

Advocacy Report June 9, 2012

“Shining a Light”

By Judy Duffy, Advocacy Committee Chair

As many of you know, I joined the LWV because of its strong advocacy program; because I saw how it could impact public policy for the better at the local, state and national levels; how the League, through its program can consistently and loudly speak out on issues that are at their heart, ones of equality, opportunity, transparency, good governance and common sense. And the League has been there for 92 years to do just that and to augment the voice for many citizens who are not heard amid the din of much public discourse.

The League also speaks to issues that have little publicity but are important to the smooth functioning of government; and ultimately for the betterment of all of us. Many yawn when you mention redistricting—but League members understand its vital importance and across the country they worked for transparency, citizen involvement and accountability as this process worked its way through legislatures, commissions and courts. The League cares that the process works and, in the end, that districts are re-drawn to reflect the populations they serve, not its governmental representatives. The League was there to help save the OCE, the Office of Congressional Ethics, the little-known entity that works to ensure transparency and accountability for the behavior and ethics of Members of Congress. The Elections Assistance Commission is still alive because of the League’s work when efforts to abolish it rose in the Congress—the EAC which came into existence following the presidential election of 2000 when many insufficiencies in elections systems and procedures came to light and it was decided that our elections need to be better managed, votes need to be counted correctly and, in the end, we all have confidence that our elections work for the citizens. These are but a few examples of the little known but vital pieces of the complex picture of governance in the U.S., and the LWV has been there to shine a light and take action when necessary. I have been honored and proud to be a part of the LWVUS advocacy team for the last 6 years.

Of course, we have those issues too that are more widely known and demand our attention. Over the last year, since our last report to you, the LWV has kept up the pace and has continued to work to further the legislative priorities that were established in January , 2011 and re-established in January 2012. Thanks to the many of you who participated in the discussion and supplied your recommended issues for LWV priority action over this period. We heard from hundreds of you and, not surprisingly, the priorities the board has adopted reflect members’ priorities.

Over the last year or so, the LWVUS has been involved in work to save and protect many legislative achievements that have served to better the lives of all citizens: environmental defense, health care defense, the effects of the vast amount of money in politics; and voter

protection. We have employed all of our resources, human and financial, advocacy and education, to broaden the League's impact. Over this time, we have found that this work has an overarching theme; and that is, the League is currently in the business of defending and protecting vital safeguards.

Since the League's inception, members have worked to improve our environment. Our foremothers realized that without efforts to safeguard our environment, the health and safety of our families and all citizens would be at risk. The League worked hard in the 1970's to see the Clean Air and Clean Water Acts enacted; and to further improve those acts through regulations in the 80's, 90's and into this century. Needless to say when we saw threats to these milestone environmental acts, it was time to make these issues, once again, top priorities for the LWVUS. Over the last year and with cooperation throughout the environmental community, the League has stood up and worked to shine a light on both the overt and covert attempts to undercut the safeguards built into earlier regulations. This required that the League find a way to augment our voice in a way that could not be ignored. Last year, the ad campaign that the LWVUS sponsored to bring to light the compromised voting of members of Congress to undercut clean air standards was both controversial and highly effective. If the League cannot call out members of Congress who think that this is ok, and think that they will not be held accountable, then who will? Shining a light is something the LWV does really well.

While these threats to the Environmental Protection Agency and its rules remain, there is a renewed awareness on the part of the citizenry and members of Congress that they cannot quietly undermine these standards. The April announcement by the EPA of new rules for new coal fired power plants marked an important step forward and the League is making and encouraging public comment to safeguard these rules; and we must not let the moneyed interests weaken or eliminate them. We look forward to further regulation of existing coal-fired plants and efforts to move to cleaner and safer sources of energy. Yet we know there is much work yet to be done and we must remain vigilant.

State and local Leagues also remain vigilant on environmental issues. Many of you are fighting hard against the harmful effects of "fracking" (hydraulic fracturing) on drinking water and other resources.

