.

County committees would benefit from constituent-driven structural changes. Reforms to address the aforementioned concerns of transparency, accountability, and a lack of member participation, require a community centered model to advance and be successful. Below are proposed amendments made to Brooklyn county’s governance structure, which are designed to serve as a guide for democratic party accountability measures. Each committee structure operates uniquely, however, and requires broad community participation in order to achieve long-term change. The underlying issues of the current party structure stem from constituents being cut out of the process, and so it is critical that reforms engage a majority of members.

Proposed Changes to County Committee Structure3

1. “No one person can hold more proxy votes than the number of County Committee members currently serving in his or her Assembly District.”
2. “The Executive Committee should provide basic information for new and existing Democratic clubs seeking advice on legal and campaign finance compliance.”
3. “Meetings of the Executive Committee shall be conducted in Public Session, except upon a vote of the majority of the voting members present to proceed in Executive Session, which may be limited to a specific item or items. Proxies may not be used on such a motion unless they specifically authorize. Executive Committee meetings for the purpose of selecting judicial candidates must be held in Public Session.”
4. “The County Committee must withhold financial, organizational, and legal support from any politician or candidate who has been convicted of a felony due to corruption or malfeasance related to their public or party office.”

Share Your Feedback: newleaderscouncil.org/compact
Intentional Community Participation

As members consider local party governance reforms, community leaders would benefit from intentional constituent engagement. County committee membership offers an opportunity for deeper civic engagement of people across age, race, gender, and economic lines; cross-community collaboration could strengthen community networks and build a better informed neighborhood base to push local elected officials to better meet the needs of constituents.

Conclusion

The Democratic party nationwide is in need of progressive local parties pushing forward bold and clear platforms and building a stronger political bench of community leaders and progressive candidates. Voters are distrustful of the party establishment and also incredibly politically active, highlighting the party’s responsibility to better engage members locally. A community centered model of political governance would improve voter participation and also add much needed accountability to the party. Local democratic party leaders need to catch up with voters and enact clear reforms.

Ratification of the Equal Rights Amendment

"Equality of rights under the law shall not be abridged by the United States or by any State on account of sex."

In 2020, America will celebrate the centennial anniversary of the ratification of the 19th Amendment, which guarantees women the right to vote. While this is something to be acknowledged and celebrated, it also has concerning overtones; in the 97 years since its passing, women are no closer, legally speaking, to obtaining equal rights. There are over 50 nations worldwide that have constitutions that have explicit statements on women’s equality or non-discrimination based on gender; the United States is not one of them. The concept of equal rights is hardly new, nor is the need to have them enshrined in law. Women and their allies have struggled and fought for equal rights for the past 150+ years. Organized by Elizabeth Cady Stanton, Lucretia Mott, and a small group of Quakers in 1848, the Seneca Falls Convention was a gathering to discuss the roles and rights of women. Stanton presented the "Declaration of Sentiments," a document modeled after the Declaration of Independence, outlining the equal rights women deserved as citizens. Included in the Declaration are 14 facts that show "mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her." More than 100 attendees, women and men, signed the declaration. This was more than had signed the Declaration of Independence.

The most divisive point of the Declaration, one that even Mott did not want included, was women’s suffrage, a controversial position for a woman to take. But Frederick Douglass, a well-known abolitionist, passionately argued that denying women the right to participate in government was degrading, perpetuating a great injustice, and “the maiming and repudiation of one-half of the moral and intellectual power of the government of the world.” The decade between 1850-1860 saw yearly National Women’s Rights Conventions that focused on improving rights for women. Topics discussed included equal wages, expanded education, women’s property rights, marriage reform, temperance, and of greatest importance, suffrage.

In 1865, the year the Civil War ended, prospects for women’s suffrage seemed improved. Post-war discussions had focused on giving Black men the right to vote. Abolitionists and suffragettes had previously worked together but a split soon developed. Cady and noted suffragette Susan B. Anthony wanted a “universal” right to vote to pass, believing that women and Blacks must be given the right to vote at the same time, fearing, rightly, that the fight for women’s suffrage would be set back for decades. Douglass, on the other hand, believed, also rightly, that women’s suffrage would never pass, and it was too risky a gamble. In the end, Section 2 of the 14th Amendment, ratified in 1868, only guaranteed the vote to adult ‘males,’ a word and distinction introduced into the Constitution for the first time.

It would be almost fifty years before women would finally achieve, not equal rights, but at least the right to vote. In 1872, Aaron A. Sargent (R-CA), a women’s suffrage advocate introduced an amendment that would later become the 19th Amendment. The proposal sat in committee for years before being voted down by the full Senate in 1887. The next great effort for women’s suffrage came after the 1912 election with the rise of Theodore Roosevelt’s Progressive Party and the Socialist Party. As a result, finally, with strong urging from President Woodrow Wilson, the amendment for women’s suffrage was finally approved and ratified in 1920. Even then, 25 Senators voted against it and Tennessee almost missed the ratification period.

Women had the vote – but not equality under the law. During a conference held in July 1923 commemorating the 75th anniversary of the Seneca Falls Convention, suffragette and feminist Alice Paul “announced her intention to

Learn more about NLC at newleaderscouncil.org
develop and promote a new constitutional amendment... it was intended to guarantee equality under the law for men and women.” Even among women, the reception was varied, with opponents arguing that equal rights would actually strip some gender-based benefits. Still prominent women spoke out in favor of the amendment, including former First Lady Eleanor Roosevelt, who stated in 1946 that an equal rights amendment would “make it possible to wipe out the legislation which has been enacted in many states for the special needs of women in industry.”

Even so it wasn’t until 1970 that a bill for equal rights for women was officially reintroduced in Congress. It passed in the House with 354 yeas, the Senate with 84, and was endorsed by Republican President Richard Nixon. The ERA went to state legislatures in 1972 with a seven-year deadline during which 38 states had to ratify the amendment. By 1977, 35 states ratified, and by the 1979 deadline, no more had done so and five actually voted to rescind their approvals. Congress voted on a three-year extension, which passed with a simple majority only and was signed by President Jimmy Carter; however, no new states ratified it during this time. In 1982, Senator Ted Kennedy (D-MA) reintroduced the ERA to Congress but was unsuccessful in gaining congressional approval and it has been proposed every year since, to the same effect.

Why is the passage of the Equal Rights Amendment so crucial? Under existing law, the only right that cannot be taken away from women is the right to vote. Everything else is eligible for legal debate and legislation. While opponents of the ERA have argued that all citizens are protected under the 14th Amendment, this is simply not true. If all rights were protected, then why were the 15th and 19th Amendments necessary for Black and women’s suffrage?

The ERA is needed because women are disadvantaged in almost all areas of their lives. They experience extensive control and regulation of their reproductive lives, gender-based violence, well documented pay-inequality; they are disproportionately poor, can be harassed and subjected to biased consideration in hiring and promotion, and are viewed and treated negatively by employers because of pregnancy and motherhood. Women’s health rights have and continue to be particularly vulnerable to attack. One of the most contentious issues in America right now is whether abortions should remain legal. The 1973 Supreme Court Case Roe v Wade ruled that a woman’s decision to have an abortion is protected as a right to privacy under the Due Process clause of the 14th Amendment. Since that landmark ruling, however, conservatives and the anti-choice camp have fought to increase regulations, making it harder for women to obtain these services, with the end goal of reversing the decision.

In the 2016 election campaign, Donald Trump vowed to appoint a justice to the Supreme Court who supported the overturn Roe v. Wade, and he kept that promise. During his confirmation hearings, Senator Dick Durbin (D-IL) asked Gorsuch his stance on abortion given this particular phrase from his book on assisted suicide, “The intentional taking of human life by private persons is always wrong.” Gorsuch subsequently stated that, in the Roe v. Wade decision, a fetus is not a person for the purposes of the 14th Amendment, and that he accepts the law of the land. However, many remain skeptical that these comments reflect his actual opinions. States have, can, and will continue to pass harsher, more restrictive anti-choice legislation.

Women face a host of discriminatory practices when it comes to medical care. Before the Affordable Care Act, insurance companies practiced a system called gender rating, charging women higher premiums simply because of their gender. The justification behind this practice is that women tend to be bigger consumers of healthcare than men, partly due to the fact that they are the ones who endure pregnancy and childbirth. Men are equally responsible for procreation, they are not treated punitively by health insurance companies.

The 2010 Patient Protection and Affordable Care Act (ACA) was a significant move in a positive direction to address these issues and many more. Providers are required to perform women’s wellness exams with no copayments. Oral and other hormonal contraceptives, medications specific to women, no longer require copayments. Coverage of essential health benefits is mandatory, including pregnancy and maternity care.

Contraceptives are an example of why we need the ERA. In 2014, Burwell v Hobby Lobby and Birth Control, the U.S. Supreme Court ruled that closely held, for-profit companies may be exempt from the birth control mandate due to religious beliefs. This ruling demonstrates that greater care is taken to protect the rights of corporations than of women. The Obama administration did get involved, and while Hobby Lobby and similar companies may refuse birth control coverage in their plans, health insurance companies must directly provide birth control at no cost to employees.

It is becoming harder for low income women to access health care from organizations including Planned Parent-
hood. Republicans in the House and Senate constantly fight to defund Planned Parenthood, arguing that no federal money should be given to organizations that perform abortions. Abortions, however, are a minority of the services provided; in 2012 abortions made up approximately 12% of services, an estimate on the high end.[13]

At the time of writing, House Republicans passed the new American Health Care Act (AHCA), currently being debated in the Senate. There are many parts of this bill that will strip women of the rights they gained from the ACA. The first version of the bill was so unpopular that it didn’t even make it to the House floor for a vote. With no Democratic support, the second version passed by a vote of 217 – 213 on May 4, 2017.

The AHCA will prohibit federal funding to Planned Parenthood, alter income-based tax credits, allow states to apply for pre-existing condition waivers in 2020, prohibit abortion coverage from being required and forbid the use of tax credits to purchase a plan. In addition, family planning would no longer be mandatory in states opting for Medicaid waivers and the reinstatement of high risk pools which will include eventually include pregnancy, and more.[13] The AHCA is just one of a myriad of reasons why the Equal Rights Amendment should be ratified. This is not a partisan issue and women from all political parties will benefit, just as all women benefitted from suffrage whether they supported the cause or not. Will the extreme polarization between Republicans and Democrats prevent the ERA from ever passing? Is there a way to get there, and how?

There are two strategies for trying to ratify the ERA, the “Three State” and the “Fresh Start” proposals. The “Three State” strategy is bolstered by several previous legal decisions regarding constitutional amendments. The Madison (27th) Amendment was ratified in 1992, 203 years after it was introduced in 1789. Term limits are not discussed in the Constitution, and it was not until the Dillon v Gloss ruling in 1921 that Congress was entitled to assign a deadline for ratification.[14] The important difference between Madison and ERA is that Madison never had a term-limit, so despite taking 203 years to ratify, it can still be distinguished.[14]

Resolutions have been introduced in the House and Senate that would repeal, or eliminate entirely, the deadlines set in 1972 and 1979, reopen the ERA for state ratification, and extend the period for state ratification indefinitely.[15] This year, a joint resolution, H.J. Res 53/S.J. Res 5 was introduced by Representative Jackie Speier (D-CA) and Senator Ben Cardin (D-MD). The resolution aims to “[eliminate] the time limit for ratification of the equal rights amendment (prohibits discrimination on account of sex) proposed to the states in House Joint Resolution 208 of the 92nd Congress, as agreed to in the Senate on March 22, 1972. The amendment shall be part of the Constitution whenever ratified by the legislatures of three-fourths of the states.”[15] At the time of writing, the bill has zero Republican sponsors in the House and zero Republican sponsors in the Senate.

The “Fresh Start” strategy is simply that, introducing a new bill and starting the ratification clock at zero. It is thought lawmakers support this strategy because there are debates regarding the constitutionality of the Three State strategy.[17] Five states - Idaho, Kentucky, Nebraska, Tennessee, and South Dakota - actually voted to rescind their ratification. There is legal precedent, however, that once they have voted, they cannot rescind. During the ratification process of the 14th Amendment, New Jersey and Ohio voted to rescind their ratifications, but they were both included on the published list of states approving the amendment in 1868. Similar situations occurred with New York and the 15th Amendment and Tennessee and the 19th Amendment.[18]

The fight for the ERA is back in the forefront and, in March 2017, Nevada became the 36th state to ratify the ERA. The vote was 28-14, with some Republicans crossing party lines to support the bill, an encouraging sign. Provided the significant legal hurdles can be tackled, only two more states are needed. The 14 states that remain are as follows: Alabama, Arizona, Arkansas, Florida, Georgia, Illinois, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Utah and Virginia. For pragmatists, Illinois seems to be a sensible choice, closely followed by Virginia, and then Florida and North Carolina. Democrat Hillary Clinton won Illinois by a significant margin, and while she did win Virginia by nearly 5 points, a portion of this may be due to it being the home state of Senator Tim Kaine, her running mate. She did not win Florida or North Carolina, losing by a point and four points respectively. National Organization for Women President Terry O’Neill stated she was encouraged by Nevada’s actions and hoped it would encourage states like Virginia and Illinois to follow suit.[19]

After the 2016 election, Republicans gained or sustained control of the House, the Senate, and the presidency. So how can Democrats effectively support this cause despite being the minority party? They should incorporate the ERA into their platforms, starting with the 2018 midterm elections and beyond. At the time of writing, there are 238 House Republicans and only 193 House Democrats (four seats are currently vacant). There are 40 Republican Representatives in the states previously discussed - 7 in Illinois, 7 in Virginia, 16 in Florida, and 10 in North Carolina. It will be a difficult path to regain all the seats needed for a majority, but it is possible.

Proponents of the ERA will be met with opposition and need to be prepared to respond appropriately. Conservatives will focus on the hidden implications of ratifying the ERA. The beginning of the Amendment states, “Equality

Learn more about NLC at newleaderscouncil.org
of rights under the law shall not be abridged by the United States or by any State on account of sex,” and could be applied to broader gender-based issue such as greater protection for the LGBTQ+ community. Equal rights imply equal roles which may upset traditional gender norms. Women would be required to sign up for the draft. The language could be twisted to deny maternity leave since a miniscule number of companies allow for paternity leave.

As is often the case with legislation of this type, faith and ‘religious freedom’ play a big role in how GOP lawmakers vote. Supporting the ERA would mean supporting reproductive rights, including access to birth control and abortions. Most Republicans would never risk their seats, though there are a few exceptions - Senators Susan Collins of Maine and Lisa Murkowski of Alaska in the 115th Congress - so the only way to guarantee passage is to regain Democratic control in the House and the Senate.

