REPRESENTATIVE GOVERNMENT

Promote an open governmental system that is representative, accountable and responsive.

Founded by the activists who secured voting rights for women, the League has always worked to promote the values and processes of representative government. Protecting and enhancing voting rights for all Americans, assuring opportunities for citizen participation, working for open, accountable, representative and responsive government at every level—all reflect the deeply held convictions of the League of Women Voters.

In the 1950s, the League worked courageously to protect fundamental citizen rights and individual liberties against the threats of the McCarthy era. In the 1960s, attention turned to securing "one person, one vote" through apportionment of legislative districts based substantially on population. In the 1970s, members worked to reform the legislative process and open it to citizen scrutiny, and to balance congressional and presidential powers. The League also sought to reform the campaign finance system to reduce the dominance of special interests, affirmed support for the direct election of the President and fought for full voting rights in Congress for the citizens of the District of Columbia.

In the 1980s and 1990s, the League worked to break down the barriers to voting, first through reauthorization of the Voting Rights Act and then through a campaign for passage and implementation of the landmark National Voter Registration Act. Campaign finance reform, with a focus on public financing and on closing loopholes, again was a major activity at the federal and state levels, with the goal of enhancing the role of citizens in the election and legislative processes. In the late 1990s, the fight for DC voting rights was reinvigorated.

During that same period, the League worked to ensure the constitutional right of privacy of the individual to make reproductive choices and opposed term limits for legislative offices.

In the mid- to late 1990s, the League launched its Making Democracy Work campaign, focusing on five key indicators of a healthy democracy: voter participation, campaign finance reform, diversity of representation, civic education and knowledge, and civic participation. The 1998 Convention added "full congressional voting representation for the District of Columbia" to the campaign. State and local Leagues measured the health of democracy in their communities, reported the results and worked with other groups to seek change. The LWVUS report "Charting the Health of American Democracy" took a nationwide measure and made recommendations for change.

In the 2000s, this campaign continued. Convention 2002 decided to update the position on the Selection of the President, focusing not only on the electoral process but on the other factors that affect the presidential race, e.g., money, parties and the media. The position was expanded and formally approved at Convention 2004.

In the second half of the 2000s, the League supported legislation to reform the lobbying process and to rebuild public confidence in Congress. In 2008, the House passed new ethics procedures, including new ethics rules, disclosure requirements for campaign contributions "bundled" by lobbyists, and a new ethics enforcement process. The League also continued its work seeking full enforcement of the National Voter Registration Act.

In late 2010 and again in 2012, the League and coalition partners urged the Speaker to preserve and strengthen House ethics rules and standards of conduct.

Campaign Finance in the 2000s - The five-year fight for campaign finance reform paid off in March 2002 when the President signed the Bipartisan Campaign Reform Act into law. The League was instrumental in developing this legislation and pushing it to enactment, and remains vigilant in ensuring the law is enforced and properly interpreted in the Courts.

In the late 2000s, the 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 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 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.

Election Administration in the 2000s - When the disputed 2000 elections exposed the many problems facing our election administration system, the League leaped into action. Bringing our coalition allies together, the League worked to ensure that key reforms were part of the congressional debate. In October 2002, the Help America Vote Act (HAVA) was signed into law, authorizing funds for each state to improve the operation of elections according to federal requirements.

The League continues to fight to ensure that the requirements of HAVA are implemented in ways to assure voter access. In 2005, the League created a public awareness campaign 5 Things You Need to Know on Election Day, designed to educate voters about the new requirements and the steps each voter could take to protect access. The campaign was highly successful, and has continued in subsequent election seasons with a particular emphasis on providing quality voting information to first-time voters and traditionally underrepresented communities.

Convention 2006 revised the League's stand on voting systems to assure that they would be secure, accurate, recountable, accessible and transparent.

Voter Protection in the 2000s - In 2006, the League launched its highly successful Public Advocacy for Voter Protection (PAVP) project and by the early 2010s, the PAVP project had expanded to more than 20 states as the League engaged in targeted state-based advocacy. The LWVUS collaborates with state Leagues to enhance their public education and advocacy campaigns to fight barriers to voter participation and to ensure election laws and processes are applied in a uniform and non-discriminatory manner.

Since its inception, the PAVP project has helped to remove or mitigate barriers to voting by underserved populations, and to advance the capacity of state Leagues to become even more effective advocates in five focus areas identified by the League as essential to protecting the votes of all citizens and improving election administration overall:

- Oppose photo ID and documentary proof of citizenship
- Improve administration of statewide database systems
- Guard against undue restrictions on voter registration
- Improve polling place management
- Improve poll worker training.

League work includes advocating for compliance with existing laws and regulations, such as the National Voter Registration Act of 1993, and advocating for key reforms through education and advocacy, and litigation when necessary. League action has been directed toward legislators, state/local elections officials, other policy makers, the media and concerned citizens, as appropriate.

One of the most major threats tackled by Leagues through the PAVP project is onerous and restrictive voter photo ID requirements. As many as 21 million Americans do not have government issued photo identification, with minorities and low-income individuals disproportionately less likely to have photo ID showing a current address. The League's efforts to combat voter suppression require issue monitoring and action by League advocates, often over multiple state legislative sessions, countless articles and opinion

pieces placed in national and regional media, and multiple steps in the state and federal courts. League leaders and their partners have worked every step of the way to ensure that all eligible voters would have the opportunity to participate and have the tools necessary to overcome the confusion that results from these drawn-out battles.

During 2011-2012, the League's efforts resulted in the defeat of five strict voter photo ID bills during state legislative sessions (CO, IA, ME, MO and NC), in successful court action to block restrictive ID laws from implementation in four more states (SC, TX, PA and WI) and in the success of the People's Veto in ME in protecting same-day voter registration.

On Election Day 2012, Minnesota voters were the first in the country to soundly reject a proposed constitutional amendment that would have required government-issue voter photo ID and eliminated Election Day Registration in future elections. The League and its partners were instrumental in securing this success for voters.

In the late summer and fall of 2012, the League was also a leader in pushing back against illegal purging of voters from voter registration lists in Colorado and Florida. Finally, through additional court action, the League succeeded in overturning onerous restrictions on limits to independent voter registration in the state of Florida and quickly moved to fill the gap created by those restrictions.

The years 2013-2014 brought renewed attempts to restrict voting both nationally and in state legislatures. LWV staff assisted 31 state League affiliates as they encountered voter suppression issues. Leagues were instrumental in advocating against approximately 25 strict voter photo ID bills during the 2013-2014 state legislative sessions.

LWVUS and state Leagues across the country undertook court action to block restrictive laws in Kansas, North Carolina, Ohio, South Carolina, Wisconsin and many other states, with several major victories prior to Election Day 2016. Multiple legal challenges are still ongoing. An updated "ID Toolkit" was distributed to ensure that a unified, comprehensive and sustained message was disseminated by Leagues across the country. The toolkit includes: national overview of photo ID laws, overview of major court cases across the country, and a host of useful advocacy suggestions and templates.

The Ohio League received support in a challenge to reinstate the "golden week" of early voting following the legislature's action to cut it. In Georgia, a League-led coalition successfully stopped legislation that would have significantly reduced the early voting period.

In early 2013, the U.S. Supreme Court heard two important cases challenging the Voting Rights Act (VRA) and the National Voter Registration Act (NVRA), jeopardizing key voting rights safeguards that have been in place for decades. The LWVUS submitted an *amicus* brief in each case, and the Arizona state League was a plaintiff in the NVRA challenge. The League strongly supported the enforcement mechanism in the VRA, and, in support of the NVRA, continued its opposition to a documentary proof-of-citizenship requirement for voter registration.

During the 2014-2016 biennium, the LWVUS with state Leagues successfully challenged purging rules in Florida and sought to reverse a decision by the new Executive Director of the U.S. Election Assistance Commission to allow documentary proof-of-citizenship requirements in Kansas, Georgia and Arizona, which, if allowed, could set a precedent for other states to impose these restrictions.

State Leagues in Kansas, North Carolina, Ohio and Wisconsin were active participants and leaders in a variety of lawsuits seeking to block voting restrictions in those states.

Preventing Election Day Barriers

In the lead-up to Election Day 2016, League volunteers worked around the clock to protect the rights of voters. They staffed English and Spanish language hotlines answering voters' questions and troubleshooting for them. They set up poll observing programs, worked as poll workers and reported challenges to the national Election Protection Coalition. All of this was carried out with the goal of ensuring votes were successfully cast and counted. In states where restrictive photo ID laws had passed and were implemented,

the League actively sought out individuals who could have difficulty getting the required ID for voting purposes to provide assistance. Assistance included education about the requirements, transportation to DMVs, and help in obtaining, and in some instances paying for underlying documentation (e.g. birth certificates). As part of this effort LWV printed tens of thousands of state-specific voter education materials in the lead-up to Election Day 2014. In 2016 alone, the League's work to protect and mobilize voters was featured in more than 35,000 news stories.

Leagues also regularly met with elections officials to encourage Election Day preparedness, poll worker training (especially in states where changes had been made), and fair distribution of resources so that all polling places are staffed and prepared for voters. Across the country hundreds of League volunteers staffed hotlines and worked as election observers to ensure voters' rights were protected on Election Day itself.

