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The JAMES MADISON INSTITUTE
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Florida's Election Reforms Set the Gold Standard for the Nation

Cord Byrd **FLORIDA SECRETARY OF STATE**

Florida set an example for all states to follow on Election Day 2020. From the time the state's 67 county Supervisors of Elections began receiving ballots in early October and until the final votes were tallied, Florida voters experienced a smooth and secure election. Voters went to bed on election night trusting that their election officials counted their vote accurately and that the election results reflected the will of the people.

In 2020, Florida's election officials processed and reported more than 11 million votes—the third largest total in the nation—on time and by the book. Florida's election officials had a repeat performance in 2022. This type of success did not happen overnight. Elections administration is

a twenty-four-seven, 365-days-a-year job—not only during regularly scheduled election years, but in off-election years as well.

The foundation of Florida's election administration is a robust election code. Governor DeSantis has enacted sensible and effective reforms geared toward enhancing election integrity, in partnership with Florida's 67 Supervisors of Elections and the Florida Legislature. These new laws have resulted in a higher degree of transparency, a reduction in election fraud, and ultimately, more secure elections.

Instead of resting on our laurels after the 2020 election, in 2021, Florida took proactive measures to beef up election integrity. Senate Bill (SB) 90 was the first package of election reforms that Governor DeSantis signed. We became one of the first states to prohibit deep-pocketed interest groups like "Zuckerbucks" from meddling in or influencing elections.

Florida voters have three options to vote – vote-by-mail (VBM), early vote, or vote on Election Day. Regardless of voting method, we do not and could not tolerate the same potential for fraud that we saw in other states. With the increased popularity of VBM, the Legislature crafted laws to make this convenient form of voting as secure as possible. SB90 shortened the effective period for a mail ballot request, required an additional voter identifier to authenticate a request, prohibited mailing a VBM ballot without a request on record, and limited the number of VBM ballots an individual could lawfully collect or return on behalf of someone other than himself or herself. To guard against vandalism and tampering of VBM drop boxes stationed at Supervisors of Elections' offices and designated early voting sites, Florida created Secure Ballot Intake Stations that must be monitored in person, full-time.

In 2022, SB524 delivered the Legislature's second package of election reforms. Among other things, it raised the cap on fines assessed to third-party voter registration organizations (3PVROs) for late returns or failure to return collected voter registration applications, and, stiffened criminal penalties for ballot harvesting and signature forgery. SB524 also continued our ongoing effort to maintain clean voter rolls by streamlining the address list maintenance process and expanding data sharing between governmental agencies regarding potentially ineligible voters.

Since this law was passed, Florida has removed over 1.5 million active and inactive voters. The ability to promptly and accurately maintain clean voter rolls is a major reform championed by Governor DeSantis. Properly maintained voter rolls are essential to building confidence in the outcome of our elections.

The crown jewel of SB524 was the creation of the Office of Election Crimes and Security (OECS) in the Secretary of State's office. The bill established OECS to investigate credible allegations of election law violations and irregularities. Employing investigators with specialized knowledge of Florida's election laws, the sole focus of OECS is to safeguard the integrity of Florida's elections.

Since the office was implemented, OECS has referred over 1,400 cases to law enforcement which has led to the arrests and convictions of felon voters, noncitizen

voters, and voters who cast multiple votes. Additionally, OECS investigations have resulted in significant financial penalties for 3PVROs and petition circulators who violate our laws and victimize voters.

In 2023, Governor DeSantis signed SB7050 into law, representing the third major package of election reforms since 2020. SB7050 built upon our accomplishments by leveraging the collaborative wisdom of Florida's election officials and lawmakers. SB7050 enhanced voter roll integrity by requiring Supervisors of Elections to conduct annual review of residential addresses, and to additionally report suspected election crimes within their jurisdiction to OECS. To guard against signature forgery on election documents, the bill created a mandatory signature matching /verification training for election personnel.

In addition to these election reforms, Florida is also ahead of the curve when it comes to emergency response and preparedness. Because election season coincides with hurricane season, Florida is prepared for all contingencies.

When hurricanes hit during the last two general election cycles, Florida took the necessary steps to ensure that voters had the ability to vote. In 2024, Florida experienced three majors Hurricanes in the span of three months – Debbie, Helene and Milton. The latter two significantly destroyed polling sites, displaced voters from their homes, and severely damaged infrastructure—and the elections still went on.

Executive Orders are the key to continuity. Governor DeSantis has used his Executive Order powers to permit flexibility, while also maintaining the high standard of election integrity underlying our laws. We do not move or delay elections in Florida, but we do ensure voters affected by emergencies still have the ability to vote.

In fair or foul weather, Florida's elections are built on a foundation of transparency. This is what we get right more than any other state. We welcome and encourage the public, campaign officials, and the candidates to observe our election process at every critical phase.

The election reforms championed by Governor DeSantis have resulted in greater transparency, reductions in election crimes, and heightened election security. The downstream effects of these laws are countless, but chief among them is a high degree of voter confidence in our elections. As we look toward the 2026 election season, Florida remains committed to honing our election code and setting the national standard for election integrity.

Cord Byrd serves as Florida's Secretary of State.

The Policy No Floridian Asked For Would Kill Credit Card Points & Threaten Financial Privacy

Grover Norquist

In the past two legislative sessions in Tallahassee, curious legislation became the center of a flurry of arguments and late session activity.

The drama started in 2023, when Florida Senate Bill 564 was introduced and elevated through committee hearings, leading to some heated public testimony in the Senate Rules committee.

This legislation would force payment card networks, small community banks, and credit unions to no longer include sales tax when calculating their processing service fee – called an interchange fee.

These transaction fees are not exactly a common item of discussion at the dinner table, but intuitively they make sense: the building, upkeep, security, and efficiency of

a debit or credit card network are not free, they're a capital-intensive service that people pay to use.

Certainly, your average Floridian, dealing with record inflation and a property insurance crisis, was not calling their state legislators demanding they manipulate these interchange agreements between private businesses.

After all, the legislation we're focusing on would not save a consumer much, if anything. Sales tax makes up a small portion of any sale. Since the sales tax needs to be collected, processed, and remitted to the government, bills like SB 564 are playing make believe.

Even worse, the legislation would have forced small community banks and credit unions to exclude sales taxes from the interchange fee, or to pay merchants that tax amount after a purchase – which can mean getting a bill from a merchant months after a transaction.

Government is imposing the sales tax burden. Private businesses have developed a way to collect and remit it as payments are processed across a complex network. There is no rhyme or reason for government to later dictate how these private entities carry their state-mandated obligation to collect the tax.

For years, interchange fees have been a target of big-government Democrats. We know who loses the most if government sticks its nose in these agreements and it is everyone who uses a credit card and enjoys benefits like cash back, or airline points.

Floridians could also lose the benefits of fraud protection from chip-enabled cards. Interchange fees pay for these benefits.

We know this because Sen. Dick Durbin (D-Ill.) succeeded years ago in degrading your debit card benefits with similar federal legislation that manipulated how debit interchange fees work.

Before the passage of the Durbin Amendment in the infamous Dodd-Frank Act in 2010, your debit card offered similar benefits to current credit cards. After its passage, these benefits went away.[1]

In 2014, the Federal Reserve Bank of Richmond found that, after the enactment of the Durbin Amendment, about 22% of retailers raised prices on consumers while only 1% lowered prices.[2]

It's sadly no surprise that the only state to pass a newfangled attack on cards is Illinois. That state is now tied up in court over their ill-advised legislation.

The good news is that more than 30 states have faced the threat of similar legislation and rejected it. That includes Florida.

Despite the advancement through committee of an Illinois-style interchange fee bill in 2023, the Florida Senate never voted on that bill.

In 2024, there was a late, surprise move to include a study of such a bill in the state budget. This study, which would have cost north of a million dollars, was vetoed by Governor DeSantis.

A "study" is just cover for reintroducing the bill that failed in 2023. For all the reasons included in this article and many more, we know the bill is a bad idea; a costly study is a waste of taxpayer dollars.

If any Republican legislators are thinking of reviving either of these misguided proposals, they would be doing so alongside Sen. Durbin, as he continues to work to

pass his federal "Credit Card Competition Act" in Washington.

Small businesses lose under the CCCA. According to one new paper, small businesses may lose more than $1 billion in rewards. The paper also finds that the CCCA will reduce access to small businesses' $700 billion in revolving lines of credit.

There are good options for legislators who want to alleviate the burdens on small businesses.

First, the federal government needs to take a step back.

Congress should repeal the Corporate Transparency Act (CTA), which forces 32 million businesses across the U.S. to submit proprietary information to the federal government (including a driver's license, Social Security Number, address, and birth date). Additionally, all of the tax cuts in the Tax Cuts and Jobs Act (TCJA) should be made permanent.

At the state level, Florida legislators can expand vendor discounts for merchants reporting state sales taxes. Currently "The collection allowance is 2.5% (.025) of the first $1,200 of tax due."[3]

This policy acknowledges the burdens of sales tax compliance, reducing the costs government imposes instead of manipulating private contracts.

The policy surrounding interchange fees and debit and credit card transactions may be a bit arcane, but the principles are simple: The government should not intervene in private contracts and create downstream consequences that cost Florida families and businesses as new government burdens are passed down. Instead, the government should reduce the burdens it is creating so Florida businesses can cut costs and the state's powerhouse economy can keep humming.

Grover Norquist is the president of Americans for Tax Reform.

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Cybersecurity in the Digital Age: The Unseen Battle We Must Win

Representative Mike Giallombardo
FLORIDA HOUSE OF REPRESENTATIVES

In the last decade, as technology has advanced at an unprecedented rate, the rise in cyber attacks has become a significant threat that many organizations, both public and private, were unprepared for. From denying services to cyber extortion, better known as ransomware, these attacks have wreaked havoc across the globe. For the first time in history, private companies face direct threats from foreign adversaries like China, Russia and Iran.

During my time in the legislature, I witnessed several notable cyber attacks: the attack on Tallahassee Memorial Hospital, the Colonial Pipeline incident, and more recently, the OneBlood attack on the private side. On the public side, Florida has also faced its fair share of cyber challenges,

including attacks targeting our election systems, the Department of Juvenile Justice, and the Department of Health. It is not a matter of "if" these attacks will happen but "when".

Traditional IT staff often do not possess the same skill level as some of these sophisticated cyber attackers. In many cases, these attackers exploit vulnerabilities in systems that one would never anticipate. For instance, in 2014, Target suffered a cyber attack when hackers infiltrated through the system managing their HVAC. In another case, a casino was compromised through a fish tank thermometer connected to their network. More recent attacks have targeted cybersecurity software itself, corrupting the entire network when a malicious update is pushed.

So, the pressing question is: How do we defeat this growing threat? While there are countless solutions being sold along with various ideas being floated, I believe there are multiple steps we have to take. To start, we have to defend our networks and infrastructure by encouraging entities to meet the rigorous cybersecurity standards that have already been established and are continuously updated. Standards such as NIST, SOC 2, HITRUST, or ISO 27001 provide robust frameworks for cybersecurity, but most entities are not required to adhere to any of these standards.

In today's digital age, where virtually everything is stored electronically, we need to incentivize both companies and government bodies to comply. One way to achieve this is by limiting negligence litigation for those who substantially comply. What many do not realize is that after a major cyber attack, especially in Florida, lawsuits often follow. For instance, after a hospital pays a ransom to unlock their systems, they may face additional financial burdens from lawsuits. I recall a hospital paying $8 million in ransom and another $8 million in a lawsuit. A class action suit might offer those affected $50 and a lifetime of identity theft protection while the attorneys walk away with millions. By providing liability protection to entities that substantially comply with cybersecurity standards—standards that even some state agencies do not fully adhere to—we can strengthen our cyber defenses and provide an incentive for all entities to improve their cyber defenses.

Some may question why we should allow substantial compliance rather than full compliance. The answer is straightforward: achieving full compliance is nearly impossible for any organization. For example, SOC 2 requires every employee to undergo monthly training and pass a quiz. Large organizations will never have all their employees train every single month; it's impractical. Or consider accessing email and systems from home: unless a company operates on a zero-trust framework, which is not feasible for all, full compliance remains out of reach. Even government agencies are still using outdated systems that are far from compliant.

Before we start dictating to the private sector, we must first examine how we operate within the government. After all, the data the state holds on its citizens is just as sensitive and attractive to adversaries as the data held by private companies. While the private sector often has state-of-the-art IT infrastructure and threat detection

capabilities, governments—-both state and municipal—-are often running on outdated computer programs that are vulnerable to hackers. Record investment from the legislature has helped to update infrastructure and train the next generation of workers, but these investments must continue.

If we do not take these steps and approach this digital threat intelligently, we risk losing the long-term battle. Cyber threats are currently—and will continue to be if left unchecked—the greatest threat to our national security.

The time to act is now. We must adopt a proactive stance, incentivize compliance with established standards, and ensure both public and private entities are prepared for the digital battles ahead. Only then can we hope to secure our cyber future.

Representative Mike Giallombardo is a member of the Florida House of Representatives, representing District 79. He was first elected in 2020. He chaired the Energy, Communications & Cybersecurity Subcommittee between 2022 - 2024

Florida's Fight for Policyholders

Jimmy Patronis **FLORIDA CFO**

It started three years ago. Homeowners across Florida opened their property insurance renewals, and our collective jaws hit the floor. Surging inflation, soaring interest rates and other consequences of federal mismanagement had triggered an avalanche of price increases extending to nearly every facet of American life, including insurance.

Coupled with out-of-control litigation costs, widespread fraud, and insurance companies that must remain solvent to do business, rate hikes became a norm of life. Florida's litigation crisis alone accounted for 79% of the nation's homeowners' insurance lawsuits while making up only 9% of the nation's homeowners claims. That means about 8 out of every 10 claims in Florida

had an attorney attached to it.

It all amounted to a financial haymaker with homeowners and businesses in danger of being knocked out.

We knew some of the major forces driving insurance premiums were federal in nature. But there was plenty we could do at the state level to lessen the burden, so we fought for policyholders.

Two special sessions called lawmakers and experts from every corner of our state back to Tallahassee to craft historic insurance reforms. We had to fix our man-made problems. So, we produced legislation to chase off bad actors, closed loopholes in law that allowed for legalized insurance fraud, limited frivolous lawsuits, and boosted competition by creating conditions for insurers to enter our market.

I can tell you firsthand that the changes were monumental — and it took guts by the Governor and Legislature to do the right thing. The goal was to lower premiums, and at best it would take time for any changes to filter through the market and effect the consumer's bottom line. As Chief Financial Officer, I knew it could take time for Florida's market to heal.

Since January 2024, I'm happy to report that capital and competition are flowing back into the Sunshine State: nine new insurance carriers have entered; 12 carriers have dropped rates; and another 24 carriers have filed for no rate increases at all. Also, thanks to our reforms, Citizens Property Insurance Corporation, which is Florida's insurer of last resort, has shed 760,000 policies — an 800% increase in policies leaving Citizens. Instead of taxpayers backing those high-risk homeowners' policies, they have gone back into the private marketplace where they belong. This is yet another sign that Florida's insurance market has become much more competitive, and that's driving down rates.

Access to reinsurance — or insurance for insurance companies — has also improved, which is great because nearly 40 percent of an average policy premium goes to reinsurance. When those costs are reduced, the impact is enormous. Overall, the industry took notice that Florida was serious about creating solutions, and it responded in kind.

We also took a direct approach to helping policyholders. A major success has been the My Safe Florida Home program, which lowers insurance costs by helping Floridians strengthen their homes against storms and hurricanes. The program has been wildly popular, as it facilitates free inspections and grants for homeowners to make wind mitigation upgrades — making families safer while helping them save money. Wind mitigation accounts for 10-40% of premium costs in Florida, and the program has helped tens of thousands of homeowners save an average of $1,000 on their insurance.

Hurricanes are a fact of life in our state, so we also passed a sales tax exemption on hurricane home-hardening supplies. This has proved to be another successful way for putting money back into the pockets of hardworking Floridians, with consumer savings estimated at $200 million annually.

Florida is making real progress, but the fight is far from over. Our state will always contend with hurricanes, as well as political factors emanating from Washington, D.C.

But we must stay the course. Unfortunately for states like California, New York, New Jersey and Illinois, who are experiencing double-digit rate increases, their journey up the mountain is just beginning — and it's going to get much worse if they don't do an about-face.

Florida was first. We were the canary in the coal mine for the insurance nightmare that has now enveloped the nation. And just like so many areas, other states can replicate our success and enjoy the benefits, or they can expose their chin for a knockout punch. It depends on whether their leaders have the courage to put people over politics.

I'm proud of how Florida stepped up and fought for our policyholders. And there is no doubt we will face another challenge soon enough; it comes with the territory and is part of living in paradise. But when that bell rings, I can assure you that we will come out swinging.

Jimmy Patronis is Florida's Chief Financial Officer.

BILANOL / ISTOCKPHOTO

Why Private Charity and Local Communities Are More Effective at Disaster Relief Than Government

Brian Balfour

Recovery from natural disasters like hurricanes Helene and Milton are painful, complex, heartbreaking, and incredibly challenging. They take time, money, resources, manpower, compassion, organization, and a host of other requirements. On these counts, there is no doubt.

One aspect of recovery, however, that remains in doubt among many is the efficiency and effectiveness of different means of providing relief and aid. On the one hand, there is private charitable assistance along with local communities rallying to help those affected. On the other hand, there is the aid and relief provided by government.

In light of recent events – and some less recent events – I believe the evidence

clearly points to private charity and local communities as far more effective means of providing relief.

For instance, before the water had fully receded in Western North Carolina, volunteers were delivering dozens of Starlinks[1] to provide internet connectivity to enable citizens to communicate with loved ones about their safety.

Certainly, local charities have an advantage in providing swift and tailored response compared with government agencies. About three days after Helene finally stopped pummeling Boone, NC with rain, Samaritan's Purse had set up shop to provide desperately needed supplies and aid.[2] The charitable organization is headquartered in Boone and, according to North American Ministries Senior Director Jason Kimak had, by October 30th, "volunteers coming in from around the country, but also local volunteers… showing up every day."

"They're coming in to volunteer to cut trees, move debris, tarp roofs, mudding out homes," Kimak added, in order to best "serve families to help them get back to their homes."

Kimak also added that Samaritan's Purse had chaplains from the Billy Graham Evangelistic Association come and spend time with those affected by the storm.

And then there are the folks at the "Mountain Mule Packer Ranch" who brought supplies on the backs of mules and horses to people stranded in areas inaccessible by car.[3] There's no telling how long they would have been left waiting for government agents to help.

Countless other charities, donations, and volunteers poured into the region to provide immediate relief. Aside from local first responders, government help – especially federal government assistance – didn't arrive until later.

Many hurricane victims expressed frustration at the lack of government response. A New York Times article found people outside of Asheville, in the small communities of Cruso and Canton, stating that they "were not waiting for help from the state or the federal government."[4] These residents knew they had to rely on each other and the charitable aid made available because "no one was sure whether any (government) disaster relief was coming anytime soon."

Likewise, the small town of Swannanoa voiced complaints about the lack of federal government response. "We need help, but I have not seen anyone from FEMA, I don't even know where to begin," said Nelson Cruz, 44, according to the Times article.

Indeed, FEMA's slow or otherwise nonexistent response is by design. As the Times article notes, FEMA is merely responsible for "ensuring that supplies like bottled water are stockpiled and available," but that distribution of those supplies is the job of "state and local officials, and aid groups."

FEMA uses its funds in large part to reimburse local governments and assistance programs for survivors after a disaster, while also deploying search-and-rescue teams to aid in finding survivors.

Regardless of their stated purpose, we know from the nature of government bureaucracy that government agencies like FEMA will often be inherently inefficient and ineffective. As Ludwig von Mises wrote in his book "Bureaucracy," bureaucrats are not "eager to deal with each case to the best

of their abilities; they are no longer anxious to find the most appropriate solution for every problem.[5] Their main concern is to comply with the rules and regulations, no matter whether they are reasonable or contrary to what was intended. The first virtue of an administrator is to abide by the codes and decrees" regulating his actions.

When government agencies take over relief efforts, the localized knowledge and expertise of community charities is replaced by adherence to a leviathan's mountain of red tape.

"Bureaucratic management is management bound to comply with detailed rules and regulations fixed by the authority of a superior body," concluded Mises.

Amazingly, a November 2023 FEMA publication entitled "Achieving Equitable Recovery: A Post-Disaster Guide for Local Officials and Leaders" admitted as such, declaring that instead of working to be as prepared and efficient in response as possible, FEMA is "working hard to instill equity as a foundation of emergency management."[6]

Included among the eight "equity goals" of the document are:

- Conducting an "equity assessment" before determining how resources should be allocated and a "recovery planning process that acknowledges historical and current inequities"
- Monitoring the recovery process to confirm inclusivity and ensure equitable outcomes (i.e. Is the recovery organizational structure diverse, equitable, inclusive?)
- Targeting "underserved areas" to "help focus resources where they are needed most" rather than based on intensity of the damage

The document also includes a "Checklist for Monitoring Equitable Recovery Progress" that includes 102 questions recovery leaders should be asking to ensure they are centering "equity" in their recovery efforts. Such questions include:

- Was an Equity Impact Assessment conducted?
- Was a Local Disaster Recovery Manager (LDRM) with diversity, equity, inclusion, and accessibility (DEIA) training hired?
- Were pre-existing inequities documented?
- Was DEIA used in selecting the person/group making recovery decisions?
- Was there discussion about the role of bias, hate, and stereotypes?
- Is on-going DEIA training and education provided?
- Were you able to intervene in the recovery process and make necessary adjustments to ensure equity?

