# END OF YEAR REPORT 2022

Free Markets. Real Solutions.





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## LETTER FROM THE EXECUTIVE DIRECTOR



We couldn't do this work without the support of our generous funding partners and donors.

We are living through a time of great uncertainty. In times like these, it can be overwhelming to confront all of these challenges at once. So, more often than not, many Americans will focus on what matters most: their personal well-being and the well-being of their families, friends and communities.

We are seeing this shift in real-time, with trends like "quiet quitting" and the "great resignation"; Americans are focusing less on work and world events and are concentrating more on the basics. Simply put, Americans are tired of the parade of "unprecedented" events and are looking for real solutions to everyday challenges.

At the R Street Institute (RSI), we have understood this simple fact since our founding 10 years ago. It's why we focus on policy issues that aren't in the headlines every day. Things like insurance claims after a big storm, business competition and licensing laws that can make or break a job search.

RSI takes this same approach to our workplace. The past few years have placed an undue burden on workers and families. In response, we have invested in a healthy workplace culture that puts its people first. Our workplace policies—remote working, flex scheduling, no-meeting Fridays and 4-day work weeks every other week—give staff greater flexibility and balance so we can attract and retain the best talent.

Bearing this in mind, I am happy to present RSI's first "Year in Review," which spotlights new research, commentary, media appearances, awards, recognitions, events and engagement on Capitol Hill and in state legislatures.

Our scholars have irreplaceable, real-world expertise and produce high-quality work, while also building networks—across the political spectrum—in academia, government, industry, media and the nonprofit sector to help advance our mission and ensure a stronger future for all.

We couldn't do this work without the support of our generous funding partners and donors. Thank you all for your belief in our work and your support; it allows us to continue providing pragmatic solutions to real-world policy issues. We look forward to another successful year ahead with lots more to celebrate.

Erica Schoder
Executive Director
The R Street Institute

#### WHO WE ARE

#### Free Markets. Real Solutions.



The R Street Institute (RSI) is a leading, free-market think tank focused on limited, effective government.

For the past 10 years, we have worked to bolster American innovation, increase consumer choice and protect individual liberty through deep scholarship, pragmatic policy solutions and strategic outreach campaigns.

We are a think tank built for the modern age, focused on policy concerns and pragmatic solutions many organizations overlook. Our emphasis on responding rapidly to news and public policy shifts and building broad coalitions inside and outside of Washington, D.C. makes us a trusted source among federal and state lawmakers, the media and the wider policy community.

RSI takes its culture as seriously as its policy. Applying a light-hearted, human approach to some of the most serious issues facing the country makes us more relatable, more approachable and more fun to work with.

At a time when thoughtful, reasonable debate is increasingly rare, RSI remains a trusted voice for state and national leaders. We take that seriously.

#### **RSI** Issues and Impact

RSI's work includes long- and short-form public policy research; federal and state written and oral testimony; news analysis; opinion columns; coalition efforts and sign-on letters; public and private events; podcasts; and more. What follows is a brief overview of each of RSI's eight policy programs and a narrow slice of their impact this year.

# COMPETITION POLICY

#### Competition Policy addresses government barriers that hurt businesses and consumers.



The team focuses on everything from health care disintermediation and regulatory reforms to telehealth expansion, outdated alcohol policies, occupational licensing and other burdensome regulations that inhibit innovation and economic growth.

This year, the Competition team led bipartisan discussions about reforming the Child Tax Credit and published novel research on alcohol policy, including an update to their comprehensive COVID-19 alcohol reform tracker that analyzed to-go/delivery alcohol reforms enacted as a result of the COVID-19 pandemic, a research paper examining nationwide data to assess whether alcohol delivery raises underage drinking (they found no evidence that it did) and additional research highlighting the need for more robust empirical data to determine whether COVID-19 alcohol reforms raised drunk driving deaths. Their telehealth licensing policy was featured in several major media outlets—from NPR to The Bulwark—and RSI experts continued to demonstrate state-specific expertise that helped educate policymakers. Scholars on the Competition team also testified and addressed changes in contraception policy around the country. Similarly, state and federal policymakers requested RSI's insight on how contraceptive access affects economic mobility and health care expenditures, which the team covered in explainers about access to contraception and how it impacts specific groups of individuals, such as veterans. Competition policy's rapid response work continued on the occupational licensing front, showing how over-licensing has contributed to the student loan crisis and how licensing restrictions have hampered contractors from helping Florida rebuild after Hurricane Ian.

