

When Paperwork Attacks!

Five Ideas for Smarter Government



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American people and businesses collectively spent 8.8 billion hours dealing with federal paperwork requirements in 2010.

In the minds of many Americans, “government” is synonymous with “red tape,” “bureaucracy” and “paperwork.”

And no wonder.

According to the government’s own estimates, American people and businesses collectively spent 8.8 billion hours dealing with federal paperwork requirements in 2010. That’s equal to nearly 367 million days and more than one million years.¹ And while this figure is down from 2009, it’s still 1.4 billion hours more than what people and companies spent on government paperwork in 2000.²

Make no mistake: Paperwork is absolutely essential to the basic functions of government. It ensures compliance with health and safety regulations and the proper collection of taxes. It’s the only way for the government to gather information about its citizens and determine who is eligible for such crucial programs as Medicare and Social Security. It’s also an important avenue for Americans to get more information about the services and benefits government provides. As a consequence, policymakers should avoid the “meat cleaver” approach to reducing paperwork.

Nevertheless, there’s a difference between “smart” paperwork (paperwork that is as painless and efficient as possible) and plain old red tape. And too much of the latter still exists. The amount of time demanded from companies and citizens for paperwork compliance should be as precious to the government as the tax dollars it collects.

Modern technology can provide more effective, efficient and tree-friendly means for government to communicate with citizens or for companies to comply with regulatory requirements. As an example, allowing the “e-delivery” of just some annual retirement plan documents would conservatively save as much as \$60 million in printing costs a year, in addition to 11,600 trees.³

Fortunately, the Obama administration recognizes the problems posed by burdensome paperwork, and in January 2011, the president issued an executive order aimed at reviewing and pruning paperwork requirements.⁴

To supplement that effort, this memo offers up five ideas for reforming paperwork—not only to save work and paper, but to improve the effectiveness of how government, people and companies interact with each other so that the public benefits.

Five ideas for a more modern government with less paper and less hassle:

- 1. Removing obstacles to small business success.** Waive the first year of quarterly tax filing requirements for start-ups and small businesses.
- 2. Helping savers make better retirement decisions.** Allow default e-delivery of 401(k) statements and retirement plan documents.
- 3. Helping taxpayers understand their benefits.** Resume delivery of Social Security Statements by email and add a “Medicare Statement.”
- 4. Facilitating job creation.** Fast-track paperwork reduction efforts with the best potential for job creation and require estimates of economic impact.
- 5. Building a more responsive government.** Create a “silver scissors” challenge to solicit and reward citizens’ ideas for creative (and effective) paperwork reduction strategies.

Paperwork’s Price Tag

“Paperwork” comes in a variety of flavors, of which the biggest categories are: (1) information that is collected by the government (permit applications, tax returns, proof of regulatory compliance, etc.); and (2) information that companies are required to disclose to consumers and citizens (retirement plan statements, privacy statements, warning labels, etc.). Government itself also generates plenty of paper, including through the provision of information to citizens, taxpayers and companies (e.g., regulatory guidance, instructions for tax forms, etc.)

In its analysis of the paperwork burden on Americans, the government did not attempt to formally monetize the total cost of time spent on all this paperwork. But as the government’s report—the fantastically titled “Information Collection Budget of the United States Government”—indicates, “it is clear that the monetary equivalent would be very high. For example, if each hour [of the 8.8 billion hours spent in 2010] is valued at \$20, the monetary equivalent would be \$176 billion.”⁵

As the Chart 1 shows, that modest estimate still results in a figure that is bigger than the total revenues earned last year by such major corporations as General Electric, Ford Motor and Bank of America.

Some agencies are more paperwork-intensive than others. The Treasury Department, for example, accounts for the lion’s share of the burden hours imposed by paperwork on the public (thanks to the IRS). Meanwhile the least burdensome agency is the Small Business Administration with just 1.1 million paperwork hours attributed to it in 2010.

Chart 2 shows the top 10 federal agencies, ranked by the intensity of the paperwork required.