It's absurd that a group tasked with saving lives in the wake of a deadly natural disaster is prioritizing DEI hiring practices and training above ensuring the most qualified people are leading recovery efforts. Still worse is the last bullet point, which openly declares that FEMA will interfere with the recovery process "if they determine community leaders are failing to support equitable recovery outcomes."[7]

While stunning in its backwards priorities, it should come as no surprise that

a government agency headed by political appointees centers on a politicized agenda that is prioritized by the current regime.

These highlights are just the tip of the iceberg for the 144-page FEMA document. Imagine the decision paralysis such requirements could cause, and you begin to understand why government response is so inefficient.

FEMA's more recent focus on distractions like "equity impact assessments," however, does not mean government was previously well-equipped to effectively respond to disasters. Hurricane Katrina provides a telling case study.

The Cato Institute's Chris Edwards, on the ten-year anniversary of Hurricane Katrina, provided a lookback[8] at the government's failures in the aftermath of that disaster. For starters, Edwards notes that there was general confusion due in no small part to the fact that those in charge of disaster relief agencies like FEMA were political appointees, and not necessarily best equipped for the job. As Edwards wrote: "The 2006 bipartisan House report on the disaster, *A Failure of Initiative*, said, 'federal agencies … had varying degrees of unfamiliarity with their roles and responsibilities under the National Response Plan and National Incident Management System.' The report found that there was 'general confusion over mission assignments, deployments, and command structure.'"

Indecision also plagued FEMA's response. Observers blamed "too many bureaucratic cooks in the kitchen" for hampering "decision making in areas such as organizing evacuations and providing law enforcement resources to Louisiana."

Other problems included a breakdown of communications, system failures, and unprecedented fraud in government aid that a *New York Times* article described as "one of the most extraordinary displays of scams, schemes and stupefying bureaucratic bungles in modern history, costing taxpayers up to $2 billion."

Worse still is that it was found that FEMA was actively obstructing private relief efforts. Some of this obstruction cited by Edwards included: blocking the delivery of emergency supplies to New Orleans' Methodist Hospital, turning away doctors volunteering at emergency facilities because their names weren't on a government list, blocking private flights helping to evacuate victims, denying the Red Cross access to deliver supplies to the Superdome, and turning away trucks full of water Walmart had prepared to deliver to victims.

According to this 2005 PBS article, Louisiana's then-Governor Kathleen Blanco's office "blamed bureaucracy and layers of red tape for blocking an effective emergency effort."[9]

According to the PBS piece, Blanco's press secretary was quoted in the New York Times, declaring "We wanted helicopters, food and water. They wanted to negotiate an organizational chart."

Additionally, people in eastern North Carolina's experience with their state government's response to hurricane damage can unfortunately provide a cautionary tale to those in the mountains who have seen their homes destroyed.

The state's program to help residents in the aftermath of 2018's Hurricane Florence remains incomplete to this day. According

to news reports, "more than a third of homes (destroyed by Florence in 2018) remain unfinished. As of late September, more than 1,600 projects were still not labeled 'complete.'"[10]

In a 2022 legislative hearing on the matter, a state senator slammed the "slow and bungled progress" made by the state's "Re-Build NC" program set up to rebuild homes destroyed by the storm.[11] Nevertheless, today – a full six years after Florence – there still remains $27 million in unspent funds in the Hurricane Florence Disaster Recovery Reserve.[12]

Even early on in the recovery process, the New York Times identified government bureaucracy as a main culprit holding up relief.[13] The process was "hampered by internal bureaucratic problems, staff shortages and trouble meeting a myriad of federal, environmental, and contracting requirements imposed by the Department of Housing and Urban Development." The state's emergency management director at the time said: "it took more than 10 months to comply with federally mandated environmental reviews and other red tape," to even begin attempts at rebuilding.

All these sclerotic and incompetent government responses echo Mises' observations. Adherence to regulation and politicized priorities rule the day in government bureaucracies. In contrast, compassion, swiftness, innovation, and effectiveness are top priorities for private voluntary relief efforts.

As with most aspects of society, when it comes to disaster relief the best the government can often do is get out of the way.

Brian Balfour is the Senior Vice President of Research at the John Locke Foundation, a state-based public policy think tank located in Raleigh, North Carolina.

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Privacy in Association is the Free Speech Issue of Our Time

Heather Lauer

In January, a man who stole and leaked the confidential tax returns of thousands of Americans, including President-elect Donald Trump, was sentenced to five years in prison.

"Any disclosure of taxpayer information is unacceptable," commented IRS Commissioner Danny Werfel when the charges were brought last fall.

Werfel should know. A decade ago, he served as the IRS's interim commissioner after multiple senior personnel were forced to resign in the wake of the Tea Party targeting scandal. That black eye for the agency saw IRS bureaucrats launch hundreds of intrusive and unfounded investigations into conservative nonprofits and their donors.

In 2014, a year after that scandal was

exposed, the IRS settled a lawsuit from the National Organization for Marriage (NOM) after an employee illegally leaked its supporter list to an individual who then shared the sensitive information with one of NOM's fiercest critics, the Human Rights Campaign. Then, just last year, the IRS announced that over 120,000 confidential tax forms had been accidentally exposed on a public website.

The IRS's privacy problems are so severe that the agency took the rare step of relinquishing some power over Americans' confidential nonprofit donation records in 2020. Agency officials admitted they did not use the donor lists collected annually from these groups and that safeguarding such sensitive information was an unnecessary burden. In response, a widely supported agency rulemaking dramatically reduced the number of nonprofits subjected to annual donor reporting.

Yet in legislatures across the country and in Congress, some politicians are pushing hard in the opposite direction. They want to expose Americans' nonprofit donations in hopes of chilling support for groups that speak out about their agendas or voting records. Their efforts strike at the heart of one of the most important but least celebrated First Amendment rights in our democracy: freedom of association.

"I need to know who my enemies are," said North Dakota State Senator Jeff Magrum. After a group supported by private donations criticized Senator Magrum's record on crime and public safety, he sponsored unsuccessful legislation to force certain nonprofits to expose their supporters. His words echo U.S. Senate Majority Leader Chuck Schumer, who infamously predicted that "the deterrent effect" of disclosing a group's donors "should not be underestimated."

Today's political leaders are keenly aware that when censorship is impossible, retaliation against a group's financial supporters is the next best weapon. Now, in Washington, D.C. and in states across America, the battle for the right to privately support causes is raging. It is also making strange bedfellows on both sides of the issue.

The Origins of Private Association

Privacy in association was an American value before there was a United States of America. Our founding fathers funded anonymous political pamphlets, wrote under pen names, and formed private organizations to shield themselves from retaliation for their revolutionary ideas. The focus was on the message, not the messenger. The Constitution later enshrined in the First Amendment the freedom of all Americans to speak, publish, assemble in groups, and petition the government.

Modern protections for freedom of association developed significantly in the 20th century, as courts grappled with repeated attempts by government officials to silence burgeoning social movements by targeting their financial supporters. Most famously, at the height of the Civil Rights Movement, Alabama attempted to compel the NAACP to reveal its members and donors to officials in the state. The case reached the Supreme Court, which ruled unanimously in favor of Americans' right to privately support nonprofit causes and

advocacy groups.

"It is hardly a novel perception that compelled disclosure of affiliation with groups engaged in advocacy may constitute as effective a restraint on freedom of association as [other unconstitutional] forms of governmental action," the Court observed.[1]

The dangers faced by NAACP supporters in the Jim Crow South were extreme and unlike those faced by most causes today. Yet, the Court expressed concern about threats to donors that still exist today, such as "economic reprisal, loss of employment, threat of physical coercion, and other manifestations of public hostility." Americans' giving records can never be made private again once they are exposed, even if societal attitudes change or political tensions and threats to donors were to rise dramatically in the future.

NAACP v. Alabama stands today as the best-known precedent on privacy in association. Its reasoning, however, has been reinforced in numerous cases that followed. The Supreme Court has since struck down laws requiring nonprofits to publicly reveal their donors, forcing fliers to list their sponsor, and compelling public-school teachers to report what organizations they were members of. The right to privately join and support advocacy groups has been firmly established under the First Amendment.

A New Wave of Threats

Things began to change, however, in the 1970s with the development of campaign finance law. Congress and most states began requiring candidates, political parties, and political action committees to publicly report the donations they received, including each donor's name, home address, and employer. While these laws were never intended to affect nonprofits, opportunistic politicians seized on the opportunity to argue that groups that merely speak about public officials or political issues should be forced to expose their donors, too.

These efforts gained significant steam after the Supreme Court ruled in 2010 that certain nonprofits and other groups of Americans have a First Amendment right to independently voice their support or opposition to candidates for federal office. Senate Democrats responded with legislation they called the DISCLOSE Act to dox supporters of advocacy groups. Although unsuccessful to date, the DISCLOSE Act has been introduced in every Congress since 2010 and has featured prominently in multiple voting and elections reform packages championed by Democrats. At the 2024 Democratic National Convention, Schumer reiterated that passing those reforms was "one of the first things we want to do" if Democrats made gains in the elections.

Unfortunately, many states have already seen similar legislation, and some of those bills have become law. Others have seen efforts to place misleading measures on the ballot suggesting that eliminating privacy for nonprofit supporters is necessary to fight "dark money" in politics. The rise of the emotionally charged term "dark money" as a smear for any organization that protects the privacy of its members has manipulated some voters into turning against longstanding protections for privacy and freedom of association.

"Dark money" is not an official, legal, or technical term. It brings to mind images of

powerful entities working in the shadows to undermine our system of government. In reality, however, "dark money" can describe any group of Americans who attempt to persuade their fellow citizens about policy or social issues without submitting a list of their supporters' names and addresses to the federal government. Far from a threat to democracy, Americans depend on these organizations to advocate for their beliefs and interests, serve as watchdogs, and provide protection from doxing and harassment.

As politicians demand more disclosure, the dangers have grown. The internet and social media have made it easier than ever before to turn donor records into ammunition to attack Americans for their beliefs. At the same time, our political climate has become nastier and more divisive. Today, a majority of Americans hold political views they do not feel comfortable sharing, and most people believe that this chill on speech is a problem for our society.[2]

The ability to privately give to nonprofits offers Americans a way to continue participating in civic debates without putting their livelihoods or their safety in danger. Yet the statistics on charitable donations are worrying, too. In 2022, for the first time this century, fewer than half of Americans donated to a nonprofit organization. In inflation-adjusted terms, charitable donations fell by nearly 11%, marking just the fourth time giving has declined in the past four decades.[3]

Predictably, nonprofit leaders are feeling the heat. A 2023 survey found a significant decline in engagement on public policy issues by nonprofit groups.[4] Among the main reasons cited: fear of the IRS and backlash in the current political environment. Better protections for privacy in association could help reverse this trend and improve the state of free speech in America.

Prospects for Privacy Reform

In 2021, the Supreme Court decided the most important associational privacy case in a generation. In the 2010s, a handful of states, led by then-California Attorney General Kamala Harris, had begun openly defying *NAACP v. Alabama* by requiring nonprofits to submit their donor lists to state bureaucrats. California even carelessly exposed those confidential records on a state website where anyone could access them. The Ninth Circuit initially upheld the state's sweeping demand, but the Supreme Court overruled that decision in *Americans for Prosperity Foundation v. Bonta*.

"We are left to conclude that the Attorney General's disclosure requirement imposes a widespread burden on donors' associational rights. And this burden cannot be justified on the ground that the regime is narrowly tailored to investigating charitable wrongdoing…" Chief Justice John Roberts wrote for the majority.

In striking down state dragnets of nonprofit donor information, the Court made clear that freedom of association still matters. It also sparked a wave of pro-privacy reforms around the country. Since 2018, 20 states have passed new laws protecting the privacy of Americans' membership in or support for nonprofit organizations.[5]

Colorado, a state that has witnessed rapid political change in recent years, became the latest state to pass a law protecting donor privacy in May 2024. It did so

unanimously, with both Democratic and Republican lawmakers co-sponsoring the legislation. The bill also earned widespread support across the state's diverse spectrum of nonprofit organizations. Donor privacy is an issue that appeals to groups on opposite ends of controversial and topical issues, such as pro-life and pro-choice groups that share a belief in the importance of protecting their members' privacy.

One state – West Virginia– has gone a step further and reviewed its existing laws for violations of associational privacy. State lawmakers ultimately passed a reform bill to remove unconstitutional provisions and clarify key parts of the law that previously violated privacy rights for nonprofits that voice opinions on policy issues.[6] Lawmakers in Alabama, Kansas, and Oklahoma are contemplating similar privacy and speech-protective reforms in preparation for the 2025 session. In states like Maine, Nebraska, Oklahoma, Ohio, and Virginia, bills threatening privacy in association in the 2024 session met strong opposition and either failed to become law or were amended to neutralize or eliminate the threat.

Not to be outdone, Republicans in Congress have introduced legislation to limit the ability of federal agencies to meddle with Americans' ability to privately support social causes. That bill, the American Confidence in Elections (ACE) Act, addresses many policy areas but contains four separate provisions that would protect and strengthen associational privacy. One prevents the IRS – whose agents endorsed Kamala Harris for president in 2024 – from imposing new rules on nonprofits' speech to prevent a repeat of the targeting scandal.

The Next Big Fight

In spite of the progress cited above, the news is not all good. Politicians from both parties increasingly use cheap "dark money" rhetoric to attack groups who protect their supporters' privacy. This is especially notable in the clumsy accusations common in an election year. These smears recast the traditional American value of privacy in association as a nefarious force threatening our democracy.

Some Republicans in Congress, despite otherwise supporting nonprofit donor privacy legislation, have also proposed multiple bills that would expand the IRS's authority to surveil nonprofits and their donors in ways that could ultimately be weaponized against Americans for their beliefs and giving choices.[7] Concerns about the role of foreign donors to progressive nonprofits have been exploited to open the possibility of re-arming federal agencies with tools that could pierce historical safeguards and undo recent victories for privacy in association. If successful, these efforts would mark a major about-face for Republicans, who have fought for over a decade to limit the IRS's power over nonprofits.

In Arizona, a former state Attorney General – who blamed "dark money" for his loss in a campaign for secretary of state – finally succeeded on his fourth try in passing a ballot measure called the "Voters' Right to Know Act" that forces many nonprofits to expose their donors. The law attempts to evade *NAACP v. Alabama* and *AFPF v. Bonta* by listing certain activities and speech that trigger disclosure, but the list is intentionally expansive, not to mention vague, and the law empowers bureaucrats to make

the final call. Any nonprofit that values the privacy of its members will be chilled by the law's invasive and far-reaching provisions.

Arizona's law serves as a reminder that threats to privacy in association will never disappear, no matter how many times courts reinforce the principle. Nonprofits have no choice but to fight on. Arizona's law has already been challenged in both state and federal court on constitutional grounds. Those cases will go a long way in shaping how privacy opponents in other states craft their proposals to undermine *AFPF v. Bonta*, just like they once undermined *NAACP v. Alabama*.

In the meantime, lawmakers should not be complacent. They must keep pressing forward to ensure that every American is free to exercise their First Amendment right to support a cause without fear of harassment or intimidation. Legal victories are not enough. We need to defend privacy in association everywhere it is threatened and work to restore it where it has been degraded.

If freedom of speech is suffering under a chill, a blanket of privacy is just what we need.

Heather Lauer is the Chief Executive Officer for People United for Privacy Foundation.

ENDNOTES

1 *NAACP v. Alabama*, 357 U.S. 449, 462 (1958).

2 See Cato Institute, "Poll: 62% of Americans Say They Have Political Views They're Afraid to Share," (https://www.cato.org/survey-reports/poll-62-americans-say-they-have-political-views-theyre-afraid-share) and *The New York Times*, "America Has a Free Speech Problem," (https://www.nytimes.com/2022/03/18/opinion/cancel-culture-free-speech-poll.html).

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6 Wachob, Luke, "West Virginia Cleans Up Campaign Laws, Provides Roadmap for Other States." People United for Privacy, April 5, 2023 https://unitedforprivacy.com/west-virginia-cleans-up-campaign-laws-provides-roadmap-for-other-states/

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Bridging the Divide: Achieving Medical Malpractice Reform through Reasonable Damages Recovery Provisions and Expanded Survivor Eligibility

William Large

Escalating healthcare costs are a significant challenge in Florida. Exorbitant medical malpractice claim payouts contribute substantially to this problem. Not only do high medical malpractice claim payouts financially burden the state's healthcare system, but they also adversely affect the affordability and accessibility of healthcare for all Floridians, as more physicians retire and fewer physicians come to Florida, particularly in high-risk specialties, given the existing conditions of the state's medical malpractice regime.

To address those rising costs and the accessibility of healthcare in Florida, the healthcare industry and Florida lawmakers must undertake a multifaceted approach to medical malpractice reform. In 2024,

Senator Clay Yarborough offered a compromise solution through CS/SB 248. This legislation would place reasonable limits on the recovery of noneconomic damages in medical malpractice cases while at the same time expanding the class of survivors eligible to recover damages in such cases, ensuring that justice and compensation are accessible to all affected by medical negligence. This dual approach aimed to strike a delicate balance between reducing healthcare costs and upholding the rights of individuals to seek fair compensation, thereby fostering a more sustainable and equitable healthcare environment in Florida. Unfortunately, CS/SB 248 was met with resistance and failed to pass in the 2024 legislative session.

In 2025, the healthcare industry should renew this effort to pass meaningful medical malpractice reform. That means installing sensible, per-claimant limitations on noneconomic damages—offering physicians and hospitals certainty regarding their damages exposure—while at the same time ensuring all claimants affected by medical negligence are able to bring suit and recover damages.

Florida's Longstanding Prohibition on Recovery of Noneconomic Damages by Certain Survivors

To explain how Senator Yarborough arrived at compromise legislation, it is important to outline the trial bar's concern with the state's existing medical malpractice regime and which survivors may recover under that regime.

Under section 768.21, Florida Statutes, survivors in a wrongful death action may recover certain noneconomic damages, including for lost support and services, lost companionship, and mental pain and suffering. Generally, minor children of the "decedent"—i.e., the person who died as a result of another person's negligence or wrongful conduct—and all children (if the decedent had no surviving spouse) may recover for lost parental companionship, instruction, guidance, and for certain mental pain and suffering. Further, each parent of an adult child decedent may recover for mental pain and suffering if their child has no other survivors. But, the case is different if the decedent was the victim of medical malpractice. Section 768.21 states that the damages just described are not recoverable if the survivor is an adult child of the decedent or the parent of an adult decedent where the wrongful death claim is based on medical negligence.

Importantly, any recovery of noneconomic damages by survivors in wrongful death actions is a matter of legislative grace. Before 1990 in Florida, parents had no common law or statutory right to recover noneconomic damages for pain and suffering, grief, or emotional loss associated with the wrongful death of their adult child. Likewise, adult children had no common law or statutory right to recover damages for pain and suffering, grief, or emotional loss for the wrongful death of their parent. This was common across the nation, with many jurisdictions denying the recovery of noneconomic damages like pain and suffering in wrongful death actions by *any* survivors.

In 1990, the Florida Legislature elected to expand the Wrongful Death Act to allow

recovery of noneconomic damages by parents and children as currently outlined in section 768.21. At the same time, the Legislature chose to impose an exception, prohibiting such damages where the damages arise from a claim of medical negligence. This legislative decision to not apply the expansion to medical malpractice was appropriate, as Florida was and continues to be in a medical malpractice crisis, with Florida possessing the highest medical malpractice insurance premiums in the country for physicians and hospitals. The impact of expanded liability in the medical malpractice context would have disproportionately impacted the healthcare community because a higher percentage of these claims involve a death, as compared to automobile accidents. Hence, the Legislature's approach was rational.

But the trial bar has long lamented that these damages limitations in medical negligence cases are unfair—although it is well-established that these survivors had *no* right to recover these damages before 1990.

Florida's Past Attempt at Capping Noneconomic Damages in Medical Malpractice Actions

Meanwhile, in 2003, the Florida Legislature passed section 766.118, Florida Statutes, in an effort to control medical malpractice costs. However, that objective has not been realized due to judicial decisions striking the statute's damages caps.

Section 766.118 caps noneconomic damages at $500,000 when the medical malpractice is caused by a practitioner—i.e., a physician or nurse—regardless of the number of practitioners involved. Any one practitioner may not be liable for more than $500,000 in noneconomic damages no matter the number of claimants involved. There is also a so-called aggregate cap: the total noneconomic damages recoverable by all claimants from all practitioner defendants in one occurrence of medical malpractice may not exceed $1 million total. The statute caps noneconomic damages at $750,000 when the medical malpractice is caused by a nonpractitioner, like a hospital. There is also an aggregate cap: the total noneconomic damages recoverable by all claimants from all nonpractitioner defendants must not exceed $1.5 million in the aggregate. The statute also outlines lower caps when the medical negligence is premised on emergency services or the provision of Medicaid-funded care.

The statutory caps increase for certain types of injuries. For medical malpractice caused by practitioners, the caps increase to $1 million in the aggregate where the negligence resulted in a permanent vegetative state or death. The cap also increases to $1 million if the trial court determines, among other things, that a manifest injustice would occur unless increased noneconomic damages are awarded due to a catastrophic injury and particularly severe noneconomic harm. Similar higher caps apply when the medical negligence claim is made against nonpractitioners.

