



PRO-FAMILY POLICIES TO STRENGTHEN MARRIAGE AND GIVE KIDS A BETTER SHOT AT THE AMERICAN DREAM

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One would never guess it from the marital misadventures and disappointments of the powerful and privileged—from ex-governors Eliot Spitzer (D-NY) and Mark Sanford (R-SC) to Hollywood stars Gwyneth Paltrow and Kim Kardashian—regularly chronicled on the pages of magazines like *People* and *OK!*. But in the real world, marriage is doing comparatively well in the privileged urban and suburban precincts of America, from

bedrock of Middle America: that is, small towns, rural communities, and outer suburbs across America. From Danville, Virginia, to Pine Bluff, Arkansas, to Hillsboro, Ohio, divorce is high and nonmarital childbearing is on the rise.

Middle Americans are defined here as Americans with a high-school degree and maybe an associate's degree or some college but with no college degree.

The retreat from marriage in Middle America means that the United States is in danger of becoming a separate and unequal nation when it comes to marriage, where the well-heeled have the material and cultural means to marry and stay married, and few other Americans can make good on their dreams of a happy and stable family life built around marriage.

Cleveland Park in Washington, D.C., to Los Altos, California, to Southlake, Texas. Indeed, among college-educated and more affluent Americans, divorce is down and nonmarital childbearing is low.

In the nation's poorest communities, by contrast, marriage is in full retreat, and has been declining since the 1970s. What's new, however, is that the retreat from marriage is now spreading into the

They are neither upscale nor poor. They make up a majority of American adults, and of young adults. About half of young adults (aged 25–34) have graduated from high school without getting a four-year-college degree.¹ Given their size in the population, and the central role that they have played in the American experiment, the growing fragility of family life in Middle America is cause for concern.

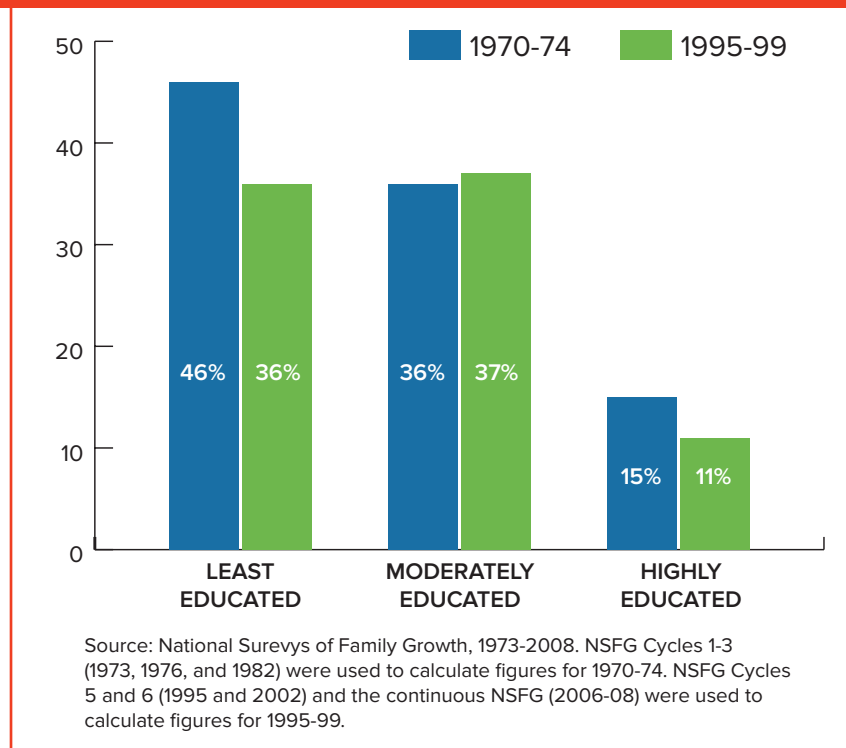
The retreat from marriage in Middle America means that the United States is in danger of becoming a separate and unequal nation when it comes to marriage, where the well-heeled have the material and cultural means to marry and stay married, and few other Americans can make good on their dreams of a happy and stable family life built around marriage. The growing divide in marriage and family life is problematic because the vast majority of Americans, including Middle Americans, still aspire to marriage.² It's also problematic because marriage remains one of the strongest engines of the American dream and one of the most important sources of social solidarity in a nation that otherwise prizes individual liberty.

The Retreat from Marriage in Middle America

The trends below in divorce, marital quality, nonmarital childbearing, and family stability tell the basic story of what is happening to marriage in America.