Women’s Political Participation: a Fundamental Prerequisite for Gender Equality, Democracy, and Achieving the 2030 Agenda for Sustainable Development Millennial Perspective

by Zephani Smith  
Adjunct Professor, St. John’s University, NLC Sacramento

Two years have passed since the 193 Member States of the United Nations unanimously approved the new global agenda for sustainable development. The Sustainable Development Goals (SDGs) to be achieved by 2030 are the ambitious successor to the earlier Millennium Development Goals. Both call for gender equality and identify women’s “full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life” as a key indicator in achieving a more sustainable world. This brief will examine the critical importance of women in leadership and strategies to increase women’s political participation and representation at every level.

To monitor progress towards SDG Target 5.5 concerning women’s political participation, Member States report on the proportion of seats held by women in national and local governments. Data as recent as June 2017 show that the United States has fallen further behind in improving gender parity. In March 2017, when the world celebrated its 106th International Women’s Day, the United States ranked 101st in the world in terms of female representation at the federal level, trailing behind countries such as China (73rd), Saudi Arabia (98th), Mexico (8th) and Afghanistan (53rd), where 27.7 percent of parliamentary seats in Kabul are held by women. Although American women make up 52 percent of the population, we represent less than 20 percent of Congress and 24 percent of state legislatures. As the world forges ahead with the latest global agenda to achieve sustainable development by 2030, the United States remains on target to achieve political parity closer to the year 2121.

Tools such as the 2017 “Women in Politics” map provide country rankings for female representation at the national level and statistics on women in political leadership positions throughout the world. Prior to the second World War, Austria was the only State to have elected a woman to the presidency of one of the Parliament’s Chambers. In more recent history, 55 women preside over one of the Houses in 193 national governments. While many nations around the world make progress increasing women’s presence in positions of political power, the United States has not kept pace. The 2010 congressional elections resulted in the first net decrease in the percentage of women serving in the U.S. House of Representatives since the 1978 midterm elections. In 2012, a redistricting year, the gains represented only a 2 percent overall increase. At the state level, the number of women elected to legislatures also suffered the largest single year decline. In 2013, women comprised 10% of state governors, 22.4% of statewide elected officials, 23.7% of state legislators, and 12% of mayors of the 100 largest cities. The World Economic Forum predicted in 2014 that it would take until 2095 to achieve global gender parity. Then one year later in 2015, they estimated that a slowdown in the already protracted pace of progress meant the gender gap wouldn’t close entirely until 2133.

In Girls Just Wanna Not Run: The Gender Gap in Young Americans’ Political Ambition, Jennifer L. Lawless and Richard L. Fox found that women are less likely than men ever to have considered running for office, to express interest in a candidacy, and to consider elective office a desirable profession. In fact, the data expose a gender gap in political ambition prior to entering the world of work as college students. Despite women and men’s comparable educational and occupational backgrounds and professional success, the size of the gender gap in political ambition among 18 – 25 year olds is comparable to the size of the gap among adult professionals who are well situated to pursue candidacy. Studies of adults in the “candidate eligibility pool” conducted in 2001 and 2011 revealed that a central barrier keeping women from emerging as candidates pertained to self-perceptions of qualifications to run for office. Men were almost 60 percent more likely than women to view themselves as “very qualified” to run for office. Women were more than twice as likely as men to rate themselves as “not at all qualified.”

Lawless and Fox’s research “documents how far from gender parity we remain and the deeply embedded nature

Share Your Feedback: newleaderscouncil.org/compact
of the barriers and obstacles the next generation must still overcome to achieve it." While structural barriers such as the incumbency advantage persist, recent studies based upon a national random sample survey of 1,020 male and 1,097 female college students (ages 18 – 25) identifies five factors that contribute to the gender gap in political ambition among college students. These include: the socialization of young men by their parents to think about politics as a career path; less exposure to political information and discussion among young women from their school experiences to their peer associations to their media habits; less participation in organized sports and concern about "winning" among young women, less encouragement among young women to run for office; and widespread perception among women that they are underqualified, including women who are established in their careers. Overall, young women are less exposed to environments that would push them to consider running for office later in life and are less likely than men to receive encouragement to run for office, thereby perpetuating doubt about their political qualifications.

**Women Matter**

The Overseas Development Institute reports that women around the world now have more decision-making power and influence, over more aspects of social, political and economic life, than ever before as evidenced by progress being made even in the most conservative societies, such as Saudi Arabia where a woman was elected to local government in 2015. Even so, progress is uneven both across and within regions and countries, and resistance and backlash are common. Despite their low numbers, female elected officials are needed to represent the diversity of our nation, make a difference in the issues they prioritize, the bills they sponsor and cosponsor, the output they generate, and the extent to which they mobilize their constituents.

In addition to obviously gender related issues, such as the efforts to get rid the tax on tampons and make up the budget shortfall in California by raising a tax on hard alcohol, research shows a range of positive and holistic legislative outcomes associated with female legislators in all of their diversity, including various social class backgrounds are more productive in terms of sponsoring legislation, work more collaboratively than their male counterparts, and engage more with their constituents. Other positive outcomes include securing more dollars from federal discretionary programs, holding more liberal preferences on welfare policy than men, and voting more than their male counterparts in favor of reproductive rights and role-change legislation. Studies have also shown that the number of women in leadership positions correlates with the adoption of specific women’s health policies and that the sex of the representative was most significant on votes addressing abortion and women’s health. Finally, women legislators are more likely than men to consider context and environmental factors, thereby advocating for rehabilitation programs at the state level. Women’s representation matters on every issue and leads to a more effective government.

**Bridging the Gap**

The under-representation of women in elected office and positions of leadership will only be addressed through proactive measures taken from personal to national. As I reflect on my experiences at every level of government, having campaigned to elect women to various offices and been formally trained to run for office myself, I recognize that my education, experience, exposure, and special opportunities each played a critical role in shaping my self-perception, ambition, and leadership. Accordingly, I propose the following approaches to bridging the gender parity gap: enacting quota systems; establishing formal and informal networks for training, education, and development; fostering social and emotional support through mentorship and women-centered ecosystems; public investment in women’s leadership; and reversing gender stereotypes perpetuated by the media.

**Make Room for Women**

The most efficient way to ensure representation for women is to reserve seats for them at the decision-making table and to require nominating institutions, such as political parties, to identify a minimum percentage of candidates that are women. At the United Nations, Secretary General Antonio Guterres has frequently committed to appointing women to senior level positions and the “terms of service” for many appointments include language that promote the “strong encouragement” of applications from women. Some Member States, such as Afghanistan, have established legal gender quotas in their constitution. Although frequently debated and rarely employed, this approach tends to yield its intended results. In Mexico, the National Electoral Institute (INE) and the Federal Electoral Tribunal (TEPJF) go as far as to impose fines on parties that choose not to comply with the quota requiring 50 percent of each gender as candidates. Despite this law, most societies have not achieved significant advances at every level. Therefore, the Inter-Parliamentary Union calls upon national parliaments and political parties to create strategies targeting the inclusion of political leaders from age and gender groups that are the most underrepresented.

While prioritizing women and youth as candidates for political appointment ensures representation, this does not guarantee inclusion in the ranks of political leadership. In Egypt, for example, a participant in the online consultation on gender parity explained that women remain “almost non-existent in important committees” despite “the increase in women’s numerical representation in parliament.” Nevertheless, case studies have shown that national governing bodies “electing more women also tend

Learn more about NLC at newleaderscouncil.org
to perform better on youth representation,“28 Accordingly, the Inter-Parliamentary Union recommends that national parliaments (congress) and political parties design strategies for political inclusion that also address disparities between the number of young men and young women entering positions of leadership. Their findings suggest that the factors that include or exclude women are the same as, or are related to, those that include or exclude youth.29

**Build Networks**

Central to eradicating the barrier of women entering politics is the need to build an ecosystem and culture that promote female leadership as the status quo. To expedite the achievement of gender parity, communities must develop more inclusive and flexible cultures and prioritize gender-balanced leadership.30 In any country, organization, or local community, both formal and informal networks can be established to improve outcomes of young women’s participation in decision-making processes. In Palestine, for example, the government formed a national committee to follow up on the implementation of the national policy agenda, which includes a Ministry of Women’s Affairs leading the deployment of United Nations Sustainable Development Goal 5: Gender Equality. The ministry has also “worked to form a technical committee to follow up on the implementation of the goal with all partners.” Similarly, the INE, through the Executive Directorate for Electoral Training and Civic Education works with civil society organizations to promote the political participation of women by hiring women to train election officers, candidates, and public servants.31

In the United States, informal networks work across sectors to achieve the civic engagement, inclusion, and empowerment of underrepresented groups through leadership development initiatives. Often, these platforms leverage the internet and other new technologies as a vehicle to facilitate training, information-sharing, and influence-building through internet-based programs that make government proceedings more accessible and transparent for all citizens.32 Building and improving upon programs large and small can catapult women into leadership, helping to dismantle false perceptions that may have emerged as early as childhood and help women to overcome their propensity to disqualify themselves from seeking elected office. Organizations such as EMERGE and the Young Elected Official Network played a pivotal role in my development, helping me to gain meaningful leadership experience and build valuable professional networks through education, training, simulations, advocacy and community building. Also worth noting, for younger citizens, studies have shown that the competitiveness associated with sports appears to serve as a significant predictor of interest in running for office. Therefore, engaging very young women in competitive sports organizations can also work to address a frequent barrier to women’s political participation.33

As previously discussed, women are less likely to see themselves as candidates, so they must be mentored and asked directly to run. Although young women are less likely than young men ever to have considered running for office, they are just as likely as men to respond positively to encouragement to run.34 Therefore, Lawless and Clark, also identify early parental support for a political career as a vital ingredient for closing the gender gap in political ambition. At the national level, the Inter-Parliamentary Union recommends that governments and political parties make greater efforts to support the political participation of young women. This includes the investment into structures for youth participation, such as youth councils, that enable young people from all different walks of life to voice their opinions and develop skills to influence policy while creating a culture that values their participation.35

**Invest in Women**

Americans spend more money on elections than citizens of any other nation in the world, by a very wide margin.36 On the government front, public financing could encourage and incentivize women candidates. INE-Mexico, for example, has taken a series of internal actions in order to promote gender equality, reduce gender based violence, and ensure balance in decision-making and participation. These include requiring 3 percent of public funding allocated to political parties to be invested in activities that promote women’s political participation, backed by sanctions. Another example of government investment through affirmative action is reserving seats for women in the National Professional Service, as enacted by Mexico in 2013.37

**Change the Status Quo**

The women’s power gap is also predicated on issues of prejudice and sexism, often unconscious or commonly-held beliefs and expectations regarding gender roles.38 Organizations such as the Network of Men Against Violence of Ica (Peru) work to promote democratic behavior and attitudes towards women’s political participation by changing social stereotypes and building masculinities supportive of gender equality. Partnerships with NGOs and educational institutions may also be used to “collect, report and publish data” used to assess progress toward achieving parity and help shift public perception. Last year, the NGO Electoral Transparency launched a Diploma on Gender and Political Participation comprised of an international faculty dedicated to motivating and empowering students to embrace women’s political engagement in Argentina. They also leveraged media to achieve their objective of educating both men and women through a website on Electoral News that publishes a weekly column on women’s electoral participation.39

From the historic women’s marches around the country to the ongoing community and online organizing in response to the new Administration, women have led the
resistance movement with the help of digital platforms such as DailyAction.org that work to “make civic engagement easy and painless.” This website, in particular reports 86 percent participation from women. With half of those being middle-aged and 28 percent aged 30-45, most of the women who are engaged digitally, are also likely qualified to take on leadership roles in their communities and elected office. By engaging, mentoring, training, and supporting women at every level, America can build the ecosystem that will sustain women’s political interest and ambition.

Values-Based Solutions Resonate Over Ideological Problem Statements: Progressive Must Reset, Refocus, Retool, and Reengage

by Justin Miller
NLC Orlando

“The rule of reason is the true sovereign in the American system. Our self-government is based on the ability of individual citizens to use reason in holding their elected representatives, senators, and presidents accountable for their actions. When reason itself comes under assault, American democracy is put at risk.”

We are by nature a courageous and adaptive people. Our forebears overcame great challenges, and so will we.”

Al Gore, The Assault on Reason, 1

Pragmatism and Idealism

The challenges presented to Americans and the world’s population today are not new, but are instead reimagined and magnified by the demographic and technological advances with which society and nature co-exist. The competition for ideas and influence, for better or worse, is intense, increasingly lopsided, and confounded by ideological noise from both ideological poles. Indeed, some have said that the answer to the rise of the Tea Party and Alt-Right on the right is an equally active and polar-opposite effort from the left side of the ideological spectrum. A reactionary effort of this sort is not only bad for the country (and therefore the world), but is also wrong-headed, short-sighted, and plays into the narrative of cynics and others who seek to undermine the United States’ political system from abroad (authoritarian regimes and leaders such as Vladimir Putin). Progressives have a responsibility to hold fast to the center of the political spectrum from where its influence and historical legitimacy resides. Progress is driven through accumulated reason, an idealistic belief that change is possible, and an understanding that pragmatic and methodical approaches will not only achieve goals incrementally, but also create openings where opportunities to step forward boldly present themselves.

As progressives look forward and develop strategies for navigating the nation and world through the challenges that will arise, they must do so not from a paradigm driven by ideologically framed problems. Instead we must engage the challenges and opportunities that will come by applying reason, pragmatism, and idealism, while pursing solutions that are centered upon principles shaped by values.

A self-reflective reset

The idealistic certainty that drives progressives forward is this: history teaches that progress is possible when people work the problems they face together and pursue solutions that are informed by their commonly held values and the application of reason. The pragmatic reality progressives acknowledge and understand is that the challenges presented today cannot be “fixed” and solutions are never permanent. Challenges and solutions are eternally iterative and they must evolve with people, time, society, technology, and nature. This idea traces itself to the nation’s founding, where Thomas Jefferson, among others articulated that our nation evolves and the system must evolve with it to compete in the marketplace of ideas. Progressives need to demonstrate leadership through both idealistic and pragmatic actions that enable communities to be restored from the ground up. Progressive must “Think Globally, Act Locally.” In moving forward, Progressives must: conduct a self-reflecting reset; refocus on addressing complex problems as they present themselves through reason; retool the networks and coalitions that research, propose, and communicate policy solutions that are informed by progressive values, and; reengage within the local communities we seek to build-up, lead, represent, and serve.