When possible, Leagues also worked to improve voter registration database matching criteria, students' right to vote using their campus address, increasing the effectiveness of public assistance office voter registration, and fair and equitable implementation of early voting and vote centers. Since 2013, LWVUS has promoted five key proactive election reform priorities:

- Secure online voter registration
- Permanent and portable statewide voter registration
- Expansion of early voting
- Improvement of polling place management
- Electronic streamlining of election processes.

Key Structures of Democracy

At the 2014 Convention, delegates voted an ambitious program to examine "Three Key Structures of Democracy": redistricting reform, amending the Constitution, and money in politics. Through League studies, new positions were developed on Money in Politics, Considerations for Evaluating Constitutional Amendment Proposals, and Constitutional Conventions under Article V of the U.S. Constitution. A League task force recommended a new position on Redistricting to Convention 2016, and it was adopted by concurrence.

Based on these new positions and the positions on Voting Rights, the LWV launched a Campaign for Making Democracy Work for the 2016-2018 biennium. Voter registration, education, mobilization and protection are key parts of this campaign, which extends to legislative reform at the state and local levels as well as the national level.

VOTING RIGHTS

Citizen's Right to Vote

The right of every citizen to vote has been a basic League principle since its origin. Early on, many state Leagues adopted positions on election laws. But at the national level, despite a long history of protecting voting rights, the League found itself in the midst of the civil rights struggle of the 1960s without authority to take national legislative action on behalf of the Voting Rights Act of 1965.

Stung by the League's powerlessness to take action on such a significant issue, the 1970 Convention adopted a bylaws amendment enabling the League to act "to protect the right to vote of every citizen" without the formality of adopting voting rights in the national program. This unusual decision reflected member conviction that protecting the right to vote is indivisibly part of the League's basic purpose. When the 1974 Convention amended the Bylaws to provide that all League Principles could serve as authority for action, the separate amendment on voting rights was no longer needed.

The 1976 Convention's adoption of Voting Rights as an integral part of the national Program and the 1978 confirmation of that decision underlined the already existing authority under the Principles for the League to act on this basic right. In May 1982, the LWVUS Board made explicit the League's position on Voting Rights, and the 1982 Convention added Voting Rights to the national Program. The 1986 Convention affirmed that a key element of protecting the

right to vote is encouraging participation in the political process. The 1990 Convention affirmed that the LWVUS should continue emphasis on protecting the right to vote by working to increase voter participation.

Leagues lobbied extensively for the 1970 amendments to the Voting Rights Act of 1965. In 1975, the League was part of a successful coalition effort to extend the act and expand its coverage to language minorities. In 1982, the League was a leader in the fight to strengthen the act and extend its major provisions for 25 years. In 1992, the League successfully sought reauthorization of the language assistance provision for an additional 15 years. In 2006, the League sponsored a major public initiative to support the Fannie Lou Hamer, Rosa Parks, and Coretta Scott King Voting Rights Act Reauthorization and Amendments Act of 2006. After months of action by Leagues across the country, the bill was passed and signed into law.

In response to threats to voting rights, the League has actively pursued litigation and administrative advocacy. In 1985, the League filed comments objecting to proposed regulations that would weaken the administrative enforcement provisions of Section 5 of the Act. And with other *amici curiae*, the League successfully urged the U.S. Supreme Court to adopt a strong interpretation of Section 2 for challenges to minority vote dilution.

From 1984 to 1989, building on a 1982 pilot project to monitor compliance with the Voting Rights Act in states covered by Section 5 of the Act, the League of Women Voters Education Fund (LWVEF) conducted projects to apply monitoring techniques in jurisdictions considering bailout from Section 5, to establish the League as a major source of information on bailout and compliance issues. Since 1988, the LWVEF worked with state and local Leagues to encourage full participation in the census and to ensure that subsequent reapportionment and redistrictings complied with one-person, one-vote requirements and the Voting Rights Act.

In 1996 and 1998, the LWVUS worked against congressional "English-only" legislation that would have effectively repealed the minority language provisions of the Voting Rights Act.

Increased accessibility to the electoral process is integral to ensuring a representative electoral process and the right of every citizen to vote. The League's grassroots campaign to secure national legislation to reform voter registration resulted in the 1990 House passage of the National Voter Registration Act (NVRA), "motor-voter," but the bill did not reach the Senate.

In 1991, the effort to pass national "motor-voter" legislation intensified, and the National Voter Registration Act of 1991 was introduced in the Senate. Leading a national coalition, the League executed a high visibility, multifaceted, grassroots drive, resulting in passage by both houses in 1992. But, the President vetoed the bill and the Senate failed to override.

In May 1993, the years of concerted effort by the League and other organizations paid off when both houses passed and the President signed the National Voter Registration Act. The President gave one of the signing pens to the LWVUS and saluted the League and other supporters as "fighters for freedom" in the continuing effort to expand American democracy. The "motor-voter" bill enabled citizens to apply to register at motor vehicle agencies automatically, as well as by mail and at public and private agencies that service the public.

League members quickly turned to ensuring effective implementation of the NVRA by states and key federal agencies. In early 1994, the LWVEF sponsored a "Motor Voter Alert" conference of representatives from more than 30 state Leagues, other grassroots activists, and representatives of civil rights and disability groups. Throughout 1994, while the LWVUS successfully lobbied the President and the Justice Department for strong federal leadership, state Leagues kept the pressure on their legislatures to pass effective enabling legislation by the January 1995 deadline. On September 12, 1994, the President issued an Executive Order requiring affected federal agencies to cooperate to the greatest extent possible with the states in implementing the law by providing funds, guidance and technical assistance to affected state public assistance agencies and agencies serving the disabled.

In 1995 and 1996, state and local Leagues worked to ensure effective state enforcement of the NVRA, as the LWVUS lobbied against congressional amendments that would have weakened or undermined the new federal law.

A report on the first-year impact of the NVRA indicated that 11 million citizens registered to vote under required NVRA motor voter, agency-based and mail-in programs in 1995. State Leagues and other organizations joined the Justice Department in filing lawsuits against states that refused to implement the NVRA. By summer 1996, Illinois, Pennsylvania, California, South Carolina, Virginia, Michigan and Kansas had lost Tenth Amendment states-rights arguments against the NVRA in federal court.

A noncompliance suit filed by the state League against New Hampshire was dropped early in 1996 when Congress passed a legislative rider exempting New Hampshire and Idaho from the NVRA by extending the law's deadline for state exemptions based on having election-day registration programs. The LWVUS opposed the New Hampshire exemption.

The LWVUS urged state elections officials and Congress to give the NVRA a chance to work before proposing changes. The League opposed a Senate NVRA "unfunded mandate" amendment that would have blocked state compliance by requiring the federal government to pay for implementation. The League also opposed amendments that required proof of citizenship to register to vote. All but the New Hampshire exemption were defeated or withdrawn.

As a complement, not a substitute, for the NVRA, the League continues to support shortening the period between registration and voting or same-day voter registration. The LWVUS has worked with state Leagues interested in promoting such reforms.

Despite the fact that the NVRA helped more Americans register to vote for the 1996 election than at any time since records have been kept, the LWVUS continued to fight congressional attempts to cripple the law. For example, the League lobbied and testified against the Voter Eligibility Verification Act, which sought to create a federal program to verify the citizenship of voter registrants and applicants, arguing that the program was not necessary, would not work and would depress voter participation.

On related issues, the League has supported efforts to increase the accessibility of registration and voting for people with disabilities in federal elections and undertaken major efforts to encourage citizens to participate in the electoral process. Since 1988, the LWVEF has been coordinating broad-based voter registration drives for general elections, combining national publicity and outreach with grassroots activities by state and local Leagues, other groups and public officials. Since 2012, the League has served on the national working committee that oversees National Voter Registration Day, a major national initiative that has brought together thousands of partners to register hundreds of thousands of voters each September. In 2016, more than 350 Leagues from 45 states participated in National Voter Registration Day and registered more than 19,000 individuals to vote, making the League the single largest on-the-ground participant for the fifth year in a row.

The League also has worked to change aspects of the coverage and conduct of campaigns that may frustrate voter participation. From 1980-85, the LWVUS sought to pressure broadcasters not to air projections of election results before all the polls in a race have closed. In 1990, the LWVEF convened a symposium of scholars, journalists, campaign consultants and activists to examine the role of negative campaigning in the decline in voter participation and possible grassroots remedies.

The symposium led to a comprehensive effort to return the voter to the center of the election process. A campaign to "Take Back the System" coordinated League activities to make voter registration more accessible, provide voters with information about candidates and issues and restore voters' confidence and involvement in the electoral system. The program included LWVUS efforts on voter registration and campaign finance reform, an LWVEF presidential primary debate, a National Voter Registration Drive, voter registration efforts aimed at young citizens, a Campaign Watch pilot project to help citizens deter unfair campaign practices and grassroots efforts to register, inform and involve voters.

In 1994, the LWVEF launched a "Wired for Democracy" project, anticipating the potential of the Internet for providing voter education and opening government to citizens. In 1996, the League focused its energies to getting voters to the polls.