While section 766.118 is still on the books, its caps are largely unenforceable as a result of the Florida Supreme Court's 2014 decision, *Estate of McCall v. United States.*[1]

McCall involved a challenge to the statute's aggregate cap on noneconomic damages for multiple survivors. In the controlling

opinion, Justice Lewis found that the aggregate caps on noneconomic damages in medical malpractice cases violated equal protection because: (1) the caps "irrationally impact[s] circumstances which have multiple claimants/survivors differently and far less favorably than circumstances in which there is a single claimant/survivor," and (2) the cap on noneconomic damages "bears no rational relationship to a legitimate state objective, thereby failing the rational basis test."[2] Justice Lewis noted that the statute provided no benefit whatsoever to survivors in exchange for the noneconomic damages caps. Justice Lewis also reviewed the legislative history giving rise to the caps and doubted the existence of data that supported any correlation between the cap on noneconomic damages and reduced malpractice insurance premiums.

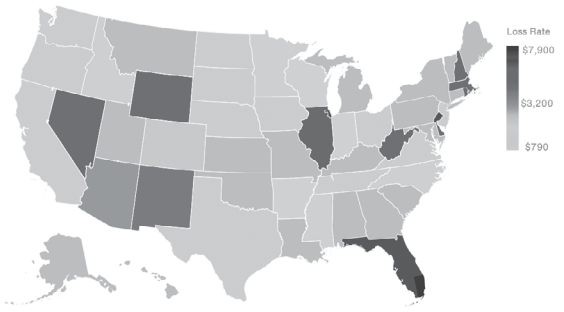
In a concurring opinion, three justices agreed with Justice Lewis on the ultimate conclusion that the arbitrary reduction of survivors' noneconomic damages in wrongful death cases based upon the number of survivors lacked a rational relationship to the goal of reducing medical malpractice premiums. But the concurring justices "disagree[d] with the plurality's independent evaluation and reweighing of reports and data . . . as part of its review of whether the Legislature's factual findings and policy decisions as to the alleged medical malpractice crisis were fully supported by available data."[3] The concurring justices agreed with the controlling opinion that, even if a medical malpractice insurance crisis existed when the caps were first enacted in 2003, such crisis was not a permanent condition, and there was no evidence of a continuing medical malpractice insurance crisis that would justify the arbitrary application of the statutory cap in wrongful death cases.

In 2017, in a case called *North Broward Hospital District v. Kalitan*, the Florida Supreme Court was tasked with deciding whether the statute's caps on noneconomic damages in personal injury medical malpractice actions were unconstitutional when the caps were the same regardless of the severity of the injury. The Court held that these caps violated equal protection "because the arbitrary reduction of compensation without regard to the severity of the injury does not bear a rational relationship to the Legislature's stated interest in addressing the medical malpractice crisis."[4] The Court reasoned that, just like *McCall*, the caps at issue "create[d] a similar distinction between classes of medical malpractice victims, arbitrarily reducing the damages that may be awarded to the most drastically injured victims."[5] Further, based on the agreement in the majority opinions in *McCall* that "there is no evidence of a continuing medical malpractice crisis justifying the arbitrary application of the statutory cap, [the *Kalitan* Court] reach[ed] the same conclusion with regard to the unconstitutionality of the caps in the present case."[6]

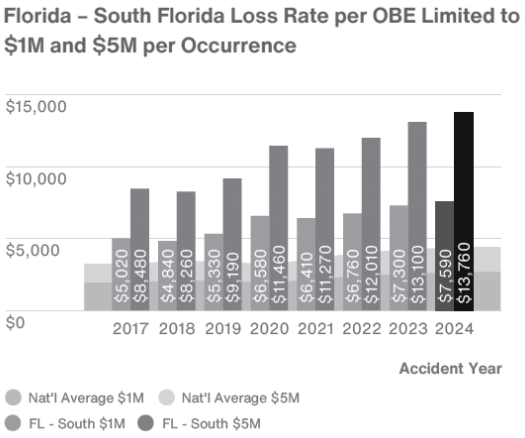
Florida Leads the Country in Medical Malpractice Costs, Leading to an Impending Physician Supply-and-Demand Problem

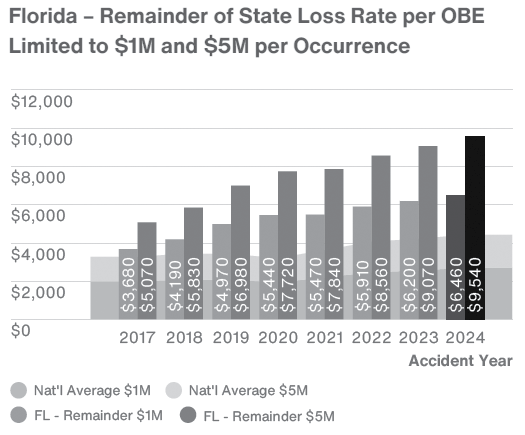
Since Florida's aggregate caps on noneconomic damages were struck in 2014, medical and hospital professional liability claims costs have been increasing,

particularly in South Florida. A key finding of a recent benchmark study conducted by Aon and the American Society for Health Care Risk Management (ASHRM) determined that, although the frequency of hospital and physician professional liability or medical professional liability claims has remained relatively stable in recent years, the *severity* of claims—including indemnity and defense costs per claim—is steadily increasing.[7] When focused on hospital professional liability claims in particular, Florida stands alone based on projected 2025 loss rates (limited to $1 million per occurrence),[8] with South Florida (Broward, Miami-Dade, and Palm Beach counties) likely to produce projected loss rates exceeding $7,500 per occupied bed equivalent,[9] the highest in the nation, with the remainder of Florida not far behind.[10]

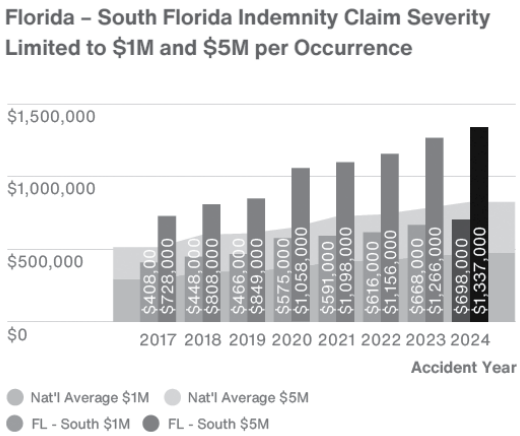


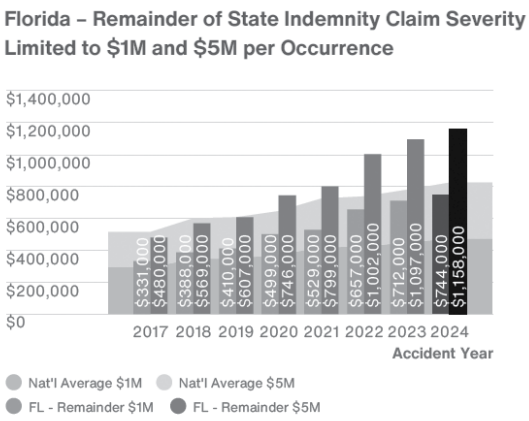
As the next two graphs show, while the national average loss rate per occupied bed equivalent has remained relatively steady, the same loss rates in Florida have continued to climb each year, with the average loss rate in 2024 doubling or even tripling the national average.[11]





The average severity of such claims in Florida—i.e., the ultimate dollar loss associated with the claim[12]—also outpaces the national average by a wide margin. The severity of indemnity claims made in South Florida is more than *$300,000 higher per occurrence* as compared to the national average, and the severity of indemnity claims made in the rest of the state is also higher than the national average, as the next two graphs demonstrate.[13]





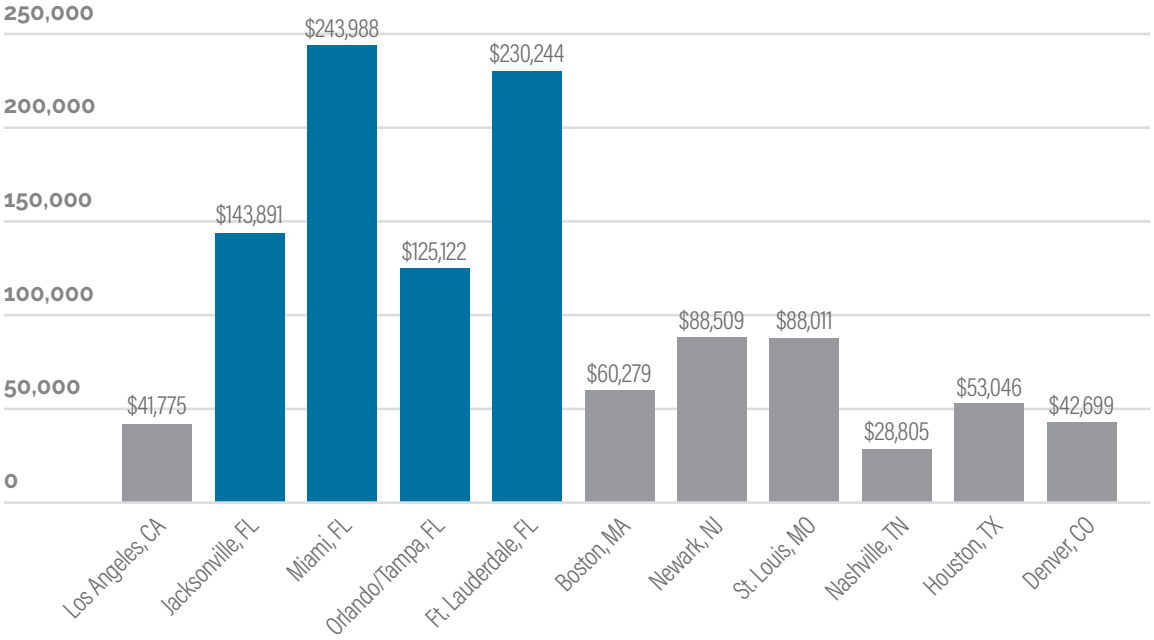
This hospital professional liability data is particularly important to consider as hospitals are often the target for medical malpractice claims. Most physicians have relatively low insurance limits; hospitals, however, have higher coverages—often in the tens of millions of dollars—with additional assets. As a result, medical malpractice lawsuits are often filed not just against the physician or other healthcare provider that directly rendered the allegedly negligent care, but the hospital at which the care was provided, as the hospital is perceived to be—and often is—the deeper pocket.

At the same time overall claims costs are increasing, so too are medical malpractice insurance premiums. The Medical Liability Monitor publishes an annual rate survey issue, which reflects survey responses by the major writers of professional liability insurance for physicians. According to the Medical Liability Monitor's October 2024 survey, Florida has experienced a notable 4.7% increase in premiums, surpassing the regional average increase of 2.1%.[14] This surge in premiums, coupled with the rising costs of claims, presents a significant challenge.

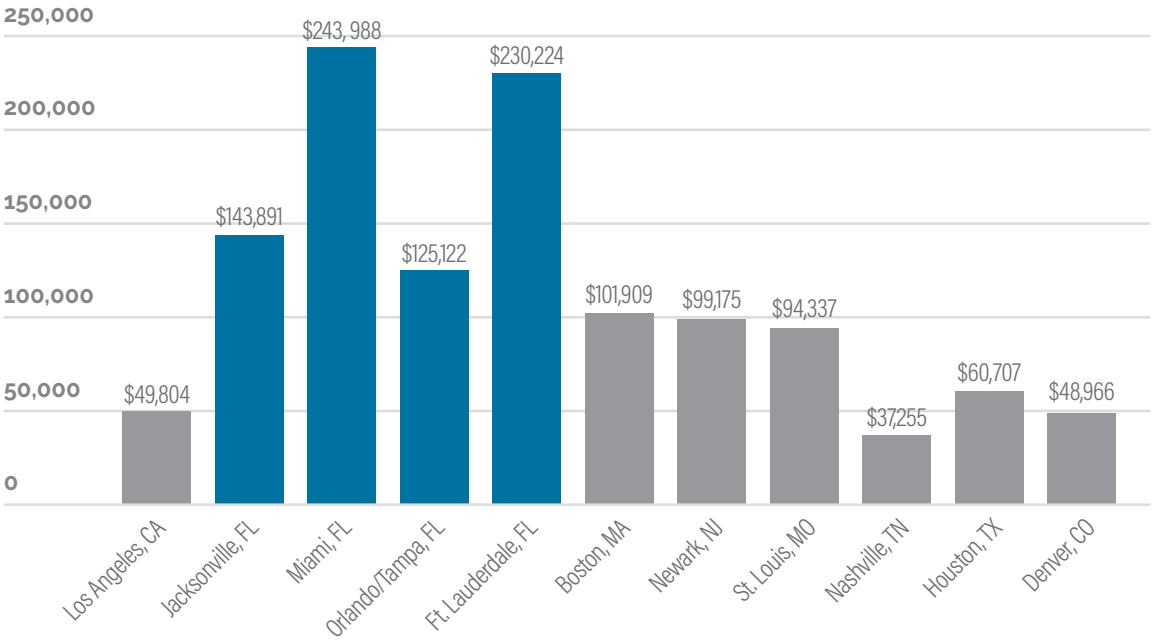
The Medical Liability Monitor also catalogues examples of manual rates from the major insurers for specific mature, claims-made specialties with limits of $1 million per claim with a $3 million aggregate, by far the most common limits, across three specialties, general surgery, obstetrics/gynecology, and internal medicine. As one example, the Doctors Company's[15] manual rates are astronomically higher in Florida than they are in other states—particularly when compared against municipalities in states which cap medical malpractice damages (including two states that are larger than Florida, California and Texas).[16]

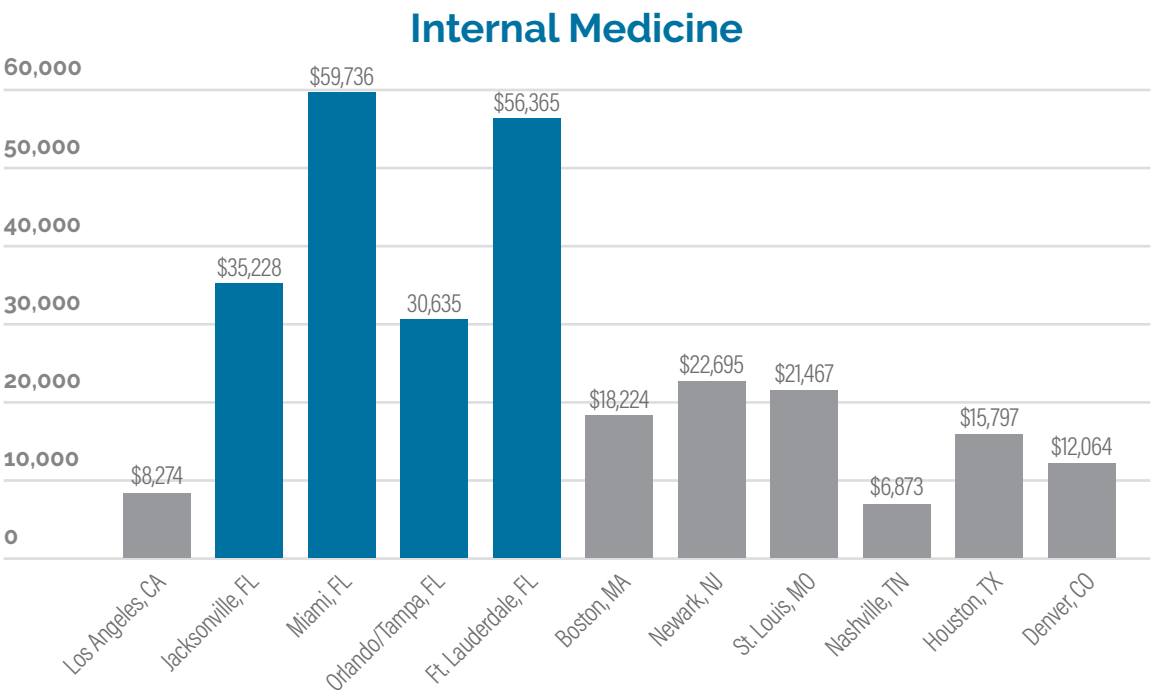
Increased claims costs and increased premiums have very real and significant implications for physicians' decisions with regard to their ongoing practice of medicine in Florida, particularly in high-risk specialties like obstetrics. As the Florida Department of Health reported in 2023, *over 21 percent* of the 2,340 obstetricians in Florida who responded to survey questions plan to discontinue providing obstetric care within

General Surgery



OB / GYN





two years, with "[t]he most frequently selected reasons pertain[ing] to retirement, liability exposure, [and] high medical malpractice litigation," among others.[17] Even in 2023, only about 60 percent of the state's obstetricians were performing deliveries.[18] While the supply of practicing obstetricians decreases, demand will only increase, with one report finding that Florida needs *500 more* obstetricians by 2035 to keep up with the growing population[19]—a staggering statistic that does not account for the fact that approximately *512* obstetricians already indicated their intent in 2023 to leave their practice within two years. But obstetrics is only one example. As an HIS Markit report forecasted, "signs indicate that a significant shortage [of physicians] is looming," despite efforts to increase programs designed to incentivize the creation of new residency slots.[20]

To Achieve Medical Malpractice Reform, the Legislature Should Afford an Opportunity for the Recovery of Reasonable Noneconomic Damages and Expand the Class of Eligible Survivors

In response to these escalating costs and liability concerns, implementing caps on recoverable damages in medical malpractice claims emerges as a viable strategy to moderate claim values. A recent analysis of states with and without caps reveals that caps provide a generally positive effect on controlling average claims costs. This impact is particularly pronounced in states with "small caps," defined as $500,000 or less, and minimal exceptions.[21] This approach suggests a pathway to mitigating the financial pressures on the healthcare system, maintaining a fair and balanced

legal framework for addressing medical malpractice, and disincentivizing excessive filing of otherwise unwarranted lawsuits in pursuit of exorbitant damages. However, such an effort is likely to be met with resistance by the trial bar.

In the 2024 session, the Senate Judiciary Committee and Senator Yarborough proposed legislation, CS/SB 248, which offered a compromise: the legislation would allow more families to seek justice for medical malpractice by eliminating the noneconomic damages exception for certain survivors at the same time as instituting sensible, per-claimant caps on noneconomic damages. To address rising healthcare and medical malpractice insurance costs, the Florida Legislature should enact legislation like 2024 CS/SB 248 in the 2025 legislative session.

Specifically, such legislation would:

- Limit noneconomic damages to $500,000 per claimant in medical malpractice actions against practitioners.
- Limit noneconomic damages to $750,000 per claimant in medical malpractice actions against nonpractitioners.
- Maintain the statutory caps on noneconomic damages per claimant applicable to providers of emergency services and Medicaid-funded care already set forth in section 766.118.
- Delete the exception in section 768.21(8), Florida Statutes, which presently bars recovery of noneconomic damages by adult children and parents of an adult child bringing a medical malpractice claim.

Importantly, this legislation would likely withstand constitutional challenge.

First, the proposed caps are not arbitrary because they provide a commensurate benefit to survivors. Specifically, the legislation would end the longstanding prohibition on the recovery of noneconomic damages by certain survivors in medical malpractice cases. This would ensure all survivors in wrongful death actions are eligible to recover the same types of damages, addressing concerns that the law as it stands today unduly discriminates against certain claimants.

Second, the legislation would impose only per-claimant caps. The focus in the Florida Supreme Court's *McCall* decision was the fact that the statute's aggregate caps "discriminated" based on the number of survivors. The legislation would address that by capping survivors' damages equally. A claimant's recovery would not be reduced simply based upon the number of survivors who are entitled to recovery. And no matter the level or type of injury, the cap would be the same for any claimant; thus, the legislation would not create different "classes" of claimants based on whether, for example, the medical negligence caused a vegetative state.

Although the legislation described above would involve a significant concession by the healthcare community in expanding the class of survivors eligible to recover in medical malpractice actions, it is a necessary one. By setting reasonable limits on noneconomic damages, the legislation would address concerns over escalating healthcare costs and the financial sustainability of providing care. Simultaneously,

the legislation introduces a novel and substantial benefit for survivors who, under longstanding law, find themselves without recourse to claim such damages. Providing such a compromise is likely the only way the healthcare community will succeed in achieving medical malpractice reform.

William W. Large is the founding president of the Florida Justice Reform Institute, an organization dedicated to restoring fairness and personal responsibility to Florida's civil justice system.