After 5 years, the Climate Change Task Force remains hard at work. Currently, the task force is helping state and local Leagues as you work to create programs to educate your communities on climate change. The task force has produced a tool kit for your use and stands ready to advise you on these important projects.

The League worked hard to pass the Affordable Care Act in 2010. While this bill was not everything that we would hope for, it was the best option to bring needed health care to the 40 million Americans who have no health care coverage. The bill was controversial and was passed in a partisan vote with few votes to spare. Over the last 2 years, various elements of the

act have been instituted, including insuring young people under the age of 26 on parents' plans; making it illegal to deny coverage to children with pre-existing conditions; and making it illegal to either deny or cut off insurance to sick people who have reached some pre-determined maximum amount of coverage. States have been working to establish health exchanges so that people can shop for the best plans for themselves in one location. All of this and other benefits of the plans now sit in the hands of the U. S. Supreme Court, whose decision on the March arguments is due at any time. The LWV filed an amicus brief in support of the expansion of Medicaid in the ACA and the right of the Congress to implement such laws. If the Supreme Court strikes down the ACA or any part of it, there will be much discussion and thoughts on the part of both the Democrats and Republicans about how best to deal with the fact that millions of Americans are going without health care and that this must be dealt with as a means of caring for our people.

Unfortunately, we also find ourselves once again facing the assaults on women's rights to seek and control their own health care when it comes to reproductive rights. The LWV and many of you responded quickly to the proposed Blunt Amendment last March when access to contraceptives would have been curtailed. It was defeated by a very narrow margin in a 51-48 vote, so this issue has still not been put to bed-- and will need to be watched very carefully.

Throughout this time frame, the LWV has made comment during the budgeting process that the budget cannot be balanced on the backs of the most vulnerable; that nutrition programs must be saved and that cuts to Medicaid and Medicare are unconscionable in a civil society. The LWV will be there, following these developments and again, speaking out to the needs of those whose voice is not being heard.

When it comes to all of the issues the League and others work on and care so much about, the real elephant in the room is campaign finance reform. Money in politics affects and afflicts every issue that the League works on and cares so much about. We all know that as long as money flows into politics at the unchecked rate that it does, the voice of the public will be drowned out by the special interests. For this reason, the LWV has focused on this as far back as the 1970's when the Watergate scandal demonstrated what the effects of unchecked money and quid pro quo practices have done to undermine governance for the public good.

The League was instrumental in lobbying through landmark laws enacted post –Watergate, been a part of *Buckley v. Valeo*; McCain-Feingold (BICRA), and most recently observed the full rotation back to enhanced money in politics with the *Citizens United* decision in 2010. Complicating the erosion of campaign finance law has been the dysfunctional operation of the Federal Elections Commission in failing to promulgate rules that could mitigate the effects of the *Citizens United* decision. The LWV joined with many of our allies in the good government community to shine a light on this situation by participating in a petition effort to raise the issue with the Obama Administration. Utilizing a White House web site and the promise that any issue receiving 25,000 signatures (or more) in a month's period, would be acted on by the Administration, the League encouraged members and others to sign on. At this date, despite

more than 26,000 signatures, we are still awaiting word from the White House that they will indeed address the dysfunction of the FEC by nominating new members to the Commission and hopefully, encouraging their work to address the dearth of enforcement and promulgation of new rules to address the excesses in the current system.

Meanwhile, the LWV continues to work on the new version of the DISCLOSE Act, calling for real time disclosure of the massive secret spending by so-called “independent” groups in candidate elections. We have done action alerts to our 80,000 member activist list, spoken out in Congress and the media, and the Lobby Corps has lobbied Congress several times.

Speaking of the Lobby Corps, let’s thank them for their steadfast work on our behalf by regularly visiting Members of Congress to discuss top League priority issues.