Original research sponsored by the LWVEF found that voters and nonvoters differ in several key respects: nonvoters are less likely to grasp the impact of elections on issues that matter to them, nonvoters are more likely to believe they lack information on which to base their voting decisions, nonvoters are more likely to perceive the voting process as difficult and cumbersome, and nonvoters are less likely to be contacted by organizations encouraging them to vote.

In 1996, Leagues nationwide conducted targeted, grassroots get-out-the-vote (GOTV) campaigns armed with this message, "It's about your children's education, your taxes, your Social Security, your Medicare and your safe streets. It's about you and your family. Vote." Focusing on racial and ethnic minorities and other underrepresented populations, Leagues worked in coalition with other organizations to expand their reach and let voters know they have a stake in the system. Despite an overall downturn in voter participation in 1996, precincts targeted by the League's effort posted increased voting rates.

In the 2000 elections, the LWVEF worked with state and local Leagues on intensive GOTV campaigns in 30 communities, targeting underrepresented voters. Training highlighted new ways to engage citizens to work in coalitions with diverse communities. The League also participated in forming Youth Vote 2000, a nonpartisan coalition of organizations committed to encouraging greater participation in the political process and promoting a better understanding of public policy issues among youth.

Also in 2000, the League launched its "Take a Friend to Vote" (TAFTV) campaign, based on research showing that nonvoters are most likely to vote if asked by a friend, family member, neighbor or someone else whom they respect. The TAFTV campaign featured toolkits with reminder postcards and bumper stickers, a website, PSAs on Lifetime Television and "advertorials" in major magazines featuring celebrities and their friends talking about the importance of voting.

In 1998, the League tested two online systems to make trustworthy, nonpartisan election information readily available to web users. The LWVEF chose the DemocracyNet (DNet) as its nationwide online voter information platform and worked with state and local Leagues to expand the system to all 50 states for the 2000 elections. By the 2004 election, DNet was the most comprehensive source of voter information and one of the top online sites for unbiased election information, offering full coverage of all federal elections as well as thousands of state and local candidates. VOTE411 replaced DNet in 2006. In 2016, nearly 4.5 million users visited VOTE411 to find the most up to date facts to help them overcome confusion and have the information they need to cast a vote.

When the 2000 election exposed the many problems facing the election system, the League began to work relentlessly on election reform and bringing its importance to national attention. The LWVUS helped draft and pass the Help America Vote Act of 2002 (HAVA), working closely with a civil rights coalition in developing amendments and lobbying for key provisions.

The LWVUS took a leadership role in forming an election reform coalition to develop recommendations on HAVA implementation and testified before both houses, stressing the importance of substantial new federal funding for election reform efforts. The League used its special expertise to argue for improved voting systems and machines, provisional balloting and other safeguards, and improvements in voter registration systems and poll worker training and administration.

The LWVEF worked to heighten public awareness about election administration problems and to provide informational and action materials to state and local Leagues. In 2001, the LWVEF hosted three "Focus on the Voter" symposia and worked with Leagues to design and complete a survey of election administration practices in local jurisdictions. Four hundred and sixty Leagues from 47 states and the District of Columbia responded to the survey. A report

of the findings was released at a post-election symposium in November 2001, and it concluded that "good enough is not good enough."

In 2001 and 2002, *Election Administration Reform: A Leader's Guide for Action,* the *Election 2001 Toolkit* and *Navigating Election Day: What Every Voter Needs to Know* were made available to state and local Leagues for voter education activities. In late 2002, the LWVEF convened a conference, sponsored by the McCormick Tribune Foundation, to explore emerging issues in election reform.

In the 108th Congress, the key issue was funding for HAVA, as the President initially proposed that HAVA not be fully funded. A joint lobbying effort of state and local government organizations, civil rights groups and the League prevailed in achieving full funding for the first two years of implementation.

In mid-2003, the LWVUS published *Helping America Vote: Implementing the New Federal Provisional Ballot Requirement*, which examined and made key policy recommendations for states and localities in implementing HAVA's provisional balloting requirement. Another report followed in 2004, *Helping America Vote: Safeguarding the Vote*, which outlined a set of recommended operational and management practices for state and local elections officials to enhance voting system security, protect eligible voters, and ensure that valid votes are counted.

Also in 2004, the League of Women Voters conducted a survey of local and state elections officials in a number of targeted states to identify potential problems with HAVA implementation that could put the votes of eligible voters at risk. The League identified the *Top Five Risks to Eligible Voters in 2004*, including voter registration problems, erroneous purging, problems with the new voter ID requirement, difficulties with voting systems and a failure to count provisional ballots, and asked elections officials for resolution before the election. League leaders in various states were at the forefront of high-profile battles over HAVA's implementation.

In 2006, the League released *Thinking Outside the Ballot Box: Innovations at the Polling Place*, a comprehensive report aimed at sharing successful election administration stories with local officials throughout the country.

The League's respected voter education tool, *Choosing the President: A Citizen's Guide to the Electoral Process*, was revised in 2004 and 2008. The 2008 edition was also translated into Russian and Arabic and was the basis for *Electing the President,* a 16-page education supplement created and distributed to schools in collaboration with the Newspapers in Education Institute. *Electing the President* was updated in 2012 and again in 2016 and distributed to schools in collaboration with the Newspapers in Education Institute.

In every major election year since 2004 the League has made available its attractive *VOTE* brochure, a succinct, step-by-step guide to voting and Election Day, designed to reach out to new, young and first time voters. The *5 Things You Need to Know on Election Day* card has also provided hundreds of thousands of voters with simple steps to ensure their vote is counted. The brochure and card continue to be popular and useful to the present.

At the 2004 Convention, the League determined that in order to ensure integrity and voter confidence in elections, the LWVUS supports the implementation of voting systems and procedures that are secure, accurate, recountable and accessible. State and local Leagues may support a particular voting system appropriate to their area, but should evaluate them based on the "secure, accurate, recountable and accessible" criteria. Leagues should consult with the LWVUS before taking a stand on a specific type of voting system to ensure that the League speaks consistently.

At Convention 2006, delegates further clarified this position with a resolution stating that the Citizens' Right to Vote be interpreted to affirm that the LWVUS supports only voting systems that are designed so that:

- They employ a voter-verifiable paper ballot or other paper record, said paper being the official record of the voter's intent.
- The voter can verify, either by eye or with the aid of suitable devices for those who have impaired vision, that the paper ballot/record accurately reflects his or her intent.

- Such verification takes place while the voter is still in the process of voting.
- The paper ballot/record is used for audits and recounts.
- The vote totals can be verified by an independent hand count of the paper ballot/record.
- Routine audits of the paper ballot/record in randomly selected precincts can be conducted in every election, and the results published by the jurisdiction.

At Convention 2010, delegates added the principle of transparency, so that the League would support voting systems that are secure, accurate, recountable, accessible and transparent.

In 2006, the League launched VOTE411.org, a "one-stop-shop" for election related information, providing nonpartisan information to the public with both general and state-specific information including a nationwide polling place locator, absentee ballot information, ballot measure information, etc. In 2008 and 2012, the LWVUS accomplished consecutive overhauls and improvements to this award-winning voter education website, making it the most comprehensive, easy-to-use online tool for voters. The site is at the heart of the League's campaign to prepare voters.

Since launching VOTE411 in 2006, approximately 34 million people have benefited from the information available on the site. This support has seen expanded access to information about candidates at the state and local levels with every consecutive election year. In partnership with hundreds of state and local Leagues, VOTE411 has successfully provided voters with information on where tens of thousands of candidates stand on the issues and up-to-date election rules for all 50 states in every election year. One hundred percent of voters who visited VOTE411 before the 2016 general election were able to find a partial listing of the candidates that would be on their ballot and approximately 70% of voters found a complete ballot. And for the first time in 2016, the statements from the Presidential candidates were available in English and Spanish languages.

The League president testifies regularly before the U.S. Election Assistance Commission and congressional committees, providing feedback on the success of HAVA implementation and other voting issues nationwide.

In 2006, the League also launched the Public Advocacy for Voter Protection (PAVP) project, and the League has undertaken concerted nationwide efforts to promote voter protection and education to prevent the development of processes and laws that threaten to disenfranchise voters, to educate the public on new election procedures, and provide voters with the information they need to cast a vote and be sure that vote is counted. The period 2014-2016 brought unprecedented challenges, and successes, to the PAVP program, with participating Leagues ultimately defeating dozens of onerous barriers that threatened the right to vote. In 2016 for the first time, LWVEF supported state League's efforts to call more than 100,000 people to encourage their participation in the 2016 election and make sure they had accurate information about early voting and identification rules.

As part of the PAVP effort, in 2007, the League opposed state legislation that would require documentary proof of citizenship or picture ID to register to vote, as well as to vote. The League also filed a "friend-of-the-court" brief in a Supreme Court case regarding ID requirements in Indiana. In 2009, the League filed an *amicus* brief in the Arizona voter ID case, *Gonzalez v. Arizona*, asking the 9th Circuit Court of Appeals to recognize that the National Voter Registration Act of 1993 prohibits a proof-of-citizenship requirement when using the national mail voter registration application form. The League again filed an *amicus* brief when the case was finally argued before the Supreme Court in 2013. The League and its allies finally prevailed. In the renamed *ITCA v. Arizona,* the Court agreed that the NVRA preempts state law. For more PAVP project information see page 9 above.