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1 134 So. 3d 984 (Fla. 2014).
2 *Id.* at 901, 905.
3 *Id.* at 916 (Pariente, J., concurring in result).
4 *N. Broward Hosp. Dist. v. Kalitan*, 219 So. 3d 49, 56 (Fla. 2017).
5 *Id.* at 57.
6 *Id.*
7 Aon/ASHRM Hospital and Physician Professional Liability Benchmark Analysis at 10 (Oct. 2024) [hereinafter AON/ASHRM Study].
8 Per the AON/ASHRM Study, "Loss Rate" is defined as the "annual ultimate loss dollars per [occupied bed equivalent] or per Class 1 physician equivalent." "Occupied Bed Equivalent" is a "standard measure of the overall hospital professional liability risk comprising a weighted contribution from twelve hospital volume metrics." A "Class 1 Physician Equivalent" is a "standard measure of the physician professional liability risk based on the exposure represented by one full-time Family Practice (no surgery) physician over the course of one year." Aon/ASHRM Study at 5.
9 Again, "Occupied Bed Equivalent" is a "standard measure of the overall hospital professional liability risk comprising a weighted contribution from twelve hospital volume metrics." Aon/ASHRM Study at 5.
10 Aon/ASHRM Study at 14. This analysis is also further limited to loss rate per occupied bed equivalent of up to $1 million per occurrence in order to reduce the influence of outlier claims.
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12 The Aon/ASHRM Study defines severity to mean "average loss per claim, where loss comprises indemnity and defense costs." AON/ASHRM Study at 5.
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Undivide Us: A Film Screening and Civic Friendship to Bridge Our Divides

Kate Kile

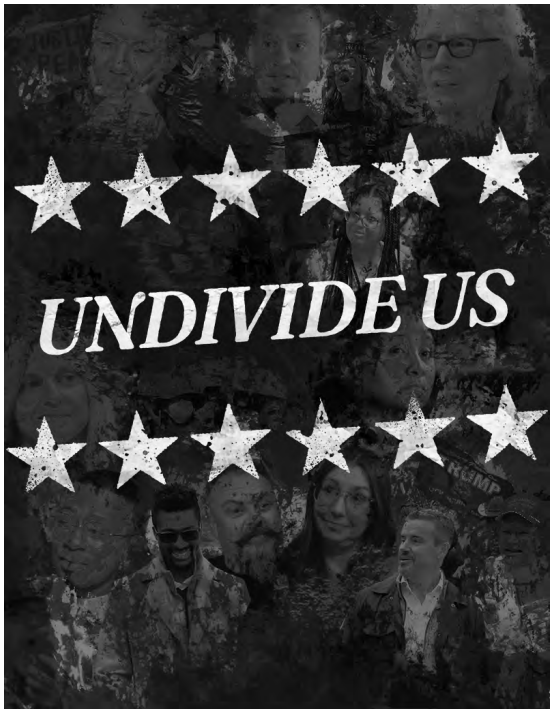
The James Madison Institute has long been a champion of civic education and free thought, and a community partner to The Village Square in our mission to build civic health between people who don't look or think alike. We both believe that what truly makes democracy work is not our agreement, but our willingness to engage in respectful *disagreement*. At its best, democracy is a conversation — a messy, sometimes frustrating, but ultimately rewarding conversation. When we listen with the intent to understand rather than to respond, we pave the way for genuine dialogue and meaningful change. A joint screening of the film *Undivide Us*, along with a visit and community conversation with filmmaker Kristi Kendall and

Mercatus Center Executive Director Ben Klutsey, was the perfect kickoff for The Village Square's 18th program season on Friday, September 6th.

We demonstrated in real time that institutions with different objectives can come together because they share a common goal: a stronger, more united community. It's about saying, "We're in this together," even when our ideas might differ. By collaborating for this event, we created a space where diverse people could see firsthand what respectful civic engagement looks like. It was a small but significant step toward rebuilding the kind of community that values and listens to every voice.

Here's the thing about listening: it's not passive. It's an active choice, especially when you're listening to someone who challenges everything you believe. This film—and our gathering—remind us to rekindle that essential and increasingly rare practice of genuine curiosity. Why does your neighbor hold a belief so different from yours? What's their story and what are the experiences that shaped them? When we listen with curiosity, we start to see the world through someone else's eyes. And that doesn't just broaden our understanding; it makes us better and more empathetic citizens.

To listen well means that we put aside our assumptions for a moment and open our minds to the possibility that there is more to the story. It requires humility — a recognition that no one person has all the answers. Listening with curiosity is a radical act in a world that often rewards the loudest voice rather than the most thoughtful one. The willingness to truly hear someone deeply can strengthen relationships and



ultimately transform communities.

The Village Square knows something about unlikely friendships. Over the years, we've seen people who never thought they'd get along sit at the same table, laugh over a meal, and walk away with a deeper sense of respect. These friendships across political divides aren't just feel-good stories—they're acts of revolution in an era where division is the norm.

Undivide Us showcased real-life examples of friendships that defy the stereotypes, and we hope this screening ignited some new connections of its own. Maybe our guests will think twice and decide to sit next to someone who voted differently than they did. Maybe they will end up sharing a conversation that leaves them seeing the world a little differently. That's the dream—to make the impossible seem possible, one handshake and one shared laugh at a time.

It's easy to feel like friendship across divides is a relic of the past, something from a time before social media algorithms and 24-hour news cycles. But the truth is, those connections are still very much possible — and they're vital. We all have that friend or family member who sees the world differently and, while it may be tempting to avoid those conversations altogether, doing so denies us the richness that comes from understanding another perspective. It takes courage to bridge the divide, but the reward is profound: the kind of friendship that isn't swayed or fractured by headlines or tweets.

Lasting friendships between folks who don't look or think alike are the antidote to the toxic polarization that infects our communities. The Village Square and The James Madison Institute hope this film screening was a spark that encourages people to extend a hand, share a story, and build relationships that can weather even the most challenging political climates.

Kate Kile is the director of strategy & operations at The Village Square.

Two Contrasting Approaches to Policy: Build or Stagnate

Nathan Leamer

One of the most influential essays about American dynamism is Marc Andreessen's treatise "It's Time to Build."[1] Published in the Spring of 2020 during the dark night of the COVID pandemic, the venture capitalist articulates a hopeful future where Americans embrace optimism. He explains that there are two approaches we can take going forward. One is a fixed mindset that continues our nation down the road of mediocrity and stagnation. The other is a growth mindset where people embrace challenges and build a better future through developing new innovations, launching emerging industries and making big leaps forward. This prescient essay forecasts many of the current debates around emerging

technologies like Artificial Intelligence (AI). In California, for example, we saw a concerted legislative effort to strangle open source AI[2] in the cradle — creating a regulatory framework that would drive leading AI companies to flee the Bear Republic.[3] It is no wonder that Marc Andreessen's essay has been a rallying cry for effective accelerationism (e/acc) and other free-market advocates who want a light-touch approach that allows AI in the US to flourish, instead of legislating against hypothetical harms.

As policy debates rage over AI there are helpful lessons to learn from other ongoing technology policy debates. Just look down the Internet stack to the network and infrastructure level these fights have raged on for nearly 30 years. Since the 1996 Telecommunications Act there have been similarly two mindsets at war over how policies should be implemented around Internet providers.

Most of this ongoing debate has been centered at the Federal Communications Commission (FCC) where regulators have taken one of two paths forward. On one hand you have had leaders at the FCC like Commissioner Brendan Carr[4] and Chairman Ajit Pai[5] who have embraced innovation and that has spurred on next-generation Internet connectivity. Then, on the other hand, you have had FCC leaders such as current Chairwoman Jessica Rosenworcel and former Chairman Tom Wheeler who have implemented a "Mother may I?"[6] approach to Internet connectivity. Their approach has created arbitrary barriers to entry for new Internet providers or regulations to weed out hypothetical harms that only hurt tangible efforts to close the digital divide. Over the past year, there are three examples of current policy fights that have manifested these differing approaches.

Let's start with the granddaddy of telecom regulatory fighting, net neutrality. As you should know by now, this ongoing back and forth began in 2015 when then FCC Chairman Tom Wheeler pushed through Title II to extend utility-style regulations on Internet providers. After it was clear this foolhardy approach was hindering broadband investment and doing nothing to address concerns about Internet censorship, Wheeler's successor FCC Chairman Ajit Pai righted the ship, repealing the net neutrality rules and applying a light touch approach. As Europe struggled to handle the increased demand during COVID, the US was better able to handle the surge of Internet traffic[7], not to mention the faster Internet speeds that occurred in the US immediately after Pai's intuitive actions.

Yet good things don't last in DC and the fixed mindset philosophy that Andreessen warned us about came flooding back as President Biden's pick for the FCC, Chair Jessica Rosenworcel, decided to bulldoze Ajit Pai's approach and bring back Title II. This time the courts appear to be stepping in to halt this gross example of government overreach.

It isn't just net neutrality where this diverging approach is on display. Late last fall, the FCC pushed through a partisan Digital Discrimination Order that would implement fines and penalties on any entity involved in the delivery of broadband connectivity if they were deemed to be promulgating[8] "disparate treatment and disparate impact" on consumers. This basically means that if the FCC thinks anyone

is getting unfair treatment they can fine and punish any entity.

As Brendan Carr explained,[9] this new regulatory approach "gives the FCC a nearly limitless power to veto private sector decisions," and, for the first time ever, gives "the federal government a roving mandate to micromanage nearly every aspect of how the Internet functions." The rule even applies[10] to tower builders and climbers who are merely servicing infrastructure. If the FCC thinks they are perpetuating "disparate impact," these construction crews will face stiff penalties even though these crews didn't pick where the service would or would not cover.

Finally, we see these differing approaches in the way the current Biden Administration is implementing the $42 Billion BEAD Program.[11] Three years after Congress authorized the program, not one dollar has been spent to connect Americans or build out broadband infrastructure. Uninterested in deploying to unconnected communities now, the Biden Administration has used the program as an opportunity to implement longstanding[12] ideological priorities like DEI and climate alarmist goals that have dramatically slowed down efforts to close the digital divide. Instead of allocating the resources in a tech-neutral way, the administration is creating mandates on private companies in exchange for the broadband funding that will only handcuff the entrepreneurs who are set to build out broadband.

This contrasts significantly with the approach Brendan Carr and Ajit Pai called for which would have leveraged market-based policies and guarded against overbuilding. These policies would have resulted in faster, more efficient buildout to the rural communities who most desperately need that connectivity.

As the political discourse in tech evolves to address emerging innovations, it is imperative to learn the right lessons from other industries. This is so clearly on display in the longstanding fights in telecommunications and other established industries. Instead of continuing the fixed mindset that permeates so many in Washington, it truly is time to build.

Nathan Leamer is the executive director at Digital First Project.

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Billions Collected, Zero Accountability

Turner Loesel

Florida's taxation of communications services has spiraled out of control. What began as an attempt to streamline the taxes on communications providers has morphed into a revenue grab, targeting the modern economy's fastest-growing industries. The Communications Services Tax (CST), established in 2001, was intended to simplify a convoluted tax system by merging seven different state and local taxes into one.[1] But rather than focusing on telecommunications, as originally intended, the CST has expanded dramatically, dragging new digital services into its web and burdening consumers with some of the highest tax rates in the state.

When the legislature passed the Communications Services Tax, they deliberately

kept the language of what constitutes a "communication service" vague.[2] This flexibility allowed the state to respond to declining revenues by expanding the tax base. Accordingly, as revenues from traditional phone and TV services fell, Florida routinely broadened the CST to encompass digital services that were inconceivable when the tax was created.[3] Today, streaming platforms like Netflix, Hulu, Spotify, and Apple Music are subject to the CST. Even Cameo and certain online learning platforms are now caught in this ever-expanding tax.[4]

The cost is staggering. The CST consists of a state rate of 7.44% and a local CST that varies among Florida's 481 jurisdictions.[5] In some areas, like Sanford, the combined tax rate can hit a staggering 15%, dwarfing Florida's 6% sales tax.[6] For consumers with multiple digital subscriptions, wireless lines, and broadband, these small charges on each bill can quickly add up, making the tax burden even heavier.

Unlike many other states, Florida aggressively targets digital services with this tax. Thirty-three of the forty-five states that collect sales tax include communication services under their sales tax, often at much lower rates.[7] For example, although Connecticut taxes digital services, they only add a 1% tax for streaming services on top of their 6.35% sales tax.[8] Florida's inflated rate, on the other hand, is disproportionately higher than what consumers pay for other essential goods and services.

The local CST generates approximately $373 million annually for cities in Florida.[9] Despite this substantial revenue, there's no requirement that these funds be used to improve the communications infrastructure that it taxes. Instead, CST revenue flows into the General Revenue Fund, where it can be used for "any public purpose".[10] This lack of accountability means the money isn't being reinvested into the digital infrastructure that supports the very services being taxed—leaving consumers and the private sector to bear the cost.

While the high tax rates often draw the most attention, the real issue is the complete lack of transparency in how the revenue is spent. Despite targeting a specific segment of the economy, CST revenue isn't earmarked for communications projects. This stands in stark contrast to how other targeted taxes work. For comparison, fuel taxes fund road work. Tobacco taxes support health programs. But the CST evades this logic. Floridians are left paying inflated taxes on digital services with no indication that the funds are being used to improve the very systems that support those services.

While the Florida League of Cities claims that the tax is a key source of funding for local services like police, fire departments, and infrastructure projects, this assertion is impossible to verify.[11] While it's possible to track how much CST money is collected by the state and local governments, there is no detailed public accounting of where that money actually goes. Municipal governments also have no obligation to reinvest this revenue in vital communication infrastructure, such as inspecting public rights of way after cable companies deploy fiber optic cable for broadband or ensuring permits are processed promptly.

Without accountability, taxpayers can't be sure their money is being spent efficiently or effectively.

This lack of transparency erodes public trust and raises serious concerns about fiscal responsibility. When a tax is imposed, particularly one as expansive and financially significant as the CST, taxpayers deserve to know exactly how much is being collected and how those funds are being allocated. The CST falls short in this regard, making it difficult to trust that the tax serves any purpose other than as a broad-based revenue stream.

Florida's CST is effectively a tax on innovation, levied not because it should be, but because it can be. At a time when more people than ever rely on digital services for work, education, and entertainment, the state is penalizing the very technologies that are driving economic growth.

For the CST to be fair, it must be accountable. At a minimum, Floridians should be able to see how much CST revenue is being allocated to specific projects or municipal services. Without this clarity, the tax risks becoming a bloated, inefficient tool that burdens consumers without delivering any tangible benefit in return.

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From 'Free Shoes University' To 'Free Speech University'

William Mattox

Still heartsick over an utterly disappointing 2025 football season, fans of Florida State University got some good news recently: FSU now ranks #3 in the nation – in a category that's actually more important than football.

According to the Foundation for Individual Rights and Expression (FIRE), FSU's record in "protecting free speech and academic freedom" now exceeds that of almost every other college in the country. Only the University of Virginia and Michigan Tech rank higher.

Apparently, the school that Steve Spurrier once called "Free Shoes University" (for violating NCAA compensation rules) should now be considered "Free Speech University."

Former FSU President J. Stanley Marshall would be proud.

Marshall presided over a period of campus unrest during the 1960s when FSU came to be known as "the Berkeley of the South." His leadership in helping people on all sides appreciate the importance of free speech is commemorated today with a memorial wall on the FSU campus.

Moreover, the think tank Marshall founded in his post-FSU years – The James Madison Institute – continues his work of promoting campus free speech throughout our state.

Indeed, JMI recently commissioned a poll of Florida residents which asked, among other things, whether Floridians believe our colleges and universities are doing a better job of promoting "intellectual diversity and free thought" than schools in other states.

The survey results were, in a word, mixed.

Twenty-eight percent said Florida universities are doing a better job, 23 percent said worse, and the rest said either "about the same" (33 percent) or "not sure" (16 percent).

What should we make of these poll results, especially in view of FSU's #3 ranking?

For starters, Florida leaders need to do a better job of touting the successes of our university system in promoting free expression and viewpoint diversity. After all:

- In addition to FSU's #3 ranking, the University of South Florida (#17) and Florida International University (#35) placed among FIRE's highest-ranked schools;
- Like the three schools mentioned above, both the University of Florida and the University of North Florida currently hold a "green light" rating (FIRE's highest) for their official policies regarding campus speech; and
- Florida was the first state – more than five years ago! – in which every public university president signed a joint statement affirming the Sunshine State's commitment to campus free expression.

So, there's a lot for Florida education leaders to crow about.

At the same time, some of our state universities clearly need to do a better job of living up to their stated commitment to free speech. Specifically, the University of Central Florida placed in the bottom third of FIRE's rankings – #183 out of 251 – and five other Sunshine State universities (Florida A & M, Florida Atlantic, New College, West Florida, and Florida Gulf Coast) merely hold a middling "yellow light" rating from FIRE.

One way Florida policymakers could help our state schools "raise their game" would be to tie future "performance funding" (the bonuses universities earn for meeting certain metrics) to the results of the Florida Board of Governors' annual campus-specific surveys. These surveys are designed to assess how well our state schools are cultivating a climate that fosters free expression and constructive dialogue. And they are an important complement to FIRE's data (especially for smaller institutions, where FIRE's metrics are not very broad).

Sadly, in recent years, Florida's Faculty Union has sought to sabotage these anonymous surveys, fearful of what the results might show. They've encouraged students and instructors to refuse to participate in state assessments of campus culture.

If eligibility for future performance funding were to become conditional upon a university generating a useful percentage of completed surveys, there's reason to believe future boycotts would fail. And that Floridians would gain much more data to assess just how well our state universities (especially our smaller schools) are doing.

While policymakers ponder this performance funding proposal, all Floridians ought to celebrate FSU's #3 position in FIRE's latest rankings. No, it won't take all the sting out of a terribly disappointing football season. But Free Speech University has a much better ring to it than Free Shoes University.

Congrats, FSU.

William Mattox is the senior director of the J. Stanley Marshall Center for Education Freedom at The James Madison Institute.

Do Not Pass Go, Do Not Collect $200 – Rein in the Monopoly

Sal Nuzzo

When the 118th session of the U.S. Congress gaveled in, I testified on behalf of The James Madison Institute (JMI) at the first Senate hearing of the year, where the topic was the Taylor Swift ticketing meltdown and the Live Nation/Ticketmaster monopoly. A year later, I provided testimony to the U.S. House Committee on Energy and Commerce related to H.R. 3950, the TICKET Act, as a critical chance for impactful change in the ticketing ecosystem. The Department of Justice (DOJ) later sued Live Nation/Ticketmaster in May, with the backing of 40 Republican and Democrat state attorneys general, to bust up the monopoly. As the year comes to an end, Congress has an opportunity to gavel out of this session by passing a new

ticketing transparency and anti-deception law that will offer a real improvement to fans.

While each corner of the industry has its own preferred legislation, HR 3950 surprisingly earned the endorsement of almost all corners of the industry – artists, venues, consumer protection defenders, fan advocates, promoters, managers, producers, and ticketing companies. Appreciating that there are no opportunity guarantees for the next session, Congress should take this win now and score some points for millions of American consumers who are also fans of live events.

Ticketmaster controls the vast majority of the so-called "primary ticketing market", which handles the initial sale of the ticket. When one company controls so much of ticketing, it allows it to exert control over the supply of tickets, service fees on those tickets, and the exclusive contracts it has with venues that would like to work with artists that are promoted by Live Nation. It can also abuse technology purportedly intended to combat fraud to instead invalidate and otherwise make worthless tickets to Live Nation or Ticketmaster-ticketed events sold by its competitors like StubHub, Vivid Seats, Seat Geek, and Tick Pick.

As the company is under the greatest legal scrutiny in its existence, it has surprisingly continued some of its traditional blocking and tackling in state capitals to protect and even widen its impenetrable moat. The company has managed to thwart every proposal that would require ticket sellers to report suspected bot attacks to federal law enforcement, so the BOTS Act of 2016 can be more effectively enforced. Meanwhile, when its popular concerts appear to sell out in minutes or crash its site, the company blames its common scapegoats — ticket brokers and bots. But at the Senate Judiciary hearing where I testified alongside the Ticketmaster CEO, the company fell short of supporting requirements to say something if it sees something with regard to bots. And, with Ticketmaster being the largest ticketing company in the country, the BOTS Act will go on with meager enforcement as a result.

Ticketmaster also blocks any state legislation that would outlaw its secretive and deceptive ticket holdbacks scheme that misleads, confuses, and abuses fans every day. By holding back up to half the tickets to an event when tickets go on sale, the company can employ slow ticketing to create fake scarcity. This way, when fans get through its frustrating special access systems, if they see any tickets available at all they are more likely compelled to make the purchase, even if they cannot afford what's available. And if they are angry, they are encouraged to blame the same ticket broker and bot scapegoats. But if fake scarcity through deceptive ticket holdbacks is outlawed and inventory disclosures are required, fans could comparison shop and decide whether to buy now or wait based on knowing what percentage of tickets to the event have been sold and how many more will go on sale in the future.

Ticketmaster most certainly will not willingly allow any additional states beyond the current six to pass protections for the tickets fans purchase as their own property, to freely use, resell, or give away without any incumbrance from the prior or original

seller of that ticket. Tickets go on sale six to twelve months in advance these days. Life happens. If you can't make the game or show, you should be able to do what you want with your tickets, and polling shows 87% of fans agree. Purchasing a ticket should guarantee the purchaser the right to do what they please with it. Restricting transfer only benefits one company while undermining basic components of our economic system. While the popular sell-outs drive headlines, out of the tens of thousands of live events each year, data show that more than half offer lower cost comparable tickets on the secondary resale market compared to the box office or its primary ticketer. Last year alone this resulted in $440 million in savings for fans compared to the original cost of those tickets when sold by the venues or Ticketmaster.

In 2024, even as 40 state attorneys general and the U.S. Department of Justice filed a massive monopoly lawsuit against the company for its repeated misconduct, aiming to bust the company up into smaller and less abusive parts, Ticketmaster was still up to its self-preferencing shenanigans in state capitals.

In JMI's home state of Florida, the monopolist killed bicameral bills (H.R. 177 & S.B. 204) that would have allowed venues to choose a ticketing partner other than Ticketmaster when seeking to book a Live Nation touring artist (the company is accused of forcing a Ticketmaster bundle when venues see Live Nation tours). Ticketmaster also pushed legislation in California (S.B. 785) that would have disproportionately addressed the secondary ticket resale marketplace, potentially further empowering the Ticketmaster monopoly given its vast market share of ticketing in California. Selma City Councilmember Blanca Mendoza-Navarro and Parlier City Councilmember Diego Garza even co-wrote an op-ed reiterating this point, saying that the bill "will grow the Ticketmaster monopoly and make it even less affordable for our constituents to see their favorite teams and artists in person."