The shaping of individual lives and the communities that bind them requires leaders who are honest brokers. Progressive leaders must seek solutions that are framed and informed by progressive values. Progressive thinkers must pause to review the problem statements they start with and confirm that they are properly distilled. Then, progressive thinkers need to ensure that progressive values are informing the solutions to those problems. Are urban and rural education challenges that different? Are health disparities between urban and rural families really disparate and separated challenges? Does national security jeopardize one community over another, or will fear invoked from within make us vulnerable to the threats that come from the outside. Mitigating strategies might deviate, but the starting problem statements are more universal than some may realize. A reset begs the question: Are ideologi-
cal problem statements creating divergent policy solutions when they should not, unnecessarily, do so?

Progressive community and ideas will wither in an echo chamber where coalitions compete for visibility and resources. Progressives need a grander vision as a starting point. A common vision matters. Political ideology fractures resources, magnifies problems, distracts from finding impacting solutions, and it preys upon the naïve and the disconnected. Ideological postures also deteriorate the human relationships that are required to sustain the strong, resilient, and democratic communities that progressive leaders seek to build and preserve. Ideological attitudes not only jeopardize the progress already achieved, they also prevent real action that addresses the challenges people face in their daily lives with the resources that are available in the present moment. Gridlock fixes nothing and the word “progress” is antithetical to zero-sum, all-or-nothing, solutions.

In pursuing progress, ideological rigidities can become self-introduced roadblocks that prevent pragmatic solutions, or the framing of change strategies, that help the people that need values centered leaders in their corner. Tomorrow’s perfection cannot be pursued at the expense of what is possible today, and future possibilities cannot be seen clearly through an ideological lens. By focusing problem statements in a non-ideological way, solutions informed by progressive values can lend to results, even if only attained through incremental measures. Values-oriented solutions will rise above the noise. Ideological problem statements will add to it. This is a time for creative solutions that enable forward progress - not creative and tailor-made problems.

Refocusing on problem statements and applying values to policy solutions

Values and worldview are essential to addressing problems within a society. They provide context for a community and affirm a common commitment to carrying out the work that comes with addressing it in a just way. Leaders, as they frame problems, discuss solutions, and design policies must not succumb to ideology, which is when worldview and values drive the framing of the problem statement, instead of the solution that seeks to address the challenge. This starting point cannot be one of ideology, and the problems must be distilled to their core, and not obfuscated by symptoms.

Problem statements, accurately distilled, are not to be misconstrued into values statements. Values are asserted when problems are properly prioritized. Values are seen in the framing of acceptable solutions to problems that are properly presented through reason and accumulated research. Values are also conveyed through the ways and means that are established as milestone markers along a policy path that offers a fair process in pursuit of a just solution (strategy). The history and tradition of the progressive movement, going back to Franklin, Jefferson, Priestly, and Paine centers on reason, science, evidence, and values rightly applied to the times in which leaders exists.

The challenge of today is getting around any colored lens that problems are presented through. If a problem statement, or challenge presented, intimates at its being based upon a worldview-slanted assessment, then the starting point is of one of ideology - not of reason. Problems, regardless of complexity, should not be interpreted through a “values-oriented” lens; however, the solutions proposed to address them must. Applying a values-oriented lens, or worldview, to a problem statement is where ideological thinking (and a propensity to scapegoat) resides. Problems are universal: solutions will vary given the values that inform them. This is where progressives can, and must, lead. Progressive solutions are inherently American – history proves this to be true, and both Americans and the global community are inspired when America leads in this way.

Retooling the networks and coalitions that research, propose, and communicate Progressive policy solutions

What are the current organizations and networks in existence and what have they gotten right? What do they need to reconsider? Is there an acceptable methodology for addressing these questions and advocating the right solutions? Resetting requires leaders to tough questions and answer them honestly. What are the inherent biases and assumptions that prevent an honest assessment of the existing situation, problem, or opportunity? Can biases and assumptions be eliminated from the perception of the problem? A reset requires an all-stop and then a deliberate, non-ideological reset. The problems are complicated and require an interdisciplinary approach that distills challenges, then builds and communicates the comprehensive solutions required to move forward.

The stresses on society and our planet are intense and interwoven. No threat, risk, challenge, or opportunity stands in isolation and is ready to be teed up for “fixing” or “jumping-on” for an easy ideological victory. The pragmatism that informs progress understands this reality; The idealism that drives progress, [rightfully] does not care. These are the impulses that that drive the progressive’s “better angels” that are carried on their shoulders as they lead through the challenges being faced today. A quick study of the issues, and the pragmatism that progressives must leverage to face the challenges ahead, is essential to understanding the risks of lurching ideologically to left.

National Security is tied not just to the jobs created (locally and internationally), but also to the global climate and nature itself. Historically speaking, progressives are nat-
ural leaders in National Security and continue to be best positioned to pragmatically lead from a position of credibility and strength. FDR led the west during WWII. Truman finished WWII and postured the United States and the West for the Cold War. Kennedy established the U.S. Navy SEALS, the Peace Corps, and USAID, while overcoming the odds and keeping the world safe from nuclear war during the Cuban Missile Crisis and postured the U.S. to lead, and win, the space race. Barack Obama neutralized the poisonous and fearful environment of fear when he moved on Bin Laden and smartly aligned resources within a whole-of-government approach to national security to meet the international security demands of the 21st Century. In national security, Progressives lead.

On trade, the United States led the advancement of 21st Century economic initiatives that pursued both U.S. values and regional prosperity in the Pacific. The populist left-wing reaction to the Trans-Pacific Partnership reflected an ideological trend-line that undermines progressives leading with values and finding practical approaches to pursuing international peace through commercial relations that establish standards that protect workers and the environment. The economic disparities that exist are not only a reflection of the education ordeals that neighborhoods face, but also the demographic and technological shifts that are occurring across the nation and around the globe. Inclusiveness within local communities will influence how successful they are at integrating new neighbors into the future that is faced collectively. The energy solutions that must be sought locally are bound up in both international geopolitics and the livelihoods and individuals in communities far outside urban centers, where food deserts magnify health challenges and keep neighbors isolated not just by subculture, but also socio-economic status.

No part of this complex reality is new. It is more pressing, because the world is compressed by population density, expansive and globally interconnected economic hubs, technological and literacy proliferation, the new permanence of complex and expansive infrastructures, and the integration of previously localized cultural histories and identities. With pragmatism, and idealistic fervor, progressives must find a way to research, propose, and communicate progressive solutions to the universal problems that exist locally and accumulate globally and work to ensure that “progressivism” does not “de-evolve” into an ideological pocket of angst like the Tea-Party did. Hope does not sustain itself there, nor do influence and results that follow an arch that bends towards justice.

Reengage within the local communities we seek to build-up, lead, represent, and serve

It is time to, again, reassert the progressive view to the world. All politics is local and every solution starts with a first step. Where are progressives walking? Who are progressives talking with and listening to? National networks respond to national news cycles. Local leaders inform local headlines. The definition of local cannot be where “they” are. It needs to be where progressives are. The political map conveys that progressives are urban; however, the political reality tells that progressives are nearly nowhere. Progressives cannot devise national policies if local policies are not shaped in a way that allows for broader integration.

The United States system of government requires that local communities compete within a state; states compete within a region; regions compete within the nation; and the nation competes within a global market. Competition can bring out the best in all, if the competition is guided by progressive values which shape policies and laws that frame out the rules that shape local and global society. Labor, environmental, education, and health care require local context and coordination to work nationally, and globally. Progressives need to focus locally and build, to ensure that solutions can be integrated nationally. This strategy also provides a grooming and proving ground for future leaders, as local leaders today are the national and global leaders of tomorrow. The first policy proposal to come forward will be from where? and will be focused on addressing what commonly understood problem statement?

Going forward, continuing forward, requires that progressives get back to basics and do what they are best at: Finding those who need help and seeking out the challenges that America’s neighborhoods, like-minded or not, face. Progressives will, naturally, seek to understand then act. Action will require using the tools and resources available today to address the challenges faced by people in their everyday lives. Progressive must not only pursue solutions that advance urban progress, but must also demonstrate that progressive values extend beyond the metropolis, and can lift-up not only the urban, but the rural as well. Where does the “He-Coon” walk today?

Progressives can prove that global trade not only lifts those within our borders out of poverty, but also lifts those that live outside our borders as well. The global trade that provides the next high-tech job in the local community can also be the job that enables an impoverished village to gain access to sanitary water, or electricity that powers a lamp so a child can read a book before going to school the next morning. Progressive values, understood locally, can inform how the United States inspires Democratic societies and engages the world through Diplomacy, Development, and Defense. The United States’ ability to deter aggression and defend our values and interests is secondary only to its ability to influence and inform the local communities who groom and choose the leaders of tomorrow, both at home and abroad.

Leadership matters. Ideas matter. And Hope matters. The dangers faced today are real and the complexities

Learn more about NLC at newleaderscouncil.org
Millions of Americans are on the losing end of the 21st century and of globalization, automation, deindustrialization, atomization, the Big Sort, the rural brain drain, and the Age of Acceleration.

The transition to a new economy and the Great Recession brought growing pains to Middle America. Local government, labor unions, faith communities, non-profits, and civic organizations lost control and citizens blamed immigrants for their misfortune.  

In Rust Belt cities, coal communities and a thousand towns across America’s heartland a way of life disappeared and working-class Americans die younger from their own despair. 4 This is the nation inherited by millennials. They did not choose this moment in America’s history. They were chosen.

In the coming years millennials will be called into action to defend civil rights, civil liberties and human progress from new and unique threats. But millennials must also think about the future because the challenges of the 21st century are not on hold for resistance.

Washington, D.C. is the reflection of an America on edge where citizenship must be updated to fit the times and where the capacity for self-government must be restored. Change begins on the ground where ideas are beta tested by the public.

America must be rebuilt at the broken places, where the forgotten neighborhoods of southern Appalachia, Ferguson, Missouri, and Detroit, Michigan become “laboratories of democracy” 5 again. From rural America to the Midlands for Brexit England, men and women need empowering again. The Greatest Generation made the world safe for democracy. Now it’s up to millennials to save the world by restoring our democracy.

**American Redemption: rebuild from the bottom-up**

*by Michael A. Cooper, Jr.*  
NLC North Carolina

The United States of America is broken. Wages are stagnant. 1 From banks to government, the press to religion, Americans are losing confidence in their institutions. 2 American democracy is broken and it’s up to millennials to rebuild.

Millions of Americans are on the losing end of the 21st century and of globalization, automation, deindustrialization, atomization, the Big Sort, the rural brain drain, and the Age of Acceleration.

The transition to a new economy and the Great Recession brought growing pains to Middle America. Local government, labor unions, faith communities, non-profits, and civic organizations lost control and citizens blamed immigrants for their misfortune. 3

In Rust Belt cities, coal communities and a thousand towns across America’s heartland a way of life disappeared and working-class Americans die younger from their own despair. 4 This is the nation inherited by millennials. They did not choose this moment in America’s history. They were chosen.

In the coming years millennials will be called into action to defend civil rights, civil liberties and human progress from new and unique threats. But millennials must also think about the future because the challenges of the 21st century are not on hold for resistance.

Washington, D.C. is the reflection of an America on edge where citizenship must be updated to fit the times and where the capacity for self-government must be restored. Change begins on the ground where ideas are beta tested by the public.

America must be rebuilt at the broken places, where the forgotten neighborhoods of southern Appalachia, Ferguson, Missouri, and Detroit, Michigan become “laboratories of democracy” 5 again. From rural America to the Midlands for Brexit England, men and women need empowering again. The Greatest Generation made the world safe for democracy. Now it’s up to millennials to save the world by restoring our democracy.

**Progressive Federalism**

November, 2016 was a wake-up call. Hillary Clinton carried only 487 out of America’s 3,141 counties. The map of the United States is red. Progressive politics looks dead in small-town America, the Great Plains, Appalachia, and the rural south.

Voters waited for change from Washington, and when change never came, rightly or wrongly they blamed the party in power; and the American democracy of Alexis de Tocqueville became the “I alone can fix it,” of President Trump.

When there is no leadership exercised in a community – no ideas, no energy, no creativity, no entrepreneurship – Americans lose hope. They give up on progressive policies and they begin to seek revenge.

In the Age of Trump there is no choice but federalism. 6 Americans will never trust their elected officials to compromise or to tackle big challenges until the system works again in their town; and the progressive movement will not be rebuilt in Washington but out across America.

States’ rights and home rule were once the cries of secession, segregation, parochialism, and reaction, of Alabama Governor George Wallace standing on the school house steps; but not anymore. 7 A diverse coalition of women, minorities and college educated millennials is winning office at the state level and in America’s most prosperous cities and setting an agenda of environmental protections, minimum wage increases and criminal justice reform. 8 From the U.S. Climate Alliance 9 to sanctuary cities progressives are embracing federalism as the tool-kit of the resistance, and the source of American redemption.

America was made great by pluralism: families, neighborhoods, PTA meetings, civic clubs, bowling leagues, fellowship halls, and union meetings. 10 These layers of Middle America created citizens, promoted compromise and tested big ideas. Democracy is broken because these institutions are in decline and the time has come for progressives to remember their roots.

Progressive achievements of the 20th century (the New Freedom, the New Deal, the New Frontier, and the Great Society) came after years of experimentation and organizing across the United States on the ground.

Progressives forgot about the school board, the town council and the county commission as a place for active government, and the most important government; and they neglected the role of family and community. The model of
Big Business and Big Government bargaining over society left too many Americans without a voice and rotted the country at its core. 11

The answer is to start over by picking up the pieces of American pluralism: local government, local media, Main Street, workplace democracy, and local democracy. The best way to stop Trump (and the next Trump from rising) is citizenship.

Progressive ideas to rebuild the country (apprenticeships, early childhood education, UBI, equal pay, and debt free college) cannot pass Congress without first winning hearts and minds as state and local initiatives; as investments in community.

From My Brother’s Keeper and Communities in Schools, to the Urban League and 4-H, to new civic building models such as D.R.E.A.M. (Developing Responsible Economically Advanced Model-Citizens), Concordia and the Millennial Action Project, the time has come for millennial engagement; and for spreading those programs to forgotten places.

America will be won back from the bottom-up. The time has come to rebuild the progressive bench by supporting organizations such as flipable, Run for Something, Truman National Security Project, and Democracy for America, to enter The Arena, and to start a chapter of New Leaders Council in Columbus, South Carolina, Little Rock, Arkansas, Indianapolis, Indiana, Las Vegas, Nevada, and Charleston, West Virginia.