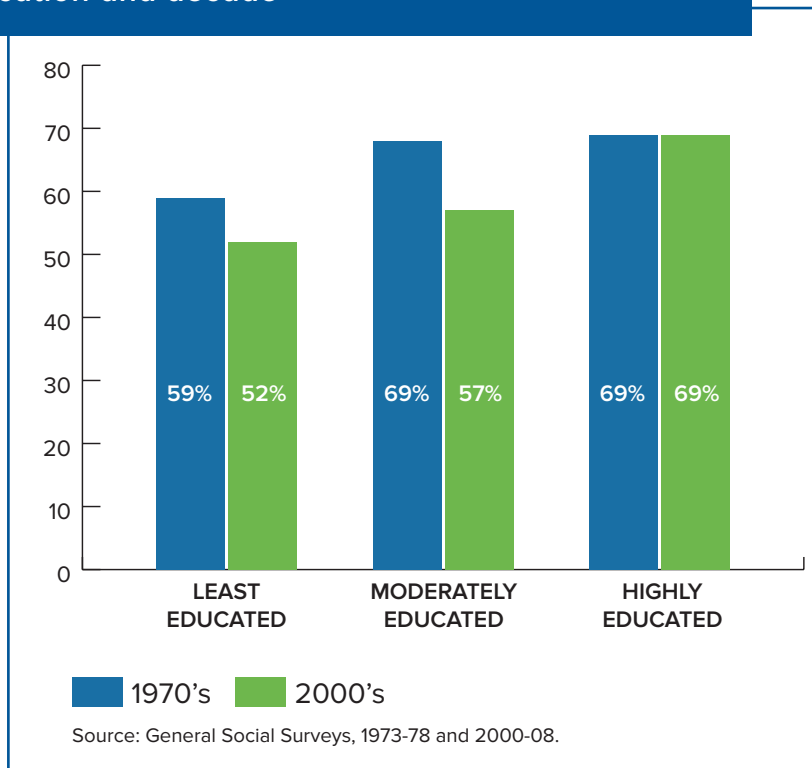
Figure 1 indicates that the odds that a marriage will end in divorce or separation within ten years of the wedding remain high among the moderately and least educated Americans but has fallen to about one in ten among highly educated Americans. By contrast, the divorce rate is more than three times as high among Americans who do not have a college degree (at about 37 percent). Clearly, divorce is much more common among Americans from both poor and Middle American households.

Figure 1. Percent chance of divorce or separation within 10 years of first marriage, 15–44 year-old women, by education and year of marriage³



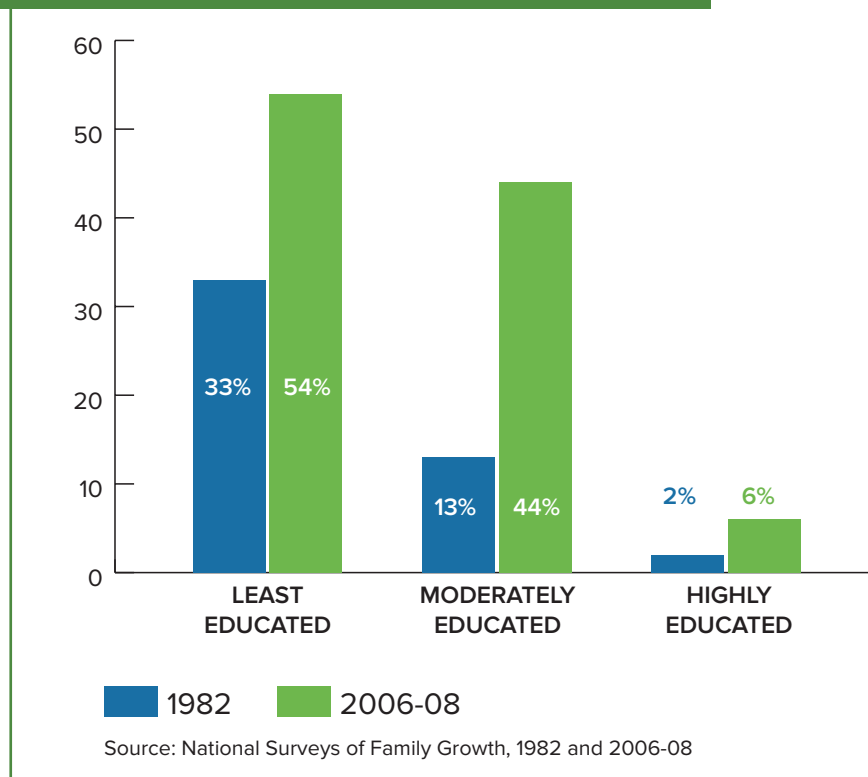
And as Figure 2 indicates, an educational divide has opened up in marital happiness as well. In the 1970s, moderately educated Americans resembled their highly educated peers in the likelihood that they reported their marriages were “very happy,” and the gap between the least educated and the highly educated was only 10 percentage points. Since then, moderately educated Americans have seen their marital happiness decline, to the point where they are now more likely to report marital happiness trends that parallel those of the least educated; the gap in happiness between the least and highly educated Americans has also grown to 17 percentage points. By contrast, 69 percent of highly educated Americans continue to report that they are “very happy” in their marriages.