The company was active across many states this year, protecting its walled garden while pointing to bots and ticket brokers as the supposed problem for all things in ticketing. Several years ago, in a terrible move for consumer protection, Live Nation/Ticketmaster successfully worked in Trenton, New Jersey to roll-back a ticketing transparency law that banned venues, artists, and ticketing companies from secretly holding back more than five percent of tickets from the public in ways that created fake scarcity.

Recent action on HR 3950, The TICKET Act, shows that legislators agree that more needs to be done to protect fans of live events. The bill passed unanimously out of committee and then passed the full House of Representatives in a 388 to 24 bipartisan vote.

Introduced by Representatives Gus Bilirakis (R-FL) and Jan Schakowsky (D-IL), the TICKET Act would require simple and clear all-in pricing, so fans know what they are paying right from the jump. It will also ban deceptive, undisclosed, and speculative tickets where fans are purchasing the promise of a ticket but the seller doesn't actually have the tickets at the time of their offering. In the interest of transparency, such sales would be banned, though fans

will fortunately still have access to ticket procurement services that enable them to avoid the disarray of Ticketmaster's frenetic on-sales, which have seen tech issues, cancelations, and excruciating wait times. With these "pay now, procure and deliver later" services, fans can easily find a price that suits them along with a money-back guarantee.

Finally, the legislation includes refund guarantees if an event is canceled. This is another common sense and entirely pro-consumer provision in this non-controversial legislation.

The James Madison Institute expressed its support of the bipartisan House TICKET Act earlier this year. While the Senate passed its own slimmed-down version of the Ticket Act (S.1303), which is a price transparency proposal, the broad left-right support for its H.R.3950 companion hopefully will convince Committee and Party Leadership in the U.S. Senate to advance the Bilirakis-Schakowsky bill before the end of the year.

Both versions of the TICKET Act do good and helpful things for consumers in the market, though HR3950 offers greater transparency, enhanced protections, and less deception that, when combined, will be a terrific boost of improvement to the ticketing market for which the entire Congress can take credit in a bipartisan manner.

Sal Nuzzo is executive director of Consumers Defense.

How Education Choice is Helping My Family Achieve The American Dream

Hera Varmah

My journey is a testament to the power of school choice in achieving the American dream. I am one of 12 siblings born into an immigrant family from Liberia and the Caribbean. Thus far, my three elder brothers have completed their college journeys: one is a mechanical engineer at a Tampa-based firm, another is pursuing a medical degree, and the third is thriving as a chemical engineer at GE Healthcare in South Carolina. Our family's pursuit of education doesn't stop there—this year, six of my siblings are attending six different universities, with two more still in high school. After obtaining my bachelor's degree in food science and technology from Florida A&M University, I now work full-time in education policy,

dedicated to enabling other students to access the same life-changing opportunities that transformed my own family. Every one of us is well on our way to building fulfilling careers and forging successful lives. Without school choice, our story could have been very different.

My parents immigrated to the United States in search of better opportunities. As my siblings and I grew up, they worked tirelessly to provide us with the best education possible—one that aligned with our family's values and set us up for success in our adopted country. My parents believed that hard work, coupled with a strong moral foundation, makes education powerful. However, budgets were a challenge for our large family, and the local district schools were not the best fit for all of us. Simply put, our family's success would not have been possible without school choice.

Growing up with eleven siblings in one house was challenging, but we were determined. My parents instilled in us from an early age that odds are meant to be broken. Failure was not an option. This foundation ignited a fire within us to defy the odds. Thanks to the Florida tax-credit scholarship program, we found schools that met our unique learning needs and allowed our dreams to become reality. This scholarship provided opportunities for my siblings and me that simply would not have existed otherwise.

Without my parents' ability to choose the schools we attended, we would not be where we are today. Nine out of the twelve siblings benefited from the Florida tax-credit scholarship. So, when people say that school choice doesn't work, I simply point to my family.

School choice is not a complex concept; it represents a crucial opportunity that countless families need. My family exemplifies the potential that school choice can unlock. My mission is to ensure that my journey is not a rare anomaly but rather a daily occurrence in the lives of families across the nation.

The idea of families, even those with limited means, being able to choose the right education for their children may seem like an impossible dream to many. For me, it was a given, though I didn't always realize how fortunate my family was.

During my college years, I participated in the Future Leaders Fellowship with the American Federation for Children, which opened my eyes to many realities. The Future Leaders Fellowship Program brings together college students from across the country who have benefited from school choice programs. We share common experiences, often coming from diverse yet impoverished backgrounds, each having found the schools we needed to succeed thanks to school choice.

Through these conversations, I began to see how different my experiences were in Florida—where robust programs exist—compared to those in states that still limit choice. The sacrifices and trade-offs other families made were significant, but their love for their children drove them to do whatever it took to help them succeed. Learning these stories inspired me to work towards a better future for families like mine across America and helped me realize my calling in public policy.

My experience is not unique; many of

my fellow Future Leaders have discovered a similar commitment to making a difference. As college students and now graduates, we come from humble beginnings and have had the opportunity to engage with national leaders, legislators, and advocates. We understand our power and are prepared to embrace the future.

Actor Denzel Washington once said, "Don't just aspire to make a living; aspire to make a difference." Today, thanks to school choice, I don't just aspire to make a difference—I know I am making one.

Across the country, I have testified before state legislators, participated in panels, and spoken with families like mine about educational opportunities. Each state and community is unique, but one thing unites families from coast to coast: they want the best for their children. Unfortunately, too many families cannot fully realize this goal because they cannot afford to move to a school district that meets their needs or pay for private tuition. Just as my parents stopped at nothing to give my siblings and me a better education, I have dedicated my career to doing the same for families across the country, ensuring their hopes and dreams do not depend on luck or family circumstances.

In conclusion, my family's journey is a testament to the transformational impact of school choice. It serves as a beacon of hope for families striving for a better future. School choice has opened doors and empowered us to reach our fullest potential.

Hera Varmah is an External Relations Associate with the American Federation for Children (AFC). Based now in Tallahassee, Hera frequently participates in JMI education policy events and activities. This article is adapted from testimony Hera gave before the Ways and Means Committee of the U.S. House of Representatives.

Fraud, Scams, and the Case for Accountability in Third-Party Payment Platforms

Doug Wheeler

How are you paying for lunch with friends, a haircut, or even the landscaper or plumber to manage household necessities? In today's digital landscape, consumers have moved away from cash transactions to electronic payment methods such as credit cards and third-party payment platforms like Zelle, Venmo, and Cash App. The convenience of being able to reimburse friends for lunch has advanced to allow for ease of use for consumers, allowing them to send funds with just a few taps on their phones safely and quickly while minimizing the need to carry cash. The transaction speed of these payment platforms has made them popular among consumers. However, as their demand and use has surged, so have incidents

of fraud and scams, prompting discussions about legislation and regulation that threaten the ability of providers to offer these services for free to consumers and threaten to up-end the efficiency of the payment model.

Distinguishing Fraud from Scams

According to Federal Trade Commission data,[1] in 2023 consumers reported losing $210 million to fraudsters on payment apps, an increase of 62% from 2021. It is paramount to differentiate between an incident of fraud and being scammed. Fraud typically involves deception where one party unlawfully gains something of value, often through false representation or unauthorized access. For example, this can include common cases of unauthorized persons opening accounts or credit cards under someone else's name. In contrast, being scammed often entails victims willingly engaging in a transaction they believe is legitimate, but being misled about the nature of the deal.

Con artists have evolved to become very effective at posing as legitimate businesses offering a variety of products and services. Phishing scams involve bad actors impersonating legitimate companies or banks to obtain personal information, sometimes through emails warning the reader that their account passwords have been compromised, and other times by convincing consumers to share credentials to verify fictitious transactions. These fake marketplace transactions commonly utilize several factors: One is asking a customer to verify their account by providing their social security number. (A bank will never call to request SSNs as the bank already has that customer information on file when they opened a bank account or credit card). Another is to ask customers to move their funds into a "temporary" or new account to ensure the customer has access to their funds.

Imposter scams may also involve posing as family members or friends in distress and in urgent need of funds, a very common tactic that puts elderly family members at risk of falling for payment scams.

It is also important to note that victims of scams are often prompted to take several built-in "protection" steps[2] to confirm the transaction, such as communicating with the seller or verifying their identity, prior to transferring funds — which only complicates the narrative around who is ultimately responsible in scam cases – the victim or the scammer. Scammers have exploited protections consumers have come to trust, such as two-factor authentication, user-education resources and tips, and fraud monitoring that flags suspicious or unusual transactions and purchasing patterns. So, while platforms like Zelle facilitate these user-generated transactions and protections, unwary users can be vulnerable if they fail to recognize the warning signs that it is a scammer using these "protections" – and they are not being offered by a legitimate platform. It is important for consumers to fully understand the relationship they have with the recipient of the funds.

Let us not forget that fraud and scams have always existed and will continue to exist, and that the source of these problems lies with the criminals perpetrating these scams. Stopping them requires increased law enforcement resources, increased

penalties for when they are caught, improved consumer education, and stronger identification protections to prevent criminals from spoofing users' identities.

Government Efforts for Accountability

In response to the rise in incidents of fraud and scams, government agencies are increasingly looking at how to hold third-party payment platforms more accountable. Initiatives include potential regulations that would require these companies to enhance security measures and fully reimburse consumers for *all* suspected scam transactions.

While regulations may seem like a necessary response, they raise important questions about the balance between consumer protection and the operational viability of these platforms. Stricter regulations could lead to increased compliance costs for companies, which may ultimately be passed on to users as higher transaction fees. This could deter individuals from using these platforms, potentially pushing them back toward less convenient, potentially less secure, and slower methods of payment.

Education Over Regulation

Rather than leaning heavily on regulation, a more effective approach might emphasize more consumer education.[3] Users need to understand the nuances of digital transactions and the potential risks involved. Enhanced educational initiatives could help users identify the red flags associated with scams and make informed decisions *before* sending money.

For instance, platforms like Zelle implemented pop-ups asking consumers to pause and verify the recipient of their funds is recognized before a consumer transfers funds to a new user, highlighting common scams and safe practices. Regular updates and tips would also keep users informed about new and emerging threats. By fostering a culture of awareness, the platforms can continue to empower users to protect themselves more effectively, potentially reducing the number of scam victims without the need for costly and cumbersome regulations.

Consequences of Increased Regulation

The potential consequences of increased government regulation extend beyond higher costs. Stricter rules might also suppress innovation, making it harder for companies to adapt to changing market demands or to integrate new technologies that enhance user experience and security. Furthermore, overly stringent regulations could lead to reduced competition, as smaller players may struggle to comply, ultimately limiting consumer choice.

Ironically, the very essence of third-party payment platforms is their ease of use and immediacy. Adding layers of regulatory compliance could complicate the user experience, resulting in platforms that are less intuitive and user-friendly. Additional regulation may cause these platforms to implement fees for the service to cover the cost of scams while scams unintendingly rise. Picture this: if a scammer knows the initiator of the funds transfer will be reimbursed for complaining of a scam, and the recipient of the scam receives the money (leaving both

sides of the scam fully reimbursed) regulation may incentivize scammers to increase their hustle.

In conclusion, as third-party payment platforms like Zelle and Venmo continue to grow in popularity, the conversation around fraud, scams, and accountability will

undoubtedly intensify. Predictably, the track record of government regulation in innovation and free markets suggests that oversight often leads to more harm than good. With agencies frequently lagging years behind industry trends, their "expert" input is often outdated before it even hits the paper. Instead of fostering a thriving ecosystem of diverse payment options, regulation typically leads to a homogenized market, where innovation is sacrificed at the altar of red tape. So, perhaps it's best to let the market breathe and evolve without the heavy hand of government interference.

While government regulation may play a role, prioritizing consumer education could prove to be a more effective and sustainable solution. By continuing to empower users with knowledge and resources, these platforms can continue offering their valuable services while minimizing the risks associated with fraudulent digital transactions.

Doug Wheeler serves as the Director of the George Gibbs Center for Economic Prosperity at The James Madison Institute.

ENDNOTES

1 Tableau Public - Fraud Reports - By Federal Trade Commission: https://public.tableau.com/app/profile/federal.trade.commission/viz/FraudReports/FraudFacts

2 Zelle - How to use Zelle® safely: https://www.zellepay.com/safety-education/use-zelle-safely

3 Zelle - Understanding Scams: https://www.zellepay.com/safety-education/understanding-scams

Florida Continues to Lead the Nation on Labor Reform and Worker Freedom

Tony Daunt

Under the leadership of Governor Ron DeSantis and the State Legislature, Florida continues to lead the nation in protecting and enhancing worker freedom. Over the past few years, Florida has enacted several labor reform measures that have put workers first. It has given them more control over their own paychecks and safeguarded their freedom – especially regarding union membership and corresponding dues.

In 2023, Gov. DeSantis led the effort on a transparency bill (SB 256), otherwise known as the Teachers' Bill of Rights. Our organization, Workers for Opportunity, was proud to help support this legislation through testimony before the Florida Legislature, newspaper essays helping explain the legislation and other advocacy efforts. We also utilized educational materials provided by The James Madison Institute. Thankfully the legislation passed and was signed

into law. Our organization was proud to be at the bill signing with Gov. DeSantis and many other policymakers.

This landmark law improves how public employers collect union dues. It also gives workers more freedom to join or leave a union, increases union transparency and strengthens requirements for recertification elections.

The Teachers' Bill of Rights ended automatic payroll deductions for union dues. Union members now will pay their dues directly, just like they would do for a Costco or Netflix membership. The law also requires unions to notify members annually of the cost of membership. Additionally, it allows for public employees to join or leave a union at any time. This gives teachers flexibility and empowers them to make decisions on their own timelines about union membership. Greater transparency lets teachers know the full cost of union membership each year and informs them of their rights regarding whether or not they want to join and pay a union. In doing so, it gives teachers more control over their hard-earned paycheck.

The law increased the threshold for triggering union rectification elections from 50% to 60% for teachers and expanded this right to most other Florida public employees. Our organization strongly supports improved union democracy where Florida teachers are empowered to chart their own path. Requiring more transparency from the unions that have the privilege of representing teachers and other public employees helps hold them more accountable to those they are representing. It makes it more likely they will stay in touch with the values of workers.

The Florida Public Employee Relations Commission (PERC) implemented this new law well, and it should be applauded for implementing the law as it was intended. All public workers in Florida now have a say regarding their union representation. PERC clarified this year that the membership ratios for the 60% threshold would be calculated with a snapshot so no games can be played. This ensures that PERC will have a true representation of union membership that will protect workers' right to a fair union election. If union membership falls below 60% – whenever recertification is up for renewal – there is a snapshot review so there is an accurate counting of union membership.

We are grateful to our partners, including The James Madison Institute, and were happy to see that the Workers for Opportunity's model reforms were implemented in Florida. Together, we have helped give public employees more control over their paychecks and union representation. We stand ready to help in the future as Florida seeks to continue being one of the freest and worker-friendly states in the nation. In today's economy, states are competing, and Florida's good work means that other states will soon implement similar reforms to stay competitive.

Workers having greater say over their pay and greater freedom with their union membership – brought about by enhanced union democracy — is great and something to be celebrated.

Tony Daunt serves as senior director of Workers for Opportunity, an initiative of the Mackinac Center for Public Policy.

Averting a Deadly Crisis While Restoring Climate Stability

Hugh Ross, PhD

Debate over climate change continues to rage among political leaders around the globe. Conflicting data and competing claims have been fueling the controversy, and needlessly so. Initial research overlooked one simple fact: temperature measurements are complicated by significant disparities in Earth's surface features.

As anyone who has lived or gone hiking at high altitude knows, temperature and temperature variability correlate closely with elevation above sea level. Temperature tends to drop—and to grow less stable—with increasing altitude as both air pressure and atmospheric moisture decline. Also, differences in the color and texture of ground cover impacts the degree to which

sunlight is absorbed into the ground or reflected away. The difference in rate of reflection ranges from as low as 5% to as high as 60%.

New Temperature Reconstruction Record

To eliminate these sources of confusion about the history of Earth's global mean temperature, a team of seven geologists, climatologists, and atmospheric physicists, led by Matthew Osman, focused solely on marine surface temperature measurements. They used temperature data from marine stations around the globe located 100 kilometers or more from any landmasses to assemble the world's largest (to date) database of marine temperature proxy measurements.[1]

Thanks to Osman's team, researchers can now see a detailed record of the global mean surface temperature all the way back to the last glacial maximum 24,000 years ago. This record, which revealed some amazing surprises, is shown in the figure below. It shows that beginning about 9,000 years ago, Earth's global mean surface temperature stabilized to a remarkable degree. Over this time period, it varied by only ±0.15°C, four times more stable than any previous studies had indicated.

Throughout nearly all of Earth's history, climate instability has been the norm, all the more so since the beginning of the ice age cycle some 2.58 million years ago. The extreme climate stability observed over the past 9,000 years is unprecedented. Without doubt it contributed significantly to humanity's ability to launch the neolithic revolution and sustain it all the way to the development of a high-technology, large-population civilization.

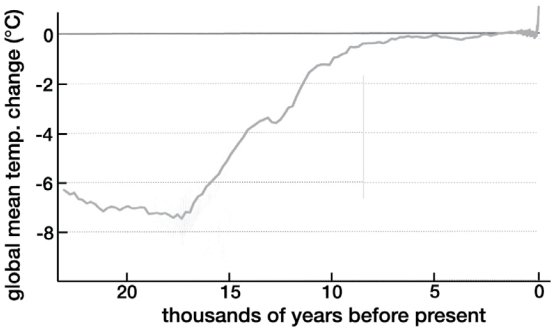

FIGURE 1: GLOBAL MEAN SURFACE TEMPERATURE OVER THE PAST 24,000 YEARS

The y-axis zero point in both diagrams is the average global mean surface temperature from 1000–1850 AD

Adapted from figure 2 of Osman et al., Nature 599 (2021): 241 and from figure 1 of Marcott and Shakun, Nature 599 (2021): 208.

The global mean climate remained even more extremely stable between 900 to 1900 AD. The following figure reveals just how stable it remained. During this millennium, the global mean temperature varied by no more than ±0.06°C! Such remarkable stability correlates with a period of phenomenal advances in human civilization and technology. It also indicates that the Medieval Warm Period and the Little Ice Age were local events, limited to the European continental landmasses.

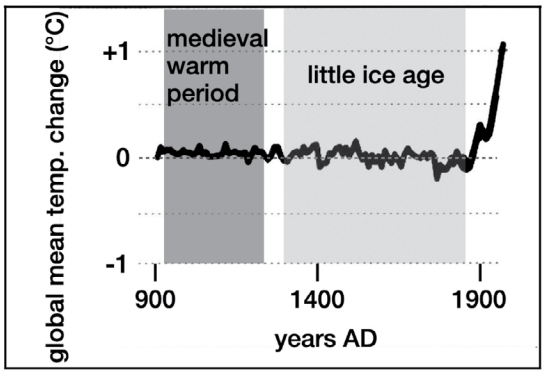

FIGURE 2: GLOBAL MARINE SURFACE TEMPERATURE 900 AD TO PRESENT

Adapted from figure 2 of Osman et al., Nature 599 (2021): 241, and from figure 1 of Marcott and Shakun, Nature 599 (2021): 208

Evidence of Recent Global Warming

The previous figure removes doubt about the reality of the past century's increase in global mean temperature, which is now 1.10°C above the pre-industrial mean temperature. Because this warming has been steady rather than dramatically variable, our technology and economy have barely noticed. However, research teams around the world are all but unanimous in pointing out that another 1°C increase in the global mean temperature will prove deleterious to the economic vitality of every nation on the planet.

Nearly all climatology research teams have pointed to atmospheric greenhouse gases as the primary contributor to this warming. These gases include methane, nitrous oxides, chlorofluorocarbons, hydrofluorocarbons, and carbon dioxide. Carbon dioxide is the dominant component. Since 1800, Earth's atmospheric carbon dioxide level has risen from 275 parts per million to 423 parts per million.[2]

Looming Health and Economic Crises

At 400 parts per million in Earth's atmosphere, carbon dioxide begins to hinder the respiration of humans and terrestrial animals. At 900 parts per million, the hindrance becomes severe.

Aquatic animals stand to suffer even more than terrestrial animals. Already, atmospheric carbon dioxide is acidifying Earth's oceans, lakes, and rivers.[3] Fish stocks drop noticeably when atmospheric carbon dioxide surpasses 500 parts per million. At 600 parts per million, several economically valuable fish stocks become severely affected. At 950 parts per million, the declines end in extinctions. Many species of marine corals, echinoderms, mollusks, crustaceans, and fish will disappear from the earth if atmospheric carbon dioxide levels attain that level.

Regardless of what one thinks about links between greenhouse gases and global warming, it is critical for the sake of human and animal life that atmospheric carbon dioxide be prevented from rising much above its present level. According to an abundance of scientific literature, the maximum allowable level for avoidance of medical and economic crises is likely no greater than about 500 parts per million. At the same time, however, a more specific and destructive crisis looms.

