LEAGUE OF WOMEN VOTERS OF THE UNITED STATES®

IMPACT ON ISSUES

2018-2020

A Guide to Public Policy Positions

***The Election Process* (extracted pages)**

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The Election Process

Apportionment

The League's Position

Statement of Position on Apportionment, as announced by the National Board, January 1966, and revised March 1982:

The League of Women Voters of the United States believes that congressional districts and government legislative bodies should be apportioned substantially on population. The League is convinced that this standard, established by the Supreme Court, should be maintained, and that the U.S. Constitution should not be amended to allow for consideration of factors other than population in apportionment.

League History

The apportionment of election districts was a state issue until 1962 and 1964 Supreme Court rulings, requiring that both houses of state legislatures must be apportioned substantially on population, transferred the issue to the national arena. These rulings, spelling out the basic constitutional right to equal representation, prompted introduction in Congress of constitutional amendments and laws to subvert the Court's one-person, one-vote doctrine. Leagues in 33 states already had positions on the issue when, in 1965, the League's national council adopted a study on apportionment. By January 1966, the League had reached national member agreement on a position that both houses of state legislatures must be apportioned substantially on population. The 1972 Convention extended the position to cover all voting districts.

League action on both the national and state levels during the late 1960s had a significant role in the defeat of efforts to circumvent the Court's ruling. The League first lobbied in Congress against the *Dirksen Amendment*, which would have allowed apportionment of one legislative house based on factors other than population, and later worked to defeat resolutions to amend the Constitution by petition of state legislatures for a constitutional Convention. Successful efforts to fend off inadvisable constitutional amendments have left the responsibility for work on this position at the state and local levels. Successive League Conventions have reaffirmed the commitment to an LWVUS apportionment position to be available for action should the need arise. After the 1980 census, state and local Leagues used this position to work for equitable apportionment of state and local representative bodies.

In addition, since 1988, LWVEF worked with state and local Leagues to encourage full participation in the census and to ensure that subsequent reapportionment and redistricting complied with one-person, one-vote requirements under the *Voting Rights Act*. Leagues conducted projects to encourage the widest possible participation in the 1990 census as a way to ensure the most accurate population base for apportionment and redistricting. Leagues also work for equitable apportionment and redistricting of all elected government bodies, using techniques from public education and testimony to monitoring and litigation.

Behind the League position on apportionment is a conviction that a population standard is the most equitable way of assuring that each vote is of equal value in a democratic and representative system of government. The term "substantially" used in Supreme Court decisions allows adequate leeway for districting to provide for any necessary local diversities, and to protect minority representation under the League's voting rights position.

In 1998-1999 the League urged Congress to fully fund the 2000 census and to support scientific sampling as the means to ensure the most accurate count. State Leagues also have worked to ensure that scientific sampling is used for redistricting within the states.

In 2009, LWVEF was an official partner of the U.S. Census, with the goal of getting everyone counted. LWVEF staff worked closely with national partners (such as civil rights and Latino groups), and provided information and support to state and local Leagues in their efforts to minimize an undercount.

The League also submitted an amicus brief in the U.S. Supreme Court case *Evenwel v. Abbott*. The case determined whether states are required to use a metric other than total population, such as registered voters or citizen voting age population (CVAP) when apportioning districts for state legislative districts. The League's brief in this case supported the current practice of drawing district lines based on population counts and the U.S. Supreme Court upheld this practice.

As the 2020 Census approaches LWVUS has worked to encourage participation and provide guidance for state and local Leagues wishing to participate in Complete Count committees. This included publishing a Census Action Kit which contains printable materials for engaging communities in Census activities.

The League also engaged in efforts to remove a citizenship question from the 2020 Census. LWVNY joined one of six lawsuits across the country challenging the inclusion of the question. LWVUS joined an amicus as it headed to the U.S. Supreme Court challenging the question's inclusion without proper vetting. LWVUS also lobbied Congress, engaged the LWVUS Lobby Corps, and activated its grassroot network yielding the most successful engagement campaign of 2018 all to raise awareness of the damaging effects this question would have on communities around the country.