Figure 2. Percentage in “very happy” marriage, 18–60 year-old married, by education and decade



One of the most dramatic shifts in Middle American family life is apparent in Figure 3, which details trends in nonmarital childbearing. In 1982, nonmarital childbearing was comparatively rare, and trends among the moderately educated (13 percent had births out of wedlock) were closer to the highly educated trend (2 percent) than they were to the trend among the least educated (33 percent). But now, about one in two babies born to mothers without college degrees happen outside of marriage, and the nonmarital childbearing trend among the moderately educated (44 percent) more closely resembles the trend among the least educated (54 percent) than it does the trend among the highly educated (6 percent). So, having kids outside of wedlock remains the clear exception among college-educated women but is close to becoming the norm among Middle American women.

Figure 3. Percentage of births to never-married women 15–44-years-old, by Education and Year

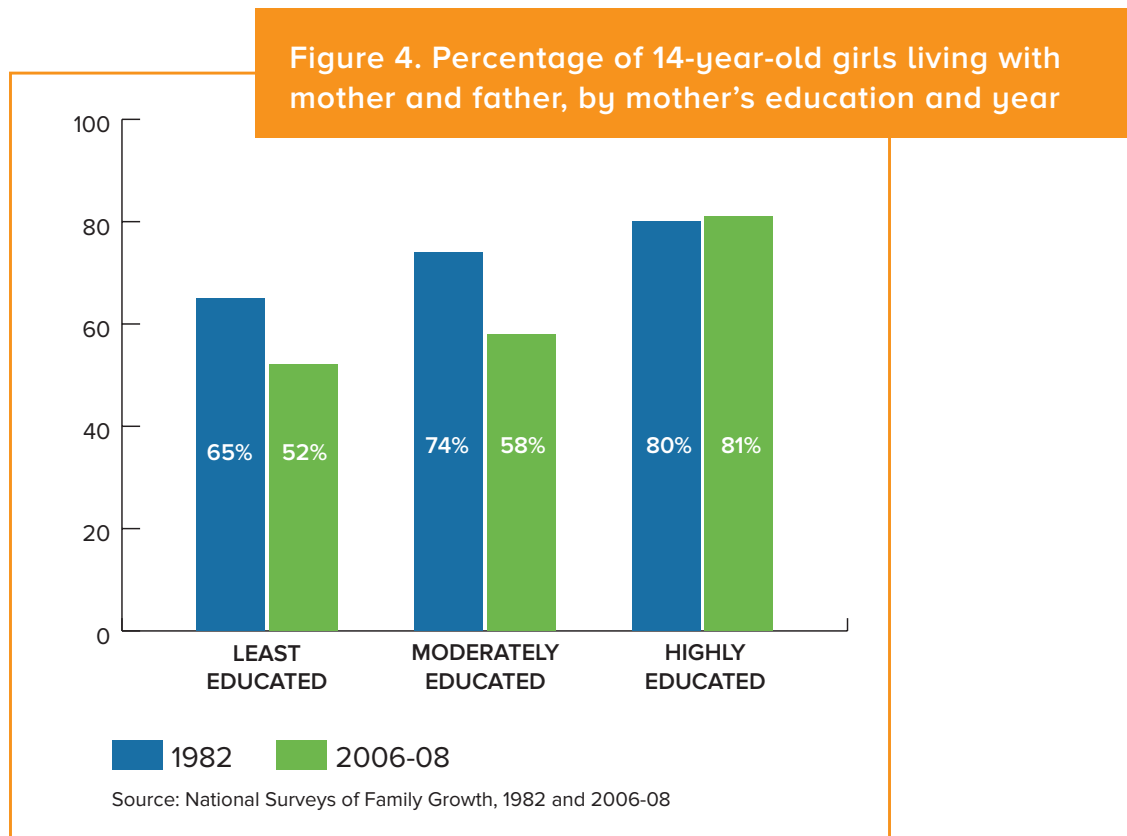


The recent growth in nonmarital childbearing has been driven by cohabiting births, which now constitute a majority of births to unwed mothers. Because cohabiting families are so unstable, the vast majority of children born to these unions will experience both family instability and single parenthood.⁴

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Family sociologists are divided about many things but one point of scholarly consensus has emerged in recent years: Children are most likely to thrive when they are raised by two, stably partnered parents.⁵ Because highly educated Americans are more likely to have their children in marriage and to stay married, they are also much more likely to deliver this kind of stability to their children, as Figure 4 indicates. In particular, about 80 percent of fourteen-year-old girls from college-educated homes are living with their two biological parents now, a trend that has remained fairly constant since the 1980s. By contrast, as the figure makes clear, there has been

a marked decline in family stability for children from less educated homes. Once again, the trend in family stability for Middle Americans now comes closer to paralleling the trend among the least educated American families.



The United States, then, is at something of a tipping point where marriage in Middle America is on the verge of becoming the exception to the norm—at least when it comes to grounding children's experience

in boosting children's odds of making it in America. For individual children, we know that boys are about twice as likely to run afoul of the criminal justice system,⁶ girls are about three times as

likely to become pregnant as teenagers,⁷ and young men and women are about one-third less likely to graduate from college when they come from non-intact families.⁸ These patterns help explain why children from intact, married families are more likely to realize the American dream, understood in terms of enjoying increased economic mobility or the same relative economic status as their parents.⁹

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of being born into and raised in an intact, married family. Public policy, civic initiatives, and cultural efforts ought to be redoubled to prevent Middle America from passing this tipping point.