In 2008, the League worked to support voting rights by publicly requesting that Secretaries of State across the country designate veterans' health facilities as voter registration agencies as provided for in the National Voter Registration Act. In 2012-2014 this work continued as LWVUS and many state Leagues worked to ensure the state healthcare exchanges created under the Affordable Care Act were designated as voter registration agencies.

In 2008, the LWVEF produced *Engaging New Citizens as New Voters: A Guide to Naturalization Ceremonies*, which

detailed how Leagues could get involved in such ceremonies. In 2012, LWVEF built off this effort and supported targeted local Leagues with grant funding and strategic support in order to successfully register new citizens at naturalization ceremonies and underrepresented community colleges. In 2014, LWVEF released a brand-new toolkit designed to support Leagues in their work to engage new citizens as first-time voters. Leveraging this new toolkit in 2016, LWVEF launched its largest nationwide grant funded effort to support state and local Leagues in registering newly naturalized citizens, ultimately resulting in in tens of thousands of new registrants at hundreds of citizenship ceremonies nationwide.

In 2008, an Election Audit Task Force was appointed to report to the LWVUS Board on the auditing of election procedures and processes. The 2009 report is available at www.lwv.org. Leagues should find this report useful in talking with their legislatures and elections officials about election auditing.

Since 2010, the League has aimed through its national Youth Voter Registration project to bring more young people, especially in communities of color, into the democratic process. Local Leagues in dozens of targeted communities have received LWVEF grant funding and strategic support to successfully assist tens of thousands of students to register to vote. The League used data and feedback provided by participating Leagues to determine effective strategies and produced a groundbreaking and widely utilized 2011 training manual "Empowering the Voters of Tomorrow" for Leagues and other groups interested in registering high school students. The guide was updated and republished in early 2013 and again in 2015.

All aspects of the League's 2012-2016 work was encompassed into one major national initiative entitled Power the Vote. Through the Power the Vote effort, Leagues worked at all levels to leverage resources and the League's powerful voice to protect, register, educate and mobilize voters to participate. The League's 2012-2014 efforts are summarized in the whitepaper *Power the Vote: How a new initiative launched results for millions of voters*. It and many corresponding training and planning resources are available at www.lwv.org.

In 2013, the Supreme Court in the case of *Shelby County v. Holder* reversed key voting rights protections that had been in place for decades. The Court ruled that the Voting Rights Act (VRA) formula for determining which jurisdictions would have to clear their election law changes with the federal government was based on old data and was therefore unconstitutional.

The League immediately took action urging Congress to repair and restore the effectiveness of the VRA. This work continued into 2015 and 2016, with active participation from state and local Leagues in targeted districts backing up the LWVUS lobbying efforts to enact a new Voting Rights Advancement Act, restoring key elements of the VRA while extending new protections nationwide.

Also in the 2010s, Leagues worked in their state legislatures with other concerned organizations for bills to re-enfranchise former felons, believing that excessive disenfranchisement undermines voting rights as well as the reintegration of former felon into the community.

The League's Position

The League of Women Voters believes voting is a fundamental citizen right that must be guaranteed.

Statement of Position on Citizen's Right to Vote, as Announced by National Board, March 1982.

DC Self-Government and Full Voting Representation

The League of Women Voters, born in 1920 out of the struggle to get the vote for women, began early to seek redress for another disenfranchised group: the citizens of the District of Columbia (DC). The League has supported DC self-government since 1938. Realization of these goals has been slow, but, since 1961, DC residents have made some gains in the drive for full citizenship rights. The remaining goals of voting representation in both the House and Senate and full home-rule powers were made explicit in the LWVUS program in March 1982.

The League has applied a wide variety of techniques, including a massive petition campaign in 1970, to persuade Congress to change the status of the "Last Colony." League support has been behind each hard-won step: in 1961, the right of DC citizens to vote for President and Vice-President through ratification of the 23rd Amendment to the Constitution; in 1970, the right to elect a nonvoting delegate to Congress; and in 1974, a limited home-rule charter providing for an elected mayor and city council, based on the 1973 District of Columbia Self Government and Governmental Reorganization Act. The League supported the last two reforms as interim steps until voting representation in Congress and full home-rule powers are achieved.

On August 22, 1978, the Senate confirmed the House-approved constitutional amendment providing full voting representation in Congress for DC citizens. State and local Leagues took the lead in ratification efforts. However, when the ratification period expired in 1985, only 16 states of the necessary 38 had ratified the amendment.

In 1993, at the request of the LWV of the District of Columbia, the LWVUS Board agreed that DC statehood would "afford the same rights of self-government and full voting representation" for DC citizens as for other U.S. citizens. Accordingly, the League endorsed statehood as one way of implementing the national League position.

The LWVUS was instrumental in the formation of the Coalition for DC Representation in Congress (now DC Vote), which seeks to build a national political movement supporting full representation in Congress and full home-rule powers for the citizens of DC.

Convention 2000 adopted a concurrence to add to the LWVUS position support for the "restoration of an annual, predictable federal payment to the District to compensate for revenues denied and expenses incurred because of the federal presence."

In April 2000, the LWVUS Board agreed that the existing LWVUS position on DC voting rights also includes support for autonomy for the District in budgeting locally raised revenue and for eliminating the annual congressional DC appropriations budget-approval process. While such congressional review remains in force, the League continues to urge members of Congress to oppose appropriations bills that undermine the right of self-government of DC citizens, including restrictions on abortion funding.

In the 108th Congress, the League worked with DC Vote to develop legislation providing voting rights in Congress to DC residents. A hearing was held in spring 2004 to discuss four different legislative approaches to gaining representation in Congress.

In 2005, members of Congress took the DC voting rights issue on with more enthusiasm than had been seen in years. Under a new legislative plan, Utah would receive an additional fourth seat in Congress while congressional voting rights in the House of Representatives would be provided for American citizens living in Washington, DC. This balanced approach, developed by Rep. Tom Davis (R-VA) and supported by the DC City Council and Mayor, would provide voting rights for District citizens without upsetting the partisan balance of the House.

As momentum for this plan increased, the League worked tirelessly to encourage members of Congress and the public to take action on DC voting rights.

In 2006, the League continued to work hard in support of the proposed plan. The League president traveled to Ohio to tell key Congressmen that their leadership was vital to the future of DC voting rights. While in Ohio, the president met with members, voters and the media to shed light on the DC voting rights issue.

At the same time, the LWVEF launched a DC Voting Rights Education project, aimed at building public awareness of the unique relationship between Congress and DC citizens, specifically the lack of full voting rights. As part of the project, selected Leagues throughout the country began work to educate voters and local leaders on the DC voting rights issue through summer 2007.

Despite the League's hard work and progress in the 109th and 110th Congress toward passing DC voting rights legislation to provide House voting rights to District voters, success ultimately eluded supporters.

The League's Position

The League of Women Voters believes that citizens of the District of Columbia should be afforded the same rights of self-government and full voting representation in Congress as are all other citizens of the United States. The LWVUS supports restoration of an annual, predictable federal payment to the District to compensate for revenues denied and expenses incurred because of the federal presence.

Statement of Position on DC Self-Government and Full Voting Representation, as Revised by National Board, March 1982 and June 2000.

THE ELECTION PROCESS

Apportionment

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.

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 1998-99, 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, the 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's Position

The League of Women Voters 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.

Statement of Position on Apportionment, as Announced by National Board, January 1966 and Revised March 1982.

See also the position on Voting Rights, 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

Political and racial gerrymandering distorts and undermines representative democracy by allowing officials to select their voters rather than voters to elect 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 particular legislator, gerrymandering runs counter to equal voting rights for all.

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

In 2005, the national Board affirmed that Leagues at all levels may take action 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:

- Congressional districts and government legislative bodies should be apportioned substantially on population ("one person, one vote").
- Redistricting should not dilute the effective representation of minority citizens.
- 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 the LWVUS has gone to the Supreme Court with "friend-of-the-court" briefs in landmark cases against political and racial gerrymandering. In 2009, the 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 VRA Section 5 preclearance of 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 minority 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 and recommendations for future redistricting commissions. In Florida, the League spearheaded multiple legislative and legal efforts to ensure that 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 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 reform opportunities to reform the redistricting process. 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 shared widely with Leagues and partners nationwide.

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.

The League's Position

The League of Women Voters believes 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.