Imminent Health Crisis

By far, the most damaging—and yet preventable—health crisis has been brought on by particulate air pollution. Today, this foe is already ravaging most of the Asian continent. According to recent satellite data, India, now the world's most populous nation, ranks highest (worst) in particulate air pollution, and India's capital, Delhi, with a metropolitan population of over 29,000,000, is suffering, literally, to death.[4]

Since 1998, an array of satellites has been tracking particulate global air pollution levels. From 1998 to 2021, the average increase in such pollution over India, alone, measured 67.7%. Between 2013 and 2021, India was responsible for 59.1% of the global increase in particulate air pollution.

Can this alarming trend, which now extends far beyond Delhi, India, be checked or even reversed? Clearly, it can be, and in a way that holds the potential to enhance, rather than cripple, the global economy. First, though, the scope of the challenge must be made clear.

Pollutants Identified

Researchers with the World Health Organization (WHO) have identified two categories of particulate pollution: inhalable particles between 2.5 and 10 micrometers in diameter, and inhalable particles less than 2.5 micrometers in diameter. The latter type, referred to as PM2.5, proves most damaging to health. Both types of particulate air pollution are comprised of black carbon soot, mineral dust, sulfates, nitrates, ammonia, and sodium chloride (salt).

In 2021, PM2.5 air pollution over India averaged 58.7 micrograms per cubic meter ($\mu g/m^3$), an increase of 4.4% over the previous year. The measure in that same year for Delhi reached 126.5 $\mu g/m^3$, an increase of 18.2% and a level that exceeds by more than 25 times what the World Health Organization considers the maximum tolerable level for humans (5 $\mu g/m^3$). Meanwhile, ground-based instruments indicate that the city of Darbhanga in northeast India may have had an even higher PM2.5 level that year, as much as 35 times the WHO limit.[5]

Right behind India in dangerously high levels of PM2.5 pollution are eastern China and virtually all other nations of Southeast Asia. In China, PM2.5 air pollution takes 2.5 years off the life expectancy of the average resident and even more from those living in the largest cities.[6] In Bangladesh, Nepal, and Pakistan, the effect of PM2.5 is worse yet, shortening average life expectancy by five years.[7] The average decrease in life expectancy attributable to particulate pollution across all of Asia amounts to 3.3 years.[8]

Other Health Consequences

Anyone who has warmed up near an open fire that's billowing smoke has experienced the respiratory distress that comes from inhaling carbon particulates. When the fire starts to irritate lungs and nasal passages, people instinctively back away. Only in an open area is backing away an option. Elsewhere, it is not.

Inhalable particulates from a campfire or other open fire tend to be larger than 2.5 micrometers, typically closer to 10 micrometers in diameter. Even these larger particles can penetrate deep into lungs and, from there, into the bloodstream, potentially harming one's health. However, the

smaller PM2.5 particles pose the greatest health risks: decreased lung function, fibrosis, aggravated asthma, COPD, irregular heartbeat, heart attacks, lung cancer, and premature death in people with heart or lung disease.[9] Children and older adults are at the greatest risk from exposure.

What's worse, the PM2.5 pollution in India shows elevated levels of arsenic, tin, and lead.[10] Long-term exposure to these elements is known to cause cancer and organ failure. By all indications, this pollution is a slow, stealthy killer.

Impact on Life Expectancy in India

For India as a whole, PM2.5 air pollution shortens residents' life expectancy by 5.3 years.[11] According to the latest Quality of Life Index, the average person living in the vicinity of Delhi would live 11.9 years longer if the PM2.5 level there were reduced to 5 $\mu g/m^3$ or less.[12]

India's northern plains dwellers, 546 million people who constitute 39% of India's total population, are currently on track to lose 8 years of life expectancy due to PM2.5 air pollution.[13] Clearly, exposure to PM2.5 air pollution ranks as the greatest threat to life expectancy in India, ahead of cardiovascular diseases, high systolic blood pressure, and tobacco—all of which have received serious attention in recent years. All the while, however, particulate pollution has continued to increase.

Environmental Damage

In addition to its damaging effects on human health and life expectancy, PM2.5 severely reduces atmospheric visibility (see figures below) and increases the acidity of lakes, streams, estuaries, seas, and oceans. In addition, it melts snow and ice, significantly contributing to global warming by decreasing the reflectivity of Earth's surface. The deposition of black carbon particulates from power plants in southern and eastern Asia via wind flow patterns onto the snow and ice in northern Canada explains why Canada is warming faster than any other nation in the world. Additionally, PM2.5 depletes soil nutrients and damages vegetation, including food crops, fruit trees, and forests. It even degrades buildings, bridges, monuments, and statues.

FIGURE 3: LOW VISIBILITY DUE TO PM2.5 AT THE NEW DELHI RAILWAY STATION

Note that the railway building a half of a kilometer away is nearly invisible.

Sumita Roy Dutta, Creative Commons Attribution

FIGURE 4: AIR POLLUTION IN NEW DELHI SIGNIFICANTLY BLOCKS SUNLIGHT
Sumitmpsd, Creative Commons Attribution

Proposal for Potential Remediation

Nearly all of India's PM2.5 air pollution comes from the burning of coal (the major contributor), wood, biomass, diesel, oil, and gasoline.[14] Replacing these fuel sources with natural gas would eliminate the majority of India's PM2.5 pollution, leaving only the small contribution from dusty roads and construction. This replacement would offer the added benefit of immediately reducing India's carbon greenhouse gas emissions by nearly half.

To ban the burning of *all* fossil fuels would represent an enormous mistake, endangering not only life and health but the environment and economy as well. Natural gas, or methane (CH_4), is a "clean" fuel, one that releases no particulates into the atmosphere as it burns. The end products of its burning are water vapor and carbon dioxide. Although both water vapor and carbon dioxide are greenhouse gases, only carbon dioxide would contribute significantly to global warming. Most of the water vapor would simply condense as rain, dew, mist, snow, hail, or frost.

In North America, natural gas is a more economical source of fuel than coal, wood, diesel, oil, and gasoline. For this reason, natural gas is used widely for heating as well as for generating electricity. When truck and car engines are converted to run on natural gas, the fuel cost for these vehicles is cut in half. For most North Americans and Western Europeans, exposure to PM2.5 air pollution poses no significant health risk.

By switching from coal to natural gas to generate heat and electricity, Canada, the United States, and western Europe experienced a more dramatic drop in greenhouse gas emissions than did all other nations of the world. In fact, these Western nations stand alone, globally, in cutting greenhouse gas emissions.

Barriers to Potential Remediation

Natural gas is abundant and accessible in North America and, thus, relatively inexpensive to obtain. The North American supply is of such a quantity that if it were made available it would eliminate the world's dependency on coal, wood, diesel, oil, and gasoline fuels—and for less than these nations/regions currently spend for fuel.

To make this resource available to the rest of the world, it would require that North America scale up its capacity to export liquefied natural gas. When gas is cooled to liquid form, it can be easily and safely stored and transported. Liquefied natural gas takes

up only 1/600th the volume of natural gas at standard temperature and pressure. A large tanker ship can transport the equivalent of 162 million cubic meters of natural gas to any port in the world.

However, on January 26, 2024, the executive branch of the U.S. government decided to delay construction of new liquefied natural gas terminals—and any consideration of such construction. The stated rationale for this decision: to cut greenhouse gas emissions. Ironically, the decision leads to the opposite. In effect, it leaves India, China, and Southeast Asia with no option but to continue their dependence on coal, wood, diesel, oil, and gasoline.

This refusal to supply Asian nations with a more affordable fuel source proves crippling to their economies. At the same time, it hinders ours by cutting off a major source of export income. Worse by far, it perpetuates the ill health and untimely death of over a billion human beings. For humanitarian reasons, alone, we have a responsibility to act—and to do so immediately, not later.

Limitations of Wind and Solar Power Generation

The goal of eliminating all greenhouse gas emissions through the development of wind, water, and solar power generation is laudable. This goal, however, will take considerable time to achieve—an estimated two decades, at least.

Meanwhile, to say that wind, water, and solar power generation have little or no environmental and economic consequences is patently false. Ecosystems are negatively impacted. The availability of needed agricultural land is reduced. And, by contrast with hydropower, electricity generation from wind and solar is undependable because wind and sunshine are highly variable.

The construction and maintenance of wind power generators is expensive, and to date, the implementation of solar power to generate electricity has required generous government subsidies at taxpayers' expense. The recycling of no-longer-functional solar panels remains a problem without an available solution at present.

Although these issues and others may be solved eventually, developing and implementing solutions will require time. Even over the long term, it remains to be determined whether wind and solar generators can adequately meet all the world's energy needs.

In the short term, natural gas can be used to supplement power generation by wind, water, and solar, and, at the same time, to dramatically lower greenhouse gas emissions. Then, within the next decade or two, thorium nuclear reactors could be developed to deliver power more cheaply, abundantly, and safely than any other energy source, greatly reducing and possibly eliminating dependence on fossil fuels.

Thorium Nuclear Power Generation

Not only are the governments of the West wrongheaded in their attempt to ban all fossil fuels, they are also unwise in banning all nuclear power generation options. The strong public reaction against nuclear power generation is justifiable in the context of uranium-based reactors, but their

inherent dangers do not apply to thorium reactors.

Thorium nuclear reactors pose no meltdown risks. Furthermore, the manufacture of nuclear weapons from the operation of thorium nuclear plants is not an issue, given that nearly everyone involved in attempting such manufacture would be killed in the process.

Compared to uranium nuclear reactors, thorium reactors generate a thousand times less radioactive waste. Further, while uranium reactors' waste remains dangerous for 50,000 years, the waste from thorium reactors remains dangerous for no more than about 200 years. Workers mining thorium or managing thorium reactors need no special protective clothing and are at no greater risk of radiation exposure than the rest of the human population.

Thorium is three times as abundant in Earth's crust as uranium. Per ton, it is much cheaper to mine and process. One ton of thorium yields the energy equivalent of 200 tons of uranium or 3,500,000 tons of coal. Earth holds enough thorium to provide 100% of humanity's foreseeable energy needs for at least the next thousand years.

Nuclear fusion power generation represents an attempt to copy the physics of the Sun's furnace, fusing hydrogen into helium or, more realistically, deuterium into tritium to generate electricity. However, after spending billions of dollars and millions of research hours, nuclear fusion research teams have yet to find an economically feasible way to generate usable electricity from nuclear fusion reactors.

Meanwhile, thorium nuclear power generation is a proven technology, known since the 1960s (see figure below). The primary challenge to the use of thorium reactors to supply humanity's energy needs is to determine what size reactor delivers the most energy for the least construction cost. Realistically, thorium nuclear reactors could provide nearly all the energy needs of humanity within the next 12–15 years if allowed to go forward. As realistically the cheapest source of electricity by far, they would be the biggest boost to world economy.

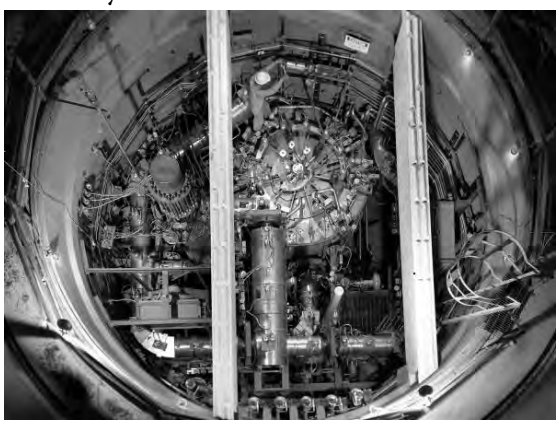

FIGURE 5: THORIUM NUCLEAR REACTOR AT OAK RIDGE NATIONAL LABORATORY (OAK RIDGE, TN)
Oak Ridge National Laboratory

A Way Forward

A strategic plan to develop use of natural gas first and thorium nuclear power second would seem the fastest and most effective way to mitigate global warming, address a human health crisis, stabilize the global climate, and prevent a global environmental catastrophe. Such a plan requires no punitive laws or tax increases. It demands no long-term or far-reaching economic sacrifices. By contrast, it promises to boost the

economies of all nations.

It requires only that politicians prioritize the greater good, popular or not, supporting rather than blocking fulfillment of a viable plan for the good of all people, all ecosystems, and all countries. We know the way forward. We know the necessary steps toward alleviating the Asian health crisis, averting other global crises, and enhancing the health and well-being of all people and animals. Let nothing stand in the way.

Hugh Ross, PhD is a founder, president and senior scholar at Reasons to Believe.

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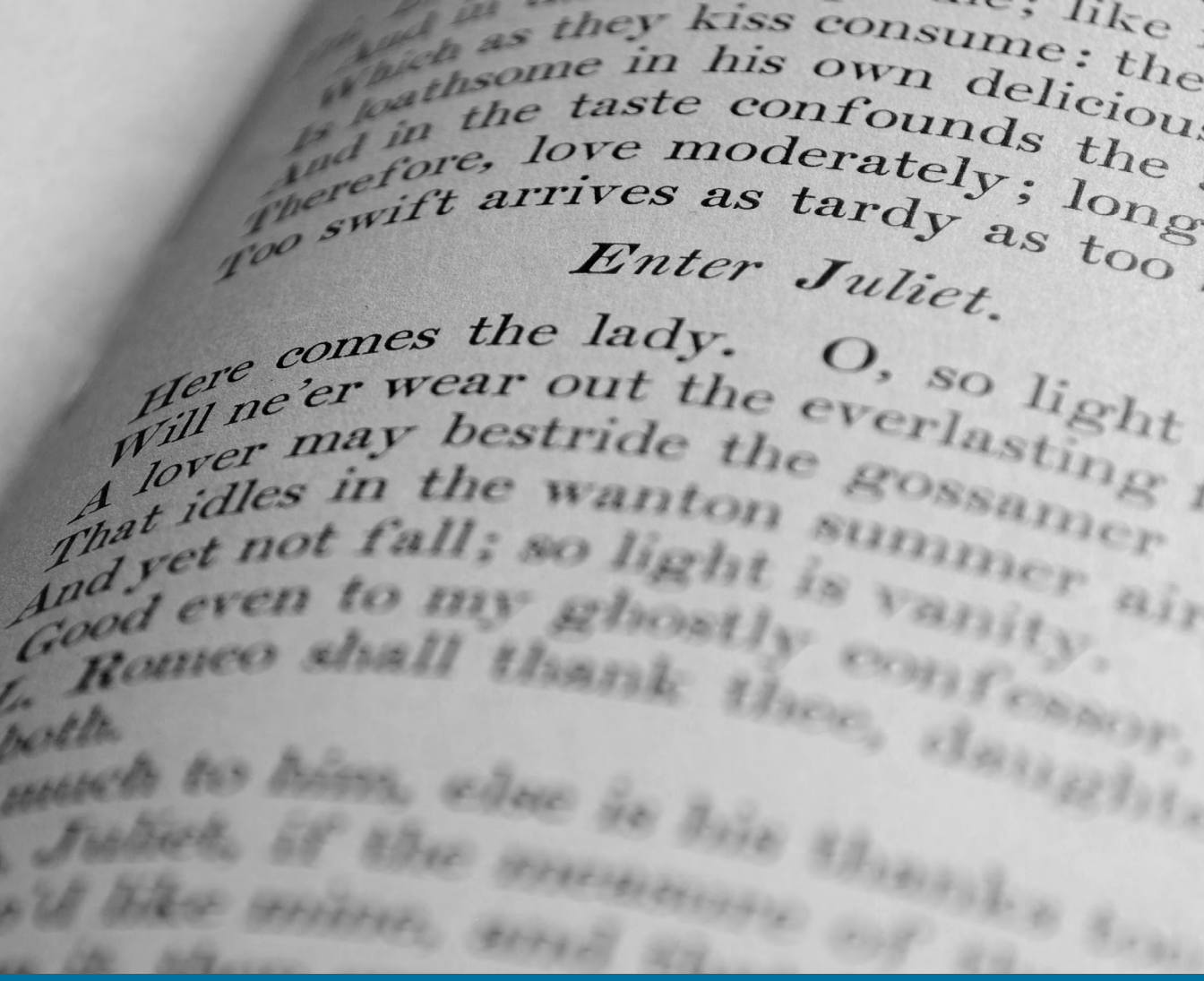

Wherefore art thou, Genevieve? (She's directing the Homeschool Shakespeare Club)

Roger Mooney

Drywall is piled three feet high in the attic of Emily and Alan Lemmon's home in Tallahassee. It was placed there a few years ago, intended for walls as the couple finished the top floor.

But these days the stack serves a different purpose. Surrounded by white sheets used as backdrops and placed directly under nine flood lights attached to the rafters, it's the stage used by the Tallahassee Homeschool Shakespeare Club, founded by the Lemmons' oldest child, Genevieve.

"I have a house full of kids, about 25 of them, practicing their Shakespeare lines,"

Emily said.

Four of those kids live there – Genevieve, 14, and her siblings Chiara, 12, Dominic, 10, and Declan, 5. The middle two have roles in the yearly Shakespeare plays directed by Genevieve. Declan works as a stagehand, though he might soon earn a part on stage, possibly as the mischievous imp Puck from "A Midsummer Night's Dream," which according to his oldest sister is a role he was born to play.

Genevieve began the club when she was 11 after watching Tallahassee's Southern Shakespeare Company perform "Twelfth Night."

"That kind of lit a fuse," Genevieve said.

She recruited 10 of her homeschooled friends to act out three scenes from "Twelfth Night," and soon her home was Tallahassee-upon-Avon. Alan was building sets, Genevieve was sewing costumes with her grandmother, and everyone was reciting William Shakespeare.

How do you get an 11-year-old hooked on the works of The Bard?

"We don't own a TV," Emily said.

And every room in the house is lined with bookcases stuffed with books.

The backyard leads to wetlands explored by the children as they satisfy their curiosity about anything that grows, crawls, swims, and flies.

Emily and Alan are both professors at nearby Florida State University, and this is what they envisioned when they decided to homeschool their children. Emily was homeschooled and thrived in that education setting. She wanted the same for her children because she liked the freedom of customizing the curriculum to each child's needs and interests.

Genevieve Lemmon is the founder and director of the Tallahassee Homeschool Shakespeare Club.

"I like the way that homeschooling gives you more family time," Emily said. "It helps build a really close-knit family, and parents can have more influence on the formation of their kids. I also thought my husband and I could do a better job educating them than a lot of schools because we can give them one-on-one attention."

Last school year, the Lemmons qualified for the Personal Education Program (PEP) that comes with the Florida Tax Credit Scholarship (FTC), managed by Step Up For Students.

That was the first school year homeschooled families were eligible for PEP. The scholarship is an Education Savings Account (ESA) for students who are not

From top to bottom: Genevieve, Chiara, Dominic and Declan.

enrolled full-time in a public or private school. This allows parents to tailor their children's education by allowing them to spend their scholarship funds on various approved, education-related expenses.

For the Lemmon kids, that's a heavy dose of music lessons. They are all taking lessons in piano and a string instrument. All are members of the Tallahassee Homeschool String Orchestra, while Genevieve and Chiara are also members of the Tallahassee Youth Orchestra.

All PEP students are required to take a yearly, state-approved, norm-referenced test. The Lemmons take the Classic Learning Test.

PEP helps pay for curriculum, school supplies, books, summer camps, and music lessons.

"We're trying to expose them to lots of different fields because they're trying to figure out what they're most interested in," Emily said.

Chiara's interests lean toward the sciences. She's also developing an interest in farming and is now raising 17 young chickens in hopes of beginning her neighborhood egg business. She'll call it Chiara's Cheeky Chicks or Chiara's Cluckers.

Chiara is also scheduled to take a farming internship this year.

Genevieve is mechanically inclined. She can take apart and reassemble a bicycle. She once disassembled a door in the family's van and fixed what was rattling.

"She might have the makings of an architect or an engineer," Emily said.

Or a Shakespearean scholar.

Genevieve took an online course this summer on "The Merchant of Venice," taught by a Shakespearean author.

Her favorite plays are "Twelfth Night" and "King Lear." When asked for her favorite Shakespearean line, she answered with the back-and-forth between Beatrice and Benedick in "Much Ado About Nothing."

The Lemmons don't own a TV and the kids don't have iPhones, because Emily and Alan don't want their children spending time staring at screens. They'd rather their children read books and explore the outdoors to stimulate their minds.

"So, you asked why an 11-year-old got interested in Shakespeare, it's because her brain wasn't supersaturated with flashing lights and exciting noises and materialistic commercials. And she was quiet enough to be able to focus on what Shakespeare

meant," Emily said.

Directing has been a learning process for Genevieve. Mostly, she's learned how to lead a cast. Along the way, she learned she could help shy or introverted cast members develop confidence by giving them bigger parts.

"I give them harder parts and they rise to the occasion each time," she said.

Genevive said it was hard at first getting other homeschool students interested in Shakespeare. She fixed that with post-rehearsal pizza and ice cream parties. The afterparties are now called Sugar Shakes.

For Christmas last year, Genevieve received a director's chair and a megaphone.

"It was pretty cheesy in the beginning," she said, "but now they know if they sit on my chair they're going to get in big trouble."

In four years, the Tallahassee Homeschool Shakespeare Club grew from the original 10 members to its current 25. All are homeschooled and all received PEP scholarships.

Genevieve said being homeschooled is the catalyst behind her love of Shakespeare.

"I just like how it gives me more flexibility and it gives me more time to pursue my interests," she said. "I think if I'd been in a (district) school system up to this point, I wouldn't have probably been exposed to Shakespeare and I wouldn't be directing plays now."