Why? Among other things, strong and stable marriages play a crucial role

in boosting children's odds of making it in America. For individual children, we know that boys are about twice as likely to run afoul of the criminal justice system,⁶ girls are about three times as likely to become pregnant as teenagers,⁷ and young men and women are about one-third less likely to graduate from college when they come from non-intact families.⁸ These patterns help explain why children from intact, married families are more likely to realize the American dream, understood in terms of enjoying increased economic mobility or the same relative economic status as their parents.⁹

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Equally important, new research from Harvard economist Raj Chetty and his colleagues suggests that family structure also plays a major role in determining which communities are most likely to foster the American dream. In looking at a range of variables that predicted rags-to-riches mobility in different regions across the nation, Chetty and his colleagues found that when it comes to mobility, “the strongest and most robust predictor is the fraction of children with single parents.”¹⁰ In other words, children from both two-parent and single-parent families are more likely to experience economic mobility when they hail from communities with a lot of two-parent families. This growing body of research has led many scholars, including Ron Haskins, co-director of Brookings’ Center on Children and Families, to conclude, as he told the *Washington Post*, that “We are not going to have an effective solution to the growing inequality and poverty in the U.S. unless we can do something about family structure.”¹¹

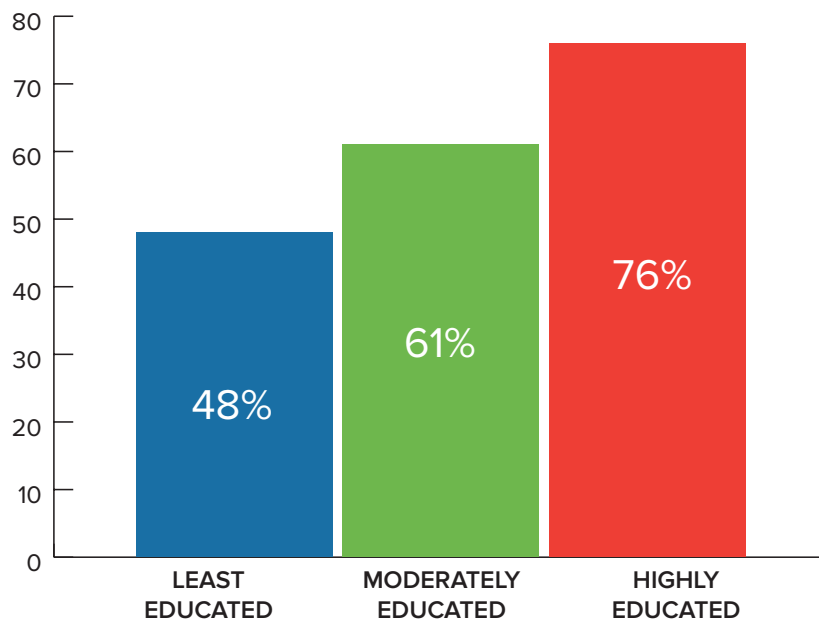
Why is Marriage in Retreat?

In seeking to explain why marriage is in retreat, conservatives have stressed the importance of changes in culture and public policy while liberals have stressed the importance of changes in the economy.¹² And both are right.

When it comes to culture, marriage still remains the ideal for the vast majority of Americans. Most Americans are married or aspire to marriage. A recent report, *Knot Yet: The Benefits and Costs of Marriage in America*, found that more than 80 percent of young adults deemed marriage “important” for their life plans.¹³ But beneath the near universal support for marriage in the abstract lurk important educational differences in attitudes toward teenage childbearing, divorce, and single parenthood: all behaviors that depart from the ideal of lifelong marriage that ordinary Americans continue to hold. Now, less-educated Americans—including Middle Americans—are less likely to identify with many of the marriage-minded norms that help steer adolescents, young adults, and middle-aged adults from highly educated homes in the direction of marriage, and away from divorce and nonmarital childbearing.¹⁴

Take, for instance, teenage views of nonmarital childbearing. As Figure 5 indicates, adolescents from moderately and the least-educated homes are much less likely to report that they would be “embarrassed” if they got (or got someone) pregnant. Specifically, 76 percent of adolescents from college-educated homes indicate that they would be embarrassed by having a teenage pregnancy, compared to just 61 percent of adolescents from moderately educated households and 48 percent of adolescents from the least educated homes. Divergent orientations toward childbearing, divorce, and single parenthood may help explain why the retreat from marriage is more pronounced in Middle America and in poor communities.

Figure 5. Percentage of adolescents who would be embarrassed if they got (or got someone) pregnant



Source: National Longitudinal Study of Adolescent Health, Wave 1 (1994-95).