**Progressive Populism**

Donald Trump is not the greatest threat to American democracy (though he is a threat). The greatest threat to American democracy in the modern age is the “curse of bigness” and the return of corporate monopoly.

The American Mayberry of mom & pop stores lining Main Street is gone. With it vanished economic sustainability and the building blocks of community. Democracy requires economic fairness.

CVS, Walgreen’s and Rite Aid control 99 percent of American drug stores. 12 Similar monopolies exist in health insurance, airline travel, livestock, retail, and banking, and the independent farmer is the last of a dying breed; this decline of local economic power devastated Middle America.

Competition gave consumers a choice, led to lower prices and better working conditions, and made possible American entrepreneurship and an atmosphere where dreams became realities. 13

Concentrated markets lead to concentrated power on Wall Street and in Washington. The system is rigged by corporate lobbyists and super PACs and monopolies are the ones doing the rigging. 14

A similar rigging occurred a century ago when farmers became factory workers and the Industrial Age became the Gilded Age. Most of the gains from that new economy went to the top just as they do now.

The Progressive Movement began as effort to protect workers from Robber Barons and to make the economy fair. The results: the eight-hour workday and 40-hour workweek, worker’s compensation, unemployment insurance, child labor laws, collective bargaining rights, a graduated income tax, and a woman’s right to vote. 15

The world changed again. The manufacturing economy became post-industrial, service, and high-tech, this economy is rigged, and the time has come for millennials to relearn the lessons of the Progressive Era; and to do some trust busting.

Millennials should support the break-up of Amazon and Google and the return of localized banking and retail, 16 and economic competition must become a center-piece of their agenda for this century.

**Local Democracy**

Change must ultimately rise from below, because of who sits in the White House and because of how he got there. Communities must adapt to globalization or fall prey to history and local politics is their best source of redress. 17

Pete Buttigieg in South Bend, Indiana, John Fetterman in Braddock, Pennsylvania, and Michael Tubbs in Stockton, California are young mayors rebuilding their communities and the record of Bernie Sanders in Vermont is the New Testament of progressive localism. 18

The most progressive parts of America are vibrant cities and sustainable small-towns, practicing the ideas of New Urbanism, and protecting their environments, and those ideas must be spread to Donald Trump’s America.

Social networks matter (online and in person). The smartphone and 24-hour news atomized the nation and disrupted the idea of community. The solution is to use new technology to reconnect Americans on their own streets. Connected Americans are healthier and happier, their governments work better and their communities experience greater economic growth. 19

Green space matters. Walkable streets matter. Strong towns require greater civic participation and a commitment to supporting one another, from credit unions, to buy-local programs, to crowdsourcing, to timebanks, to community development corporations. 20

Small-towns are fighting for survival but their salvation is investing in themselves, not tax-breaks for outside chains. Communities must identify their assets: social capital, supply chains, schools, downtowns, and social hubs, and make them anchors. 21

Priorities should include workforce training and affordable housing, and communities can set baseline wages and pass paid family leave ordinances. Communities can establish business incubators and research parks 22 and citizen-review boards to improve relations between people

Learn more about NLC at newleaderscouncil.org
During the Trump Administration innovation will come not from the White House, or Capitol Hill, but from a hundred state houses, and a thousand town halls, instead of one Bully Pulpit, the voices of a million spreading the best ideas.

The Justice Reinvestment Initiative reduces criminal recidivism by using data to connect prisoners with the resources they need to reenter society. The Santa Cruz Pact provides street outreach, case management and drug treatment in return for offender accountability.

The Mayor’s Internship Challenge in Long Beach, California, seeks to double the number of internships for young people while connecting skills to need. Denver’s PocketGov.com provides a hub of services on every device. In New Jersey, Assemblyman Troy Singleton’s Citizen Co-Sponsor empowers constituents to offer legislative feedback.

Ohio’s Town Square Schools utilize campus facilities as neighborhood anchors offering adult education classes and recreational opportunities for the broader community. Michigan’s Flint National Service Accelerator helps nonprofits hire service year volunteers. The next big idea is out there. Austin, Texas recently passed an ordinance supporting worker cooperatives as the economic model of this new American century.

According to the ordinance worker co-ops have “proven to be an effective tool for creating and maintaining sustainable, dignified jobs; generating wealth; improving the quality of life and workers; and promoting community and local economic development, particularly for people who lack access to conventional means of business ownership.” Similar ordinances are passing around the country.

The antidote to Trump is a culture of workplace democracy where Americans have control over their wages, their hours, and their benefits. This will change their lives forever and stop millions of Americans from giving up. For decades Americans felt powerless. The world was changing by the hour and they lacked a voice or a seat at the table. The answer is to make them supporting actors in the story of their lives. The time has come to rebuild local democracy; but that takes leadership.

Go Home Millennials

Two-thirds of college educated millennials live in America’s 50 largest cities. Donald Trump is only the beginning until millennials accept responsibility for the places they left behind.

The rural-urban divide is the greatest issue facing the United States of America, and the 45-year-old laid off coal miner in the hollows of southern Appalachia is not going to serve as the bridge. Gerrymandering is an issue too but if no progressives live in Iowa it does not matter how the state legislature draws the map. Across the country there is a vacuum of leadership in thousands of towns on nonprofit and school boards, county commissions, and in abandoned store fronts up and down dying Main Streets. There is no option for millennials but to reengage with small-towns and rural America, because of the Electoral College they have no choice; but people also need their help.

The leading cause of death for Americans under 50 is drug overdose and the opioid epidemic will not be solved if the best minds are a hundred miles away and working on climate change. Across the country Americans are waiting for a second chance after the Great Recession; they are waiting on millennials.

It is time for millennials to reverse the brain drain and the rural-urban divide by coming home to start a business or to run for local office. Not every millennial will move back, but those who cannot can still find time to join a board remotely, to mentor kids on the weekend, and to put their talents to use serving the people who need them.

Creating Democracy Through Technology

Moving from Portals to Projects: The Case for the Digital New Deal for Government

by Mai-Ling Garcia
NLC Oakland

A combination of antiquated purchasing policies and rapidly advancing technologies continue to stifle government efforts to modernize. This executive summary includes ‘innovation’ challenges and potential solutions to technical problems in government that require further review and additional discussion. These issues resulting from broken technology result in increased cost and redundancy, lack of strategy and planning, and worse yet, decreased public trust. Some remedies to siloed technology development should be the creation of multidisciplinary government teams, the adoption of practices focused on user-centered design and security centric engineering and a ‘digital new deal’ to revitalize government technology.

Background: How Government Technology is Funded

Local cities and state governments deliver core services to people that impact their daily lives ranging from maintaining streetlights to ensuring public safety. While the online experience has changed the way the public shops, eats and connects with other people, the rapid pace of innovation has not carried over to government services. In fact,
several studies suggest that local and state websites are a top public need. Although government agencies attempt to transform their analog offerings into digital services rapidly, these services are shaped by a trillion dollar government technology industry trying to gain rapid entry into a booming market. Often, modernizing government services is accomplished through the acquisition of apps and bespoke contracts for web ‘portals’ and applications in the name of ‘innovation.’ Meanwhile, the result is increased technical debt and further siloed transactions instead of better access to critical government services.

A ‘website’ is often an amalgamation of information, services, and multimedia content under a common domain name. As the popularity of the Internet has grown, the role of a sole ‘web master’ has become non-existent. Instead, several critical roles hold the responsibility to maintain the software, hardware, site design, and content. These positions can include product managers, writers, user researchers, user interface experts and developers who ensure that a website is meeting its business goals. However, the civic ‘website,’ is more than a community brochure. It has evolved as the center of all digital services.

All too often, public ‘websites’ or portals are constructed using a variety of ‘technology stacks’ that do not speak a common programming language, overlapping goals, and similar audiences. Like railways and roads, a digital infrastructure should be composed of similar materials, frameworks, and guidelines to instill continuity, lower costs and ensure ease of use. While ‘coders’ or ‘developers’ serve to build online infrastructure, the rest of a modern digital services team serve as city planners and architects in a digital context to maximize online services as a core public utility.

Unfortunately, well-meaning politicians and civil servants support government modernization efforts by funding issue-specific web development. The digital government then takes on one of many forms that include web portals or the purchase of third-party applications. A ‘web portal’ is most simply defined as a collection of web pages or a ‘special website designed to give convenient access to other sites,’ or a ‘doorway or gateway to a particular set of information’. However, when the very function of a government website is to serve as a ‘digital front door’ of topics and services, then the notion of building ‘portals’ is government redundancy at its worst. The proliferation of the civic tech industry has rapidly developed technology that is often served up as “software as a service”- or subscription model of software comprised of a highly specialized function plus content. One of the largest players offering web portals, software, and services to governments is NIC, Inc. The company was founded in 1992 and offers a broad range of web services to government agencies across the U.S. It now has a market capitalization of $1.37 billion. Many smaller service providers exist and typically specialize in offering industry-specific portals and applications to individual agencies. The advantage is the tremendous amount of resources devoted to improving and iterating specific transactions or services and quicker implementation. However, there can be several disadvantages.

**The Main Problems**

“Move fast, with stable infrastructure.” -Mark Zuckerberg

Governments have become enthralled with start-up culture and have often adopted terms, like ‘lean,’ ‘agile’ and ‘iterative.’ Mistakenly, government entities apply the same rules around speedy development that exists in small start-ups to large-scale enterprise organizations. However, as Facebook mogul Mark Zuckerberg learned, “moving fast, with stable infrastructure” became the company mantra as the famed company grew. It was in fact, transparent, predictable organizational processes that allowed for innovation to thrive as Facebook grew and focus on its mission. Zuckerberg credits the strength of Facebook’s organizational infrastructure as the enabler of rapid innovation.

While breaking up projects into short sprints is much needed, doing so without the consideration of the City’s core business goals in mind is fraught with problems. Often, the quick development of portals and purchase of applications isn’t agile; it’s siloed. Portal proliferation can result in headline worthy political accomplishments but often result in increased expense, crumbling or abandoned online properties, redundancy and decreased public trust.

**Cost and Redundancy.** The U.S. Government spends about $6.0 billion a year on software licenses and maintenance. Without a common language and complex licensing requirements, governments are married to tech vendors and pay for the construction of duplicative services and information on separate online platforms. Large government contracts predicated on ‘closed source’ technology leaves little incentive for companies to improve their technology or reduce costs. These ‘improvements’ require an increase in the number of specialized staff to maintain multiple technologies. Bills such as the Mega-byte Act would have required the federal government to consolidate software licenses. However, the bill failed to suggest how to support the transparent development of technology to reduce cost, minimize redundancy, and ensure quality. The goal is not to eradicate large government technology vendors like NIC, Inc. Instead, governments must require vendors, both big and small, to make their code base publicly accessible and available. These requirements would allow governments to ensure the integrity of completed solutions and allow more companies to enter the market by iterating on previously built technology products.

Lack of cohesive design and planning. Portals and ap-
applications developed and purchased in isolation produce temporary wins but are often expensive solutions. In addition to increased costs, this often results in little benefit for the public. For example, the county of Gaston, North Carolina thought offering Geographic Information System (GIS) data online would lead to huge cost savings. The hypothesis was that savings would increase as more users did their property research online, rather than at service counters. However, officials realized that they could neither add additional fees to the online offerings, to cover costs, or reduce administrative personnel, to maximize savings. The County of Gaston must now develop a new solution or wait for a cultural change in their citizens’ behavior. Additionally, fancy new technology systems often fail to consider how to interface with other legacy systems, also awaiting modernization. Digital services designed as a public utility with the broader system in mind could avert future integration problems.

Decreased public trust. While portals and applications can be cost-effective solutions, they often push corporate branding and logos rather than build government trust. On the other hand, websites and portals can serve as effective branding vehicles that facilitate greater goals such as economic development. Due to the habits of Internet users, community-branding efforts must be intentional. Specifically, the brand a city wants to cultivate must be immediately noticeable and consistent on all web pages. In 2014, the home pages of 345 cities in Texas were examined to see if they conform to standards is required.

Required vendors and developers to conform to digital standards. Building trust requires that government applications not only look the same but ‘behave’ similarly with a consistent look, feel and common visual interface vetted by product managers and user experience and interface experts. Standards ensure that a website responds to the tone and tenor of government inefficiency and waste. Instead, we need an in-depth discussion to determine a set of digital standards that have strategic goals informed by the public.

Recommended Solutions

Governments are large, complex, hierarchical organizations that need transparent technology foundations. Having robust systems in place is an enabler of innovation, rather than a hindrance. While funding portals and purchasing applications offer short-term solutions and glossy accomplishments, we need agile, iterative digital infrastructure.

Fund modern projects like a “digital new deal.” Fund and require digital services as a part of an effort to revitalize the government approach to technology. Local and state governments need a “digital new deal” to seed the development of digital infrastructure. In particular, open-source solutions are a strong development model and a means of distribution that have proven to be cost-effective. The cost-saving benefits are immense. An excellent example is the State of Georgia, having decreased its operational expenses by 65%, a savings projected to be about $14 million dollars.

For example, in South Korea, the central government played a pivotal role coordinating digital infrastructure development of multiple “U-City Plans.” A precursor to today’s “smart cities,” was developed in Songdo, Busan, Anyang, and Seoul. However, a lack of strong coordination between local and central government, too many partners and constant shifts in ownership, have left doubts about the program’s success. Instead, the role of central government should be to a) fund gaps and b) establish objective institutions to measure success.

Treating digital services like a public utility that has discrete components will allow for greater stability in long-term operations. In other words, stop funding ‘innovation’ portals and start funding transparent digital projects that are focused enough to succeed.

Create Multi-disciplinary Teams. Digital services as a public utility require governance, planning, and constant testing to ensure online systems are serving the public effectively. In this context, security managers, product managers and user researchers are required to design, test and ensure the integrity of digital government services. User-research resulting in ‘user-centered design’ helps governments identify user behaviors upfront and embed solutions within their information services. User-centered design can save an estimated $12 billion in an $80 billion e-government industry annually. While ‘innovation’ teams can be useful, another consideration is to decentralize “innovation” throughout an organization. Nimble innovation can occur when the broad expertise of business analysts, behavioral scientists, IT and communications experts converge to tackle civic challenges.

Require vendors and developers to conform to digital standards. Building trust requires that government applications not only look the same but ‘behave’ similarly with a consistent look, feel and common visual interface vetted by product managers and user experience and interface experts. Standards ensure that a website responds to identified public or ‘user needs.’ More importantly, an ‘open-source’ system allows for governments to ensure consistency and integrity. Greater discussion about how local and state governments can and should develop and conform to standards is required.