#### CRIMINAL JUSTICE AND CIVIL LIBERTIES

Criminal Justice and Civil Liberties examines every stage of the criminal justice system.



From incarceration, juvenile justice and policing to pretrial, reentry and sentencing, RSI prioritizes public safety and fiscal responsibility while protecting human dignity, due process and individual liberty.

This year, the Criminal Justice program produced data-driven analyses to refute claims that reforms contribute to increases in crime, explained how cannabis legalization could enhance public safety, analyzed the role of police in effective diversion programs and responded to violent crime narratives that dominated news headlines.

The team met with dozens of members of Congress and joined a members-only briefing with bill co-sponsors to educate federal lawmakers about the Clean Slate Act of 2021. They also produced a multipart series analyzing the relationship between criminal justice reforms and crime statistics in conservative jurisdictions, which led to several speaking opportunities, including one at the National League of Cities in Atlanta, Ga., where mayors from across the United States addressed how to better combat violent crime in their cities. The Criminal Justice team also took a deep dive into cannabis public policy, joining coalitions like the Cannabis Freedom Alliance and participating in "fly-in" days in Washington, D.C. to help educate policymakers about the links between cannabis legalization and public safety. Their work and expert commentary have appeared across national and regional broadcast and print media, from CNN, NewsNation, Fox News and The New York Times to news outlets in New Mexico (Albuquerque Journal) and Pennsylvania (The Philadelphia Inquirer), among others.

#### CYBERSECURITY AND EMERGING THREATS

The Cybersecurity and Emerging Threats team focuses on the key pillars of data security and data privacy reform.



Cybersecurity and Emerging Threats is the locus for RSI's work on cyber threats to national, state, and private sector organizations; data security and data privacy; the international balance of powers; military strategy; and other emerging national security concerns.

This year, the Cybersecurity team led coalitions on national data security and privacy reforms, conducted in-depth research on cybersecurity metrics and explored nationwide workplace diversity efforts in the cybersecurity field through the Making Space Initiative. RSI's public policy work in data security and data privacy—led by the Cybersecurity team—is regarded as some of the most in-depth research of any group on the political right. Rapid-response work related to state and federal legislation on privacy was amplified by Cybersecurity and Infrastructure Security Agency (CISA) leadership as well as by reporters with CyberScoop, Axios and other organizations.

The Cybersecurity team engaged more than 125 policymakers, staff and industry leaders on key pillars of data security and data privacy reform, including an effort to reach consensus on federal legislation and to highlight associated security implications. RSI's Brandon Pugh, resident senior fellow in Cybersecurity and Emerging Threats, was the only right-of-center think tank representative at the White House as they unveiled a proposal for "labels" for devices connecting to the internet. The team also hosted multiple events related to privacy and security, including two Capitol Hill briefings. Additionally, CyberScoop, which honors the accomplishments of individuals in the cybersecurity field, recognized RSI's Jumoke Dada of the Making Space Initiative as one of the "Most Inspiring Up & Comers" in the space. This recognition followed more than a dozen presentations at conferences, events and happy hours across the United States. The Cybersecurity team also helped craft legislation to bolster funding for cyber clinics at community colleges and minority-serving institutions, and they published the first comprehensive overview of the cybersecurity incident and breach reporting requirements by federal entities.

# ENERGY AND ENVIRONMENT

Energy and Environment educates on climate change and pro-market reforms in energy and environment policy areas.



The Energy and Environment team seeks to promote a cleaner environment through the combination of a thriving economy, well-founded science and principles of market competition and limited government. From electricity and transmission policy to the Defense Production Act and rising gas prices, RSI's expertise on climate and environmental policy has never been more sought after by the media or legislative leaders across the political spectrum.