See also the position on Voting Rights (page 13), which applies to apportionment issues. Leagues applying the Apportionment position should be aware that the Voting Rights position (and League action supporting the *Voting Rights Act*) recognizes that both the Constitution and the *Voting Rights Act* require that reapportionment not dilute the effective representation of minority citizens.

Redistricting

The League's Position

Statement of Position on Redistricting, as adopted by concurrence, June 2016:

1. Responsibility for redistricting preferably should be vested in an independent special commission, with membership that reflects the diversity of the unit of government, including citizens at large, representatives of public interest groups, and members of minority groups.

2. Every redistricting process should include:

a. Specific timelines for the steps leading to a redistricting plan;

b. Full disclosure throughout the process and public hearings on the plan proposed for adoption;

i. Redistricting at all levels of government must be accomplished in an open, unbiased manner with citizen participation and access at all levels and steps of the process;

ii. Should be subject to open meeting laws;

c. A provision that any redistricting plan should be adopted by the redistricting authority with more than a simple majority vote;

d. Remedial provisions established in the event that the redistricting authority fails to enact a plan. Specific provisions should be made for court review of redistricting measures and for courts to require the redistricting authority to act on a specific schedule;

i. Time limits should be set for initiating court action for review,

ii. The courts should promptly review and rule on any challenge to a redistricting plan and require adjustments if the standards have not been met.

3. The standards on which a redistricting plan is based, and on which any plan should be judged, must:

a. Be enforceable in court;

b. Require:

i. Substantially equal population,

ii. Geographic contiguity, and

iii. Effective representation of racial and linguistic minorities.

c. Provide for (to the extent possible):

i. Promotion of partisan fairness,

ii. Preservation and protection of "communities of interest," and

iii. Respect for boundaries of municipalities and counties.

d. Compactness and competitiveness may also be considered as criteria so long as they do not conflict with the above criteria

e. Explicitly reject:

i. Protection of incumbents, through such devices as considering an incumbent's address; and

ii. Preferential treatment for a political party, through such devices as considering party affiliation, voting history and candidate residence.

This position does not supersede any existing state League redistricting position.

League History

Partisan and racial gerrymandering distorts and undermines representative democracy by allowing officials to select their voters rather than voters to select their officials. When done for purposes of racial discrimination or to ensure the dominance of one political party, or even to ensure the election of a specific legislator, gerrymandering runs counter to equal voting rights for all.

For much of the League's history, redistricting has been considered a state and local issue, but as state Leagues have become more active—and the political gerrymandering of the U.S. Congress and state legislative districts have become more apparent—LWVUS has provided assistance and, in the 2014-2016 biennium, developed a nationwide position statement.

Before the adoption of a specific position on redistricting, the National Board affirmed that Leagues at all levels may act under LWVUS positions relating to redistricting. Using the positions on Apportionment, Citizen's Right to Vote, and Congress, Leagues should work to achieve three goals consistent with those positions: (1) Congressional districts and government legislative bodies should be apportioned substantially on population ("one person, one vote"); (2) Redistricting should not dilute the effective representation of minority citizens; and (3) Efforts that attempt or result in partisan gerrymandering should be opposed.

In 2006, the League joined other groups in holding a nonpartisan redistricting conference in Salt Lake City, Utah. As a result of that meeting, the League and partners released a report, *Building a National Redistricting Reform Movement*, which looks at lessons learned from unsuccessful redistricting reform attempts in 2005 and suggests strategies to pursue and pitfalls to avoid in future reform efforts.

Leagues across the country continue to press for redistricting reform at the state level and LWVUS has gone to the Supreme Court with amicus briefs in landmark cases against partisan and racial gerrymandering. In 2009, LWVEF hosted a unique redistricting conference that brought together experts and stakeholders from across the nation to discuss how to work together to influence the results of the state redistricting processes following the 2010 Census. The participants agreed upon several core principles and wrote a report emphasizing the importance of transparency in the redistricting process.