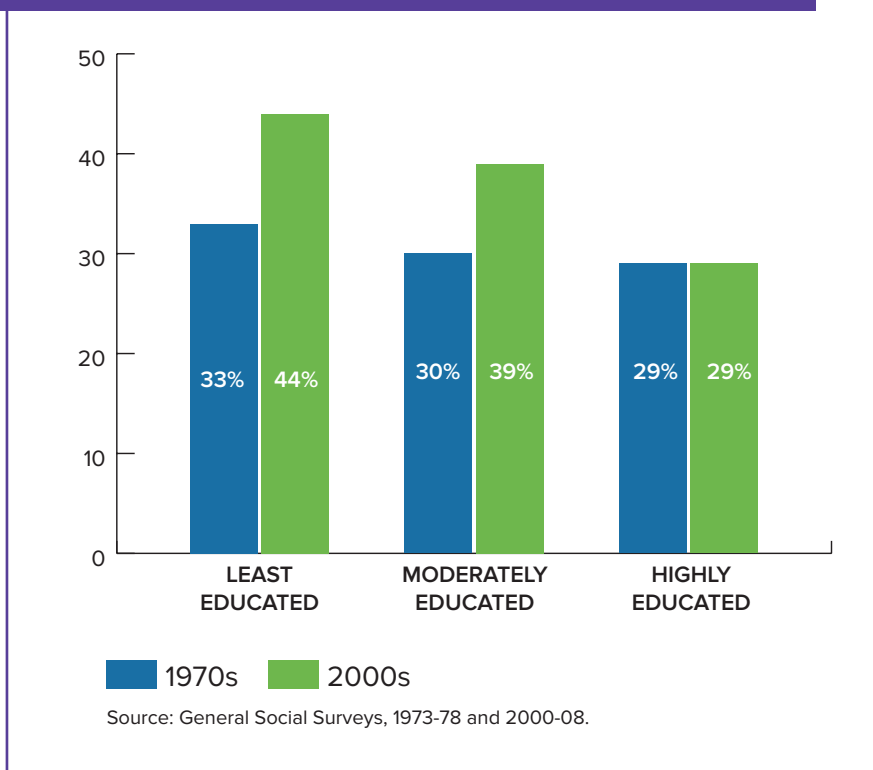
Poorly designed public policies have also had a hand in the uneven retreat from marriage in the United States. Although scholars disagree about the extent to which welfare policy has undercut marriage, many scholars would acknowledge that welfare benefits that have penalized marriage or made single parenthood more affordable or acceptable have played at least some role in fueling increases in nonmarital childbearing and single parenthood among the poor.¹⁵ Some studies find that adolescent girls who grew up in a household supported by welfare are more likely to have a child outside of wedlock.¹⁶ Research also suggests that the generosity of welfare benefits is linked to higher rates of nonmarital childbearing, especially in more recent years.¹⁷ The broader lesson here is that public policies that reward single par-

enthood or penalize marriage—as do many means-tested tax and transfer policies, including the Affordable Care Act, that now touch many lower-income and Middle Americans¹⁸—may have played and may continue to play a role in accounting for the growing marriage divide in America between the college-educated and everyone else, especially the poor.

Finally, when it comes to the economy, declines in male labor-force participation, which have been concentrated among less-educated men, also appear to have played a role in fueling the retreat from marriage in Middle America and among the poor. Since the 1970s, spells of unemployment and underemployment have been much more common among men without college degrees than they have been for men

with college degrees. Figure 6 indicates, for instance, that spells of unemployment rose from the 1970s to the 2000s (before the Great Recession) for men without college degrees, but not for men with college degrees. When it comes to marriage, this matters because men who are not stably employed are much less likely to get married and to remain married.¹⁹ Thus, shifts in the economy since the 1970s, which have increased employment instability and unemployment among less-educated men, also may have played some role in driving the retreat from marriage among Middle Americans and the poor.

Figure 6. Percentage of 25–60-year-old men unemployed at some point over the last 10 years, by education and decade



Shifts since the 1970s in culture, public policy, and the economy have therefore all to weaken the normative, legal, and economic foundations of married life in the United States. Moreover, these shifts had to operate in tandem to have the stratified effects they are now having. It's no accident, for instance, that the Great Depression did not have a big impact on family stability during the 1930s: There was no normative acceptance of wide-

spread divorce or nonmarital childbearing during that era that would have allowed family instability to trend sharply upwards. At the same time, it's no accident that the retreat from marriage has hit the poor and Middle Americans hardest since the 1970s: These two groups have been affected much more by the recent changes in public policy, work, and—possibly—the culture that have undercut marriage.

Considering the checkered role that public policy has recently played vis-à-vis marriage, one paramount rule for crafting new public policy solutions should be: “first, do no harm” to marriage and the family.