Every redistricting process should include:

- **Specific timelines for the steps leading to a redistricting plan**
- **Full disclosure throughout the process and public hearings on the plan proposed for adoption**
  - **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, and**
  - **Should be subject to open meeting laws.**
- **A provision that any redistricting plan should be adopted by the redistricting authority with more than a simple majority vote.**
  - **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.**
    - **Time limits should be set for initiating court action for review.**
    - **The courts should promptly review and rule on any challenge to a redistricting plan and require adjustments if the standards have not been met.**

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

- **Be enforceable in court**
- **Require:**
  - **Substantially equal population**
  - **Geographic contiguity**
  - **Effective representation of racial and linguistic minorities**
- **Provide for (to the extent possible)**
  - **Promotion of partisan fairness**
  - **Preservation and protection of "communities of interest"**
  - **Respect for boundaries of municipalities and counties**
- **Compactness and competitiveness may also be considered as criteria so long as they do not conflict with the above criteria**
- **Explicitly reject**
  - **Protection of incumbents, through such devices as considering an incumbent's address**
  - **Preferential treatment for a political party, through such devices as considering party affiliation, voting history and candidate residence.**

Statement of Position on Redistricting, as Adopted by Concurrence, June 2016. This position does not supersede any existing state League redistricting position.

Money in Politics

After the 1972 Convention approved "further study of Congress," the 1973 Council—spurred by spending abuses in congressional and presidential campaigns—focused on campaign finance. 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 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 response to budget attacks on the FEC in the 104th Congress, 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.

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:

- Achieve incremental reforms where possible in the short-term
- 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 period between primaries and general elections.

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 who accepted voluntary spending limits. The League called for limits to donations from political action committees (PAC) and large contributors, 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. 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. The President 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 curiae* challenging, unsuccessfully, Treasury Department 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. The League also 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. 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 from political action committees (PACs) and large individual contributions; and closing the loopholes that allow huge amounts of special-interest money to influence the system.

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

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.

The near collapse of the federal campaign finance system during the 1996 election focused national attention on the need for reform. In December 1996, the 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: a ban on "soft money," closing the sham issue advocacy loophole and improving disclosure and enforcement.

The LWVEF mounted a major advertising and grassroots education initiative calling attention to achievable campaign reforms. Working with experts from diverse political views, the 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 the LWVUS and other reform advocates succeeded in shifting the campaign-finance debate in the 105th Congress 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 House Speaker 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, the 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, the 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. Using a discharge petition, reformers forced the leadership to move, and the bill 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.

The LWV 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 Supreme Court upheld limits on state campaign contributions that were analogous to the federal limits. The 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.

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 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 the 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 the LWVUS, had to resort to a discharge petition to force action.

The LWVUS worked with the bill's sponsors and lobbied swing members of the House and Senate to achieve campaign finance reform. The LWVUS conducted two rounds of phone banking, asking League members in key districts to lobby at key junctures in the congressional debate. The LWV 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 the President signed the legislation into law. The bill, which became known as the Bipartisan Campaign Reform Act (BCRA), closed the most significant loopholes in campaign finance regulation: the "soft money" loophole 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. The LWVUS filed an *amicus* brief on "sham issue ads" for the Supreme Court case *McConnell v. FEC*. 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 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, the League urged Senators to cosponsor the "Our Democracy, Our Airwaves Act" introduced by Senators McCain, Feingold and Durbin. The LWVUS helped targeted Leagues organize in-district lobby visits in support of the Act, and through the National Lobby Corps lobbied selected 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. The 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, the League continued its work on improving the presidential public financing system. The LWVUS sought cosponsors to legislation introduced by Senators McCain and Feingold and Representatives Shays and Meehan to fix the system. The 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, the LWVUS joined with other organizations in a letter to U.S. Representatives urging them to cosponsor 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 that aimed to undermine existing campaign finance regulations. In December, the League joined other groups in submitting an *amicus* brief in the 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.

During the 2008 presidential campaign, the League pressed all the candidates to support reform of the presidential public financing system.

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. 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, the 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 against the Supreme Court's decision in *Citizens United v. FEC*. 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 before the 2010 elections. The League continues to urge passage of the DISCLOSE Act to counter the Court's decision.

In early 2012, the 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 actually coordinated with candidate campaigns, and therefore illegal. The League also pointed to the secret "dark money' and pushed for enhanced disclosure. Also, the League continues to push for legislation to protect and reinvigorate the public financing system for president. In addition, the League continues to work to reinvigorate the dysfunctional Federal Election Commission (FEC) which has refused to enforce the law.

The 2014-2016 National Program on Key Structures of Democracy focused increased attention at every level of League on Money in Politics and included a new 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 (a political committee that can solicit and spend unlimited sums of money. to campaign for or against political figures), public financing for congressional and presidential elections and reform of the FEC in order to create an effective enforcement agency.

The League's Position

The League of Women Voters 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.**
- **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)**
- **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.

Statement of Position on Campaign Finance, as Announced by National Board, April 2016.

Selection of the President

A League study of the presidential electoral process culminated in a 1970 position supporting direct election of the President by popular vote as essential to representative government. The League testified and lobbied for legislation to amend the Constitution to replace the Electoral College with direct election of the President, including provisions for a national runoff election in the event no candidates (President or Vice-President) received 40 percent of the vote. The measure, which passed the House and nearly passed the Senate in 1971, has been revived in each Congress without success. In 1997, the LWVUS again called for abolition of the Electoral College and for direct election of the President and Vice-President in testimony before the House Subcommittee on the Constitution.

The League has supported national voting qualifications and procedures for presidential elections to ensure equity for voters from all states and to facilitate the electoral process.

In February 2001, a memo was sent to the state and local Leagues outlining the League's position on the Electoral College under the LWVUS position on Selection of the President.

The League believes strongly that the Electoral College should be abolished and not merely "reformed." One "reform" which the League specifically rejects is the voting by electors based on proportional representation in lieu of the present "winner-takes-all" method. Such a system would apportion the electoral votes of a state based on the popular vote in that state. Instead of making the Electoral College more representative, such proportional voting would increase the chance that no candidate would receive a majority in the Electoral College, thereby sending the election of the President to the House of Representatives where each

state, regardless of population, would receive only one vote. Election of the President by the House further removes the decision from the people and is contrary to the "one person, one vote" principle. The League also does not support reform of the Electoral College on a state-by-state basis because the League believes there should be uniformity across the nation in the systems used to elect the President.

The 2002 Convention voted to expand and update the position. The League came to concurrence on a new position in June 2004, which takes into account the entire presidential selection process and supports a process that produces the best possible candidates, informed voters and optimum voter participation.

The 2008 Convention voted to conduct a study of the National Popular Vote proposal, which would establish the popular election of the President through a compact among the states governing how they would cast their votes in the Electoral College. The 2010 Convention adopted a concurrence to support the National Popular Vote compact as another method of selecting the President until such time as the Electoral College is abolished.

The League's Position

The League of Women Voters believes that the direct-popular-vote method for electing the President and Vice-President is essential to representative government. The League of Women Voters believes, therefore, that the Electoral College should be abolished. We support the use of the National Popular Vote Compact as one acceptable way to achieve the goal of the direct popular vote for election of the president until the abolition of the Electoral College is accomplished. The League also supports uniform voting qualifications and procedures for presidential elections. The League supports changes in the presidential election system from the candidate selection process to the general election. We support efforts to provide voters with sufficient information about candidates and their positions, public policy issues and the selection process itself. The League supports action to ensure that the media, political parties, candidates, and all levels of government achieve these goals and provide that information.

Statement of Position on Selection of the President, as Announced by National Board, January 1970, Revised March 1982, Updated June 2004 and Revised by the 2010 Convention.

CITIZEN RIGHTS

Citizen's Right to Know/Citizen Participation

The League has long worked for the citizen's right to know and for broad citizen participation in government. League support for open meetings was first made explicit in the 1972 Congress position. In 1973, Leagues were empowered to apply that position at the state and local levels. In 1974, the Convention added to the League Principles the requisite that "government bodies protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible," and decided that Leagues could act on the Principles, with the necessary safeguards of member understanding and support. The League supported the 1976 Government in the Sunshine law to enhance citizens' access to information.

In the 1980s, the League monitored and lobbied to revamp the way federal rules and regulations are made. The League supports broad public participation at every stage of the rule-making process.

The LWVUS, in coalition with numerous other organizations, opposed efforts in 1983 by the Office of Management and Budget (OMB) to restrict the political advocacy activities of nonprofit organizations and thereby limit citizen participation in federal policy making. The coalition's opposition resulted in a much less onerous OMB regulation.

As part of its concerns about citizen rights, the League supports lobbying disclosure reform to provide information on the pressures exerted on the national policy-making process and guarantee citizen access to influence the process.

Early in 1995, as part of the Contract with America, the congressional leadership launched a broad attack on citizen

participation in government decision making. Under the guise of "regulatory reform," bills were introduced to make it much more difficult for federal agencies to promulgate regulations dealing with health, safety and the environment. These bills were based on the premise that regulations should be judged solely on their cost to the public and private sectors, and not on their benefits to society.

The League responded quickly to this major threat, lobbying both houses of Congress in opposition. Along with members of 200 other consumers, environmental and disability rights organizations, League members met with their members of Congress and participated in media activities opposing these efforts. The opposition succeeded in stalling all regulatory reform legislation in the Senate in 1996.

The League also responded to a major congressional attack in the 104th Congress, when an amendment to severely limit the ability of nonprofits to speak out on public policy matters was added to several 1996 appropriations bills. Known as the Istook amendment after its primary sponsor, Rep. Ernest Istook (R-OK), the amendment was designed to limit citizen participation by forcing nonprofits to choose between community service and public policy.