In the 2010s the League expressed concern about "prison-based gerrymandering" in which inmates are counted as residents in the district where the prison is located instead of at their home addresses. Working with other organizations, the League sought better information from the Census to support the push to end such gerrymandering.

In 2011 and 2012, state Leagues played pivotal roles in advocating for improved redistricting processes through a nationwide funded *Shining a Light* project. Leagues hosted public events, delivered much-quoted testimony before decision-making bodies, presented alternative maps, launched major public education and media campaigns, and engaged key allies to promote transparent and fair redistricting processes. Key League priorities included advocating for adequate public comment periods before and after the introduction of redistricting proposals; disclosure of committee timelines and other important details; and opportunities for community groups, especially those representing diverse voices, to get involved.

Following the 2011 redistricting process, several state Leagues engaged in litigation or statewide ballot initiative campaigns to challenge unsatisfactory redistricting outcomes. The Texas League and LWVEF jointly submitted comments urging the US Department of Justice to object to the removal of preclearance protections covered under Section 5 of the *Voting Rights Act* for what the League deemed a discriminatory redistricting proposal. Elsewhere, the North Carolina League joined other civil rights groups in challenging a redistricting plan that would negatively impact minorities and other voters, the Arizona League filed an amicus brief which successfully urged the state Supreme Court to protect that state's independent redistricting commission, and the Pennsylvania League participated in a successful citizen's appeal of a state plan.

In California, League leaders worked throughout 2011 and 2012 to defend and ensure success for that state's new Independent Citizens Commission process in California, and also provided a detailed analysis of and recommendations for future redistricting commissions. In Florida, the League spearheaded multiple legislative and legal efforts to ensure the integrity of new, groundbreaking redistricting criteria would be upheld. The League prevailed in court when it challenged the 2010 redistricting plan for violating the new criteria. The Florida League garnered an impressive array of statewide and national media coverage for its efforts.

In early 2012, LWVEF published *Shining a Light: Redistricting Lessons Learned*, which lays out key League priorities related to redistricting reform. The publication has been widely shared with Leagues and partners nationwide. In Ohio, the League led a high-profile—yet ultimately unsuccessful—effort to pass a November 2012 ballot initiative that would have instituted an independent redistricting commission.

Public opinion polling has shown high public support for taking the redistricting process out of the hands of partisan legislatures, and many Leagues continue to consider how best to achieve more representative processes. Leagues remain engaged in pending legal challenges or appeals in several states and continue to pursue a range of opportunities to reform the redistricting process.

Wishing to give redistricting a higher profile for League action, the 2014 national Program on *Key Structures of Democracy* called for a Task Force on Redistricting which surveyed existing state League positions and recommended a new concurrence statement to the 2016 convention.

League action on redistricting ramped up during the 2016-2018 biennium. Leagues built and participated in coalitions for reform efforts in states all across the country. In 2018, Leagues in Colorado, Michigan, Missouri, Ohio, and Utah were instrumental in passing ballot initiatives that created more independent redistricting processes. Other states also participated in LWVUS and LWVEF redistricting grants which invited specific Leagues to apply for grant funding related to redistricting efforts. In addition to the five states that passed ballot initiatives, Leagues worked to build support and educate voters about the need for redistricting reform in 12 different states across the country.

The League was also a plaintiff and filed amicus briefs in key litigation efforts around the country. The League filed an amicus brief in the case of *Gill v. Whitford* at the Supreme Court in 2018. The League's own case in North Carolina, *League of Women Voters of North Carolina v. Rucho*, was also found to be an unconstitutional partisan gerrymander by the lower courts and was agreed to be heard by the U.S. Supreme Court in March of 2019. Following the 2018 election, LWVMI began discussion with the Michigan Secretary of State to potentially settle the case which included redrawing 11 state legislative districts that the League challenged as partisan gerrymanders in the case of *League of Women Voters of Michigan v. Benson*. All these cases were still pending at the close of 2018.