Conclusion

A government ‘website’ is no longer just a hub for communication or a glamorous innovation project. Instead, online services are now a public utility that requires stra-
For too long, those on the right have touted themselves as the keepers of good government. We know that words and actions are very different, and an entirely different paper could be dedicated to the ways in which conservatives have not delivered on their promise of small, efficient government. In today’s political climate, the opportunity is ripe for progressives to not only stand for policies that serve the most vulnerable and the middle class, but to also be the vanguards of a government that just works for the people who need it most. One of the great ironies of many government programs is that those who stand to benefit the most from those programs have the most trouble accessing them. Rarely is that a policy problem. More often than not, it’s an implementation problem.

As Progressives, we spend a lot of time fighting for and protecting policies in areas that we believe will help those greatest in need. We mobilize millions of Americans to knock on doors, march in the streets, and call their representatives on issues like health care reform, strengthening entitlement programs (e.g. SNAP), criminal justice reform, and more. Under the right circumstances, these actions yield policy change, from the smallest bill amendments to sweeping changes. The new policies are well-intentioned and often drafted by some of the best legal, political, and policy minds our country has to offer. When the bill gets signed into law, we celebrate thinking that the war is won when, in fact, it is just one battle (albeit significant) in the policy’s journey to actually helping someone. In other words, implementation matters.

In the 21st century, implementation problems often come down to technology. Fewer and fewer Americans interact with their government over a counter. Just as we order food, rides, and other services from our computers and smartphones, more people are interacting with government through websites and digital applications. Government digital services must live up to, if not set the standard for, the type of experience people can expect from interacting with a large organization or company. This is one of the fundamental reasons the Obama Administration established the Presidential Innovation Fellows (PIF) program, the United States Digital Service (USDS), and 18F.

The implementation of the Affordable Care Act is probably the most public and well-known example of where technology in service delivery nearly undermined sweeping changes that had the promise to help millions of people access affordable health care. On its first day, Healthcare.gov crashed leaving millions stranded as they tried to access the health care exchanges, so they could, maybe for the first time, secure health insurance for themselves and their families. Eventually, the site worked reliably, and over 20 million people secured health insurance, with 8.7 million people signing up through Healthcare.gov during the most recent enrollment period in late 2016 through early 2017. As of the time of writing this paper, the large swaths of Americans benefiting from the ACA has also helped protect this important legislation from attempted so-called “repeal and replace.” Without a digital tool that worked, the history of the ACA could be very different.

While the Obama Administration scrambled to bring in some of nation’s best tech minds to fix Healthcare.gov, it should have been a wake up call to more Progressives about the importance of technology in implementing the policies we care so much about. Millions of American struggle to access the programs and benefits they are promised, if they even know about them in the first place.

Across the country, there are glimmers of hope. The following case studies outline how government agencies are leveraging a new approach to service delivery through digital tools. As the case studies show, this new approach has helped thousands of people access veterans benefits, apply for food assistance, and clear eligible offenses from their criminal records. While these case studies may not be the only examples of user-centered digital tools making a positive impact, they do represent the exception rather than the rule in government service delivery. For us to really support a progressive government that works for everyone, effective digital tools must become integrated into how government delivers services so that it can seamlessly meet the needs of all Americans.

Helping Veterans Apply for Healthcare from the VA

Nearly all elected officials, across all political stripes, strive to support the men and women of the U.S. Armed Forces after they return to civilian life. Over the years, our government has put in place programs to help veterans get jobs, education, and health care. However, those programs have too often failed our veterans. Most recently and notably, there were major issues with veterans accessing health care through a network of VA hospitals. It’s been covered extensively in the news and became one of the major talking points during federal election cycles. While
digital tools will not be the answer to all of those challenges, USDS released an important tool in the summer of 2016 that is making the process of applying for health care from the VA both more user-friendly and dignified.

Before USDS built a new online application, the VA relied on the Veterans Online Application to process online applications. That application processed less than 10% of the VA's total application volume with most veterans having to go apply for coverage in person. When USDS started the project, they followed users through their attempts to apply for health care through that application. They quickly learned that for near 70% of applicants, the application would not open on their computers. This meant they either had to go apply in person or potentially never access their benefits.7

USDS designers and developers also made another realization, something that would never cross the minds of policymakers. The application required Adobe to open properly, and Internet Explorer is the only web browser that defaults to Adobe. The 70% of applicants for whom the application didn’t work used Safari, Chrome, or Firefox to access the Internet. Since those browsers don’t default to Adobe, much less the specific version required for the application, they received an error message.8

Applying a “with, not for” philosophy, USDS developed a new application through an agile, user-centered process. After testing a number of prototypes with real users, they released the new application9 in July 2016. In its first four months, more than 54,000 veterans applied for health care, with many getting approved and registered in less than ten minutes.10 USDS estimates only 6,000 veterans would have applied through the old online application during the same period.11

Getting to the initial launch took a fraction of financial and personnel resources typically required to build enterprise-level software. Not only is the launch of the new VA health care application a major improvement for our veterans, it is representative of the cost-efficiency gains that can come from a new approach to service delivery through technology. USDS continues to improve the Vets.gov portal with new forms and features, and continues to tackle similar challenges at the Department of Education, Small Business Administration, and the Department of Homeland Security.

Helping People Access Food Assistance

The Supplemental Nutrition Assistance Program (SNAP) is one of the most important and effective programs for fighting poverty among Americans.12 Because SNAP is an entitlement program, all Americans making under the income threshold (which varies based on family size) are eligible for monthly funds that will help them feed themselves and their families. It also means that there will always be funds in the program as currently written to help those in need regardless of demand. Yet, millions of Americans eligible for this program do not benefit. They struggle to get by in many cases, unable to access the benefits because of a complex application process or because they are unaware that they are eligible.13

California, despite being regarded as one of the most progressive states in the country, has one of the highest SNAP participation gaps. In fact, only about 60% of those eligible for SNAP, called CalFresh in California, receive the benefit.14 Put in context, that means that about three million Californians who could receive SNAP do not get this crucial support that could help them battle and overcome poverty.

There are many plausible explanations for this, but research conducted by a team at the nonprofit Code for America pointed to one that may easily be overlooked: the actual application to apply for SNAP in California was a major barrier. The current CalFresh application is about 50 unique screens with over 200 questions and takes over an hour to complete. The website is not mobile-friendly (meaning it doesn’t resize to fit the screen of your phone), does not save your progress, and times out after just a few minutes (about as long as it would take for you to locate required documents that it doesn’t tell you you’ll need in advance).

This type of online application may not seem all that different from what you’re used to. However, Code for America’s research showed that many people apply for SNAP on their phones or at a publicly available computer, such as one at a public library. This means the mobile-unfriendly application that times out and takes over an hour to complete can easily become prohibitively difficult to finish.

Code for America decided to leverage user-experience (UX) design and agile software development to radically improve the applicant user experience such that more eligible Californians could access SNAP. In this context, user experience refers to the interface and journey that the technology takes a user (applicant) through. The team believed the subpar user experience of the existing online application was a major deterrent. Agile software development means the team would take an iterative approach, constantly building, testing, and revising as they received regular and consistent feedback from users.

They developed a partnership with the City and County of San Francisco and the San Francisco-Marin Food Bank to begin testing and developing the tool that would become GetCalFresh. GetCalFresh is the first mobile-friendly SNAP application and takes, on average, seven minutes to complete, representing major improvements over the existing legacy application. As of June 1, 2017, GetCalFresh is live in 12 California counties and has helped over 12,000

Share Your Feedback: newleaderscouncil.org/compact
Californians apply for SNAP with hundreds more coming in every day. GetCalFresh users are also more likely to be approved for SNAP than applicants who apply through the old tool.

One of the key features of GetCalFresh is a simple three question screener that lets someone know if they’re even eligible for SNAP based on income. This helps to reduce the number of ineligible folks who end up applying for CalFresh. Being mobile-friendly means people can apply for CalFresh without going to a library and human services agency facility. Applicants can upload pictures of their required documents just as easily as someone can deposit a check through a bank’s mobile application.

As the team of engineers and designers was working on GetCalFresh, they leveraged quantitative and qualitative data to assess next steps. They followed up with each applicant via text message (they received necessary permissions to contact people). This allowed them to learn more about the SNAP application process, where additional barriers in the process existed, and get real-time feedback from users. The conversations with actual users informed how they prioritized new features and took on additional research projects.

More than making it easier for more low-income Californians to access CalFresh, GetCalFresh has also helped to expose inefficiencies in other non-technical processes. In one county where the approval rate was significantly below that of other counties, the GetCalFresh team discovered that the county sent out a hard copy of a form requiring the applicant’s signature. The form, written in complex legal language regarding the potential fraudulent use of SNAP benefits, turned out to be a major barrier for many of the non-native English speakers in the county who did not complete the form, and therefore never received the benefits. Senior officials at the county said the form had not gone out since the state shifted to putting benefits on a debit card, more than ten years ago.

That change had made the form unnecessary. The Code for America team made department leadership aware that the form was still going out. That same day, leadership issued a directive to stop sending out that form. Months later, that county’s SNAP approval rate was on par with other counties throughout the state. This is just one of the ways the following users through new digital tools can lead to other operational efficiencies and improvements.

Today, Code for America is a nonprofit outreach partner for CalFresh just like food banks and food pantries. Among those partners, GetCalFresh is among the largest sources of CalFresh applicants across the state. The team is now tackling specific user groups, such as students and immigrants, where participation is especially low. The team is on track to help more than 150,000 Californians access CalFresh by the end of the year.

Helping People Expunge Offenses from their Records

While the 2016 presidential election did not go the way most Progressives would have liked, there were some bright spots. One of them was the widespread success of criminal justice reform measures on state ballots across the country, including both typically progressive and conservative states. Criminal justice reform is an issue that enjoys support on both sides of the aisle. Progressives seek reform to the criminal justice system we believe unfairly targets and incarcerates minorities. We generally do not want someone’s mistakes, especially when they are non-violent offenses, to follow them their entire lives. Conservatives bemoan the out of control costs associated with our criminal justice system and want changes that support rehabilitation, fight recidivism, and decrease costs by reducing jail and prison populations.

Many of these criminal justice reform bills take the form of policies that allow people to expunge certain types of offenses from their records. For example, California passed Prop 47 in 2014 that simultaneously reduced a number of low-level nonviolent offenses from felonies to misdemeanors and allowed those with convictions already on their records to remove them. It was a major win for Progressives and presented the nearly one in four Californians that have a criminal record (a statistic that is fairly consistent across the country) with a second chance. Previously, those offenses haunted them wherever they went, preventing them from accessing jobs, housing, and other public assistance that would put them on the path to self-sufficiency and keep them from committing crimes that could land them back in prison or jail.

Soon after Prop 47 passed, people came to a major revelation: the ballot measure included the right language and was well-intentioned, but did not provide guidance or additional funding for implementation. It turns out people trying to expunge offenses would need to attempt to apply to expunge each offense with each county where the offense took place either in person or over the phone and then wait to hear back if a judge had approved application. This assumes they even knew they could apply to expunge an offense in the first place.

Code for America decided to tackle this challenge. A team of engineers and designers set out to better understand the motivations of people trying to clear their record and what barriers prevented them from applying. The research reinforced the notion that getting jobs and accessing public assistance were major drivers for people to apply, and that the current requirements about applying where you had the offense created prohibitive barriers. Some people would get help at a clean slate clinic, but those clinics may be difficult to attend based on someone’s access to transportation and flexible work hours. Using this research, the team decided to build and test Clear My Record.

Learn more about NLC at newleaderscouncil.org
Clear My Record is a mobile-friendly online application that allows someone to simultaneously apply to clear their record in multiple counties. As of June 1, 2017, 11 California counties currently allow people to apply to expunge an offense through Clear My Record. While the tool presents a drastically improved user interface for applicants, it allows counties to use their current workflows as it simply prints out each application. To date, over 1,500 people have applied to clear their records through the tool.\(^\text{19}\)

Like with GetCalFresh, the team utilizes text messages to follow up with applicants to learn about the outcome of their case, their motivations, and the barriers they face. Those conversations form compelling stories that demonstrate the impact this type of program can have on people’s lives. Without better technology, the benefits of these policies would not reach the people it’s intended to help.

As it is true of any iterative software development project, the tool is never complete. The team continues to add features that will improve the user experience and help more people access the tool. They recently deployed a feature that allows public defenders to update case notes so that the team has better data about the outcomes of various applicants. They’ve also begun thinking about how to increase use among specific target groups.

Tools like Clear My Record also help expose other challenges in the system that can become the subject of future advocacy efforts. One thing Code for America has seen so far is that the average wait time for someone to learn if their application was successful has gotten significantly longer in counties where Clear My Record is active. This is likely because each case must go before a judge who makes the decision. This part of the process appears to be a bottleneck. This data could inform efforts by advocacy groups to allow certain offenses to be expunged by qualified administrative staff within the court system, secure more funding for additional judges, or even strengthen the case for automatic expungement.

**Moving Forward**

All of these examples highlight that we must go further than just writing and advocating for better laws. If we want to see a government that works for the people who need it most, we need to consider implementation and how effective digital tools fit into that, tools like Vets.gov, GetCalFresh, and Clear My Record. Here are some thoughts about how tools like these can become the norm of what we come to expect from government:

- Procurement matters. Why does government have bad tech tools? One of the main reasons is the complex procurement process and all of its requirements that too often treats buying technology the same way government buys other goods and services. Gov-

It’s time for Progressives to emerge as the defenders of effective government. As we resist the regressive proposals from the Trump Administration and the Republican-controlled Congress, we must have an answer that is bolder than intransigence and more feasible than throwing more policy at policy. Even more so, the values we share of equity and togetherness combined with our belief that government can in fact be a force for good behove us to demand a government espousing those values from our capitol buildings and city halls to the moment when a member of the public interacts with it, in person and digitally.