First, Do No Harm

Given the varied roots of the marriage problem in America, no one public policy is likely to make a decisive difference in renewing the health of marriage and family life in America. There is no silver bullet here; instead, public policies should target the range of economic, legal, and cultural forces now eroding marriage and family life in the United States. Moreover, considering the checkered role that public policy has recently played vis-à-vis marriage, one paramount rule for crafting new public policy solutions should be: “first, do no harm” to marriage and the family.

Therefore, the first step policymakers should take is to end the marriage penalty often associated with means-tested public benefits. Many of the nation’s tax and transfer policies—from Medicaid to food stamps—end up penalizing marriage, albeit often unintentionally. Because the tax and transfer system in the United States is means-tested, lower-income families with children can see their benefits reduced or eliminated when another earner, including the father of the child or children, is officially brought into the household through marriage.²¹ Three options for reform would go a substantial way to eliminating some of the marriage penalties associated with the nation’s social welfare system.

First, the Earned Income Tax Credit (EITC) program could be transformed. Instead of depending on household size and household earnings—which creates the poten-

tial for a marriage penalty—it could become a wage subsidy for individual low earners. Someone making a low wage could then marry someone with children (or expecting a child) without incurring a major income penalty.²² The subsidy would also reinforce the norm that work should be rewarded, an important goal given recent declines in male labor force participation and, hence, male marriageability.

Second, for other means-tested tax and transfer policies targeting low- and moderate-income families, couples could receive a refundable tax credit for the amount of money that they lose by marrying. This credit could be limited to the first five years of marriage to reduce its public cost. The Administration for Children and Families at the Department of Health and Human Services and the Urban Institute has developed a “Marriage Calculator” that could be used for this purpose.²³ This credit would be costly, but its costs would be offset to some extent if it fostered stable married families, which are much less costly to federal and state governments than are single-parent families.²⁴

Third, the marriage penalty associated with Medicaid should be eliminated. Today, a majority of nonmarital births are to cohabiting couples, most of whom are lower-income. Because most of these couples rely upon Medicaid to cover the costs of childbirth, Medicaid eligibility rules may play an important role in their deci-

sion making about marriage.²⁵ We need more research to determine if Medicaid is playing a major negative role in decisions about marriage among lower-income couples. If there is evidence that Medicaid is discouraging marriage among substantial numbers of lower-income families, the federal government should move quickly to end any Medicaid-related marriage penalty.

Beyond eliminating marriage penalties, policymakers should also lift the unique economic burdens placed on parents by some tax and spending policies. The existing child tax credit, dependent exemption, and childcare deduction should be consolidated and expanded to \$4,000, as economist Robert Stein argues elsewhere in this volume.²⁶ This credit should be applied to both income and payroll taxes so as not to discriminate against low- and moderate-income families with minimal or no federal income tax burden. It would also replace the current Child and Dependent Care Tax Credit, which serves families where both parents work outside of the home, thereby discriminating against families with a stay-at-home parent. A \$4,000 per-child tax credit would provide real financial relief to Middle American families struggling to make ends meet. Such a credit would also serve as a vehicle for expanding families' to care for their children as they see fit.

Policymakers should also think differently about job training. The federal government devotes substantial resources and attention to four-year colleges and universities.²⁷ Yet most Americans do not receive a four-year college degree. When it comes to education, federal and state governments should focus more attention and financing on vocational education and apprenticeships that prepare young

(and middle-aged) adults for careers in information technology, health services, and other promising fields. South Carolina, for instance, has done an excellent job in establishing an apprenticeship program that connects young adults with its burgeoning manufacturing sector.²⁸ And career academies, which provide vocational education in high schools across the United States in partnership with local employers, have achieved substantial success in boosting the income and marriage rates of youth from lower-income communities.²⁹ As economist Robert Lerman has noted, approaches like these seem to be particularly attractive to young men who do not find academic classrooms appealing, and could be easily expanded at a fraction of the amount of money now spent on college loans by the federal government.³⁰ Educational efforts like these could play a major role in strengthening the marriageability of men from poor and Middle American communities across the United States, and in renewing the economic foundations of family life in Middle America.

Finally, public policy could go some distance toward promoting healthy choices. As Ron Haskins and Isabel Sawhill of the Brookings Institution have noted, any change in public policy is not likely to have a dramatic effect on marriage “unless there is also a change in the wider culture.”³¹ To that end, they propose that Congress help to fund a social marketing campaign that would encourage “the success sequence” among young adults. This sequence runs as follows: “finish school, get a job, marry, and have children—in that order.” Haskins and Sawhill point out that young adults who follow this sequence are highly unlikely to fall into poverty,

and likely to make it into the middle class or higher. They also note that a substantial body of research suggests that public campaigns like this—on topics ranging from smoking to drunken driving—have proven to be successful in changing behavior in the public at large.³² Such efforts should also help convey to the general public that children are most likely to thrive when they are raised in an intact, healthy marriage.³³ A campaign of this nature, which would also attract a lot of free publicity from the press, could play some role in shoring up the cultural foundations of marriage and family life in Middle American and poor communities across the nation.