The League, with hundreds of other nonprofits, organized a massive campaign to educate the public and members of Congress about the serious implications of this legislation. The Istook amendment eventually was dropped from the appropriations bills, but similar efforts continued in the 104th and 105th Congresses. The League continues to monitor attempts to gag nonprofit organizations.

In June 2000, the LWVUS urged the Federal Communications Commission (FCC) to issue requirements for broadcasters to cover local public affairs.

Beginning with a grant from the Open Society Institute in 2001, the LWVEF has participated in the Judicial Independence project. State and local Leagues, working in conjunction with the national office, assess the levels of judicial independence in their state and develop citizen education campaigns to educate their communities about this important issue. A key part of this program is encouraging Leagues to include judicial candidates in their voter guides and to organize candidate forums for judicial candidates. In 2002 and 2003, more than 200 Leagues nationwide organized 70 forums, meetings and workshops spotlighting their state court systems and the value of an independent judiciary.

This project continued in 2004-2008 and evolved into Safeguarding U.S. Democracy: Promoting an Independent Judiciary, a program to increase citizen understanding of the importance of our nation's system of separation of powers and highlight the vital need for protecting a vibrant and independent judiciary. In 2009 and 2010, the project gained a new focus on promoting diversity at all levels of the state judiciary. In the first year of The Quest for a More Diverse Judiciary project, the Leagues in Kansas worked on this initiative and saw success in the new appointments that followed. In the second year, South Carolina was added and was very successful. In 2012, the State of Washington was added with a more limited scope and in the same year the League published "From Theory to Practice: A Grassroots Education Campaign," a practical guide for those wishing to created state-wide education campaigns and illustrating each step of the campaign with practical information learned in Kansas, South Carolina and Washington.

In 2002 and 2004, the LWVUS participated as *amicus curiae* in the case of *Miller-El v. Cockrell*. The League's interest in the case focused on the use of race-based peremptory challenges to jurors as a means to block citizen participation in government. The Supreme Court agreed with the League's position, but a lower federal court failed to carry out this interpretation and the case was once again before the Supreme Court in late 2004.

In the 109th Congress, the LWVUS endorsed the Openness Promotes Effectiveness in our National Government (OPEN) Act which expands the accessibility and accountability of the federal government by strengthening the Freedom of Information Act and making information more readily available to the public.

The LWVEF has engaged in a number of efforts to assist Leagues in this area, and also to become more visible in federal transparency efforts. In 2005, the League launched an Openness in Government: Looking for the Sunshine, a

project to broaden public awareness about the issues involved in, and the threats related to, accountability and transparency in government. The League developed educational materials about federal, state and local laws concerning citizen access, the extent and types of threats to these laws that have occurred in recent years, and data on the increasing levels of information being put off-limits since 9-11. The project was continued in 2006, under the name Observing Your Government in Action: Protecting Your Right to Know.

Additional projects were initiated in the following years. One focused on public document audits, providing financial support to Leagues in 11 states and a toolkit, "Surveying Public Documents: Protecting Your Right to Know." In 2010, work started on an online resource called "Sunshine 2.0," which will provide criteria for assessing the transparency of local government websites and other online technologies.

At the federal level, the League has been active in providing advice to the Obama Administration as it implemented its Openness in Government Directive. In so doing, we have also helped a number of good government groups work together.

The League has served as a cosponsor of the annual Sunshine Week since 2006, taking part in kickoff events in Washington, DC. Sunshine Week sponsors a nationwide live webcast to stimulate public discussion about why open government is important to everyone and why it is under challenge today. Leagues are encouraged to participate.

The League's Position

The League of Women Voters believes that democratic government depends upon informed and active participation at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

Statement of Position on the Citizen's Right to Know/Citizen Participation, as Announced by National Board, June 1984.

Individual Liberties

Individual liberties, a long-standing League Principle, have been central for the League during times of national tension.

The "witch hunt" period of the early 1950s led the League to undertake a two-year Freedom Agenda community education program on issues such as freedom of speech. Next, a focused study on the federal loyalty/security programs culminated in a position that emphasized protection of individual rights.

The 1976 Convention incorporated the League's individual liberties Principle into the national Program, thus authorizing the League to act against major threats to basic constitutional rights. Subsequent Conventions reaffirmed that commitment, and in 1982 the LWVUS Board authorized a specific position statement on individual liberties.

In 2003, the League contacted members of both houses to express concern about several far-reaching provisions of the USA PATRIOT Act, passed in October 2001, asking members of Congress to scale back some of them. The League lobbied on behalf of the bipartisan Security and Freedom Ensured (SAFE) Act in 2004, which addresses many of the PATRIOT Act's problems, while still allowing law enforcement officials broad authority to combat terrorism.

Late in the 108th Congress, the League lobbied against the House version of legislation to overhaul the organization of U.S. intelligence operations because it went beyond the scope of the September 11th Commission's recommendations, expanding the government's investigative and prosecutorial powers and infringing upon civil liberties. When the bill was passed, as the National Intelligence Reform Act, in December 2004, it had been amended and a number of the troubling provisions that the League opposed were eliminated.

At the 2004 Convention, League delegates voted to make civil liberties a top priority in the next biennium. The LWVUS appointed an Advisory Task Force and created an online discussion list to foster dialogue about the League's course of action.

In 2005, the LWVUS also expressed concerns about reports of torture by the United States military and actively supported the "McCain amendment," banning cruel, inhuman or degrading treatment or punishment of anyone under custody or control of the U.S. armed forces. The amendment passed as part of the Department of Defense appropriation.

During the 109th Congress, the League continued to lobby in support of the SAFE Act and in opposition to the pending reauthorization of specific provisions of the USA PATRIOT Act. While final reauthorization did not address many of our concerns, there was limited improvement in some critical provisions.

In 2005, the LWVEF sponsored a nationwide project, Local Voices: Citizen Conversations on Civil Liberties and Secure Communities, to foster public dialogue about the balance between civil liberties and homeland security. The League sponsored public discussions in ten ethnically, economically and geographically diverse cities. It released the findings of these discussions and public opinion research on the issue at the U.S. Capitol in September 2005.

In 2007-2008, the League fought legislation in both houses that continued allowing the Executive branch to conduct warrantless wiretapping without judicial review, and supported legislation that would protect personal information of citizens and limit the FBI's authority to issue national security letters in lieu of judicial warrants to produce information and materials.

In 2009, the League joined other organizations in support of the JUSTICE (Judiciously Using Surveillance Tools In Counterterrorism Efforts) Act, legislation to amend expiring provisions of the US PATRIOT Act.

The League's Position

The League of Women Voters believes in the individual liberties guaranteed by the Constitution of the United States. The League is convinced that individual rights now protected by the Constitution should not be weakened or abridged.

Statement of Position on Individual Liberties, as Announced by National Board, March 1982.

Constitutional Amendment Proposals

Following the January 2016 meeting, the League of Women Voters board announced a new position outlining considerations for evaluating constitutional amendment proposals. State Leagues can use this new position, as well as the new position calling for safeguards to govern the constitutional convention process, to address the ongoing debates in many legislatures regarding constitutional conventions, in particular as they related to the Balanced Budget amendment.

The League's Position

The League of Women Voters will only support a proposed amendment to the U.S. Constitution if it advances and conforms to a LWVUS position.

In addition, the League believes the following should be considered in identifying an appropriate and well-crafted constitutional amendment:

- **Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed. Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.**
- **Whether the amendment as written would be effective in achieving its policy objective. Amendments that may be unenforceable, miss the objective, or have unintended consequences may not achieve the policy objective.**

- **Whether the amendment would either make our political system more democratic or protect individual rights. Most adopted amendments have sought to make our system more representative or to protect the rights of minorities.**
- **Whether the public policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment. In order to expend resources wisely, it is important to consider whether legislation or political action is more likely to succeed than an amendment.**
- **Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach. It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.**

Statement of Position on Evaluating Constitutional Amendment Proposals, as Announced by National Board, January 2016.

Constitutional Conventions

Following the January 2016 meeting, the League of Women Voters board announced a new position calling for safeguards to govern the constitutional convention process under Article V of the U.S. Constitution. State Leagues can use this new position, as well as the new position outlining considerations for evaluating constitutional amendment proposals, to address the ongoing debates in many legislatures regarding constitutional conventions, in particular as they related to the Balanced Budget amendment.

The League's Position

The League of Women Voters is concerned that there are many unresolved questions about the powers and processes of an Article V Constitutional Convention. The League believes that such a convention should be called only if the following conditions are in place:

- **The Constitutional Convention must be transparent and not conducted in secret. The public has a right to know what is being debated and voted on.**
- **Representation at the Constitutional Convention must be based on population rather than one state, one vote, and delegates should be elected rather than appointed. The delegates represent citizens, should be elected by them, and must be distributed by U.S. population.**
- **Voting at the Constitutional Convention must be by delegate, not by state. Delegates from one state can have varying views and should be able to express them by individual votes.**
- **The Constitutional Convention must be limited to a specific topic. It is important to guard against a "runaway convention" which considers multiple issues or topics that were not initiated by the states.**
- **Only state resolutions on a single topic count when determining if a Constitutional Convention should be called. Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a Convention and enhances citizen interest and participation in the process.**
- **The validity of state calls for an Article V Constitutional Convention must be determined by the most recent action of the state. If a state has enacted a rescission of its call, that rescission must be respected by Congress.**

Statement of Position on Constitutional Conventions under Article V of the U.S. Constitution as Announced by National Board, January 2016.