Money in Politics

The League's Position

Statement of Position on Campaign Finance, as announced by the National Board, April 2016:

The League of Women Voters of the United States believes that the methods of financing political campaigns should:

Enhance political equality for all citizens; ensure maximum participation by citizens in the political process; protect representative democracy from being distorted by big spending in election campaigns; provide voters sufficient information about candidates and campaign issues to make informed choices; ensure transparency and the public's right to know who is using money to influence elections; enable candidates to compete equitably for public office; ensure that candidates have sufficient funds to communicate their messages to the public; and combat corruption and undue influence in government.

The League believes that political corruption includes the following:

A candidate or officeholder agrees to vote or work in favor of a donor's interests in exchange for a campaign

contribution; an officeholder or staff gives greater access to donors; an officeholder votes or works to support policies that reflect the preferences of individuals or organizations in order to attract contributions from them; a candidate or office holder seeks political contributions implying that there will be retribution unless a donation is given; and the results of the political process consistently favor the interests of significant campaign contributors.

In order to achieve the goals for campaign finance regulation, the League supports:

Public financing of elections, either voluntary or mandatory, in which candidates must abide by reasonable spending limits; enhanced enforcement of campaign finance laws that includes changes to ensure that regulatory agencies are properly funded, staffed, and structured to avoid partisan deadlock in the decision-making process; abolishing Super PACs and abolishing spending coordinated or directed by candidates (other than a candidate's own campaign committee); and restrictions on direct donations and bundling by lobbyists, which may include monetary limits as well as other regulations.

Until full public financing of elections is enacted, limits on election spending are needed in order to meet the League's goals for protecting democratic processes. Among the different entities that spend money to influence elections, the League supports the following comparative limits:

- **Higher spending limits for political parties, genuinely non-partisan voter registration and get-out-the-vote organizations and activities, and candidates spending money raised from contributors;**
- **mid-level spending limits for individual citizens (including wealthy individuals), Political Action Committees (with funds contributed by individuals associated with the sponsoring organization, such as employees, stockholders, members, and volunteers), and candidates spending their own money;**
- **lower spending limits for trade associations, labor unions and non-profit organizations from their general treasury funds;**
- **severely restricted spending by for-profit organizations spending from their corporate treasury funds;**
- **no limits on spending by bona fide newspapers, television, and other media, including the internet, except to address partisan abuse or use of the media to evade campaign finance regulations.**

This position is applicable to all federal campaigns for public office — presidential and congressional, primaries, as well as general elections. It also may be applied to state and local campaigns.

League History

The 1973 Council—spurred by spending abuses in congressional and presidential campaigns—focused on campaign finance. An accelerated study and agreement in 1973 led to the Campaign Finance position, which applied League Principles supporting an open and representative government to political campaigns.

The League initiated a petition drive and lobbied intensively for the campaign reforms embodied in the *Federal Election Campaign Act of 1974 (FECA)*. When the law was challenged in court, the League, together with other organizations, intervened as defendants. In 1976, the U.S. Supreme Court upheld portions of the law providing for disclosure, public financing, and contribution limits, but it overturned limits on candidates' spending if they used private financing, and limits on independent expenditures. The court also ruled that the method of selection of the Federal Election Commission (FEC) was unconstitutional because it allowed Congress to encroach on the president's appointment power. After the court's decision, the League successfully lobbied for a new law creating an independent and constitutionally acceptable FEC.

In 1989-1992, the League fought for comprehensive campaign finance reform to address the abuses in the existing system, supporting bills that curbed special-interest contributions, and provided public financing for candidates that accepted voluntary spending limits. The League called for limits to PAC and large contributor donations, for closing the soft-money loophole, and for public benefits for candidates, such as reduced postage and reduced broadcasting costs.