Share Your Feedback: newleaderscouncil.org/compact
One Nation, Disaffected

The 2016 Presidential election cycle shone a spotlight on the nation’s intense polarization. The election acted as a prism, diffusing political ideology into a spectrum of socioeconomic and culturally economic wavelengths that respond, when filtered through the lens of digital media, by traveling further apart. In this, the era of almost ubiquitous social media, those who stand to profit from the advance of algorithms designed to promote digital clustering as a means of influencing the decisions of potential consumers, voters, and influencers, have leaped forward to seize upon the trend of measurable demographic data as a marketing tool. Protected values are leveraged for their monetary worth. And, with the knowledge that prospect theory hinges on the tenets of reference points existing and losses looming larger than gains, fear of the “other” pursuing an agenda of assaulting protected values has led to unscrupulous and successful campaigns to reinforce confirmation bias and bolster motivated reasoning on both ends of the polarized ideological spectrum.1

Americans take pride in being a nation of values. However, intense disagreement exists as to what those values are. Furthermore, ideological common ground is increasingly reflective of physical common ground as geographic and cultural divides mirror one another. According to a 2014 study by Pew Research, “half of consistent conservatives, and 35% of consistent liberals, say it’s important to live in a place where most people share their political views. And some researchers have, in fact, found evidence that such preferences factor into where Americans decide to move.”2 Such cultural priorities reinforce themselves, as described in Bill Bishop’s book, The Big Sort, which describes the silos or bubbles in which Americans tend to cluster in the search for the comfort of proximity to others who share the same values and the tribal nature of safety in numbers to protect these shared values.3

Referring to the two major American political parties, a related Pew study, also from 2014, states, “In each party, the share with a highly negative view of the opposing party has more than doubled since 1994. Most of these intense partisans believe the opposing party’s policies ‘are so misguided that they threaten the nation’s well-being.’”4 Where, then can the technological advances in commu-

ication infrastructure most effectively intersect with the growing rift in American perception of other Americans to best promote a cultural exchange of ideas and values, and improve discourse between the two Americas, increasingly split by their respective isolation from one another? To answer, we must explore the current construct of the contemporary symposium for all topics, open to most of America, and to much of the world: online social networking.

Non-Profit Social Networks

Social media networks are the innovation envy of the twenty-first century, to date. Yet, the same qualities that generate staggering profits, also leave them vulnerable to personal, political, and ideologically damaging repercussions. The source of data used to program advertising algorithms has both directly and indirectly led users to gravitate to groups echoing narrow perspectives on culture, and leaving them susceptible to influence by misinformation and malicious intent. Therefore, to harness the power of social networking absent the incentive to herd those with similar cultural backgrounds together, a proposed solution is to democratize the digital intermediaries by developing non-profit social media networks.

Can the same rules of libertarian paternalism apply to encouraging convergence of human experience and dissuade diverging of national empathy?5 Can a social media network be developed around substantive cultural exchange of the cultural differences and the common humanity of Americans? Can a non-profit social media platform wield the power to nudge Americans into building community and combat distrust, by increasing access to more remote and rural regions of the nation, while competing with or, at least, offering a more substantive counterpart to corporate social networks?

Product advertisers have known for decades that teens and twenty-somethings, as early adopters, are the influencers that lead the rest over the chasm to the tipping point.6 In order to drive long-term change, younger users are the key demographic to attract. Therefore, it follows that attracting high school, college, and Millennial Americans to a social media network is essential to building a lasting demographic foundation on which to construct a user base for tomorrow.

According to Dana Boyd, teens engage with networked publics for the same reason they have always gravitate to publics; they want to be part of the broader world by connecting with other people and having the freedom of mobility.7 Boyd goes on to describe four elements of what she refers to as networked publics, more commonly referred to as social media or social networks. What young people want in their platforms are persistence: the durability of content, visibility: the size of the potential audience, spreadability: the ease of sharing, and searchability: how
easy it is to locate content. To meet the charge of separating a non-profit social network from the shortcomings of the corporate models, this list includes two additional elements of veracity: ensuring that information purporting as fact is checked prior to dissemination, and variety: suggesting connection with information and people providing points of reference scattered from those demonstrated by the user.

By removing the profit motive from an online networked public, and adding the policies of veracity and variety to add the crucial element of integrity, a new platform could promote a positive paradigm shift in the region of digital space to which a majority of young Americans are already native. Additionally, such a platform could dynamically appropriate aspects of already established sites, yet remain suitable as a tool for learning, rather than a distraction from learning.

Social Media Literacy

In The Practice of Everyday Life, Michel de Certeau writes that people use tactics to negotiate the strategies that are arranged for them by the institutions or organizations in which they practice their lives. As more and more of people’s lives are transferred from face to face interaction to digital networks, primarily in the form of social media sites like Facebook, Twitter, Youtube, Instagram, and Reddit, these platforms become the institutions and organizations strategizing the parameters negotiated by the tactics of the people who occupy these online spaces. Each platform creates a different type of user experience by carving out a large swath of unique appeal, promoting connections based on user-produced content.

The appeal of social networks being user centered is demonstrated by the sheer volume of their users. Instagram, a forum for sharing images, has approximately 600 million users while pack-leader, Facebook, boasts 2 billion users worldwide. The interactive nature of users sharing their own words, images, opinions, and feelings is crucial to its innovative success. The real time feedback by others in users’ overlapping communities, and the capacity to reach more people with one’s own original or interpreted content, has originated a new concept, combining user and producer into the role of “produser.” Successful platforms provide tools for widespread collaboration across communities. They offer environments eliciting useful results, and mechanisms filtering individual and collaborative processes and showcasing successful content.

The implication of “social” in social networks is of user-centered networks of human communication and activity. Successful platforms draw users into a surreptitious reality, where the line between browsing and living is blurred. Yet, the truth of the sites is that they are automated systems designed to connect people with what they like and what they want. Sociality coded by technology allows people’s online social behavior to be manipulated.

Furthermore, intersectional platform-data links people to peripheral media designed to reinforce their digitally demonstrated ideology. Subsequently, behavior outside of the parameters of online social media can also be influenced. Advertisements for cable news networks and sites appear adjacent to links to products for sale in addition to suggestions for profiles of people we may know. They connect us to people like us. Yet, more important to the purpose of this policy exercise, is that they connect us to media affirming what we say we like, leading to where we connect, not with one another, but with the monetary market economy. In a global market, in which a North American Facebook user is worth nearly four times as much in advertising revenue as European users and the rest of the world, economically challenged populations see financial incentive to generate sensational and manipulative content.

Fake News: Treat the Cause, Not the Symptom

The 2016 political stage showcased the viral spread of false information by a wide array of dubious and unverified sources, and designed to look like bona fide reporting. This phenomenon came to be known as “fake news”. Social networking offered fake news the advanced software specifically designed to target advertisements to users based on their individual profiles and browser search patterns. The combination of falsified content and social media’s advertising platform precisely aimed fake news at audiences of users likely to possess confirmation biases about the subject matter of the stories. A Time Magazine article from May 18, 2017, speaks to this method of predictive screening, saying, “That’s where the algorithms come in. American researchers have found they can use mathematical formulas to segment huge populations into thousands of subgroups according to defining characteristics like religion and political beliefs or taste in TV shows and music. Other algorithms can determine those groups’ hot-button issues and identify ‘followers’ among them, pinpointing those most susceptible to suggestion. Propagandists can then manually craft messages to influence them, deploying covert provocateurs, either humans or automated computer programs known as bots, in hopes of altering their behavior.”

There is debate regarding whether or not fake news played a significant part in changing the minds of voters in the 2016 Presidential Election. A report by BuzzFeed News revealed that the top-performing fake election news stories on Facebook generated more engagement than the top stories from major news outlets such as the New York Times, Washington Post, Huffington Post, NBC News, and others, in the final three months leading up to the 2016 election. Additionally, of the top ten election stories in terms of Facebook engagement in the three
months before the election, two originated from the more than 100 websites dedicated to US politics, discovered to have been launched from the town of Veles, in the former Yugoslav republic of Macedonia.  

To the contrary, a January 2017 study by economists from Stanford and New York University found that the most widely circulated hoaxes were seen by only a small fraction of Americans. And only about half of those who saw a false news story believed it. Still, if influence existed, it may not have worked as voter persuasion, but rather of get-out-the-vote. Only a small percentage of Americans may have found truth in the fake news on social media sites. The presidential election of 2016, however, was won electorally, with a deficit of almost 3 million popular votes. Of almost 129 million votes cast nationwide, less than 80,000 across three states tipped the electoral college in favor of the candidate for whom almost all of the fake news stories favored. Evidence has yet to discount the possibility that unlikely voters were motivated by fake news to cast ballots, either inspired or outraged by false pretenses.

Exploring Models of Innovation

What kind of social networking model can help to reset the corrupt hard drive of American exceptionalism? One way involves private corporations, already established and profitable, being amenable to expanding their brand, while partnering with nonprofit organizations, to provide a public good. Should something new and innovative be created by those who have worked on improving the technology for decades already, then the bar for all social networking platforms, professional networking platforms, arts and culture platforms, language and learning platforms, and entertainment platforms, would be raised. If Facebook’s Mark Zuckerberg, for example, decides to dedicate Facebook resources to a nonprofit satellite, partnering with a non governmental organization dedicated to repairing the dissenting states of America, to design a media tool that helps reduce the resentment between urban and rural America, liberal and conservative America, and Democrat and Republican America, it could be refreshingly popular. Contrarily, as Facebook’s approximately 180 million daily users in the United States and Canada was $16.56 average revenue per user, during the first quarter of 2017, it seems unlikely that shareholders would support the company moonlighting to develop a nonprofit alternative. If a corporation with an agenda partners with a nonprofit media organization, what prevents that corporation from exerting its influence over the content? The monetization of free social networking services have, after all, followed the same path of television and radio, providing incentive for popular programming by evolving into a vehicle for transmitting advertisements. Such a model defeats it own purpose of building a nonprofit social networking platform. Another model for nonprofit media, wherein both public and private monies are used to produce well respected and unimpeachable news, art, culture, and education, already exists: The Corporation for Public Broadcasting (CPB).

In 1967, President Lyndon Johnson signed the Public Broadcasting Act into law. Johnson remarked, “It announces to the world that our nation wants more than just material wealth; our nation wants more than a ‘chicken in every pot.’ We in America have an appetite for excellence, too. While we work every day to produce new goods and to create new wealth, we want most of all to enrich man’s spirit. That is the purpose of this act.” From this act came the Public Broadcasting Service (PBS) as well as National Public Radio (NPR). And, even as government funding for CPB has fallen in recent years, by obtaining their operating budgets from many different sources, CPB has avoided compromising their independence to advertising or sacrificing their integrity to corporate agendas. In fact, it is written into the funding standards: “The diversity of program funding sources is a key element in the preservation of a free and independent public television system. Therefore, these guidelines should encourage national program underwriting from all corners of the public and private sector.”

By fundraising equitably from members, private organizations, and government grants, standards of content can be initiated without the incentives and influences of profit seeking advertisement revenue. Shifting paradigm of the social network’s value from a vehicle for driving advertising revenue, to a forum with open space for exchange of ideas, discourse, art, culture, and trustworthy news, endeavors to evolve produsers far less susceptible to manipulation. When the responsibility is no longer to generate income, but to curate truth, such a core value favors community outreach, diversity, and integrity.

Political pushback against an independent social network, requesting any amount of public resources, is inevitable. The Corporation for Public Broadcasting faces annual threats to public funding, Its value to taxpayers is disputed by its detractors. In a 2012 commentary, the conservative think tank, Heritage Foundation, writes that federal funding should be cut, because, “Clearly, then, they can rely on the membership fees they raise from individuals, foundations and corporations. They do not need taxpayer money, which can go to much worthier places (like back to the taxpayer’s pocket).” This is consistent with Heritage Foundation’s tax plans circulated within conservative political circles for decades. According to a ProPublica, analysis published just a few weeks before the Heritage piece, it is argued, “But from a leverage standpoint, PBS says it’s pretty important. Each federal dollar local stations receive generates roughly six dollars from local sources as a type of bargaining chip, according to a coalition of public broadcasting stations, producers and viewers.”

Political and economic obstacles notwithstanding, how

Learn more about NLC at newleaderscouncil.org
could a non-profit model operate logistically? A possible option for implementation is starting with municipal broadband. Cities, towns, and even counties, have attempted to implement public internet, with varying levels of success and failure, for nearly two decades. One such example that has managed to work is the city of Chattanooga, Tennessee. Chattanooga's Electric Power Board (EPB) oversees the telecommunications network. The city’s high speed municipal broadband network was conceived over the course of many years and with much effort to fend off the lawsuits and lobbyists of the private internet service providers (ISP).21

The city was poised to expand its network to neighboring rural communities until, that is, a 2017 bill passed the state legislature, committing $45 million in grants to be awarded to private corporations, rather than municipal services. Instead of Chattanooga’s CPB expanding its municipal broadband, AT&T will be subsidized by the state to provide service 1000 times slower than the public broadband.22

Yet, if municipalities with a desire and a plan for public broadband formed a coalition and mustered support, perhaps they could campaign and rally for a network of public internet. Building America’s 21st Century Innovation Economy, a policy brief written for NLC(4) entitled “Digital Oases” and written by Jonathan Jacobs, proposed investing and promoting the building or restoring of unused and underused rail lines and rural stations as intermodal transportation hubs, while extending and proliferating the gigabit speed ESNet internet. The argument was for expanding employment opportunities for residents of rural regions of the United States by shifting the paradigm of the American commute to work to include commuting digitally over high speed internet.23 While this concept addresses the economic concerns of a declining rural population in America, it fails to directly confront the problem of opening channels of cultural communication. Laying the groundwork for improving access to rural Americans by Americans residing in metropolitan centers, and vice versa, helps open channels of financial and occupational mobility.

Perhaps local initiatives could push for expanding access to the super-high speed ESNet, and building a regional or a national public networking link. Perhaps, with enough voices raised, Americans will demand integrity in our news feeds, honesty in our online discourse, solidarity in our demand for modernized digital infrastructure, and democracy in our social networks.

**Objectivity versus Fairness**

Objectivity in any media is a standard up to which no reporting can measure. It is a myth. All news is biased if it is created by humans. All information is biased if it is consumed by humans. Humans possess inherent cognitive biases.24 The best hope is not in trying to eliminate these biases. Rather, it is in recognizing them when they present themselves in reporting and fairly representing alternative reference points. Yet, this does not mean accepting alternative opinions or false information as alternative facts. Two people may have very different descriptions of a mountain depending on whether one is looking up from its base, or looking down from its summit. Yet, neither can make the case that the mountain does not exist at all. The perspective of the reporter reduces objectivity, but remains grounded in that basic fact.