Public Policy on Reproductive Choices

The 1982 Convention voted to develop a League position on Public Policy on Reproductive Choices through concurrence. That fall, League members studied the issue and agreed to concur with a statement derived from positions reached by the New Jersey and Massachusetts Leagues. The LWVUS announced the position in January 1983.

In 1983, the LWVUS successfully pressed for defeat of S.J. Res. 3, a proposed constitutional amendment that would

have overturned *Roe v. Wade*, the landmark Supreme Court decision that the right of privacy includes the right of a woman, in consultation with her doctor, to decide to terminate a pregnancy. The League joined as an *amicus* in two successful lawsuits challenging proposed regulations by the federal Department of Health and Human Services (HHS), thus thwarting attempts to implement regulations requiring parental notification by federally funded family planning centers that provide prescription contraceptives to teenagers.

The League has joined with other pro-choice organizations in continuous opposition to restrictions on the right of privacy in reproductive choices that have appeared in Congress as legislative riders to funding measures. In 1985, the League joined as an *amicus* in a lawsuit challenging a Pennsylvania law intended to deter women from having abortions. In 1986, the Supreme Court found the law unconstitutional, upholding a woman's right to make reproductive choices.

In 1986, the League opposed congressional provisions to revoke the tax-exempt status of any organization that performs, finances or provides facilities for any abortion not necessary to save the life of a pregnant woman. In 1987, the League unsuccessfully opposed regulations governing Title X of the Public Health Service Act. The League reaffirmed that individuals have the right to make their own reproductive choices, consistent with the constitutional right of privacy, stating that the proposed rule violated this right by prohibiting counseling and referral for abortion services by clinics receiving Title X funds.

In 1988 and 1990, the League urged congressional committees to report an appropriations bill for the District of Columbia without amendments limiting abortion funding. The League also supported 1988 legislation that would have restored Medicaid funding for abortions in cases of rape or incest.

The League joined an *amicus* brief to uphold a woman's right of privacy to make reproductive choices in *Webster v. Reproductive Health Services*. In July 1989, a sharply divided Supreme Court issued a decision that severely eroded a woman's right of privacy to choose abortion. Although *Webster* did not deny the constitutional right to choose abortion, it effectively overruled a significant portion of the 1973 *Roe* decision by upholding a Missouri statute that prohibited the use of public facilities, employees or funds for counseling, advising or performing abortions and required doctors to conduct viability tests on fetuses 20 weeks or older before aborting them.

The League supported the March for Women's Lives in 1989. Also, the League joined an *amicus* brief in *Turnock v. Ragsdale*, challenging an Illinois statute that would have effectively restricted access to abortions, including those in the first trimester, by providing strict requirements for abortion clinics.

In 1990, the LWVUS joined the national Pro-Choice Coalition and began work in support of the Freedom of Choice Act, designed to place into federal law the principles of *Roe v. Wade*.

In 1990-91, the League, in *New York v. Sullivan,* opposed the HHS "gag rule" regulations that prohibit abortion information, services or referrals by family-planning programs receiving Title X public health funds. The Supreme Court upheld the regulations, Leagues nationwide responded in opposition, and the LWVUS urged Congress to overturn the gag rule.

The 1990 League Convention voted to work on issues dealing with the right of privacy in reproductive choices, domestic and international family planning and reproductive health care, and initiatives to decrease teen pregnancy and infant mortality (based on the International Relations and Social Policy positions). The LWVUS acted on a series of pro-choice legislative initiatives. It supported the International Family Planning Act, which would have reversed U.S. policy denying family planning funds to foreign organizations that provide abortion services or information. It opposed the Department of Defense policy prohibiting military personnel from obtaining abortions at military hospitals overseas and supported the right of the District of Columbia to use its own revenues to provide Medicaid abortions for low income women.

In 1991 and 1992, the League continued to fight efforts to erode the constitutional right of reproductive choice by supporting the Freedom of Choice Act and attempts to overturn the gag rule. In coalition with 178 other groups, the League filed an *amicus* brief in *Planned Parenthood of Southeastern Pennsylvania v. Casey*, arguing that constitutional rights, once recognized, should not be snatched away. In June 1992, the Court decision partially upheld the Pennsylvania regulations, seriously undermining the principles of *Roe*. In response, Leagues stepped up lobbying efforts for the Freedom of Choice Act. The 1992 LWVUS Convention voted to continue work on all domestic and international aspects of reproductive choice.

In 1993, the League continued to support legislative attempts to overturn the gag rule. In late 1993, President Clinton signed an executive order overturning it and other restrictive anti-choice policies. The LWVUS continued to work for passage of the Freedom of Choice Act and against the Hyde Amendment. The LWVUS supported the Freedom of Access to Clinic Entrances (FACE) Act, a response to escalating violence at abortion clinics. The FACE bill passed and was signed by the President in 1993.

During the 1993-1994 health care debate, the League pressed for inclusion of reproductive services, including abortion, in any health care reform package. In 1995, the League again opposed amendments denying Medicaid funding for abortions for victims of rape and incest.

In 1998, the LWVUS opposed the Child Custody Protection Act, federal legislation designed to make it illegal for an adult other than a parent to assist a minor in obtaining an out-of-state abortion.

In spring 2000, the LWVUS joined an *amicus* brief in *Stenberg v. Carhart*, urging the Supreme Court to affirm a U.S. Court of Appeals ruling that a Nebraska law criminalizing commonly used abortion procedures was unconstitutional. The Court's affirmation of the ruling in June 2000 was pivotal in further defining a woman's right to reproductive freedom.

As Congress continued to threaten reproductive rights with legislative riders to appropriations bills, the League lobbied Congress in opposition to these back door attempts to limit reproductive choice.

In 2002, the LWVUS lobbied extensively against attempts to limit funding for family planning and, in 2003, the League lobbied the House to support funding for the United Nations Population Fund, which lost by just one vote. The League strongly opposed the passage of the so-called Partial-Birth Abortion Act in 2003, but it was passed and signed into law.

In March 2004, the LWVUS lobbied in opposition to the Unborn Victims of Violence Act (UVVA), which conveys legal status under the Federal Criminal code to an embryo and fetus, but Congress passed the bill and the president signed it.

The League cosponsored the March for Women's Lives in Washington, DC, on April 25, 2004, which demonstrated and drew widespread support for the right to make reproductive choices, including many state and local League delegations.

In 2008, the League filed official comments with the HHS, voicing concern over "conscience" regulations that would limit reproductive health care options for women by allowing physicians, pharmacists and other providers to sharply limit their services according to their own views on reproductive health care.

In 2009, the League joined other groups urging rescission of the "conscience" regulations. The HHS subsequently modified the regulations to preserve women's reproductive health care and the doctor-patient relationship.

In 2012, the League responded to attempts to allow any employer or provider who claimed an ill-defined "religious or moral" objection to a health care service, such as reproductive health care, to be exempted from providing such coverage under the Affordable Care Act (ACA). The League opposed this exemption which would undermine the very premise of the ACA that all persons, regardless of gender, should be eligible for health services under the ACA, and that failure to do so is discrimination based on sex.

The League also lobbied Congress in support of fully funding the Title X Family Planning program in response to proposed cuts to Title X, which has provided family planning and reproductive health care services to millions of low-income individuals and families.

In 2013, the LWVUS submitted comments opposing religious exemptions for contraceptive services. This debate continued in the courts and the League joined with other concerned organizations in opposing broad "religious exemptions" to the requirement that all insurance plans provide access to contraception as basic care in the Supreme Court case of *Burwell v. Hobby Lobby Stores*.

The League's Position

The League of Women Voters believes public policy in a pluralistic society must affirm the constitutional right of privacy of the individual to make reproductive choices.

Statement of Position on Public Policy on Reproductive Choices, as Announced by National Board, January 1983.

CONGRESS AND THE PRESIDENCY

Congress

Congress has been a part of the League agenda for many years. In 1944, the League adopted as a Program focus: "Strengthening governmental procedures to improve the legislative process and relationship between Congress and the Executive." In 1946, the LWVUS worked successfully for passage of the Legislative Reorganization Act. In 1954, the League unsuccessfully called on Congress to coordinate and simplify its budgetary procedures.

In 1970, the League undertook a comprehensive study of Congress, leading to a 1972 position on specific changes to make Congress more responsive to citizen needs. League members urged Congress to open the doors to its committee and hearing rooms, free up access to leadership positions and coordinate its budgetary processes.