Both houses of Congress enacted reform bills in 1990, but a conference committee was unable to resolve the differences before adjournment of the 101st Congress (1989-1991). Both houses passed strong reform measures in 1992, and the bill that emerged from the conference committee promised the most far-reaching campaign finance reform since Watergate. President George H. W. Bush vetoed the bill, and an attempt to override was unsuccessful.

In 1991-1992, the League defended the system of public financing for presidential candidates through check-offs on income tax forms. Faced with an impending shortfall in the Presidential Election Campaign Fund, the League countered with an attack on many fronts: an appeal to taxpayers and preparers to use the check-off; testimony before the House Elections Subcommittee to increase the check-off from $1.00 to $3.00, with indexing for inflation; opposition to IRS regulations that would weaken the system; support for a House

bill guaranteeing matching funds for qualified presidential primary candidates; and participation in an amicus which unsuccessfully challenged the U.S. Treasury Department's regulations that subvert the language and congressional intent of the presidential public financing system. In 1993, the presidential check-off was increased to $3.00, with support from the League, assuring continued viability for the fund. Also, in 1993, the League supported comprehensive campaign finance reform, which stalled in partisan wrangling.

In 1995 and 1996, the League continued its support for comprehensive reform through lobbying, testimony, grassroots action, and work with the media. League members pushed for voluntary spending limits; public benefits, such as reduced-cost broadcasting and postal services, for participating candidates; aggregate limits on the total amounts candidates could receive in PAC and large individual contributions; and closing the loopholes that allow huge amounts of special-interest money to influence the system.

The near collapse of the federal campaign finance system during the 1996 election focused national attention on the need for reform. In December 1996, LWVUS endorsed the goals of a reform proposal developed by a group of academics. The approach focused on closing gaping loopholes in the law that allow special interests, the political parties, and others to channel hundreds of millions of dollars into candidates' campaigns. Among the key goals: banning "soft money," closing the sham issue advocacy loophole, and improving disclosure and enforcement. In 1996, opponents of League-favored reforms, arguing that politics is underfunded, sought to increase the amounts of special-interest money flowing into the system by loosening many existing contribution limits. The League and its allies soundly defeated this approach in the house but were unable to overcome opposition from most congressional leaders in both parties. Reformers did build bipartisan support for reform outside the leadership circles.

In response to budget attacks on the FEC in the 104th Congress (1995-1997), the League testified and lobbied in support of the FEC's Fiscal Year 1997 budget request and against efforts to undermine the agency's core enforcement and disclosure programs through funding cuts.

Also, in this period, LWVEF launched a comprehensive program for articulating a public voice on campaign finance. Entitled, *Money + Politics: People Change the Equation*, the project brought citizens together to debate the problems in the system and discuss possible solutions.

LWVEF mounted a major advertising and grassroots education initiative calling attention to achievable campaign reforms. Working with experts from diverse political views, LWVEF published a blueprint for reform, *5 Ideas for Practical Campaign Reform*. Other efforts included ads in major newspapers, a PSA featuring national news anchor Walter Cronkite and citizen caucuses in 20 states.

An unrelenting push by LWVUS and other reform advocates succeeded in shifting the campaign-finance debate in the 105th Congress (1997-1999) from a deadlock over spending limits to real movement to close the most egregious loopholes. The League supported the bipartisan *McCain-Feingold* bill in the Senate and the counterpart *Shays-Meehan* bill in the House, bringing grassroots pressure to bear against efforts by congressional leaders to stonewall real reform. Leagues responded to Action Alerts and lobbied their members of Congress to defeat parliamentary maneuvers blocking votes and to support meaningful reform.

In summer 1998, reformers succeeded in forcing the Speaker of the U.S. House of Representatives to schedule a vote on reform bills, including Shays-Meehan. Despite concerted efforts to defeat it, the bill passed the House by a vote of 252-179 in August 1998. League members immediately urged senators to support a cloture vote on campaign finance reform legislation and to vote for real reform. However, in September 1998, the Senate once again failed to break a filibuster preventing a vote.