Roger Mooney is the manager of communications for Next Steps, the online blog of Step Up for Students, where this article first ran.

Victim-Offender Dialogue: A Victim-Centered Approach to Justice

Vittorio Nastasi

At its heart, the criminal justice system is a mechanism for protecting rights, sanctioning misconduct, and mitigating harm. The government, as the prosecutor, takes on the role of the aggrieved party on behalf of society. The aim is to uphold the rule of law, protect the interests of the public, and maintain order. However, in this process, victims are often relegated to a secondary position. As a consequence, victims often feel disconnected from the proceedings and decisions surrounding their cases. Their needs, concerns, and desires can be overshadowed by the government's pursuit of a conviction or resolution.

Over the last 40 years, states have pursued reforms that establish and protect victims' rights.[1] Broadly, victims in Florida have constitutional rights "to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal

proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused."[2] In practice, this means that victims are notified regarding court hearings and other developments in their cases. They are entitled to provide testimony during trial and to make a statement at the time of sentencing. Victims may also receive financial compensation through restitution payments or a victims compensation fund. However, many victims are left seeking more. Specifically, it is common for victims to want to speak with the person who harmed them—to express how the offender's conduct impacted their life and to directly hear the offender accept responsibility for their actions.

Victim-offender dialogue—sometimes referred to as restorative justice dialogue or victim-offender mediation—is a tool for addressing the needs, concerns, and desires of victims.[3]

So, what is victim-offender dialogue? Essentially, it is simply a conversation between victims and offenders. The process is non-adversarial, and all parties must be willing participants. There is extensive vetting prior to contact between victims and offenders to ensure that no additional harm occurs. Moreover, the process is initiated by victims, which means that victim-offender dialogue only occurs if the victim seeks it out. When they occur, victim-offender dialogues are mediated by trained and experienced facilitators. Victim-offender dialogue is not appropriate in all cases and is not a substitute for the traditional criminal justice system. It is just an additional tool to address needs that are not always met by criminal prosecution alone.

With some caveats, research evidence suggests that victim-offender dialogue can have positive impacts on victims' healing and may even have positive effects in preventing recidivism. For example, a recent review of research found that victim-offender dialogue programming may help reduce symptoms of post-traumatic stress among victims of crime.[4] This matters because victimization can be a highly traumatizing experience, and many victims report that they do not receive help dealing with this trauma through the criminal justice system.[5] Large majorities of crime victims prefer alternative accountability mechanisms over incarceration, according to a recent survey.[6]

Additional studies have reported high levels of satisfaction among both victims and offenders participating in victim-offender dialogue programs compared to those exposed solely to the traditional criminal justice system.[7] Offenders participating in victim-offender dialogue are less likely to reoffend, although some of these outcomes may be attributed to self-selection rather than the dialogue itself.[8] In other words, offenders who voluntarily participate and show remorse may already be at low risk for reoffending, so it is difficult to directly attribute lower rates of reoffending to their participation in victim-offender dialogue. Nevertheless, the primary objective of victim-offender dialogue is to address the harm experienced by victims, rather than solely focusing on reducing recidivism.

In light of these positive research findings, many states have embraced victim-offender dialogue. In 2020, Florida's Office of Program Policy Analysis and Government

Accountability (OPPAGA) released a report examining research evidence on victim-offender dialogue and its use across the country.[9] At least 37 states provide some statutory support for victim-offender dialogue or similar restorative justice practices.[10] Many of these states have programs that enable victim-offender dialogues within the adult criminal justice system. Other states, like Florida, have programming that is limited to the juvenile justice system. As the OPPAGA report noted, there is only limited statutory support for restorative justice in Florida, and the Florida Department of Corrections does not have any formal victim-offender dialogue programs for adults.

Despite a lack of statutory support and official programming, victim-offender dialogue is occurring in Florida. In pockets around the state, organizations like the Florida Restorative Justice Association are working with public officials and facilitating victim-offender dialogues. The informal nature of this work unfortunately means that many victims are unaware that victim-offender dialogue is an option in the state.

Florida has made great strides in establishing and protecting victims' rights, but too often, victims are still relegated to a secondary role as the state focuses on securing a conviction. Victim-offender dialogue aims to recenter victims within the criminal justice system and help them heal from the harm caused by crime. It is essential for Florida lawmakers to consider reforms that further enable the implementation of victim-offender dialogue throughout the state. Even relatively minor steps such as defining victim-offender dialogue in statute and ensuring that victims are aware of its availability would go a long way.

Vittorio Nastasi is the director of criminal justice policy at the Reason Foundation.

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Tech Innovation Critical to U.S. Strategic Interests

Asheesh Agarwal

Over the past decade, the world has entered a new era with cutting-edge technologies, such as artificial intelligence (AI), rising to prominence and revolutionizing industries from healthcare to military and defense. There are many benefits to be captured by the United States leading in the development of these technologies as they undergo further advancements. Taking the lead in technology development will significantly shape the future of our country on the global stage — influencing economic competitiveness, national security, and global leadership.

The global stage, historically led by the United States, is now witnessing the emergence of new challengers. Authoritarian nations, namely China and Russia, who are engaged in a "no limits" friendship, are increasingly engaging in cyberattacks targeting various sectors within the United States, including government entities, businesses and individuals. Of particular concern is China's concerted effort to establish itself as the global leader in technology by 2030, a goal it is aggressively pursuing through a three-part plan consisting of investing in its own tech capabilities, global hacking efforts, and intellectual property (IP) theft worth $500 billion annually.

Unfortunately, this plan, which poses a significant challenge to the United States'

longstanding position as a global leader, is paying off. An Australian study found that China is leading the United States in 37 of 44 critical and emerging technologies. This harrowing reality should urge the United States to act swiftly and decisively to enhance its domestic technology sector and safeguard its global leadership role so that the world is not dependent on technologies developed by the Chinese Communist Party (CCP) and its authoritarian values.

Florida leaders are sounding the alarm on the China tech threat and passing legislation to secure the state's physical and digital strategic assets, such as port cranes, from being exploited by the CCP.

China's $1.4 trillion investment to enhance in AI underscores the urgency of the situation. Because of its dual-use capabilities, leading in AI will become synonymous with military strength and national security. Ensuring that the most advanced technologies are developed by U.S. companies rather than those owned by China will secure our airwaves, critical infrastructure, network communications, and intelligence communities.

Additionally, AI alone is projected to add $14 trillion or more to the global economy over the next few years. Without the adoption of AI, businesses across the United States will face significant obstacles in their ability to innovate and reap these rewards.

These businesses, large and small, are the backbone of America's economy and have a lot to gain from technology and AI. A recent U.S. Chamber of Commerce report on the use of technology in small businesses found that Florida's small businesses have an average 75 percent growth in sales, profit, and workforce when they make greater use of tech in their businesses. Across the nation, cities are increasingly recognizing the pivotal role of small businesses in propelling emerging technologies. Notably, cities such as Miami, Tampa, and even New York are implementing legislative measures to bolster this innovation, acknowledging the significant local and global advantages of engaging in technological competition with China.

Florida's AI-pipeline, for example, needs support — not further regulation that would hamstring innovation — causing detrimental harm to the small businesses in Florida and across the nation. Additionally, the tech industry in Florida has a $85.5 billion impact on the economy. By fostering innovation and collaboration, these initiatives are playing a crucial role in reinforcing the nation's technological leadership and resilience, particularly in the face of increasing competition from global counterparts, notably China.

However, the need to invest in technology and innovation must go beyond the Sunshine State. AI is America's modern-day moonshot and elected officials in all levels of government must support the development of AI and let innovators do what they do best – innovate. Misguided legislation will not only hurt the U.S. economy and businesses, but also jeopardize the United States' ability to maintain its competitive edge against global adversaries, particularly China.

The stakes are high. We are at a critical juncture and must get this right.

Asheesh Agarwal is an advisor to the American Edge Project and an alumnus of both the Department of Justice and Federal Trade Commission.

Florida Policymakers Should Keep Alternative Tobacco Products Tax-Free

Adam Hoffer

Aspects of Florida's tobacco and nicotine regulatory regime stand as a model for the rest of the nation. Specifically, the state's tax structure creates a price differential between more harmful products (like traditional cigarettes) and less harmful alternative tobacco products (like vapor, nicotine pouches, and heat-not-burn products). However, opportunities exist for state policymakers to reform and improve the current system.

The Concept of Harm Reduction in Taxation

Harm reduction is a crucial aspect of sound tobacco and nicotine tax design. Rather than trying to preclude the negative health outcomes associated with certain behaviors via prohibition or excessive taxation, those health outcomes can instead be more practically improved by incentivizing consumption of less harmful alternatives. To that end, alternative tobacco products (ATPs) that are less harmful to consumers,

and less burdensome on public health, should be taxed proportionally less.

ATPs enable nicotine consumption with drastically reduced risk as compared to traditional combustible cigarettes. Innovative products like heat-not-burn tobacco products avoid combustion and smoke inhalation. Electronic nicotine delivery systems (ENDS) and oral nicotine products remove the more harmful chemicals in tobacco entirely. It is important to understand that, while nicotine is the addictive chemical in tobacco, nicotine itself is not carcinogenic.[1] It is the other chemicals in cigarettes and tobacco that cause cancer, which makes ATPs without those chemicals substantially less risky.

The FDA recognizes that some tobacco products can be relatively less harmful than cigarettes and grants modified risk tobacco product (MRTP) orders in those cases, and some states have already established a substantially lower tax rate applied to those MRTPs. These are excellent policies in theory but other actions, sometimes within the same federal agency or bills passed within the same state, undermine the potential for harm reduction.

Despite evidence that vaping is substantially safer than combustible cigarettes, the FDA has failed to authorize most e-cigarette and vaping products and almost no flavored products. The combination of inadequate FDA product authorization, state-implemented flavor bans, and a lack of enforcement of regulations in vaping markets has driven market share to illicit products. Illicit products often don't comply with any US safety or regulatory rules, resulting in products that are substantially more harmful to consumers.[2]

Failing to tax ATPs appropriately has significant health implications. Higher tax rates on ATPs disincentivize smokers to switch to less harmful alternatives. Most smokers try to quit, but very few successfully do so.[3] Having available a substantially less harmful source of nicotine enables more cessation of smoking traditional combustible cigarettes.[4] A tax hike on vaping from 35 percent to 95 percent in Minnesota, for example, was estimated to have prevented 32,400 people from quitting—and taxing e-cigarettes the same as traditional cigarettes nationwide would prevent more than 2.75 million people from successful cessation over 10 years.[5]

ATPs should be taxed in proportion to the harm they cause to encourage consumers to switch from combustible cigarettes to less harmful products. Previous research identified four primary factors to consider when trying to quantify the relative harm of a particular alternative tobacco product: harm caused, substitutability with combustible cigarettes, ease of mass consumption, and addictiveness.[6]

Harm from tobacco products falls on a continuum of risk from traditional combustible cigarettes being the most dangerous and no consumption of tobacco at all being the safest. Alternative products that are heated instead of burned are less risky than combustible cigarettes; modern oral nicotine products are even less harmful, and transdermal consumption of nicotine may be the safest. Less harmful alternatives should generally be taxed at a lower rate, all else being equal.

To better enable smoking cessation,

products that are more easily substituted for traditional cigarettes should also be taxed relatively less. The more difficulty a consumer would face trying to abuse an alternative tobacco product with mass consumption, the less that product should be taxed.

Finally, products should also be taxed in proportion to their addictiveness. Nicotine is inherently addictive, but some products may contain so little nicotine as to avoid a certain "addictive threshold." If an alternative tobacco product is less addictive or not addictive, it should then be taxed relatively less.

The Table below assigns alternative tobacco products to four different categories based on the previously described harm reduction criteria and describes a reduced tax rate for each category.

Assignment of Alternative Tobacco Products to Harm Reduction Categories

Category 1: 50 percent of the tax rate of combustible cigarettes (50 percent tax rate reduction)

1. **VLN cigarettes:** Just as harmful as combustible cigarettes, insufficient evidence of substitutability; easy to mass consume; possibly not addictive
2. **Loose tobacco:** Just as harmful as combustible cigarettes, insufficient evidence to date of substitutability; more difficult to mass consume; addictive

Category 2: 25 percent of the tax rate of combustible cigarettes (75 percent tax rate reduction)

3. **HTPs:** less harm, insufficient evidence to date of substitutability; easy to mass consume; addictive
4. **Moist tobacco:** less harm, insufficient evidence to date of substitutability; easy to mass consume; addictive

Category 3: 10 percent of the tax rate of combustible cigarettes (90 percent tax rate reduction)

5. **Vapor:** less harm, strong substitute; easy to consume; addictive
6. **Modern oral tobacco (including snuff, snus, and pouches):** much less harm, limited evidence of substitutability; easy to consume; addictive

Category 4: 0 percent of te tax rate of combustible cigarettes (100 percent tax rate reduction)

7. **NRT patches, gums, and lozenges:** little to no harm, mixed evidence of substitutability; easy to consume; addictive, but there is little evidence of mass addiction from these products

If taxes are levied on ATPs, a categorical structure based on the degree of harm associated with the product and the potential to help cigarette smokers switch to a safer alternative is the most appropriate. Lowering the tax burden on safer alternatives helps drive price differentials that incentivize consumers to switch. The principled, scientific approach enables harm reduction, allowing alternative tobacco products to save lives, while generating revenues for public health programs.

Harm Reduction in Florida

Chapter 210 of Title XIV of the Florida Statutes governs the taxes on tobacco products.[7] The average total tax levied on a pack of 20 cigarettes in the State of Florida is $1.339, consisting of a 5 cent per cigarette surcharge ($1.00 per pack of 20 cigarettes) and a 33.9 cent per pack excise tax. The funds from the surcharge are directed to the State Health Care Trust Fund, while the excise tax revenues are directed partially toward health care and research programs and partially deposited into the General Revenue Fund.

In many ways, the Sunshine State is a shining example for the rest of nation on how to tax ATPs: don't.

Tobacco products that are not cigarettes, like loose tobacco, snuff, and chewing tobacco, are subject to a different surcharge of 60 percent of the wholesale sales price and a tax of 25 percent of the wholesale sales price. Revenues from these taxes are entirely directed to the General Revenue Fund. The State of Florida does not currently levy a tax on nicotine products that do not contain tobacco, like e-cigarettes, vapes, or modern oral nicotine.

In many ways, the Sunshine State is a shining example for the rest of nation on how to tax ATPs: don't. Most ATPs, like modern oral nicotine, vapes, and heat-not-burn tobacco are not taxed in Florida. These products also do not have harmful second-hand smoke or similar effects that directly harm third parties, so arguably they warrant no tax at all. Not taxing them guarantees that the less harmful alternatives are not so burdened by taxes to discourage smoking cessation and switching to a safer source of nicotine.

There are still ways that Florida can improve its tobacco tax regime, however. The relatively high tax burden on some ATPs like loose tobacco or snuff may prevent smokers from switching to those less harmful alternatives. The tax levied on ATPs is also entirely uncoupled to the cigarette tax and uses an entirely different structure (*ad valorem* instead of *ad quantum*). This undermines the transparency of the relative tax burden placed on the two classifications and hinders efforts to calibrate the taxes according to their respective harms.

Most of the cigarette excise tax and all the taxes on other tobacco products are directed to the General Revenue Fund, not dedicated to any specific health program. This is generally unwise for excise taxes, as the tax base is narrow and revenues tend to be too volatile to generate reliable general funds.[8] Cigarette consumption has also been decreasing for decades, eroding the

tax base and causing revenues to fall in both nominal and real terms over time.

Excise tax revenues should instead be dedicated specifically to programs attempting to address the public costs of consumption, which would require proportionally less funds as consumption declines. Reliance on these taxes for general spending may eventually necessitate Florida to tax more tobacco and nicotine products to make up for a steadily eroding tax base.

Taxes on alternative tobacco products should be kept low relative to cigarette taxes to reflect the substantially lower risk associated with their use, allowing a lower tax burden to drive price differentials that encourage smokers to switch from more harmful combustible cigarettes to less harmful alternatives.

Adam Hoffer is the Director of Excise Tax Policy at the Tax Foundation. Jacob Macumber-Rosin is an Excise Tax Policy Analyst with the Tax Foundation.

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AI Will Continue to Improve Healthcare and Should Not Be Over-Regulated

Siri Terjesen

Artificial intelligence (AI) describes a wide variety of computational technological tools that can be applied to perform cognitive activities that are typically associated with humans, such as perception, reason, deep learning, adaptation, engagement, problem-solving, sensory understanding, and creativity. AI tools have been applied to a range of fields and offer particular promise for aiding state government operations and healthcare.[1]

In healthcare, AI efforts over the last seventy years include computer-aided programs by which physicians make diagnoses and scientists employ combinatorial chemistry and electronic lab notebooks. These

efforts have significantly accelerated in recent years due to the growing amounts of digital data and vastly enhanced computing powers. AI technologies can now analyze and report on truly big data and assist in a variety of fields, including clinical, diagnostic, rehabilitative, surgical, and predictive practices. A recent systematic review identifies 288 peer-reviewed articles published in leading health and technology journals on artificial intelligence applications to health.[2] For example, studies indicate that AI can diagnose skin malignancies, identify cardiac rhythm, interpret radiological scans and pathology slides, and diagnose a spectrum of ophthalmologic conditions on par with physicians in these areas.[3]

Despite AI's long history in improving healthcare, the federal government and state governments are attempting to initiate regulation that would significantly constrain the very innovation that AI can bring to doctors and patients. President Biden's Executive Order 14110 in October 2023 noted that "Responsible AI use has the potential to help solve urgent challenges while making our world more prosperous, productive, innovative, and secure. At the same time, irresponsible use could exacerbate societal harms such as fraud, discrimination, bias, and disinformation; displace and disempower workers; stifle competition; and pose risks to national security."[4] Biden's Executive Order requires that every federal agency, including those overseeing health, determine new rules and regulations around any AI technology, thereby exacerbating the current trend of passing on the rulemaking to unelected agency bureaucrats[5]. Critics have suggested that Biden's order reflects a "push for greater federal algorithmic control" without Congressional oversight, which, in turn, risks bottling up "algorithmic innovations rather than helping to advance them."[6]

Around the country in the 2024 legislative session, 45 states, Puerto Rico, the Virgin Islands, and Washington, D.C. introduced AI bills, and 31 states, Puerto Rico, and the Virgin Islands adopted some legislation.[7] For example, Delaware House Bill 333 (2024) creates the *Delaware Artificial Intelligence Commission* and tasks this commission "with making recommendations to the General Assembly and Department of Technology and Information on AI utilization and safety within the State of Delaware. The Commission shall additionally conduct an inventory of all Generative AI usage within Delaware's executive, legislative, and judicial agencies and identify high-risk areas for the implementation of Generative AI."

These big government regulations on AI at the federal and state levels are detrimental to healthcare for a number of reasons. First, many regulations are motivated by the misconception that AI will replace healthcare providers. Since the earliest applications and especially recently, AI has enhanced the work of doctors, nurses, and other healthcare providers, significantly reducing their bureaucratic workload. For example, an analysis of over 25,000 physicians found that physicians who spent more after-hours time charting were more likely to experience burnout,[8] suggesting that AI innovations in electronic health records can help improve workloads.

Second, through these innovations in workload, AI has already demonstrated

the ability to make healthcare more efficient in cost and time. Nationwide healthcare spending has reached 17.3% of the U.S. Gross Domestic Product (GDP) and is on track to grow about 5.6% every year through 2032 to reach 20% of GDP.[9] This is particularly important in Florida, which has the highest Medicare spending by beneficiary at $13,652 in 2020.[10] Following AI implementation, 44% of healthcare organizations report cost savings.[11] AI is a key solution to reduce these costs and financial burdens on consumers. Moreover, AI can lead to lower error rates, quicker diagnoses, tailored treatment options, and medical discoveries, all saving time and lives.[12]

Third, patients are open to AI. As noted by a recent James Madison Institute survey, "49% of Florida voters believe that AI will positively impact the healthcare system, while 23% fear the technology will harm healthcare."[13]

Finally, despite many policies to augment the human capital to meet the ever-growing demand for healthcare, there is an insufficient supply of physicians, physician assistants, nurse practitioners, nurses, healthcare technicians, and medical support. This lack of supply can lead to missed diagnoses and premature deaths. AI supplements healthcare workers and can be a part of all trajectories in the healthcare journey.

AI's positive contributions should lead state policymakers to adopt policies, as outlined by Hederman and Kolas (2023). First, in contrast to the top-down approaches by federal and some state governments, state lawmakers should utilize 'soft law' to guide AI policy and enhance industry behavior and results, in lieu of 'hard' law interference. These policies have been effectively implemented by the FDA. There are already many soft law AI standards from the National Institute for Standards and Technology (NIST) and the International Organization of Standardization (IOS). States can also develop a "regulatory sandbox" for AI development in order to observe AI innovations, discover actual harms, and regulate accordingly. By aligning these sandboxes with federal sandboxes, state commissions can learn from the AI research and recommend changes. Finally, states can also harmonize AI-related regulations and data privacy laws across states, thereby reducing costs for data collectors and developers. These policies would align with soft laws in other states and might include a voluntary, multi-state compact around data privacy and AI regulations.