This year, the Energy program provided novel analyses on Build Back Better, the Inflation Reduction Act and permitting reform that helped inform debate on and around Capitol Hill. This research also led to R Street expert Philip Rossetti to testify before the House Select Committee on the Climate Crisis about the potential impacts of the Inflation Reduction Act and barriers to clean energy deployment. RSI's work also helped Republicans develop a permitting reform package, while center-left groups invited our experts to participate in a permitting reform workshop. This team's rapid response analysis on permitting reform has also been written about extensively in the press on the left and right, from Fox Business to *The Atlantic*.

RSI's paper on electric transmission reform from a customer perspective helped galvanize consumer groups focused on the issue while the Federal Energy Regulatory Commission cited RSI's regulatory comments as motivation to propose extensive transmission reforms. Industry groups invited RSI's scholars to help steer the Electricity Transmission Competition Coalition and present our transmission research, which has been routinely cited in business-focused outlets including *Bloomberg*, *Politico* and *Utility Dive*. In the states, the team partnered with the Texas Conservative Coalition Research Institute to publish research that helped educate Texas lawmakers on climate change and pro-market reforms in the energy and environment policy areas.

#### FINANCE, INSURANCE AND TRADE

Finance, Insurance and Trade explores efficient and effective market-based approaches.



The Finance, Insurance and Trade team works to address public policy questions that span financial services and free trade, the transfer of risk and insurance practices in each state. Team members are frequently sought out by legislators and the press to share their expertise.

This year, Policy Director Jerry Theodorou testified before the U.S. Senate on the National Flood Insurance Program—one of the issues RSI has explored since its founding in 2012. Theodorou also provided testimony during Florida's special legislative session on the property insurance crisis in the state and helped the state Senate pass legislation to begin addressing the issue. Following the catastrophe of Hurricane Ian, Resident Fellow Caroline Melear helped explain the size and scope of the insurance crisis to the media—from CBS Miami to Fox Business—and how to prepare for the next storm. Additionally, the team released the 10th annual Insurance Regulation Report Card, which continues to provide an industry-guiding, comparative assessment of insurance regulation at the state level.

Meanwhile, RSI's deep research on social inflation was recognized as the best of its kind across nearly two dozen presentations at industry conferences, at panel events, and in conversations with leading insurers, reinsurers, law firms and other experts. The finance and trade work on the team, meanwhile, focused on pushing back against the federal government mandating competition in the credit card sector and reducing tariffs on non-leather goods.

#### **GOVERNANCE**

Governance aims to assess and improve America's system of self-governance, with a focus on Congress and our electoral system.



Governance continues its efforts to educate and encourage Congress to properly assert its Article One powers and to work toward curbing defense spending and overspending.

This year, the Governance team's work focused on continued efforts to modernize the legislative branch; broad coalition work around improving our electoral system and defending election officials and voters from violence; reducing rampant overspending on Capitol Hill; and educating lawmakers, staff and the public about their powers in Congress through written work, briefings and podcasts like *Politics in Question*.

The team continued efforts to educate and encourage Congress to properly assert its Article One powers and to work toward curbing defense spending and overspending. This included continuing the deep coalition work and ongoing engagement around Congressional war powers that RSI began years ago.

This year, the Governance team focused on crafting pillars for a conservative agenda for democracy, convening nearly 50 center-right luminaries to discuss issues related to election reform, threats from the political extremes and a positive agenda for preserving the Republic. Together, with partners across the political spectrum, the Governance team helped stand up the Committee for Safe and Secure Elections, an organization to support election officials and local law enforcement officers coming together to defend against violence and physical threats to poll workers, voters and others involved with elections. Scholars also discussed the impacts of government spending and inflation with news-leading reporters at Fox News and Sirius XM with Julie Mason, among others.

#### HARM REDUCTION

Harm Reduction is grounded in an understanding that abstinence-only approaches to risky behavior are ineffective.



RSI focuses on harm reduction approaches that recognize that harmful behaviors may continue to happen even as policies are enacted to help mitigate—if not eliminate—those harms. The program connects the dots between historically siloed issues such as tobacco, cannabis, sexual health and illicit drug use.

This year, the Harm Reduction team launched the Safer from Harm Coalition to begin unifying previously siloed areas of harm reduction public policy under one banner. RSI also released an interactive policy paper on cannabis that analyzed common arguments voiced by opponents of cannabis legalization. The team also supported Senator Cory Booker's (D-N.J.) Temporary Emergency Scheduling and Testing of Fentanyl Analogues Act.