In 1998, LWVEF launched a campaign finance reform project, *Strategies for Success in the Midwest*, working with state Leagues in Illinois, Indiana, Iowa, Michigan, Minnesota, Ohio, and Wisconsin. Efforts focused on educating citizens on practical ways to reform campaign finance and to offer citizens an opportunity to participate in the debate. In 1999, LWVEF distributed *Make the Link* materials to state Leagues, drawing the connection between campaign finance and key issues such as the environment, teen smoking, and health care.

On the Hill, House leaders again worked to block the *Shays-Meehan* bill in the 106th Congress (1999-2001). Using a discharge petition, reformers forced the leadership to move the bill, and it passed on a strong vote. Senate passage once again proved elusive despite citizen pressure. However, the League and other supporters were successful in achieving passage in June 2000 of so-called "527" legislation, requiring political organizations set up under Section 527 of the IRS code to disclose the identity and amounts given by their donors and how they spend the money.

As the League continued to focus on reducing the corrupting influence of big money in elections, League work at the state level contributed to real

progress. Public financing, the *Clean Money Option*, was adopted in several states, including Arizona and Maine; other state reform efforts have made progress in Massachusetts and Vermont. Reform measures were on the 2000 ballot in Missouri and Oregon but fell short. Also, in 1999-2000, League members supported 90-year-old Doris Haddock, "Granny D," in her walk across the country to promote campaign finance reform.

The League and other reformers succeeded in putting campaign finance reform on the front burner of the national political agenda. In January 2000, in *Nixon v. Shrink Missouri PAC*, the U.S. Supreme Court upheld limits on state campaign contributions that were analogous to the federal limits. LWVUS joined an amicus brief in the case. The Court's decision restated the constitutional underpinning for campaign finance reform formulated in *Buckley v. Valeo*, despite arguments by reform opponents.

The battle for meaningful campaign finance reform has been long and hard. The Senate debated the *McCain-Feingold-Shays-Meehan* bill for more than a week in 2001. The League pushed successfully for a strengthening amendment from Senator Wellstone (D- MN) and to protect against a raft of weakening amendments. On the House side, the leadership once again tried to use the rules to block reform. Our allies in the House, with strong support from LWVUS, had to resort to a discharge petition to force action.

LWVUS worked with the bill's sponsors and lobbied swing members of the U.S. House and Senate to achieve campaign finance reform. LWVUS conducted two rounds of phone banking, asking League members in key districts to lobby at key junctures in the congressional debate. The League participated in many press conferences and rallies to make the citizen's voice heard on campaign finance reform.

On March 27, 2002, the League's five-year campaign for the *McCain-Feingold-Shays-Meehan* bill reached fruition when President George W Bush signed the legislation into law. The bill, which is known as the *Bipartisan Campaign Reform Act* (BCRA), closed the most significant loopholes in campaign finance regulation—the "soft money" loophole (a contribution to a political party that is not counted as going to a particular candidate, thus avoiding various legal limitations) that allowed unlimited corporate, union, and individual contributions and the "sham" issue ad loophole that allowed undisclosed contributions to campaign advertising advocating particular candidates. The League was instrumental in developing this approach and pushing it—at the grassroots and in Congress—to final enactment.

With the passage of BCRA, the League turned its attention to legal challenges to the law, which continue to the present day. LWVUS filed an amicus brief on "sham issue ads" for the U.S. Supreme Court case *McConnell v. FEC* (2003). The brief explained why it is important that funding for attack ads in the final days of an election not be used to circumvent the "soft money" ban in BCRA. In September 2003, the League organized a rally at the U.S. Supreme Court to demonstrate public support for the law. In December, the Supreme Court upheld all the key components of BCRA in *McConnell v. FEC*, including the "sham issue ad" provisions briefed by League.