The cultural, economic, and policy challenges facing marriage in America—especially in low- and middle-income communities—are substantial. None of

the policies mentioned above are likely to inaugurate a dramatic reversal of the retreat from marriage that has marked American life over the last 40 years. But if they could help to halt this retreat, both by strengthening the economic foundations of family life in Middle America, and by helping to turn the culture in a different direction, that would be a major achievement. The alternative is passive acceptance of the growing marriage divide in American life, a divide that threatens to make a majority of men, women, and children in this great nation alienated from one of the key pillars of the American dream, liberty, and the pursuit of happiness: namely, a stable and happy family life. That alternative should be unacceptable to all who seek to sustain the exceptional American experiment in ordered liberty.



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The Problem: The anxieties and worries of Middle America PETER WEHNER

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2. James Carville and Stan Greenberg, *It's the Middle Class, Stupid* (New York: Plume, 2012), 34.
3. “Being In the Middle Class Means Worrying About Falling Behind,” *National Journal*, April 25, 2013.
4. Pew Research Center, “The Middle Class: Key Data Points from Pew Research,” January 27, 2014.
5. Eduardo Porter, “America’s Sinking Middle Class.” *New York Times*, September 18, 2013, B1.
6. Carville and Greenberg, 49.
7. Jim Tankersley, “Economic mobility hasn’t changed in a half-century in America, economists declare.” *Washington Post*, January 22, 2014, A1.
8. It is worth noting the party and ideological self-identification of these respondents: Thirty-four percent identified themselves as Democrat, 25 percent Republican, and 35 percent independent, but 39 percent said they were conservative, 22 percent liberal, and 35 percent moderate.

The Solution: A conservative governing vision to restore America's promise YUVAL LEVIN

1. So, for instance, Paul Krugman can write: “Start with the proposition that there is a legitimate left-right divide in U.S. politics, built around a real issue: how extensive should we make our social safety net, and (hence) how much do we need to raise in taxes? This is ultimately a values issue, with no right answer.” Like many on the Left, he takes the essential question of our politics to be exactly how much of the Left’s agenda should be adopted. (“The Closing of the Conservative Mind,” *New York Times*, May 25, 2013, <http://krugman.blogs.nytimes.com/2013/05/25/the-closing-of-the-conservative-mind/>.)
2. As former representative Barney Frank put it at the Democratic National Convention in 2012, “There are things that a civilized society needs that we can only do when we do them together, and when we do them together that’s called government.” Similarly, in his second inaugural address, in 2013, President Obama sought to depict individual action as the only alternative to government action, saying: “No single person can train all the math and science teachers we’ll need to equip our children for the future, or build the roads and networks and research labs that will bring new jobs and businesses to our shores. Now, more than ever, we must do these things together, as one nation and one people.”
3. Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers*, Clinton Rossiter, ed. (New York: Signet Classics, 2003), 378.
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Health-care reform to lower costs and improve access and quality JAMES C. CAPRETTA

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2. “The Budget and Economic Outlook: 2014 to 2024,” Congressional Budget Office, February 2014, 117–27.
3. Congressional Budget Office, “Insurance Coverage Provisions of the Affordable Care Act—CBO’s February 2014 Baseline,” February 2014.

4. “The Patient Choice, Affordability, Responsibility, and Empowerment Act: A Legislative Proposal,” Senators Richard Burr, Tom Coburn, and Orrin Hatch, January 2014, http://www.hatch.senate.gov/public/_cache/files/bf0c9823-29c7-4078-b8af-aa9a12213eca/The%20Patient%20CARE%20Act%20-%20LEGISLATIVE%20PROPOSAL.pdf.
5. “A Winning Alternative to Obamacare,” The 2017 Project, February 2014, <http://2017project.org/site/wp-content/uploads/2014/02/An-Obamacare-Alternative-Full-Proposal.pdf>.
6. The credits in the Republican Senators’ plan are also income-tested and phase-out altogether for any household with income above 300 percent of the federal poverty line.
7. The Burr-Coburn-Hatch plan leaves the PPACA’s Medicare changes in place, but that should not be construed as an endorsement of those provisions. Senator Coburn, for instance, has backed significant, market-based Medicare reforms in the past that would displace the need for the PPACA provisions. The 2017 Project plan would repeal the PPACA’s Medicare cuts.
8. See “The Patient Choice, Affordability, Responsibility, and Empowerment Act,” Center for Health and Economy, January 2014 (<http://healthandeconomy.org/wp-content/uploads/2014/01/2014-01-29-CARE-Act-Score.pdf>), for the cost estimate. See also “A Senate GOP Health Reform Proposal: The Burr-Coburn-Hatch Plan,” James C. Capretta and Joseph Antos, *Health Affairs Blog*, February 12, 2014 (<http://healthaffairs.org/blog/2014/02/12/a-senate-gop-health-reform-proposal-the-burr-coburn-hatch-plan/>) for an explanation of the proposal and the cost estimate.