Tobacco Harm Reduction policy continues to be grounded in the belief that no one should smoke combustible cigarettes and that those who wish to quit deserve safer, readily available alternatives. RSI's targeted approaches to public policy education and outreach helped beat back anti-tobacco harm reduction bills in Hawai'i, Rhode Island, Maine, Maryland, Minnesota and Vermont that would not have been beneficial to harm reduction policies. The team's work on e-cigarettes and reduced-risk nicotine products was published in *The Washington Post*, and discourse about larger harm reduction integration was published in *The Hill*. RSI's scholars also continued to highlight disjointed state and federal approaches to harm reduction and developed new policy research around psychedelic medicine, the role of health providers in harm reduction, the pros and cons of decriminalizing sex work and the implications of hindering syringe services programs.

#### TECHNOLOGY AND INNOVATION

#### Technology and Innovation supports American innovation.



#### The RSI Technology and Innovation team pushes back against regulatory impediments to economic progress, individual liberty and free speech.

The team's work this year included defending against misguided antitrust laws in Congress, thwarting attacks on content moderation and Section 230—from both political parties—as well as outlining the future of broadband deployment and internet governance in the United States.

RSI has continued to be an instrumental voice in multiple coalition groups that have successfully fought against proposals that would undermine Section 230, while simultaneously developing a vision for the future of internet policy. Through opeds, blog posts, dozens of Hill meetings (across both sides of the aisle), coalition activities and social media engagement, the Technology and Innovation team has outlined why the United States must lead and stop following the European Union when it comes to online content policy and free speech.

RSI also helped lead the charge in defending antitrust laws by educating policymakers about the harms of the broken and misguided American Innovation and Choice Online Act and numerous similar bills. The team also revived the ITC Policy Project to continue RSI's deep focus on policy research others often neglect—the intersection between patent policy and the role of the U.S. International Trade Commission.

#### REFORM SPOTLIGHT

#### PERMITTING REFORM

Although RSI works on hundreds of reforms each year, there was one set of regulatory reforms in the energy and environmental sector where our work was cited and referred to dozens of times this year: Permitting reform.

RSI Resident Senior Fellow Philip Rossetti—who testified before Congress about permitting reform—conducted several unique analyses on the limitations of the current permitting processes that hinder the clean energy transition in the United States and renewable energy production. By the end of the year, it was a priority for Congress, and our deep expertise enabled RSI to educate lawmakers about barriers and opportunities around permitting in the energy space.

Additionally, Rossetti's analysis, including utilizing data from the federal government's permitting dashboard, was cited multiple times by *The Atlantic*, *Forbes*, Fox Business, Grist, *The Hill* and other allies on the left and the right.



"According to the R Street Institute, 65% of energy projects with federal permits in process are renewable-energy related. Only 19% are fossil fuel projects, and 16% are electricity transmission projects (which, as noted, can benefit renewables)."

Cited in *Forbes*, Sept. 22, 2022. https://www.forbes.com/sites/jamesbroughel/2022/09/22/manchin-releases-permitting-plan-but-will-democrats-and-republicans-go-along/?sh=4d7593655b60

#### LOOKING AHEAD

### RSI's work has never been more critical— or more in demand.



Free markets and limited, effective government are under attack by ideologues who are more interested in fomenting political division than proposing and pursuing practical solutions to policy failures and enriching American lives. This means we need to continue growing purposefully to ensure that our model of modern think tanking scales to handle challenges and take advantage of new opportunities.



R Street scholars have years of practitioner experience, bridging the gap between the on-the-ground reality of American citizens and the world of public policy.



Our experts testify before Congress, state legislatures and via written commentary to ensure our solutions are heard by the right people.



We work across the vast political landscape to bring together non-traditional partners on the premise that pragmatic policy solutions can alleviate the burdens that everyday Americans face.

#### SUPPORTING OUR WORK



If you are interested in supporting real solutions to some of the most pressing public policy challenges facing the country, please reach out to **Ginny Mansour**, **Director of Business Development**, at gmansour@rstreet.org or visit www.rstreet.org/donate.