In the first half of the 108th Congress (2003-2005), the League urged Senators to cosponsor the *Our Democracy, Our Airwaves Act* introduced by Senators McCain, Feingold, and Durbin. LWVUS helped targeted Leagues organize in-district lobby visits in support of the legislation, and the LWVUS Lobby Corps lobbied select Senators requesting co-sponsorship of the bill.

The League, along with partners, conducted a national public education campaign *Our Democracy, Our Airwaves*, studying the role of television in elections, the cost of accessing these public airwaves, and the importance of strengthening public interest information coming from broadcasters. LWVUS put together organizing tools for local Leagues to use while creating educational campaigns in their communities.

In the second session of the 108th Congress (2003-2005), the League continued its work on improving the presidential public financing system. LWVUS sought cosponsors to legislation introduced by Senators McCain and Feingold and Representatives Shays and Meehan to fix the system. LWVUS also joined a coalition project that sought pledge commitments from the 2004 presidential candidates to support the public financing system's reform if elected. In 2003 and 2004, the League again urged taxpayers to check the box to support the Presidential Election Fund.

In 2005 and 2006, the League continued to promote campaign finance reform as well as public funding for presidential elections. In December 2005, the League president spoke at a Capitol Hill conference titled, *The Issue of Presidential Public Financing: Its Goals, History, Current Status, and Problems*. In 2006, LWVUS joined with other organizations in a letter to U.S. Representatives urging them to co-sponsor and support the *Meehan-Shays* bill that would make a series of important reforms to the presidential public financing system.

Throughout 2005, the League urged members of Congress to vote against the *Pence-Wynn* and other

bills aimed to undermine existing campaign finance regulations. In December, the League joined other groups in submitting an amicus brief in the U.S. Supreme Court case *Wisconsin Right to Life, Inc. v. Federal Election Commission*, which challenged the application of the *Bipartisan Campaign Reform Act* to the financing of television ads in Wisconsin. Through 2006, the League continued to support meaningful campaign finance reform, urging Representatives to vote for a ban on leadership PACs as well as support a bill that would close soft money loopholes.

In 2007 and 2008, the League endorsed legislation to fix the public financing system for president and to establish congressional public financing for the first time. During the 2008 presidential campaign, the League pressed all the candidates to support reform of the presidential public financing system. The League also supported banning leadership PACs and continued to press the courts to properly interpret and enforce campaign finance law.

In the late 2000s, LWVUS was involved as a "friend-of-the-court" in two pivotal U.S. Supreme Court cases: *Caperton v. Massey and Citizens United v. FEC*. In the latter case, the League argued that corporate spending in elections should not be equated with the First Amendment rights of individual citizens.

In 2010, the League reacted swiftly and strongly to the U.S. Supreme Court's adverse decision in the *Citizens United* case, which allowed unlimited "independent" corporate spending in candidate elections. The League president testified before the relevant House committee on the key steps that can be taken to respond, focusing on the importance of including tighter disclosure requirements. The League continues to urge passage of the *DISCLOSE Act* to counter the Court's decision and ensure that corporate and union spending in elections is fully disclosed.

With the explosion of supposedly "independent" spending by outside groups in the years since *Citizens United*, the League is pushing for tougher rules on coordination, since much of the outside spending is not independent and instead is coordinated with candidate campaigns. In addition, the League continues to push for legislation to protect and reinvigorate the presidential public financing system and to institute congressional public financing as well. The League also is working to reform the dysfunctional Federal Election Commission (FEC), which has refused to enforce the law.

In early 2012, LWVUS board appointed a Campaign Finance Task Force to examine legislative and constitutional efforts to achieve campaign finance reform. Convention 2012 reaffirmed the League's commitment to campaign finance reform by passing a resolution that called for advocating strongly for campaign finance measures including but not limited to constitutional amendments.