Tax reform to strengthen the economy and lighten the burdens families bear ROBERT STEIN

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K-12 Education reform to give the next generation a chance to thrive FREDERICK M. HESS

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3. Ibid.
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5. Education Sector, “Trending Toward Reform,” 2011.
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Higher-education reform to make college and career training more effective and affordable ANDREW P. KELLY

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2. Jaison Abel, Richard Deitz, and Yaqin Su, “Are Recent College Graduates Finding Good Jobs?” *Current Issues in Economics and Finance* 20, no. 1 (2014): 1–8, http://www.newyorkfed.org/research/current_issues/ci20-1.pdf.
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6. Pew Research Center, “Is College Worth It? College Presidents, Public Assess Value, Quality, and Mission of Higher Education,” May 15, 2011, <http://www.pewsocialtrends.org/files/2011/05/higher-ed-report.pdf>
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Safety-Net Reforms to Protect the Vulnerable and Expand the Middle Class SCOTT WINSHIP

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2. U.S. Census Bureau, "Historical Poverty Tables—People, Table 2," 2014, <http://www.census.gov/hhes/www/poverty/data/historical/people.html>.
3. For one, the poverty line is adjusted upward each year to account for the rise in the cost of living in a way that overstates that increase. Today's poverty line is a better standard of living than those of the 1960s. And the definition of income used in the official poverty rate actually excludes benefits from some of the most important anti-poverty policies expanded or established in the past fifty years. Left out are food stamps, Medicaid, Medicare, school breakfast and lunch subsidies, housing assistance, and tax benefits like the Earned Income Tax Credit.
4. One recent paper shows a decline from 26 percent to 16 percent using a poverty line set in 2012 and adjusted for inflation using the Bureau of Labor Statistics's "CPI-U-RS" price index. The paper also used an income definition that includes a range of noncash benefits and accounts for taxes. See Christopher Wimer, Liana Fox, Irv Garfinkel, Neeraj Kaushal, and January Waldfogel, "Trends in Poverty With an Anchored Supplemental Poverty Measure" (2013), working paper, http://socialwork.columbia.edu/sites/default/files/file_manager/pdfs/News/Anchored%20SPM.December7.pdf.

The CPI-U-RS shows greater inflation than other indices such as the Bureau of Economic Analysis's "Personal Consumption Expenditures," or PCE, deflator (preferred by the Federal Reserve Board and the Congressional Budget Office) or the "chained CPI" (which, like the PCE, better accounts for consumers' ability to substitute goods and services for one another when relative prices change). To adjust the Wimer et al. poverty rate for 1967, I first compute the odds of being below rather than above the poverty line in 1980 and in 2010 using the Wimer et al. measure, then I compute the ratio of these odds. I do the same using another poverty measure estimated by Bruce Meyer and James Sullivan that relies on a cost-of-living adjustment more similar to the PCE and chained CPI. The odds ratio in the Meyer/Sullivan paper is 1.25 times the odds ratio from the Wimer et al. paper. I then compute the odds ratio for 1967 and 2012 using the Wimer et al. measure, multiply it by 1.25, and multiply that by the odds of being in poverty in 2012 to get the new odds of being in poverty in 1967. Finally, I compute the new percentage from the new odds. See Bruce D. Meyer and James X. Sullivan, "Winning the War: Poverty From the Great Society to the Great Recession," *Brookings Papers on Economic Activity* 45(2) (2012): 133–200.

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10. Council of Economic Advisors, “Chapter 6. The War on Poverty 50 Years Later: A Progress Report,” *Economic Report of the President* (2014), 221–268, <http://www.gpo.gov/fdsys/pkg/ERP-2014/pdf/ERP-2014-chapter6.pdf>. The report cites Wimer et al. (2013).
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Employment policies to get Americans working again MICHAEL R. STRAIN

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Energy reforms to cut utility bills and enable growth and innovation ADAM J. WHITE

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Labor, tax, and fiscal reforms to help parents balance work and family CARRIE LUKAS

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Pro-family policies to strengthen marriage and give kids a better shot at the American dream

W. BRADFORD WILCOX

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1. In 1972, 70 percent of Americans told Gallup they had a “great deal” or “fair amount” of “trust and confidence in the federal government when it comes to handling domestic problems”; in 2013, 42 percent did; <http://www.gallup.com/poll/5392/trust-government.aspx> (accessed March 27, 2014).
2. <http://www.aei.org/article/politics-and-public-opinion/judicial/constitutional/bad-business-a-review-of-the-supreme-courts-term/> (accessed March 27, 2014).
3. The Constitution, Article I, Section 1, Clause 8: “The Congress shall have Power ... to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.”
4. This was James Madison’s view. See his letter to C. J. Ingersoll of June 25, 1831.
5. The Constitution, Amendment II: “A well regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms shall not be infringed”; *District of Columbia v. Heller* (2008).
6. <http://www.let.rug.nl/usa/documents/1786-1800/madison-speech-proposing-the-bill-of-rights-june-8-1789.php> (accessed March 27, 2014).
7. The oft-cited phrase originates with constitutional scholar Walter Berns.

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