Chart 1. Comparison of Dollar Value of Time Spent on Federal Paperwork in 2010 (\$20/hour) to Revenues of Top Fortune 500 Companies

Rank	Company	2011 Total Revenues
1	Wal-Mart Stores	\$421.8 billion
2	Exxon Mobil	\$354.7 billion
3	Chevron	\$196.3 billion
4	ConocoPhillips	\$185.0 billion
	Value of time spent on federal paperwork in 2010 (at \$20 per hour)	\$176.0 billion
5	Fannie Mae	\$153.8 billion
6	General Electric	\$151.6 billion
7	Berkshire Hathaway	\$136.2 billion
8	General Motors	\$135.6 billion
9	Bank of America Corp.	\$134.2 billion
10	Ford Motor	\$129.0 billion

Source: CNN Money/Fortune⁶

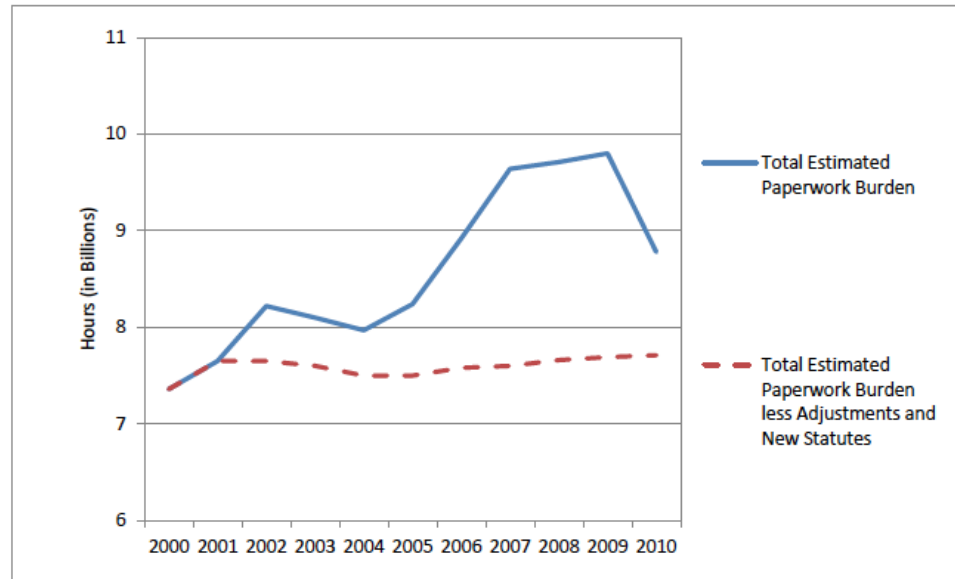
Chart 2. Top Ten Federal Agencies, Ranked by 2010 Paperwork Burden on the Public

Rank	Agency	Fiscal year 2010 paperwork burden
1	Department of Treasury	6.4 billion hours
2	Department of Health and Human Services	541.7 million hours
3	Securities and Exchange Commission	361.5 million hours
4	Department of Transportation	302.8 million hours
5	Environmental Protection Agency	165.2 million hours
6	Department of Homeland Security	153 million hours
7	Department of Agriculture	144.3 million hours
8	Department of Labor	141.3 million hours
9	Department of Education	86.6 million hours
10	Federal Trade Commission	81.5 million hours

Source: Office of Management and Budget

Moreover, since the passage of the Paperwork Reduction Act in 1995, the federal paperwork burden has actually grown, not declined. As the following chart from the Office of Management and Budget (OMB) shows, the federal paperwork burden has been on an upward trend for most of the last ten years.

**Chart 3. Total Estimated Paperwork Burden Hours
(FY 2000 – FY 2010)**



Source: Office of Management and Budget⁷

While much of this paperwork cannot be avoided without sacrificing health, safety and revenues for the government, unnecessary paperwork clearly can take a high toll in wasted time and effort that could have been spent elsewhere.

Every hour spent by an entrepreneur on paperwork is one less hour spent on innovation or developing a product. Every dollar spent on regulatory compliance might translate to higher costs passed on to consumers. And wasteful snail mailings may end up straight in the recycling bin without benefit to their intended recipients.

Five Ideas to Save Time, Trees, Money and Jobs

The President's Executive Order calls for digital delivery wherever possible, which is a great first step toward saving both time and money (as well as trees). In addition, the President has called for eliminating and easing paperwork requirements on small businesses, who have the fewest resources for coping with the burden.

The following five ideas build on these principles. While some agencies, such as the IRS, are doing well in going digital (the vast majority of tax returns are now e-filed), other agencies have a longer way to go, and there is always room for more. Many of these ideas also already have broad appeal, even in the currently gridlocked political environment.

1. Remove obstacles to small business success.

Waive the first year of quarterly tax filings for small businesses and start-ups.

Small businesses account for 99 percent of all U.S. employers and more than half of all U.S. private-sector jobs.⁸ As a result, small businesses end up with far more

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than their fair share of government paperwork—which is why they are especially deserving of relief.