#### R STREET INSTITUTE

#### celebrating





FREE MARKETS.
REAL SOLUTIONS.

#### ELI'S PIRATE JOKE



Everyone at R Street knows I love a good pirate joke—so we couldn't highlight all our accomplishments this year without one. Please read, enjoy and celebrate with us as we look forward to a productive and successful 2023!

A pirate ship was on its way back to port. About halfway there, it was approached by a Royal Navy vessel.

"Captain, captain, what do we do?" asked the first mate.

"First mate," said the captain, "go to my cabin, open my sea chest and bring me my red shirt."

The first mate did so.

Wearing his bright red shirt, the captain exhorted his crew to fight. So inspiring was he, in fact, that the Royal Navy ship was repelled without casualties.

A few days later, the ship was again approached, this time by two navy sloops!

"Captain, captain, what should we do?"

"First mate, go to my cabin, open my sea chest and bring me my red shirt!"

The crew, emboldened by their fearless captain, fought heroically, and managed to defeat both boarding parties, though they took many casualties. That night, the survivors had a great celebration and got very drunk. The first mate asked the captain the secret of his bright red shirt.

"It's simple, first mate. If I am wounded, the blood does not show, and the crew continues to fight without fear."

A week passed, and they were nearing their home port, when suddenly the lookout cried that 10 Royal Navy ships were approaching!

"Captain, captain, we're in terrible trouble, what do we do?" The first mate looked expectantly at the miracle worker.

Pale with fear, the captain commanded, "First mate, go to the cabin, open my sea chest and bring me my brown pants!"

**Eli Lehrer** President



\$12 million+ annual operating budget

70+ staff

260+ op-eds published

650+
earned media
mentions







# BY THE NUMBERS 2022

150+

television, radio, and podcast interviews including 12 live interviews across CNN, MSNBC, Fox News and C-SPAN 60+

in-person and virtual events hosted



13

instances of R Street scholars serving as expert witnesses and appearing before, or submitting statements for the record to, congressional committees and executive commissions

30 percent

average email open rate to stakeholders and grasstops influencers

32,500+

followers on Twitter and LinkedIn more than 500 engagements from elected and appointed officials 2.4 million+

pageviews on rstreet.org

18

regulatory comments submitted, on separate occasions, to federal agencies



members of Congress and staff substantively engaged



**State Government Affairs** 

pieces of unique RSI legislation

introduced

350+
legislative meetings

held

50 testimonies provided



O ninja infiltrations



# TOP 25 MOST-READ PIECES FROM 2022

#### **Published by R Street scholars**

O1 Blog

Why SWIFT Sanctions on Russia Might Not be Enough

By Philip Rossetti, Resident Senior Fellow, Energy Policy

02 Series

Criminal Justice Reform Efforts and Rise in Crime

By Lisel Petis, Resident Senior Fellow, Criminal Justice and Civil Liberties Policy

03 Blog

The High Price of "Cheap" Gas

By Nan Swift, Resident Fellow, Governance Policy

04 Blog

The American Innovation and Choice Online Act does little for innovation or choice

By Wayne Brough, Policy Director, Technology and Innovation Policy

05 Resource

Eliminating the Filibuster is a Bad Idea

By Jonathan Bydlak, Policy Director, Governance Policy 06 Blog

ITC Policy Project Series: The Little-to-Big Problem, Part I

By William Jenks, Associate Fellow, Technology and Innovation

07 Op-Ed

Sanctions on Russia will shake the world economy for years

By Jonathan Bydlak, Policy Director, Governance Policy

08 Blog

Can resource adequacy be attained without defining what is enough?

By Beth Garza, Senior Fellow, Energy Policy

9 Blog

New legislation being rushed through the House has massive privacy and other problems for small sellers

By Wayne Brough, Policy Director, Technology and Innovation Policy 10 Blog

The Path to Reaching Consensus for Federal Data Security and Privacy Legislation

By Tatyana Bolton, former Policy Director; Brandon Pugh, Resident Senior Fellow; Sofia Lesmes, former Senior Research Associate, Cybersecurity and Emerging Threats; Lauren Zabrierek, Executive Director, Cyber Project at Harvard Kennedy School's Belfer Center; and Cory Simpson, Senior Advisor, Cyberspace Solarium Commission

11 Blog

EPA decision has major legal ramifications, but minor climate impact

By Devin Hartman, Policy Director, Energy and Environmental Policy, and Philip Rossetti, Resident Senior Fellow, Energy Policy

12 Blog

Hurricane Ian devastates Florida. Will it collapse the homeowners insurance market?