If people or organizations are given profit-motive to report that the mountain does not exist, to a pre-screened demographic group who are far removed from being able to see the mountain themselves, those people or organizations may do so. If, however, such a profit motive is reduced or removed entirely from the network through which they report, these people or organizations have little incentive to spread disinformation, misinformation, falsified information, and fake news. As it currently exists, the intermediaries of online social networks are designed with rules made to appear as if we who use them are in control of the content. The truth is, until we write the rules, we are not in control. We are not the clientele of these networks. The advertisers are the paying customers. And, in the world of sales, the customer is always right. Perhaps the time has come to offer a public option for networked public spaces, created in the image of that ideology Americans profess to uphold as the foundation of our exceptionalism. Perhaps the time has come to change the rules of digital social intermediaries to favor democracy.
REFERENCES & CITATIONS

Ensuring a Pathway to Education and Employment for Our Military Members


Sectoral Bargaining and the Future of the American Unions


Self Driving Cars in Pittsburgh: A Love Story

6 Ibid., 10.
7 Ibid., 17.
8 Ibid., 28.
9 Ibid., 4.


16 Executive Office of the President, Artificial Intelligence, Automation, and the Economy, 2.


18 Ibid., 29.

19 Ibid., 36.

20 Ibid., 42.

21 Ibid., 38.

22 Ibid., 38.


24 Ibid., 1555.


26 Frey, The future of employment, 21.

27 Mishel, The zombie robot argument lurches on, 13.

28 Frey, The future of employment, 43.


30 Ibid., 10.


A Millennial’s Guide to Women’s Economic Inequality


10 Ibid.


13 “Gender Pay Inequality.”


21 Ibid, 3.


24 “Gender Pay Inequality,” 9.


Value: The Plight for Women


Invest in Land Banks to Rebuild Rural and Urban Communities and Revive Workforces through Affordable Housing: Gloversville’s Experience


4 Center for Community Progress and New York Land Bank Association, 21.


Innovating SBA’s Small Business Lending


9 Ibid

10 Ibid


Clean Energy Jobs for All


10 Texas, Oklahoma, Louisiana, West Virginia, Wyoming, New Mexico, North Dakota, Alaska and Kansas


Mexico: A Strategic Partner to the U.S. in the Advance ment of North American Energy Integration


5 Ibid.

6 Ibid.


9 Ibid.


A Moderate Energy Subsidy Shift Proposal For A Radical Energy Use Shift

1 http://www.factcheck.org/2012/07/you-didnt-build-that-uncut-and-unedited/


A Progressive Rubric for Charter School Policy


7 Ibid.


Investing in Justice: Achieving Education Equity by Divesting from Harm and Investing in Support

1 ESSA Sec. 1111 (p. 34-35) 

2 ESSA Sec. 1111 (p. 42-43) 


13 “Acts against the education of slaves South Carolina, 1740 and Virginia, 1819”. http://www.pbs.org/wnet/slavery/experience/education/docs1.html


15 Woodson, Carter. The Mis-Education of the Negro, 1933.


American Success in a Digital Future: The Importance of K-12 Computer Science Education

1 Treasury Secretary Mnuchin believes that artificial intelligence will not affect the workforce for “50 or 100 more years” (Matt Weinberger, “Treasury Secretary Mnuchin says job-stealing AI is ‘so far in the future’ that it’s ‘not even on my radar screen’ – here’s why he’s wrong,” Business Insider, March 25, 2017, accessed May 12, 2017, http://www.businessinsider.com/steve-mnuchin-automation-ai-2017-3). This is not correct. What is uncertain, however, is how long it will take before that 51 percent of existing job activities will be entirely run by automated technologies. This depends on many key factors—social and legal/regulatory acceptance, economic feasibility and labor market dynamics, to name a few—but a conservative estimate would be that such level of adoption would occur between 2055-2075. (James Manyika, et al., A Future that Works: Automation, Employment, and Productivity – Executive Summary (McKinsey Global Institute, 2017), 12.)
2 Automation and Independent Work in a Digital Economy. Organisation for Econom- 
ic Co-operation and Development (May 2016), 1.
3 James Manyika, et al., A Future that Works, ii.
4 Jerry Kaplan, Humans Need Not Apply: A Guide to Wealth and Work in the Age of 
7 College Board. AP Program Participation and Performance Data 2016, National 
data/participation/ap-2016.
hightech/.
10 Jennifer Elias, “Silicon Valley still doesn’t think that it has a diversity problem, 
survey shows,” Silicon Valley Business Journal, March 23, 2017, accessed May 12, 
diversity.html.
11 Annie Vincent, “Salesforce.org Donates $8.5 Million to San Francisco and Oakland 
Public Schools, Partners with Mayors Ed Lee and Libby Schaaf to Improve Computer 
salesforce.com/about-us/media/salesforce-org-donates-8-5-million-san-francisco- 
oakland-public-schools-partners-mayors-ed-lee-libby-schaaf-improve-computer-sci- 
ence-education-press-release/.
12 Oakland Unified School District, Oakland Schools Computer Science Tech Show- 
geType=17&DomainID=18&ModuleInstanceID=2238&EventDateId=36684.
Also consulted: Claire Shorall, “2800+ Oakland unified students enrolled in Computer 
medium.com/@cklshorall/2800-oakland-unified-students-enrolled-in-computer-sci- 
ence-in-2016-17-87277f99480b.
13 Thanks to Claire Shorall, the Computer Science Manager at OUSD, who reviewed 
this paragraph to ensure accuracy.
14 Nina Agrawal, “There’s more than the CIA and FBI: The 17 agencies that make up 
the U.S. intelligence community,” Los Angeles Times, January 17, 2017, accessed 
20170112-story.html.
15 Intelligence Community Assessment. “Assessing Russian Activities and Intentions 
in Recent US Elections,” January 6, 2017, ii.
16 Douglas Guibault and Samuel Woolley, “How Twitter Bots Are Shaping the 
17 Guibault and Woolley, “Twitter Bots.”
18 Arina Setalvad, “Demand to fill cybersecurity jobs booming,” Peninsula Press, 
cybersecurity-jobs-growth/.
19 Computer Science Education Coalition, “Computer Science and Cybersecurity,” 
20 Megan Smith, “Computer Science For All,” The White House Blog, January 
blog/2016/01/30/computer-science-all.
21 Jacob Kastrenakes, “What happened to Obama’s $4 billion in computer science 
theverge.com/2016/12/11/13849766/obama-computer-science-for-all-funding.
23 Though somewhat similar in principle to the 2011 model standards the CSTA put 
forth, this framework is a considerably more comprehensive approach and conduct- 
ed with a broad partnership.
Washington, Idaho, Arkansas, Florida, Indiana, West Virginia, New Jersey and Massa-
chusetts.
blogs.sas.com/content/sascp/2016/02/04/working-computer-science-teacher-de- 
mand/#prettyPhoto.
26 Code.org. Recommendations for States Developing Computer Science Teacher 
ommendations.pdf.
28 Tanya Roscorla, “13 Policy Barriers Facing Computer Science Education,” Con- 
com/k-12-3-Policy-Barriers-Facing-Computer-Science-Education.html.
32 Thanks to Claire Shorall of Oakland Unified School District, who was helpful in 
flushing out the ideas presented in this section.

Making College Affordable: Keep the Focus on 
Low-Income Students

• American Association of State Colleges and Universities. 2015. Public Policy 
Agenda. American Association of State Colleges and Universities.
• Baum, Sandy, and Michael McPherson. 2011. “Is Education a Public Good or 
or-a-private-good/28329.
• Congressional Budget Office. 2016. Options for Reducing the Deficit. Wash-
• Crandall-Hollick, Margaret. 2016. Higher Education Tax benefits: Brief Overview 
and Budgetary Effects. Congressional Research Service.
• Institute for College Access & Success. 2016. Pell Grants Help Keep College 
Affordable for Millions of Americans. Fact Sheet, Institute for College Access 
pdf.
• Moretti, Enrico. 2002. Estimating the Social Return to Higher Education: 
Evidence from Longitudinal and Repeated Cross-Sectional Data. National 
How Financial Supports Can Improve Postsecondary Success.” Demos.
• Poutre, Alain, James Rorison, and Mamie Voight. 2017. Limited Means, Limit-
ed Options: College Remains Unaffordable for Many Americans. White Paper 
, Institute for Higher Education Policy.
• Seltzer, Rick. 2017. “New York’s Tuition-Free College Program Sparks De-
bates and Defenses.” Inside Higher Ed, April 17.
• White, Dan, and Sarah Crane. 2015. Crowded Out: The Outlook for State 
Higher Education Spending. White Paper, Moody’s Analytics.

Endnotes
from Longitudinal and Repeated Cross-Sectional Data. National Bureau of Econom-
2 Baum, Sandy, and Michael McPherson. 2011. “Is Education a Public Good or
Sexuality Education: An Intersectional Policy Model That Young People Deserve


3 Susan Liecher, Blueprint for Investing in Young Women, (New York Women’s Foundation, 2015), p. 8


5 New York City Young Women’s Initiative Report & Recommendations, p.16

6 Vianca Masucci, “How Sex Education Fails People of Color in the United States,” (Black Girl Dangerous), April 1, 2016


8 Health Data, Office of Intergovernmental Affairs, (NYC Department of Education), December 2016

9 Local Law 90, Committee on Education, (New York City Council, May 10, 2017)


12 Vianca Masucci, “How Sex Education Fails People of Color in the United States,” Black Girl Dangerous, April 1, 2016


Creating Diverse & Inclusive Schools Through Relationship-Based, Anti-Oppressive Classrooms


Making the Tax Code Work for All Americans: Inequality, wealth, and tax policy


3 Christopher Ingraham, If you thought income inequality was bad, get a load of wealth inequality, The Washington Post (5/21/15) “Income is the amount of money you earn from your work or your investments. But wealth is the amount of stuff you own: your house, your car, savings, retirement accounts, etc.” available at https://www.washingtonpost.com/news/work/wp/2015/05/21/the-top-10-of-americans-own-76-of-the-stuff-and-its-dragging-our-economy-down/

4 Shapiro, supra n. 1, at 13

5 id. at 14


8 id., at 23

9 adjusted for inflation

10 id. at 170

11 id., at 170

12 “[C]ompared to 1979 the average middle class family worked an additional 14 full-time weeks per year in 2007, before the Great recession impacted employment levels.” Id. at 170.

13 id. at 7

14 id. at 7


16 For a discussion on tax-and-transfer social policies (as opposed to tax cuts) see https://www.americanprogress.org/issues/economy/2013/12/04/80370/the-impact-of-redistributive-tax-and-transfer-programs-on-risk-taking-behavior-and-labor-mobility/ “Income redistribution in the form of tax and transfer programs provide social insurance and protection against many types of risks over a person’s lifetime and over his or her career that are not always provided through private insurance. Thus, social insurance in the form of transfer programs—such as the Temporary Assistance for Needy Families, or TANF; program; Medicaid; the Supplemental Nutrition Assistance Program, or SNAP, formerly known as food stamps; and the Special Supplemental Nutrition Program for Women, Infants, and Children, more commonly referred to as WIC—allows individuals to make decisions that involve higher risk, while at the same time affording them greater mobility than they would otherwise undertake.”; for effects on government revenue, See, Stiglitz, supra, at 63-64

17 Stiglitz, supra, at 60


19 Stiglitz, supra, at 61


21 Stiglitz, supra, at 62

22 id., at 63

23 id., at 63


25 A tax rule for readjusting the value of an inheritance asset

26 Stiglitz, supra, at 58-59

27 Stiglitz, supra, at 58-59

28 id. at 59

29 “the direct and in-kind payments the government makes to individuals” Id. 59.

30 id. at 59

31 id. at 126-127; “to put this in perspective for an extra $50,000 taxed on every $1 million of a wealthy individuals income, the US could make all public college education free and fund universal pre-k.” Id. 127


35 id.

36 Robert Reich. Saving Capitalism. Vintage Books, 2016, at 105; (For an example “[...] Howard Schultz, CEO of Starbucks, received $1.5 million in salary for 2013, along with a whopping $150 million in stock options and awards. That saved Starbucks $82 million in taxes.) Id. 105


38 http://www.taxanalysts.org/content/senate-dems-target-derivatives-carried-interest-tax-reform

A Progressive Vision for Tax Reform

1 General Counsel, New Leaders Council; J.D. magna cum laude, American University; L.L.M. in Taxation Candidate, Georgetown University.

2 Vice President, New Leaders Council; B.S., Economics and Political Science, University of Louisville.


4 For clarity purposes we deal only with rates for single filers, which can be adjusted for other filing statuses.


13 ibid.

14 This proposal, as well as our proposal for platform company tax withholding without contribution, draws directly from the work of Professor Kathleen Delaney Thomas. Kathleen Delany Thomas, “Taxing the Gig Economy, NYU Working Paper Series, (March 3, 2017 Draft), http://www.law.nyu.edu/sites/default/files/upload_documents/Taxing%20the%20Gig%20Economy_%20Thomas.pdf
15 Indeed, the academic literature has evolved in line with practical experience to demonstrate that labor’s share of corporate tax incidence grows as the global economy matures. The seminal analysis of corporate tax incidence—Arnold Harberger 1962—assumed a “closed” economy where neither capital nor labor could flee the taxing jurisdiction. In those conditions, the tax was borne predominantly, if not exclusively, by capital. Over time, the model adjusted to reflect the new “open” economy where capital can flow across borders easily while labor is generally stuck in location. Under those assumptions, the incidence of that tax flips. The burden previously held by the now-mobile capital factor shifts to the immobile labor factor. While the precise ratio of capital to labor incidence varies between the analyses, the trend line is clear: labor’s modeled share of the tax burden increases as capital mobility, among other factors, increases. See Jennifer Gravelle, “Corporate Tax Incidence: A Review of General Equilibrium Estimates and Analysis,” National Tax Journal 66.1 (March 2013), 185–213 (available in draft at https://www.cbo.gov/sites/default/files/cbofiles/fpdocs115xx/doc11519/2010-05-working_paper-corp-tax-incidence-review_of_gen_eq_estimates.pdf) Indeed, even Harberger now notes that in an open economy model labor at least trend[s] to fully bear ... the burden of corporation income tax.” Arnold C. Harberger, “Corporation Tax Incidence: Re- flections on What is Known, Unknown, and Unknowable,” P. 14, Conference Paper, April 2006, http://www.econ.ucn.edu/harberger/ahr-conf Sax-06.pdf.


21 There are a number of areas for reform within the taxation of passthrough entities, and other areas that are outside the scope of this article. We note that as a whole these should be equalized to remove priorities of capital over labor.

22 Nor does it punish capital income, as it ensures an active market in securities by having any tax-based lock-in effects.


24 For those corporate funds that are currently held, on paper, overseas, those amounts should still be subject to the current corporate tax rate until fully repatriated—there ought not be any repatriation holiday. As an incentive to reinvest these funds, we agree with the Economic Innovation Group’s investing in Opportunity Act, S. 213, 115th Cong. (2017), that would defer tax on these funds only if they funds are directly reinvested in identified distressed communities across the United States. See generally, Economic Innovation Group, http://eig.org/loia.