As the Small Business Administration (SBA) admits, the burden of paperwork “is most keenly felt in the smallest firms, with the fewest employees available to address [it].”⁹ According to the SBA, the annual regulatory burden faced by companies with fewer than 20 workers was as high as \$6,975 per worker in 2003 (compared to \$4,463 per worker for big companies with more than 500 employees).¹⁰

A major source of these bureaucratic headaches for small businesses is tax compliance. According to a 2008 survey of small business owners conducted by the National Federation of Independent Business (NFIB), four out of the top 10 concerns expressed by small business owners were tax-related.¹¹

One simple way to ease the tax compliance burden on the smallest of small businesses—i.e., sole proprietorships and start-ups—is to waive the quarterly filing requirement for these micro-businesses in their first year.

Under current law, any small business owner filing as a sole proprietor, partner, “S corporation” shareholder or who is self-employed, must pay estimated taxes every quarter if the expected tax liability for the year is more than \$1,000—an exceedingly low threshold.¹²

The purpose of this system is to ensure the collection of Social Security and Medicare taxes from “micro-business” owners and self-employed individuals who otherwise don’t have an employer withholding taxes for them. For more established concerns with a track record of revenues, this makes sense.

But it makes a lot less sense for first-year entrepreneurs who may have wildly variable income, less cash on hand to make the first quarterly payment and no way to judge the success or failure of their firm three months after opening shop.

For one thing, calculating estimated taxes is complex, but especially so for start-ups. To “help” taxpayers calculate their quarterly estimated taxes, the IRS publishes a lengthy set of instructions, including a 46-line worksheet and instructions for two methods of payment—the “regular installment method” and the “annualized income installment method.” To add to the hassle, the quarterly payment deadlines are irregular: April 15, June 15 (just two months later), September 15 and January 15 of the following year.

Secondly, the current system of quarterly payments assumes both a relatively regular flow of income throughout the year and the ability of the business owner to predict with near-pinpoint accuracy how much revenue (and taxes) will be generated over the ensuing year. This is tough to do for a start-up that doesn’t know if it will succeed or fail. The consequences of guessing wrong are also actually somewhat dire.

For example, say that Janet decides to open a cupcake shop and thinks she’ll make \$40,000 from her store in the first year. In the first quarter, however, she only makes \$2,000 because she’s just getting off the ground. Nevertheless, she

will need to scrounge up the money to pay her first quarter taxes based on her projected income—not easy if her revenues are not yet up to the level she expects.

In addition, if her income wildly exceeds her expectations and she makes \$80,000 from her store (and scores a reality TV show as a bonus), she may be subject to underpayment penalties at the end of the year. According to the IRS, underpayment penalties can be avoided if at the end of the year, a taxpayer owes less than \$1,000 or paid at least 90 percent of their liabilities.¹³ In Janet’s case of the wildly successful cupcake shop, she will probably owe penalties in addition to her taxes.

Waiving quarterly estimated tax payments in the first year would help new entrepreneurs like Janet better manage their cash flow in the crucial first few months of their business and remove one more source of stress. It would also be of particular help to the growing number of Americans—more than 21 million strong in 2007¹⁴—who consider themselves self-employed and have no one but themselves to manage every aspect of their business.

2. Helping savers make better retirement decisions.

Allow default e-delivery of 401(k) statements and retirement plan documents.

At least once per quarter and at the beginning of every year, hundreds of millions of pages of retirement plan statements land with a resounding thud in workers’ mailboxes. As valuable as this information is, much of it likely ends up in recycling bins—and after millions of dollars in cost to companies and hundreds of thousands of trees. One large 401k service provider says it will print more than 180 million documents this year (equivalent to 125 acres of forest).¹⁵

The kinds of documents that American workers receive about their retirement savings is dictated by the Employee Retirement Income Security Act of 1974 (ERISA), and there is no question that workers are entitled to detailed information about their contributions and investments.

But if the purpose of these disclosures is to help Americans make the right decisions about their retirement planning, the current system of default paper delivery actually works against that goal.

For one thing, paper statements are obsolete from the moment they are printed. By the time a statement arrives in someone’s mailbox, the stock markets may have made a major turn for the better or for the worse.

Second, the density of printed disclosure is, for many people, intimidating, if not off-putting. Moreover, the static nature of printed materials does not invite the kind of interactive engagement people need to have to manage their retirement portfolios intelligently.