By Caroline Melear, Resident Fellow, Finance, Insurance and Trade Policy

13 Op-Ed

Who's Really To Blame for Inflation?

By Jonathan Bydlak, Policy Director, Governance Policy

# TOP 25 MOST-READ PIECES FROM 2022

#### **Published by R Street scholars**

#### 14 Explainer

The Ignored Aspects of the Senate's Antitrust Effort: Cybersecurity and Privacy

By Tatyana Bolton, former Policy Director, and Brandon Pugh, Resident Senior Fellow, Cybersecurity and Emerging Threats Policy

#### 15 Blog

Reforming the Electoral Count Act is a step in the right direction

By Jonathan Bydlak, Policy Director; Ryan Williamson, Resident Fellow; and Matt Germer, Resident Elections Fellow, Governance Policy

#### Policy Study

How Federal Cannabis Legalization Can Restore Police Legitimacy and Enhance Public Safety

By Christi Smith, Resident Senior Fellow, and Jillian Snider, Policy Director, Criminal Justice and Civil Liberties Policy

#### 17 Op-Ed

President Biden's Defense Production Act power grab

By Eli Lehrer, President, R Street Institute

#### 18 Blog

Florida Homeowners Insurance Market: The Crash Everyone Can See Coming

By Jerry Theodorou, Policy Director, Finance, Insurance and Trade Policy

#### 19 Blog

Think the Inflation Reduction Act is a climate savior? Think again.

By Devin Hartman, Policy Director, Energy and Environmental Policy

#### 20 Policy Study

Opinions on Judicial Reform: A Review of the 2021 Supreme Court Commission

By Matt Germer, Resident Elections Fellow, Governance Program

#### 21 Blog

Dodd-Frank debit card fee mandates were disastrous for consumers. Credit card mandates may be even worse.

By Caroline Melear, Resident Fellow, Finance, Insurance and Trade Policy

#### 22 Blog

The Revised American Innovation and Choice Online Act (AICOA) is Still Fundamentally Flawed

By Josh Withrow, Resident Fellow, Technology and Innovation Policy

#### 23 Blog

Cybersecurity Incident and Breach Reporting Requirements

By Mary Brooks, Former Resident Fellow, Cybersecurity and Emerging Threats and Sophia Lesmes, Former Senior Research Associate, Cybersecurity and Emerging Threats

#### 24 Policy Study

Conservative Jurisdictions Champion Diversion Efforts

By Lisel Petis, Resident Senior Fellow, Criminal Justice and Civil Liberties Policy

#### 25 Policy Study

The Facts about To-Go Alcohol and Drunk Driving: The COVID-19 Experience

By Jarrett Dieterle, Resident Senior Fellow, Competition Policy

#### Free Markets. Real Solutions.

**About R Street** • The R Street Institute is a nonprofit, nonpartisan, public-policy research organization ("think tank"). Our mission is to engage in policy research and outreach to promote free markets and limited, effective government. In addition to our D.C. headquarters, we have offices in Georgia, Texas, Ohio and California, covering the Southeast, Central, Midwest, Northeast and Western regions, respectively. We work extensively on both state and national policy, focusing on issues that other groups tend to neglect. Our specialty is tackling issues that are complex, but do not necessarily grab major headlines. These are the areas where we think we can have a real impact. We believe free markets work better than the alternatives. At the same time, we recognize the legislative process calls out for practical responses to current problems. Toward that end, our motto is "Free markets. Real solutions."

**Independence Statement** • The R Street Institute is committed to producing high-quality research and educating federal, state and local policymakers. Facts, data and staff expertise drive our research. We do not and will not permit the interests of politicians, donors or any other third party to dictate R Street's research or policy positions. While R Street may solicit input from any number of interested stakeholders, we are solely responsible for our research and related activities. Even where we agree with stakeholders and donors, R Street staff does not and will not represent, lobby or advocate on behalf of any third party.

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