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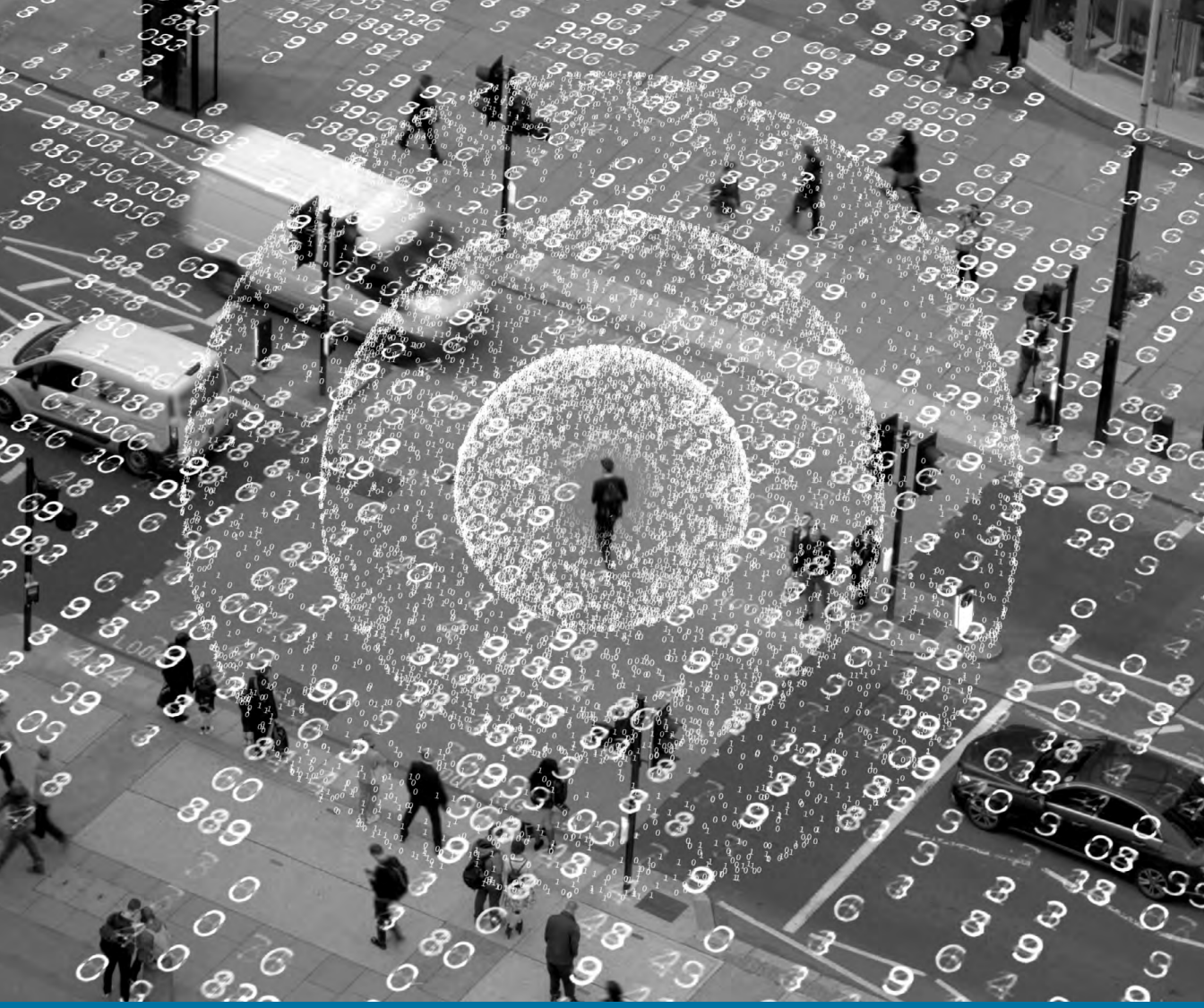

Geofence Warrants: The Modern-Day General Warrant

David Iglesias

Oftentimes when we look back at the Founding Era of our country, we see a world completely foreign to the one we now live in—and in many ways, it truly is. On the other hand, we are still fighting the same battles as our predecessors to preserve the basic civil liberties that inspired this Nation's founding. Namely, our right to be free from constant government surveillance or subject to broad, warrantless searches and seizures by law enforcement.

One of the most glaring examples of this can be seen in the British writs of assistance, also known as general warrants. These writs gave British soldiers limitless permission to search any person's home and

all their belongings for smuggled (untaxed) goods. No specifics were required for what they were looking for or where they could search. The broad nature of these warrants made them ripe for abuse and weaponization. Thanks to the Fourth Amendment, we no longer need to worry about this threat, right? Wrong.

One of the most notable differences between the 21st and 18th centuries is that our world is now overwhelmingly digital and exists online. Nearly every aspect of our lives is turned into data that is collected, stored, analyzed, and shared by third-party service providers. Thanks to not only our phones but also the apps we store on them, every step we take can be traced through location data, making the term "digital footprint" a much more literal one. And reverse-location searches are the constitutionally dubious method police use to track those prints.

Geofence warrants have become a very popular tool across the country as a way for police to try and dig up suspects for crimes in which they have no clear leads.[1] While this might seem reasonable to some, the nature of these searches raises major Fourth Amendment concerns.

When police submit a geofence warrant to Google, the main service provider capable of carrying out a reverse-location search, they're demanding that the tech giant use its databases to pull up anyone in a specified geographic area within a window of time where a crime was committed. Anyone using a Google device or application of any sort will appear in this digital dragnet. Like the British soldiers using broad writs of assistance to search for "contraband" in the homes of anyone they deemed as "suspicious", these searches have no particularity about who they're looking for.

Anyone whose data simply appears in the search is then a potential subject. For Florida resident Zachary McCoy, a simple bike ride around his neighborhood turned him into a potential lead suspect in a home burglary case.[2] The location data from an exercise app he used to track his miles pinged him in the area of the crime, which was enough for police to demand that Google deanonymize the data and hand it over. McCoy was only made aware of the investigation thanks to Google's legal team alerting him that unless he went to court to challenge the request by law enforcement, they would release his information. After dipping into his family's savings for an attorney, he later found out that a lawyer representing the police determined he was no longer a likely suspect, leading to the warrant being withdrawn.

While McCoy's case fortunately came to an end before it could become truly disastrous, Arizona resident Jorge Molina wasn't so lucky. A similar reverse-location search requested by police in Avondale, AZ pinned Molina at the scene of a murder he was nowhere near.[3] Despite text messages and Uber receipts revealing Molina to be at a movie with his friends at the time of the murder, he ended up spending 6 days in jail.

To make matters worse, the police put out a press release which ended up destroying his reputation, despite evidence proving his innocence. Eventually Molina was released but the damage was done. He lost his job, would continually fail background checks for future jobs, had his car

impounded, and was unable to finish his schooling. The damage that these digital dragnets can and have caused cannot be understated.

To describe geofence warrants as a general warrant is not hyperbole or an exaggeration. It's exactly what the Fifth Circuit Court of Appeals called them in a recent decision. *"We hold that geofence warrants are modern-day general warrants and are unconstitutional under the Fourth Amendment,"* was the concluding statement in their opinion from this past August.[4] While the ruling is a stern one, Judge James C. Ho reminds us that the rights described in our founding charter are inalienable and should not be traded for mere convenience,

> *"I fully recognize that our panel decision today will inevitably hamper legitimate law enforcement interests. But hamstringing the government is the whole point of our Constitution…Our decision today is not costless. But our rights are priceless."*

These sentiments echo the sobering words of great American economist, Thomas Sowell, that the harsh reality is there are no solutions, only tradeoffs.

Utah legislators saw the major risks that this practice posed and took swift action last year by passing the nation's first official law codifying warrant requirements for a reverse-location search as well as limiting the cases in which police may obtain a geofence warrant. Now, with the recent precedent set by the Fifth Circuit, future groups working on this issue may have an even stronger case for prohibiting the dangerous surveillance tactic and could even go further than Utah by banning its use entirely.

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Why BEAD is Failing

James Erwin

Any program that seeks to spend $42.5 billion warrants periodic scrutiny on its progress. Doubly so if, almost three years after enactment into law, not a single American has accrued the purported benefit of said program.

The Infrastructure Investment and Jobs Act's $42.5 billion Broadband Equity, Access, and Deployment (BEAD) Program is one such mess.[1] A contradictory labyrinth of competing interests in the legislative drafting, its original intent has since been buried under myriad politicized rules designed to reward the allies of the Biden Administration while advancing a socialized, government-run internet for the United States. Given the perverse incentives, both built into the original concept and added

by the National Telecommunications and Information Administration (NTIA), it comes as little shock that not even one home has been connected with internet service as a result of this program, despite President Biden signing it into law in November of 2021.

Every member who signed their name to it wanted to please their constituents by meeting their competing – and sometimes contradictory – broadband needs. Almost any agreement reached in negotiations on technical standards that worked for most states did not work for Alaska, where vast distances and permafrost make deployment more expensive. Urbanized states like Rhode Island wanted just as much money as rural states like Maine, even though urban areas already have internet service and rural buildout was the primary objective of this program. Representatives of the Biden White House even let slip in one private meeting that "there just aren't many votes for us" in the Dakotas. The experience called into question the very idea of a national broadband expansion plan, since no national strategy could possibly work in such a geographically diverse country.

Indeed, there is reason to doubt that government intervention on this scale was even necessary. The private sector has invested more than $2.2 trillion in capital expenditures since 1996 to connect as many Americans as possible.[2] According to Pew Research, in 2001 only 6% of Americans had access to home broadband, but the number has soared to 80% today. Broadband buildout has been one of America's great success stories of the past few decades, but some Americans remain unserved, chiefly in rural areas that are difficult to reach.

To address geographic diversity, Republican negotiators argued for a block grant program so states could flexibly design their programs to meet specific local needs. Democrat staff preferred more centralization -- even pushing for requirements that states give priority to government-run networks (GONs) -- favoritism for union labor, and a national scheme of price controls known as "rate regulation" despite falling broadband prices.[3]

Price fixing creates shortages by either forcing sellers to clear inventory at too fast a pace when prices are set too low or not clearing it fast enough when they are too high. Internet Service Providers (ISPs) must spend on infrastructure, maintenance and upgrades as technology changes. ISPs must also be able to react to changes in their costs and revenue to stay in business. Rate regulation undermines the entire purpose of BEAD.

Meanwhile, GONs, usually owned by cities or counties, do not have to turn a profit and can undersell private sector competitors, driving them out of the market. GONs then scoop up the orphaned customers and impose government-controlled internet on their local area. Historically, these networks inevitably run out of money and go to the state for a bailout.[4] If this is replicated all over the country, states will begin asking the federal government for GON bailouts. This will effectively nationalize internet for the United States.

Congress recognized the folly of these positions and included a provision in the final infrastructure law that prohibited NTIA from regulating rates for broadband while

leaving out the other requirements.[5] The final compromise was a block grant program with many strings attached but the worst proposals defeated. NTIA, however, was given the power to approve each state deployment strategy before they made their allotted funds available.

Under this setup, the Biden NTIA could leverage the approval process to force the defeated policies on states through "guidance." In their original Notice of Funding Opportunity, NTIA resurrected no fewer than seven partisan proposals and conditioned states' reception of their grant on compliance with these extralegal requirements. States were told their grants would be scored according to whether they fixed prices at $30 per month, gave explicit preference to fiber line providers when the program was explicitly technology neutral, funneled money to GONs, participated in the unrelated "Digital equity program," gave contracts to unions, and spent money on unnecessary middle-mile deployment. To cap it off, they created a byzantine review process to enforce all their partisan preferences that were not enacted into law.

As a result, the program has collapsed under its own weight. Nearly three years on, NTIA has not finished approving state plans. The BEAD program also requires that most of the work be completed within five years of the law taking effect, meaning most of the projects to reach unserved areas will blow past that deadline at the current pace.

Nowhere was this clearer than in NTIA's treatment of Virginia. The Commonwealth's BEAD plan was rejected multiple times for allowing market prices. As the Virginia Broadband Office director noted in a Dec. 6, letter, NTIA rejected the Commonwealth's application because "the low-cost option must be established in the Initial proposal as an exact price or formula."[6] NTIA may try to hide behind the fig leaf of state-level cut-outs, but its repeated rejections of reasonable alternatives betray the agency's agenda.

It remains to be seen how the projects BEAD funds will turn out. If the first three years of the program are any indication, BEAD will end up like so many broadband programs before it: billions wasted, pockets lined, and zero homes connected.

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Human Trafficking: Bleak Reality or Conspiracy Theory?

Nicole Kiser

What does human trafficking look like to you?

Is it a child, locked in a room, hidden from the world and used in ways we can't even imagine? Is it the dangerous adventure of Liam Neeson in the movie "Taken" where he vows to find his daughter's kidnapper? Is it certain world figures recently exposed for their exploitative actions while abroad?

Those situations are happening — don't get me wrong — but what if I told you most trafficking cases in Florida were domestic issues? These are not the "kidnapped in a white van and shipped away from your family" kind of situations.

Human trafficking is the young girl who is harassed online by a predator in another state, coerced into sending nude photos of herself for the predator's profit. It is an

immigrant working in a factory for $2 an hour. It is the child whose parents are strung out on drugs and use whatever they can to get money for their next fix — even if that means selling their child.

All of these situations happen right under our noses, making reporting issues extremely difficult. This is a criminal enterprise that thrives on threatening people into silence while sitting just inside the shadows, remaining hidden from the world.

What is human trafficking?

There are two types of human trafficking: sex trafficking and labor trafficking. The former is when a victim is forced to perform sexual actions such as prostitution or pornography. The latter is when victims are forced or coerced into involuntary servitude or slavery usually found in an informal workplace such as a home. Of the two, sex trafficking is the more commonly found and reported form.

In a conversation I had with Dr. Laurie Lawrence, Professor at Florida State University at Panama City, she brought up an extreme example that painted a vivid picture. In her words: "If you offer a starving man $2 to build an addition on your house, and he agrees, technically this is trafficking." The vastness of this issue presents challenges to reporting rates.

There are multiple reasons the reporting percentage is low. Victims could be trapped in situations where they can't escape, preventing reporting. A victim could be fully aware of what is happening, and fully capable of reporting, yet is either petrified of the consequences or threatened into silence. People surrounding victims may not know the signs of trafficking to even think about reporting a potential trafficking situation.

What is the current human trafficking situation in Florida?

According to the National Human Trafficking Hotline, 680 cases were identified in Florida, and 1,172 victims were involved in these cases in 2023. (Note: there are often cases with multiple victims present in the same case.)[1]

Since 2007, there have been 7,472 total cases with 17,467 victims. To put it into perspective, Florida is third in the United States for human trafficking cases, behind California and Texas.[2]

According to the Florida Department of Children and Families annual human trafficking report, the Florida Abuse Hotline received 2,137 reports of human trafficking from October 1, 2023 – October 1, 2024.[3] 1,592 of those reported were cases involving children. To break it down further, of the 2,137 cases, 91.95% (1,965) were coded as commercial sexual exploitation, and 82.6% of reports stated the children involved lived at home with parents or a caregiver. The other 8.05% (172) of the 2,137 cases were categorized as labor trafficking.

Of the 2,137 cases, 80.67% (1,724) were female survivors, and 17.55% (375) were male survivors. 1.78% (38) of reports marked gender as unknown/not specified. There are currently 4.08 cases per 100,000 people in Florida.[4]

What are the misconceptions surrounding human trafficking?

Misconception #1: The most common type of trafficking is where the child is kidnapped and sold to the highest bidder.

The experts I reached out to all said the same thing when asked about the misconceptions surrounding human trafficking: it's not what is portrayed in the movies. Are situations like those that movies portray actually happening? Yes, but we need to reorient ourselves to think about the problem locally. The domestic issue of human trafficking looks a lot different than the international issue.

I reached out to Erin Collins, Executive Director at the Florida Alliance to End Human Trafficking, and asked her about common misconceptions she wished people knew about human trafficking. Her response: "Human trafficking takes on many forms. Victims can be any race, age, gender, ethnicity, or come from any socioeconomic background. It's not like what is portrayed in entertainment. Do people get kidnapped by people in windowless vans? Sometimes. But the majority of victims tend to know their trafficker because some type of relationship has been cultivated through grooming (ex. a personal relationship, potential job, etc.)."

When we think of human trafficking, we often picture the "white van" rolling up to a child walking home from school. However, Dr. Lawrence shared an analogy dispelling this idea, "we put the white van in our kids' hands every day through their cell phone," making it so much easier for a trafficker to approach children.

No one is completely safe from bad actors in this arena. Just because you live in a gated community, doesn't mean you are removed from direct contact with this issue.

I'm thankful for my father who impressed upon my sister and me the extreme importance of having high "situational awareness" — a term that used to induce eye rolls from an annoyed teenager who thought she was so worldly. However, now extreme situational awareness is forever an active practice everywhere I go. I am lucky to have a rightfully overprotective (and former military) father who's bought me multiple cans of pepper spray and impressed on me the importance of being safe online. Even with all my vigilance, there is still a chance I could be trafficked.

Misconception #2: Human trafficking isn't as big of an issue as we think.

After the premiere of Tim Ballard's harrowing movie, "Sound of Freedom," news outlets painted the awareness campaign as right-wing propaganda used as a scare tactic. To be clear, human trafficking is a very real issue. There are survivors all around the world and in Florida who will serve as testimonies for why we actively need to face this fight.

After the film's released, Rolling Stone released an article titled "'Sound of Freedom' Is a Superhero Movie for Dads With Brainworms" followed by the subheading "The QAnon-tinged thriller about child-trafficking is designed to appeal to the conscience of a conspiracy-addled boomer."[5]

The article ends in a dramatic fashion calling for a focus on "bigger issues" facing Americans, but did get one thing right.

"Now, as in the 1980s Satanic panic, they won't even face the fact that most kids who suffer sexual abuse are harmed not by a

shadowy cabal of strangers, but at the hands of a family member."

Instead of using their piece to share about the more common forms of trafficking, they chose to do the worst thing for human trafficking awareness — discredit its prevalence until one sentence in the conclusion.

Enough cases have been brought to light to give experts and law enforcement a snapshot of the situation. Yet, Dr. Lawrence estimates that only about 10% of the total cases are being reported.[6] Because human trafficking often goes unreported, it leads people to think human trafficking isn't as pervasive of an issue and distorts the real picture.

What are the challenges the fight to end human trafficking is currently facing?

A major challenge is that while certain industries — like hospitality, healthcare, education, transportation, and law enforcement — engage in some form of human trafficking awareness training, there is so much training on other topics already required in those fields, causing challenges to the retention of information. I talked to a few friends who are educators in Florida, and most said they already have so much training to do without pay that the idea of adding more training onto their plate — even on something as important as how to identify human trafficking — doesn't sound appealing. The training has to be engaging and entertaining enough to encourage professionals to participate and improve knowledge retention.

When I asked the Vice President of Government Relations and General Counsel at the Florida Restaurant & Lodging Association Samatha Padgett what the largest challenge facing this battle was, she said, "Human trafficking is a multi-faceted issue that involves many different sectors, agencies, and factors — Children and Family Services, Mental Health and Addiction, Digital Safety and Vulnerability, Housing, Transportation, Immigration, Hospitality, Law Enforcement, etc. All of these groups and factors play an important role in this issue. The greatest challenge is developing policy that holistically addresses this issue. Without cooperation and policies that recognize the necessity for an interconnected approach, there will be gaps that allow this heinous crime to continue."

Another challenge is the limits to which law enforcement can charge criminals with trafficking. Often, they have to utilize other charges to convict the offender and prevent further trafficking. So, we have to continue to ensure that law enforcement entities have the resources needed to investigate and prosecute properly.

So... what now?

I understand this piece doesn't paint a very hopeful picture of the fight against human trafficking. This issue is so vast and daunting that it feels like it may never end. However, Florida's approach to this issue is one of the best in the nation. Because of the efforts of many Floridians, traffickers are caught regularly. Many of the professionals I reached out to agree: we're heading in the right direction.

The main purpose of this piece is to provide a more accurate snapshot of the present situation. We can all play a part in the fight to end human trafficking. That comes with participating in training on your own time. If there's one thing you take away from this, I hope it is that human trafficking happens all around us and it's up to the average Floridian to do their due diligence to learn how to identify human trafficking — even when they aren't in a field faced with this issue daily.

Below are a few places for you to learn more about training and resources you can access.

- Florida Alliance to End Human Trafficking Free Training[7]
- Florida Health Resources and Trainings for Human Trafficking[8]
- The Office of Attorney General Ashley Moody, Human Trafficking Prevention and Awareness[9]

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ENDNOTES

1 "Florida." *National Human Trafficking Hotline,* https://humantraffickinghotline.org/en/statistics/florida#year-2023.
2 "National Statistics." *National Human Trafficking Hotline,* https://humantraffickinghotline.org/en/statistics.
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4 "Human Trafficking in Florida: Facts, Statistics, Shelters and Prevention Organizations." *Human Trafficking Courts,* https://htcourts.org/florida/.
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6 Hewson, Harry. "Why Human Trafficking Is More Than Just a Moral Issue." Florida State University College of Social Sciences and Public Policy, https://cosspp.fsu.edu/why-human-trafficking-is-more-than-just-a-moral-issue%ef%bf%bc/. October 12, 2022.
7 Florida Alliance to End Human Trafficking Free Training, https://www.floridaallianceendht.com/training/
8 Florida Health Resources and Trainings for Human Trafficking, https://www.floridahealth.gov/programs-and-services/prevention/human-trafficking/resources.html
9 The Office of Attorney General Ashley Moody, Human Trafficking Prevention and Awareness, https://www.myfloridalegal.com/human-trafficking

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