All of these problems can be solved if the Department of Labor allows e-delivery to be the default method of delivering retirement plan documents to savers, rather than forcing plans to default to paper, as is currently the case. Under this method, workers would always have the ability to opt-in to paper delivery.

E-delivery of retirement plan statements can help Americans become better savers.

E-delivered documents would not only be up-to-the-minute accurate, they could be constructed in what Ohio State Professor Peter Swire calls a “layered” fashion, “with a short and simple notice on top, and click-through to more detailed disclosures where the participant wishes to dig deep.”¹⁶ Online access would also give people immediate access to retirement planning “calculators” and other tools that would lead to greater engagement by savers and (potentially) better decisions.

E-delivery could also bring to retirement planning the same ease and convenience that online banking has brought to consumers. According to a 2011 Ipsos survey, online banking is the preferred method of banking for 62 percent of Americans, including (perhaps surprisingly) 57 percent of Americans over the age of 55.¹⁷ According to the Pew Research Center, nearly half of all Americans now own a smartphone,¹⁸ and in 2010, 75 percent of households earning less than \$30,000 owned a cellphone, while 57 percent of these low-income households had access to and used the Internet.¹⁹

Furthermore, the federal government is already implementing e-delivery with its Thrift Savings Plan, where participants are automatically enrolled into e-delivery of plan statements. Thus, a separate paper default for private savings plans makes even less sense by comparison.

Workers currently do have the option to receive their statements online, but the process for making that happen is needlessly cumbersome with a complex and bureaucratic “opt-in” process.

With the slow death of traditional pensions, Americans are being asked to take on increasing personal responsibility for their retirement security. Americans typically face what is for many of them an overwhelmingly complex set of choices that could spell the difference between a comfortable retirement and deep economic insecurity.

As a consequence, government should do everything it can to ensure that people have easy access to the information and tools they need to be well-informed and able to make the right decisions for themselves. While static paper disclosures made more sense in the old world of traditional pensions when workers had little say or control over what their benefits would be, the new world of choice and personal responsibility demands the kind of interactive engagement that only online delivery could bring.

Default e-delivery—with an easy and always available “opt-in” for paper backup—could help savers better untangle their options as they prepare for retirement.

3. Helping taxpayers understand their benefits.

Resume delivery of Social Security Statements by email and add a “Medicare Statement.”

Another example of the potential for “smart” delivery of important information to citizens is the e-delivery of Social Security Statements, which Americans have actually recently stopped receiving.

The federal government should e-deliver Social Security and Medicare statements to taxpayers.

Over the last decade, many Americans may have become accustomed to getting a letter in the mail roughly three months before their birthdays that details their lifetime wages and earnings and estimates their expected benefits from Social Security.

Last year, however, the Social Security Administration (SSA) stopped sending these letters “in light of the current budget situation.”²⁰ According to the SSA, the cost of mailing roughly 152 million statements a year is about \$70 million.²¹

But the absence of Social Security Statements may be more costly to the government in the long run because it leaves Americans less informed than they should be. When Americans know less than they should about both the role and financing of Social Security and about their own preparations for retirement, the pending challenge of entitlement reform becomes all that more daunting.

As the Government Accountability Office put it:

[The Social Security Statement] provides workers with an important tool for personal financial planning because it provides estimates of potential retirement, disability, and survivor benefits. It also asks statement recipients to check SSA’s records of their past earnings. In this way, the statement can help SSA correct errors in agency records and help ensure that benefit payments are correct when workers retire, become disabled, or die. It also explains that Social Security benefits were not intended to be the only source of retirement income and encourages workers to supplement their benefits with a pension, savings, or investments.

Resuming the delivery of Social Security Statements—but this time, electronically—could be a cost-effective way to resume delivering this critically important information to Americans. Moreover, the government already collects many citizens’ email addresses through the IRS (which now almost exclusively operates through electronic filing). Cross-purposing this database should mean that solicitation of emails should not be too burdensome.

E-delivery of Social Security Statements would also be more effective than the SSA’s current alternative of an online “retirement estimator” calculator.²² While the calculator is a valuable tool, it does not provide a detailed statement of wages and earnings history—which means errors can’t be corrected. Moreover, it requires people to make a proactive effort to go to Social Security’s website and plug in the necessary data—something that casual web browsers may not be likely to do.