Despite the comments by the Supreme Court justices that disclosure is important to “providing the electorate with information,” this legislation is being stalled by partisan concerns. It is clear that members of Congress have grown to like the lack of disclosure and are in no rush to end the gravy train. To shed light on this practice, the LWVUS aired strategically placed radio ads over the Memorial Day weekend in Tennessee and Maine, asking their senators to do the right thing and support efforts to identify the sources of the millions of dollars that are currently impacting political campaigns across the country.

We will also need to strengthen the requirements for the supposedly independent expenditures that the Supreme Court unleashed in *Citizens United*. How can a group be “independent” when it was set up by campaign operatives that recently worked for the candidates? It can’t, and we will need to fix that loophole that lets special interests make huge expenditures to help candidates. A first step in developing our argument came recently when we joined an amicus brief to the Supreme Court urging that they use a current Montana case to reconsider what they said about independent expenditures in *Citizens United*. Shining a light on the secret money and on the erosion of citizens’ ability to have a voice in the system awash in special interest money will remain a League priority.

I also want to mention that we now have a new campaign finance task force at the national level. With the Supreme Court busy undercutting protections against corruption in our political system, the task force is looking at the variety of steps the League at all levels can take, both over the short term and the long term, to address the situation.

In the area of voting rights, defense is again our theme. Many of you have been immersed in fighting proposed regulations in your states that would ultimately reduce voter participation by making it harder to register and to vote at the polls. Mandatory photo ID requirements have been fought in many states, with mixed results: some have passed the laws and they now rest in the hands of the courts through challenges under the Voting Rights Act; others are working hard to defeat constitutional amendments on your ballots this fall; and some of you have managed to defeat the proposals in your legislatures. Wherever your state stands on this issue, we know this is an orchestrated push by some to establish these laws and this is a systemic

attack on the rights of the voter. To the LWV, as an organization that was founded on the premise of the expansion of the vote, these assaults on the voting rights of citizens are intolerable. So far, these infringements on voters' rights are largely within the states, not at the federal level; however, the League will continue to act on proposed laws at every level of government and shine a light on the motivations of those who seek to impede any eligible voter's ability to cast her ballot.

The League will continue to monitor the actions of the Election Assistance Commission and make comments seeking improved voting procedures and practices. The League will continue to monitor the harsh debate over the federal budget and taxes, repeating the League's support for a progressive income tax system and to oppose all efforts in the House of Representatives for a constitutional amendment for a balanced budget.

Immigration, as well as the UN and CEDAW (Convention for the Elimination of All Forms of Discrimination Against Women) remain on the League's watch List. While there does not appear to be any movement on these issues now, we know that issues can come up very quickly in the lame duck session. The Dream Act arose very quickly in 2010, and after the election, this could happen once again. For now, we are watching immigration issues that have arisen in the states, most notably the upcoming Supreme Court decision on SB 1020 in Arizona.

Before I conclude, let me make a pitch that each of you subscribe to and read the weekly LWVUS Leaders' Update. This is where you will learn the latest news on these and other League issues, keep yourself informed and be better prepared to take action when invited to do so. The LWVUS is a very busy place and by reading the Leaders' Update, you will gain a broader understanding and appreciation for how the League works at all levels, from the local to the national.

So, the array of issues that the LWV could and can cover is wide ranging. In the last 2 years, the LWVUS has selected those issues that our members have told us are important to them and that the board believes the LWV voice can impact. We work to lobby and advocate—to educate ourselves and the general public about these important issues, utilizing all of our advocacy and education resources. We have found that we must focus these resources, both human and financial, to hone the message in a way that will be heard. As we do this, we shine a light on many issues that need attention. While we determine the best strategies to employ—whether to shine a spotlight, a flood light, a green light, a red light, a neon light, a flashlight, or whatever other kind of light you can think of, it is clear that the best light of all is sunlight—the ultimate disinfectant and the ultimate mark of a democratic republic. To ensure transparency in all action of our government is the ultimate goal-- and the League of Women Voters will remain committed to supplying the energy to power those lights to see that our governmental bodies are acting on behalf of all of us.

Thank you.