30 Ibid.


33 U.S. Const. Art. I, Section 8, Clause 8.


36 Joint Committee on Taxation, Overview of the Federal Tax System as in Effect for 2017, Figure A-3; March 15, 2017, available at https://www.jct.gov/publications. html?func=startdown&id=989.

37 Spering, “Estate Tax.”

Dismantling the School to Prison Pipeline


13 Daniel J. Losen and Kevin G. Welner, “Legal Challenges to Inappropriate and


22 Mario S. Torres and Jacqueline A. Stefkovich, "Demographics and Police Involvement: Implications for Student Civil Liberties and Just Leadership," Education Administration Quarterly 45, no. 3 (2009): 450–473.


28 e.g., Paul Hernandez, The Pedagogy of REAL Talk: Engaging, Teaching, and Connecting with Students at Risk (Los Angeles, CA: Corwin, 2015)


Reducing Recidivism by Expanding Economic Opportunity

1 "National Inventory of Collateral Consequences of Conviction." Council of State Governments Justice Center.


Building a Safe Chicago

1 Andrew V. Papachristos, Opinion: CPD’s Crucial Choice: Treat its list as offenders or as potential victims? CHICAGO TRIBUNE (July 29, 2016). “There is no way to arrest ourselves out of the gun-violence problem. To ignore someone’s vulnerability as a victim and instead give him the label of an ‘offender’ only reinforces the way in which America devalues the Building a Safe Chicago 17 lives of young people of color and ignores our desperate need for reform in America’s justice system.” Id.

2 Zach Fardon, Opinion: Federal prosecutors in Chicago going hard on gun crimes, CHICAGO SUN-TIMES (October 28, 2016), http://chicago.suntimes.com/opinion/opinion-federal-prosecutors-in-chicago-going-hard-on-gun-crimes/ “I have said repeatedly that we cannot prosecute our way out of the violence problem in Chicago. It will take a multi-faceted approach including, among other things, improved educational opportunities, jobs and social services. Criminal enforcement is an important part of the solution, and our office’s commitment to doing our best on that front will not waver.” Id.

3 “Community-based programs and focused policing interventions in general have been found to be effective in reducing violence in some settings (e.g., high-risk physical locations) and appear to be more effective than prosecutorial policies, including mandatory sentences.” NATIONAL ACADEMIES OF SCIENCE, INSTITUTE OF MEDICINE AND NATIONAL RESEARCH COUNCIL, Priorities for Research to Reduce the Threat of Firearm-Related Violence, THE NATIONAL ACADEMIES PRESS AT 7. See also Franklin E. Zimring, Commentary: False Premise of Gun Sentences, CHICAGO SUN-TIMES (October 16, 2013).


6 ILLINOIS SENTENCING POLICY ADVISORY COUNCIL, supra note 5, at 12 (Fig. 10).


9 See ILLINOIS STATE COMMISSION ON CRIMINAL JUSTICE AND SENTENCING REFORM, http://www.icjia.org/cjreform2015/about/

Social Enterprise and the Racial Wealth Gap


11 Ibid.


15 See, e.g., San Fran. Admin. Code § 14C.1 et seq.


Reevaluating Stigma to Win Back the Working Class: Poverty Examined through the Military


5 Williams, A Roof Over My Head, pg. 163.

6 Williams, A Roof Over My Head, pg. 163.

7 Williams, A Roof Over My Head, pg. 163.

It is important to note two things here. First, this specifically refers to service-members currently serving full time in the US military and not veterans who have been discharged, which is an important distinction when progressives who are assumed to be unfamiliar with the military are speaking on military policy. Secondly, this not a positive thing. While it is useful in creating a progressive narrative to debunk conservative rhetoric, it would fit best with a progressive agenda to reevaluate defense budgets and how much of it goes to weapons versus how little is given to personnel.


According to the Congressional Budget Office, benefits to the people who are not poor, such as these deductions, are often equal to or much greater than the cost of SNAP, etc.


A large piece to this would be evaluating weapons spending versus personnel spending, with the argument that a higher military base salary would attract and retain more high quality individuals for the job. Additionally, the military is considered a lifestyle, 24/7 job, with wages significantly below minimum wage. Including the military in conversations about wage stagnation and a living wage would benefit the Democratic party platform and attract a greater support from Middle America but deserves a much more indepth analysis than this policy memo allows.


According to the latest Demographics Report (2104) published by the Office of the Deputy Assistant Secretary of Defense, 55.3% (733,201) of Active Duty members are married. These numbers do not include Coast Guard. This percentage was derived by dividing the number of married servicemembers by the current US population estimate on May 30, 2016, which is 321.4 million.

Supporting Undocumented Students: An Investment in America’s Future

5. Migration Policy Institute (MPI) analysis of U.S. Census Bureau data from the 2013 American Community Survey (ACS), 2009-2013

“We All Do Better When We All Do Better”: The Case for Transgender Equity

2. “Equity” is used here rather than “equality” because progressive change requires a more nuanced approach than simply bringing group rights up to parity. It requires “freedom from bias and favoritism” (Merriam-Webster Dictionary) to dismantle the ways that bias and favoritism have historically benefited a privileged few and oppressed others.
4. James, S. E., et. al.

Unlocking Victims of Human Trafficking: Designing Policies for Correctional Institutions

2. Statement of Assembly Member Marty Block, introducing AB 918, April 8, 2011.

The Critical Role of Anti-Racism Work in Preventing the Sexual Exploitation of People

Sexual Assault in the United States: Policy Recommendations


Fair housing: Where do we go now?

2. This was New York City's Fair Housing Practices Law of 1957, the first such law in the United States.
4. This was Executive Order 11063, signed November 20, 1962.

5. Other federal agencies, such as the Treasury and Agriculture Departments, are also responsible for supporting the goals of fair housing laws in their respective programs or policies that touch housing or urban development.


7. As HUD states, there are laws in addition to the Fair Housing Act that the agency uses in enforcement. Those are Title VI of the Civil Rights Act of 1964; Section 109 of the Housing and Community Development Act of 1974; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; the Age Discrimination Act of 1975; Title IX of the Education Amendments Act of 1972; and the Architectural Barriers Act of 1968.


11. See here, here, or here for examples.


13. For HUD's AFFH mapping tool, visit https://sgeis.hud.gov/afhh/


The Triple Bottom Line: The Policies and Practices of Achieving Environmental Sustainability, Affordable Housing, and Exceptional Labor Standards


Revitalizing Public Health: Tech and Innovation as a Path Toward the Future


Automatic Voter Registration Offers a Solution to Low Voter Participation


2 US Census Bureau, Electorate Profiles: Selected Characteristics of the Citizen, 18 and older Population. http://www2.census.gov/programs-surveys/voting-surveys/demo/table/vot-ing/UnitedStates.xlx Note that this number reflects the number of potential eligible US voters – not the number of registered US voters.

3 US Election Assistance Commission (EAC), The 2012 Election Administration and Voting Survey, 9. The EAC estimated in 2013 that the voting age population (VAP) was 243 million people. VAP is often contrasted with CVAP – citizens of voting age population, which is closer to the 227 million reported by the census.

4 The EAC estimates that there were 194 million registered voters in 2012 (the 2016 numbers will take some time to be fully analyzed). That represents roughly 79.9% of the VAP.


6 Some terminology for the remainder of this memo: "Eligible voter" refers to someone who is an American citizen, aged 18 or older, who is lawfully allowed to vote. “Registered voter” refers to someone who, in addition to being lawfully allowed to vote, is also registered to vote in a jurisdiction.

7 Taylor, “American Voter Turnout is still lower than most other wealthy nations.”


9 "Voting and Registration in the Election of November 2016," table 2 (all races).


4.6% for voters 61 and over. In 2012, voters reported "problems with my registration" as a reason for not being able to go vote. Close to 45% of millennial non-voters gave that reason, compared to 30% of voters 31-60 or 12% of voters 61 and over.

177


5 Note: The author would like to acknowledge that not all individuals who are pregnant or who have given birth identify as women. While the words “women” and “girls” are used throughout this article, it is important to recognize that individuals who are trans, genderqueer, or non-binary conforming experience pregnancy and childbirth. Unfortunately, limited research exists regarding mortality and morbidity among members of these populations. Likewise, services and resources for transgender men and genderqueer individuals are lacking. For more on healthcare education and advocacy for providers of care to LGBTQ+ individuals, see www.lgbthealtheducation.org.


8 Ibid.


16 Ibid.

17 Lisonkova et al., “Maternal Age . . .”


19 Morong et al., “A Review of . . .”

20 Geller et al., “Assessing Preventability . . .”

21 Ibid.

22 Morong et al., “A Review of . . .”

23 Singh, Maternal Mortality . . .


28 Ibid.

29 Ibid.

30 Lisonkova et al., “Maternal Age . . .”


34 Morong et al., “A Review of . . .”

35 Ibid.


37 Meyer et al., “Working Towards . . .”


41 Ibid.

42 Ibid.


Partisan Gerrymandering in State Legislative Districts and the Search for Fair Representation


4 Id.

5 Id.

6 Id.

7 Id.


9 Id.

10 Id.

11 Id.

12 Id.; Brennan Center for Justice, National Overview of Redistricting: Who draws the lines?, https://www.brennancenter.org/analysis/national-overview-redistricting-who-draws-lines (June 1, 2010).

13 Id.


16 Id.


22 Richard Gunther, Ohio Becomes Latest State To Vote Down Gerrymandering, POLITICS, http://www.huffingtonpost.com/entry/ohio-gerrymandering_us_563a5c76e4b0411d306f487e.


26 Id.

27 Id.

28 Richard Gunther, Ohio Becomes Latest State To Vote Down Gerrymandering, POLITICS, http://www.huffingtonpost.com/entry/ohio-gerrymandering_us_563a5c76e4b0411d306f487e.

Increasing Civic Engagement by Getting Big Money Out of Politics


How Right to Work Laws Entrench Economic and Political Inequality


8


16


Re-imagining Local Party Governance: A Call for Constituent-Driven Party Reform

1 The Bronx Democratic County Committee has the highest membership of all New York City counties, however, reports indicate that many members were unaware they were added the the ballot. See Serina Triangle, “You Could Be on the Bronx Democratic County Committee and Not Even Know It.” City and State Magazine, May 1, 2013. www.capitalandmain.com.

2 The lack of transparency and democratic involvement also puts the party’s platform and candidate bench in the hands of the few. Current Bronx Democratic County Committee Chair, Marcos Crespo, is strongly opposed to abortion and LGBTQ rights and has helped select Democratic party candidates with the same beliefs, against the interests of his county, the state, and the national democratic party.


Ratification of the Equal Rights Amendment

A Progressive’s Case for More User-Friendly Technology in Government Service Delivery

1 The Presidential Innovation Fellows (PIF) program was established by the White House in 2012 to attract top innovators into government, capable of tackling issues at the convergence of technology, policy, and process. Presidential Innovation Fellows serve for 12-months, during which they work on one or several initiatives, working to transform ideas into tangible results in at startup speed. More information at https://presidentalinnovationfellows.gov/about.

2 The United States Digital Service (USDS) started in August 2014 as a team of developers and designers within the White House tasked with implementing Administration priorities such as immigration, veterans' benefits, and www.healthcare.gov. Its teams may be embedded across executive branch agencies, and its funding is subject to the appropriations process. More information at https://www.usds.gov/mission.

3 18F was founded in March 2014 by a group of PIFs who wanted to extend their ability to improve and modernize government technology. Housed within the U.S. General Services Administration (GSA), 18F partners with other government agencies as digital consultants to bring human-centered design and an agile software development approach to their work. Its teams both build web applications and promote a culture of innovation within their partner agencies. More information at https://18f.gsa.gov/about/.


7 Ibid.


9 The new application can be accessed at https://www.vets.gov/healthcare/apply/.


11 Ibid.


18 View Clear My Record at www.clearmyrecord.codeforamerica.org

19 "**Interview with Jenny Montoya Tansey, Director of Safety & Justice at Code for America.**.” Interview by author. June 30, 2017.

Women's Political Participation: a Fundamental Prerequisite for Gender Equality, Democracy, and Achieving the 2030 Agenda for Sustainable Development Millennial Perspective


10 IPU. “Women in National Parliaments.”


In frantic behind-the-scenes phone calls, text messages and Slack chats, they're making plans to take to the streets through January's inauguration and beyond.

Some of the first outbursts of direct action in response to Trump's surprise election require us to constantly apply constitutional rules to new situations. Progressives has historically been associated with science, rationality and an approach to government and society reliant on knowledge and empirical methods. It has often been counter posed with populism, which is a movement among the common folk." Elving, Ron. Democrats Debate: What is a Progressive and Who Wants to Be One? February 5, 2016. (accessed 2017).

Jefferson argued that laws and institutions must evolve with the 'progress of the human mind.' Our increased understanding about society and the world around us requires us to constantly apply constitutional rules to new situations. Progressives believe that a dogmatic opinion of the Constitution as a fixed document requires not only the suspension of advanced knowledge collected over time, but also a bizarre acquiescence to illiberal opinions from centuries past..." Williams, Connor P. and John Halpin. Center for American Progress, October 8, 2010. http://www.americanprogress.org/issues/democracy/reports/2010/10/08/8489/the-progressivism-of-americas-founding/ (accessed 2017).

5 Obama Administration SECDIF, Ashton Carter, noted, "the importance of including the Trans-Pacific Partnership (TPP). He stressed its importance in boosting US exports, strengthening key US relationships in the Asia-Pacific, signaling America's commitment to the region more broadly, and promoting U.S. values. He even likened the TPP to be as important as him and another aircraft carrier...In fact, you may not expect to hear this from a Secretary of Defense, but in terms of our rebalance in the broadest sense, passing TPP is as important to me as another aircraft carrier..." Parameswaran, Prashanth. TPP As Important As Another Aircraft Carrier: U.S. Defense Secretary, April 8, 2015. http://thediplomat.com/2015/04/pp-as-important-as-another-aircraft-carrier-us-defense-secretary/ (accessed 2017).


American Redemption: rebuild from the bottom-up


New State Ice Co. v. Liebmann, 286 U.S. 262 (1932)


Moving from Portals to Projects: The Case for the Digital New Deal for Government


14. Ibid.


18. Ibid.

19. Ibid.

20. Ibid.

21. Ibid.

22. Ibid.


31. Ibid.