The government could also tweak these emailed Social Security Statements by adding a “Medicare Statement,” as proposed by Reps. Jim Cooper (D-Tenn.) and Paul Ryan (R-Wisc.) in their MedInfo Act, along with Sens. Bob Corker (R-Tenn.) and Michael Bennet (D-Colo.). These statements would provide taxpayers with a breakdown of the contributions they have made so far to Medicare and an estimate of the benefits they are likely to receive (a figure that is likely to be several

Spurring job creation should be the central focus of paperwork reform efforts.

multiples of the amount contributed). The purpose of this statement, say the proposal's sponsors, is to educate taxpayers on Medicare's finances so they are better prepared to protect the program in the future.²³

No doubt this information will prove invaluable as Congress takes up the necessary but likely politically painful task of entitlement reform in the coming years.

4. Facilitate job creation.

Fast-track paperwork reduction efforts with the best potential for job creation and require statements of economic impact.

As mentioned above, President Obama, like other Presidents before him, is attempting to beat back the accretion of federal paperwork requirements through an Executive Order requiring agencies to submit a plan for paperwork reduction. So far, OMB has collected nearly 60 different paperwork reduction initiatives from federal agencies.²⁴

But having a plan for reducing paperwork may not be the same as executing it. While OMB has the authority to cite agencies for "violations" of the Paperwork Reduction Act, the continuing upward creep in paperwork shows that these citations may not be that effective in changing agency behavior.

For example, of the eight paperwork reduction proposals submitted by the Department of Transportation and described in OMB's most recent report, just one would have significant impact (a 70 million-hour reduction based on the use of electronic on-board recorders on commercial vehicles to monitor compliance).²⁵ Other efforts were less impressive—for example, an on-line permitting effort that saved a paltry 422 hours and another initiative to create an on-line database of truck drivers examined by certified medical examiners (16,000 hours saved). In 2010, the total paperwork burden imposed by the Department of Transportation was nearly 303 million hours.²⁶

To solve these problems, OMB could direct agencies to prioritize their paperwork initiatives based on their potential for positive economic impact and job creation. They could also be asked to provide an estimate of economic impact along with their estimates of the number of paperwork hours reduced.

This additional requirement could help agencies produce a more coherent (and in some cases less half-hearted) effort at paperwork reduction. Rather than submitting new proposals for paperwork reduction for the sake of reducing paperwork, agencies would be required to reorient themselves toward the broader goal of maximizing the economic benefits of regulatory efficiency.

A similar proposal outside the existing regulatory framework is to create a BRAC-like "regulatory improvement commission," as PPI's chief economic strategist Michael Mandel has proposed. Such a commission would provide a third-party review of existing regulations and offer up-and-down recommendations to Congress for what needs to be eliminated or revised.²⁷

5. Building a more responsive government.

Create a “silver scissors” challenge to solicit and reward citizens’ ideas for creative (and effective) paperwork reduction strategies.

One of the Obama administration’s most creative ideas for engaging the public has been to launch www.challenge.gov, a “crowdsourcing” site run by the U.S. General Services Administration (GSA) that was launched in September 2010.

This site allows agencies to post and solicit ideas from the public for various “challenges” ranging from video contests on how to stop kids from smoking to ideas for new government-run apps. Winners may receive a cash prize in addition to the use of their idea by an agency. (Currently, the site lists 162 challenges from 41 agencies).

While most of the challenges have to do with public relations campaigns or the creation of new initiatives, it’s also an obvious—and existing—portal for engaging the public on their experiences dealing with federal paperwork. A simple challenge for any agency to post would be to ask for help in submitting new paperwork reduction initiatives as required by the president’s current executive order. In fact, OMB itself could issue this challenge.

Conclusion

Aside from its economic and/or environmental benefits, reducing the burden of paperwork on citizens and companies will have another important effect: it would help government regain the trust of its citizens.

In January 2010, 81 percent of Americans said they trusted the government in Washington “to do what is right” “only some of the time/never.”²⁸ While Americans have always enjoyed a streak of anti-government populism, lack of faith in government is still at an all-time low. (By comparison, the percentage of Americans in 1964 who thought government did the *right* thing “most of the time” was a whopping 62 percent.²⁹)

Some progressives have argued that insufficient “marketing” of the benefits that the public receives from government is the reason why public trust is so low. Others may blame polarization and the Tea Party, as well as a continuing string of scandals involving public officials. But a big part of the answer may well be that government is not, in fact, sufficiently responsive, relevant or helpful to the needs and desires of Americans to succeed. Paperwork is both a real and symbolic obstacle to that desire for success.

By making a genuine commitment to modernizing and reforming government—including by modernizing the demands of the federal government for information and paperwork—policymakers can begin to rebuild public trust in government and its work.

Endnotes

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