In the summer of 2012, the League ran radio ads in Tennessee and Maine asking Senators Corker, Alexander, Snowe, and Collins to support campaign finance reform. The ads were timed in anticipation of congressional action on the *DISCLOSE Act*. The ads garnered press coverage from outlets in both states.

In the 2012 elections, huge amounts of campaign spending came from so-called independent groups, much of it from secret contributions. The League took on these issues, arguing that much of the "independent" spending was coordinated with candidate campaigns and therefore illegal. The League also pointed to the use of secret "dark money" and pushed for enhanced disclosure.

The 2014-2016 national program on *Key Structures of Democracy* focused increased attention at every level of League on Money in Politics (MIP) and included an updated study to provide additional detail to the League's position. Based on the new position statement and previous action on campaign finance reform, the four major elements of the League's MIP plan focus on: disclosure, stopping Super PACs, public financing for congressional and presidential elections, and reform of the FEC to create an effective enforcement agency.

The 2016-2018 national program continued a focus on MIP's issues as part of the Campaign for Making Democracy Work® (CMDW). Through CMDW, the League pushed for several reform measures in Congress. In the 115th Congress (2017-2019), the League supported legislation from Senator Tom Udall to restructure the FEC into a five-member commission with the authority to conduct investigations of campaign finance violations while also establishing a new system for enforcement. LWVUS issued action alerts and activated the LWVUS Lobby Corps in favor of this legislation but it was never brought to the floor or even got through the committee process.

The FEC legislation was included in the *We the People Act*, a comprehensive reform bill that included legislation addressing money in politics, redistricting, ethics, and voting rights reforms. The LWVUS Lobby Corps lobbied select members of the U.S. House and Senate to cosponsor this legislation. The We the People Act would become the precursor to legislation introduced in the 116th Congress (2019-2021), HR1, the *For the People Act*.

Following the 2016 presidential election, and

reports of foreign interference in the election, the League endorsed, lobbied, and activated grassroots action in favor of the *Honest Ads Act*. The goals of this legislation included preventing foreign interference in future elections and improving online political ad disclosure. Despite hearings on this bill with leaders of major social media and internet companies it did not move forward. However, the interest in this bill did cause the FEC to renew a previous interest in updating regulations on online advertisements. LWVUS participated in a comment drive with like-minded groups to urge the FEC to act. After the FEC agreed to move forward, the League submitted technical comments to the FEC on the regulations.

During the 115th Congress (2017-2019) the League opposed efforts to roll back the *Johnson Amendment*. This provision prohibits 501(c)(3) non-profit organizations, like churches and universities, endorsing or opposing political candidates. Rescinding this provision would allow these non-profits to maintain their charitable status while engaging in political activities. Both the U.S. House and Senate tried several times to repeal this provision but each time action from the League and other organizations ensured those attempts were unsuccessful.

In 2018, the League was also instrumental in finally requiring the U.S. Senate to electronically file campaign finance reports with the FEC. Electronically filing these reports ensures transparency and increases access for voters to determine funding for Senate candidates.

The League's position on Campaign Finance reflects continuing concern for open and honest elections and for maximum citizen participation in the political process. The League's campaign finance reform strategy has two tracks: (1) achieve incremental reforms where possible in the short term and (2) build support for public financing as the best long-term solution.

Although provided under current law for presidential elections, public funding of congressional elections, which the League supports, has been an elusive goal. Current law does embody other League goals: full and timely disclosure of campaign contributions and expenditures; one central committee to coordinate, control, and report financial transactions for each candidate, party, or other committee; an independent body to monitor and enforce the law; and the encouragement of broad-based contributions from citizens.

The League continues to look for ways to limit the size and type of contributions from all sources as a means of combating undue influence in the election process. League action on this issue is built on a careful assessment of all proposed changes in campaign financing law. The League continues to assess proposals to equalize government services for challengers and incumbents so that candidates can compete more equitably. The League favors shortening the time between primaries and general elections.