



**Volume 51, Number 1**

**Winter 2014**

**Policy Essay**

- 1 Developing the Will and the Way to Address Persistent Poverty in America  
*Representative James E. Clyburn*

**Article**

- 19 Functional Government in 3-D: A Framework for Evaluating Allocations of Government Authority  
*Alejandro E. Camacho and Robert L. Glicksman*

**Symposium: Class in America**

- 89 Playing Fair: Distribution, Economic Growth, and Fairness in Federal and State Tax Debates  
*Joseph D. Henchman and Christopher L. Stephens*
- 113 Payroll Taxes, Mythology, and Fairness  
*Linda Sugin*

**Notes**

- 171 The Right to Rent Post-Foreclosure: A Legislative Proposal to Address Widespread Vacancies in the Ongoing Foreclosure Crisis
- 193 Institutionally Appropriate Approaches to Privacy: Striking a Balance Between Judicial and Administrative Enforcement of Privacy Law

## Harvard Journal on Legislation

Caspersen Student Center

Suite 3039

1585 Massachusetts Ave.

Cambridge, MA 02138

617-495-5108

hlsjol@mail.law.harvard.edu

www.harvardjol.com

The *Harvard Journal on Legislation* is published semiannually by Harvard Law School students. Views expressed in the *Journal* are those of the authors and do not necessarily reflect the views of the *Journal's* officers, editors, or other members.

**Editorial Policy:** The *Journal* specializes in the analysis of legislation and the legislative process. It focuses on legislative reform and on organizational and procedural factors that affect the efficiency and effectiveness of legislative decision-making. The *Journal* is especially interested in publishing articles that examine public policy problems of nationwide significance and propose legislation to resolve them.

**Submissions:** The *Journal* welcomes unsolicited manuscripts and prefers submission by e-mail. Interested authors should send their manuscripts and all related correspondence to the Articles Editors. Submissions by mail to the above address should be typed, double-spaced, and accompanied by a CD or DVD containing the submission in Microsoft Word. Submissions by e-mail should be attached as a Microsoft Word document, and the text of the e-mail should include the author's complete contact information. Footnotes should comply with *The Bluebook: A Uniform System of Citation* (19th ed. 2010).

**Subscriptions:** Subscription rates for the 2013 volume (Volume 50) are \$40 domestic; \$50 foreign (including Canada). For some international subscribers delivery via air mail may be more reliable than standard service, so please note in your inquiry if you would like surface or air mail. All correspondence concerning subscriptions should be addressed to the Subscriptions Manager, Harvard Law School Student Journals, Caspersen Student Center, Suite 3039, 1585 Massachusetts Ave., Cambridge, MA 02138; +1 617 495-3694. E-mail to: journals@law.harvard.edu. Claims for missing issues of Volume 49 will be honored only until June 2013.

**Back Issues:** Back issues may be ordered directly from William S. Hein & Co., Inc., 1285 Main St., Buffalo, NY, 14209-1987. Orders may also be placed by calling Hein at (800) 828-7571, via fax at (716) 883-8100, or e-mail to order@wshein.com. Back issues can also be found in electronic format for all your research needs on HeinOnline: <http://heinonline.org/>.

**Permission to Copy:** The articles in this issue may be reproduced and distributed, in whole or in part, by nonprofit institutions for educational purposes including distribution to students, provided that the copies are distributed at or below cost and identify the author, the *Harvard Journal on Legislation*, the volume, the number of the first page, and the year of the article's publication.



**Volume 51, Number 1**

**Winter 2014**

*Presidents and Editors-in-Chief*  
JONAH FABRICANT AND NEIL NANDI

*Executive Articles Editors*

TYLER ANDERSON  
ALEX BALDWIN

*Symposium Chairs*

KRISTIE GURLEY  
JACOB WHITE

*Managing Editor*

ELIZABETH NILES

*Congress Editors*

LINDSEY BECKETT  
SEAN MORRISON

*Online Chair*

NICHOLAS RUPKEY

*Reference Librarian*

TERESA SAINT-AMOUR

*Supervising Editors*

JAMES LEWIS  
CRAIG MILLER  
ALEX PEPPER  
LINDSAY REED

*Executive Technical Editor*

DANIEL BALMORI

*Submissions Editor*

MATTHEW LIPKA

*Student Writing Editor*

JOSHUA TANNEN

ARI RUBEN  
HOUSTON SHANER  
ALBERT TENG

*Technical Editors*

TYLER ANDERSON  
DANIEL BALMORI  
NICK RUPKEY  
DAN YANOFSKY

*Editors*

ELIZABETH BANKS  
LINDSEY BECKETT  
GORDON BOURJAILY  
ELIZABETH BURNS  
MARCUS GADSON

KRISTIE GURLEY  
DAVID LI  
MATTHEW LIPKA  
PATRICK LOOBY  
DANIEL LORME  
ELIZABETH MCNICHOL

HARRISON POLANS  
ADAM SOWLATI  
CAELYN STEPHENS  
STEPHANIE STERN  
JACOB WHITE

*Staff*

SAM ALLEN  
MARISSA BENAVIDES  
ALEXANDER BERNSTEIN  
MICHAEL BLEICHER  
HEATHER BROCKSMITH  
MAYA BRODZIAK  
WILL BURGESS  
ALISON BURTON  
THOMAS CHAPMAN  
ALEXANDER J. CLAYBORNE  
MEGHAN CLEARY

DECLAN CONROY  
CARSON COOK  
MARIO CUTTONE  
RACHEL DOLPHIN  
NICHOLAS DUBE  
SANDRA HANIAN  
MARK JIA  
JONATHAN KLEIN  
BRIAN KLOSTERBOER  
LAURIE LAI  
EMILY LARGENT

MEGAN R. MARKS  
EMMA MARSHAK  
LAUREN MAYNARD  
MYLES McDONAGH  
SEAN MORRISON  
SEAN NELSON  
ANA NIKOLIC  
SUSAN PELLETIER  
COLIN ROSS  
ANDRES SALINAS  
JASON SCHACHTER

BEN SCHWARTZ  
LAUREN SCHWARZENHOLZER  
AARON SHAPIRO  
GRACE SIGNORELLI  
LINDSEY SIMMONS  
SHARON SONG  
ROHAN TANEJA  
JENNA TYNAN  
JASON WASSER  
KELLEN WITTKOP  
RYAN WOO