League support of procedural changes and the 1974 Budget Reform and Impoundment Control Act led to many improvements:

- New committee procedures that modified the seniority system and made committee membership more representative of diverse interests
- Rule changes for more adequate staffing
- Electronic voting
- Modification of the Senate cloture rule
- Moves to open all committee meetings and proceedings to the public, except when matters of national security are involved
- Reorganization of the budget process, so that Congress can establish priorities and evaluate the budget package as a whole

The League has continued to assess proposals for additional procedural changes in Congress. In 1986, the League urged the Senate to provide for radio broadcast and trial closed-circuit television coverage. In 1989, the LWVUS successfully urged the House to enact an ethics reform package that included limits on honoraria and outside income. In 1998, the League joined 13 national groups in urging the Senate Majority Leader to eliminate the use of "secret holds" in the Senate. The League and 52 other groups endorsed draft legislation to put Congressional Research Service reports and products on the Internet.

In 1991, the League announced its opposition to term limits for members of the U.S. Congress on the grounds that such limits would adversely affect the accountability, representativeness and effective performance of Congress, and, by decreasing the power of Congress, would upset the balance of power between Congress and an already powerful presidency. The 1992 LWVUS Convention reaffirmed opposition to term limits and authorized state and local Leagues to use national positions to take action on term limits for state and local offices.

In 1993-1994, the Leagues of Washington and Arkansas participated in suits challenging state term limits laws based on the U.S. Constitution. In 1995, after hearing the Arkansas case, the Supreme Court agreed that term limits imposed by states on the U.S. House and Senate are unconstitutional. Proposals to amend the Constitution to allow or set federal term limits failed to receive the necessary two-thirds majority in both houses. The League vigorously opposed the proposed amendment through testimony, lobbying and grassroots action. In 1997, the League again successfully lobbied House members on this issue.

In 1999, the LWVUS and the LWV of Missouri filed an *amicus* brief in the U.S. Court of Appeals in *Cook v. Gralike*, challenging a Missouri law requiring the phrase "disregarded voters' instruction on term limits" to appear on the ballot next to any candidate's name who had not taken certain actions related to term limits. The law was struck down by the Appeals Court, both because it was a backdoor attempt to impose term limits and because it burdened the election process. The state League and the LWVUS subsequently filed *amicus* briefs with the Supreme Court while the case was considered on appeal.

In 2007 and 2008, the League responded directly to congressional scandals that demonstrated a failure in the mechanisms that regulated ethics and lobbying. The League pushed Congress to enact lobbying reform measures: to set fundraising limits on lobbyists and lobbying firms; change the gift, travel and employment relationships among Members of Congress, lobbyists and lobbying firms; and institute new and effective enforcement mechanisms.

In 2008, the House passed new ethics procedures, including new ethics rules, disclosure requirements for campaign contributions "bundled" by lobbyists, and a new ethics enforcement process. The League also supported strengthening the investigative powers of the new Office of Congressional Ethics by providing access to subpoena power so investigators would be able to compel cooperation from outside entities and individuals, congressional staff and Members.

In 2010 and again in 2012 and 2014, the League and coalition partners sent a letter to the Speaker urging him to preserve and strengthen House ethics rules and standards of conduct.

The League's Position

The League of Women Voters believes that structures and practices of the U.S. Congress must be characterized by openness, accountability, representativeness, decision making capability and effective performance. Responsive legislative processes must meet these criteria:

Accountability - **A Congress responsive to citizens and able to hold its own leaders, committees and members responsible for their actions and decisions**

Representativeness - **A Congress whose leaders, committees and members represent the nation as a whole, as well as their own districts and states**

Decision Making Capability - **A Congress with the knowledge, resources and power to make decisions that meet national needs and reconcile conflicting interests and priorities**

Effective Performance - **A Congress able to function in an efficient manner with a minimum of conflict, wasted time and duplication of effort**

Open Government - **A Congress whose proceedings in committee as well as on the floor are open to the fullest extent possible.**

Statement of Position on Congress, as Announced by National Board, April 1972 and Revised March 1982.

The Presidency

In view of growing public concern about presidential powers, the 1974 Convention adopted a two-year study of the executive branch with emphasis on presidential powers,

succession and tenure. The 1976 position tied closely to earlier positions on Congress and enabled the League to take action to promote a dynamic balance between the powers of the President and those of Congress. Such a balance, according to member agreement, requires elimination of unnecessary secrecy between the branches, periodic congressional reviews of executive agreements and states of national emergency, and proper use of the procedures spelled out in the War Powers Resolution. LWVUS support of anti-impoundment measures in 1973 also was consistent with the emphasis on the balance of power between the two branches.

In 1985, the League opposed the Gramm-Rudman-Hollings Balanced Budget and Emergency Deficit Control Act as a threat to this balance of power. In 1986, the Supreme Court declared unconstitutional the key part of the law that provided for automatic budget cuts to be decided by the Comptroller General if deficit targets were missed. A revision of the law met the separation-of-powers objection of the Court.

The League's Position

The League of Women Voters believes that presidential power should be exercised within the constitutional framework of a dynamic balance between the executive and legislative branches. Accountability and responsibility to the people require that unnecessary secrecy between the President and Congress be eliminated. Therefore, the League supports the following measures:

Executive Agreements - **Presidential authority to negotiate international executive agreements should be preserved. Accountability to the public requires that the President report to Congress the text of all such agreements and that Congress review them periodically.**

War Powers - **The President should be required to seek the advice of the Congress before introducing U.S. armed forces into situations where hostilities are imminent, to report promptly to Congress any action taken, and to obtain within a specified time congressional approval for continued military activity.**

Emergency Powers - **Presidential authority to declare a state of national emergency should be subject to periodic congressional review. The President should transmit to Congress yearly notice of all existing national emergencies and significant orders issued under each. Congress should review the emergencies and significant orders issued under each. Congress should review the emergencies every six months and should have the power to terminate them at any time by concurrent resolution. All states of emergency now in existence should be terminated after a grace period for adjustment.**

Fiscal Powers - **The President should exercise executive responsibility for sound management of public funds in a manner consistent with the programs and priorities established by Congress. This requires procedures for congressional consideration of the budget as a whole and measures for congressional disapproval of presidential impoundment of funds.**

Succession and Tenure - **The League of Women Voters of the United States supports the succession procedures spelled out in the 25th Amendment. However, the League favors a limit on the amount of time Congress may take to confirm the Vice-President. The League also favors retention of a two-term limitation on presidential terms of office.**

Statement of Position on the Presidency, as Announced by National Board, January 1976 and Revised March 1982.

PRIVATIZATION

Convention 2010 delegates voted to undertake a study of the issue of Privatization. Local and state Leagues across the country participated in the study and a position was announced in June 2012.

The League's Position

The League of Women Voters believes that when governmental entities consider the transfer of governmental services, assets and/or functions to the private sector, the community impact and goals of such transfers must be identified and considered. Further, the League believes that transparency, accountability, and preservation of the common good must be ensured.

The League believes that some government provided services could be delivered more efficiently by private entities; however, privatization is not appropriate in all circumstances. Privatization is not appropriate when the provision of services by the government is necessary to preserve the common good, to protect national or local security or to meet the needs of the most vulnerable members of society. While the League recognizes that the definition of core government services will vary by level of government and community values, services fundamental to the governance of a democratic society should not be privatized in their entirety. These services include the electoral process, justice system, military, public safety, public health, education, transportation, environmental protection and programs that protect and provide basic human needs.

The decision to privatize a public service should be made after an informed, transparent planning process and thorough analysis of the implications of privatizing service delivery. While specific criteria will vary by service and local conditions, the League believes the following considerations apply to most decisions to transfer public services, assets and functions to the private sector:

- **On-going and timely communication with stakeholders and the public**
- **Statement of the circumstances as they exist and what is to be gained**
- **Definition of the quality, level and cost of service expected**
- **Assessment of the private market; whether there are providers to assure competitive pricing and delivery recognizing that in some cases, there may not be multiple providers if a service is specialized (e.g., high tech, airports)**
- **Cost-benefit analyses evaluating short and long term costs of privatization, including the ongoing costs of contract administration and oversight**
- **An understanding of the impact on customers, the broader community, environment and public employees**
- **An open, competitive bidding process with clearly defined criteria to be used in selecting a contractor**
- **A provision and process to ensure the services or assets will be returned to the government if a contractor fails to perform**
- **A data-driven selection of private entities whose goals, purposes, and means are not incompatible with the public well-being**
- **The careful negotiation and drafting of the controlling privatization contract**
- **Adequate oversight and periodic performance monitoring of the privatized services by the government entity to ensure that the private entity is complying with all relevant laws and regulations, contract terms and conditions, and ethical standards, including public disclosure and comment.**

The League believes that the enactment of state laws and issuance of regulations to control the process and delivery of privatization within a state's jurisdiction is often appropriate and desirable. Best practices for government regulation of the privatization process should include the following requirements:

- **An open process that allows for citizen input and oversight in a timely manner**
- **A reasonable feasibility study and project evaluation appropriate to the size and scope of the project**
- **The establishment of carefully crafted criteria for selection of the private-entity (beyond the lowest cost bid)**
- **Additional consideration for local bidders in order to support the local economy**
- **The retention of liability and responsibility with the government entity**
- **Allowance for and promotion of opportunities for innovation and collaboration**

- **Provision for employment, benefits and training plans on behalf of employees displaced as a result of privatization.**

Statement of Position on Privatization as announced by the National Board in June 2012.