

LWVUS IN ACTION ON CAMPAIGN FINANCE

The League's Position

Statement of Position on Campaign Finance, as Announced by National Board, January 1974 and Revised March 1982:

The League of Women Voters of the United States believes that the methods of financing political campaigns should ensure the public's right to know, combat corruption and undue influence, enable candidates to compete more equitably for public office and allow maximum citizen participation in the political process.

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.

The League's History

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

To varying degrees, current law reflects some 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 finance law. The League continues to assess proposals that allow challenger and incumbent candidates to compete more equitably. The League favors shortening the time period between primaries and general elections.

Year in and year out since 1974, the League has 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 has called for limits to PAC and large contributor donations, for closing the soft-money loophole and for public benefits for candidates, such as reduced postage and reduced broadcasting costs. It also strongly supports a strong and effective Federal Election Commission.

The League continues its support for comprehensive reform through multiple channels: lobbying, testimony, grassroots action, and work with the media. Members push for

voluntary spending limits; public benefits, such as reduced-cost broadcasting and postal services, for participating candidates; aggregate limits on the total amounts candidates could receive in PAC and large individual contributions; and closing the loopholes that allow huge amounts of special-interest money to influence the system.

The League has also worked at the state level, which has contributed to real progress. Public financing, the "Clean Money Option," has been adopted in several states, including Connecticut, 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 League expended incredible effort in the five-year campaign for the McCain-Feingold-Shays-Meehan bill, which reached fruition when President Bush signed the legislation into law. The bill, 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.

The League has also used litigation strategies to advance and protect campaign finance reform by filing *amicus* briefs or joining in those of others.

Of course, litigation has recently overturned significant aspects of what has been achieved over the years with the *Citizens United v. FEC* case. The impact of *Citizens United* has dramatically changed the political landscape, and the League's current work is directed towards finding feasible ways to correct the massive problems created by the decision.

[For a more complete and detailed history of the League's activities in the area of campaign finance reform, consult "Representative Government" in "Impact on Issues." <http://www.lwv.org/content/impact-issues.>]

LWVUS Activities Underway

1. We are continuing the fight to pass the DISCLOSE Act of 2012. This essential legislation will require financial disclosure for all campaign advertising. No longer will trade associations, corporations, and wealthy individuals be able to make secret contributions to run election ads. Our volunteer national Lobby Corps is working both the U.S. Senate and the House of Representatives on the bill, we made a statement to the Senate Rules Committee, and you can expect a series of up-to-the-minute action alerts. The national office will also be working with Leagues in key states both to lobby directly and to reach out to the media in support of the DISCLOSE Act.
2. With a grant from the Unitarian Universalist Congregation of Shelter Rock, NY, we have joined with the state Leagues in Tennessee and Maine to bring the reform message to the public through paid radio advertising calling on the Senators from those states to fight to stop the secret money in elections. Elisabeth MacNamara spoke at an exciting event at the church recently and reported great enthusiasm for challenging secret money in politics.
3. The LWVUS has joined an amicus brief urging the Supreme Court to take up the case of *American Tradition Partnership v. Bullock*. This is the case in which the Supreme Court of Montana challenges the Supreme Court's assumptions in *Citizens United* by showing that the historical record of corruption in Montana justifies that state's ban on corporate participation in candidate elections. The brief outlines how the Supreme Court's theories about "independent" spending in *Citizens United* have proved to be factually incorrect and how secret spending denies voters the information they need to make informed decisions on Election Day.
4. As you know, the Federal Elections Commission is not enforcing current law on campaign finance, so we and our sister organizations have been pressing for big changes. As a start, we've called on the President to appoint five new commissioners to the agency. With the strong support of thousands of League members, our efforts on the petition to the President on the FEC reached its goal of 25,000 signers, and we are anxiously awaiting his promised response to the petition and the continuing problems at the FEC.
5. A new League Campaign Finance Task Force is now up and running, which includes nine knowledgeable and committed League members from around the country. The Task Force will serve as a resource to the LWVUS Board and will provide information and input on campaign finance issues, including short and long-term strategies for reform. In the short term, the Task Force will be researching and providing information to members on the proposed constitutional amendments that have been introduced in the U.S. Congress.
6. Senior staff is participating in an Independent Sector working group, whose focus is on developing a response for the non-profit community on the increasing use of

existing and new 501(c)(4), social welfare organizations, to engage in electoral activities. The League is a member of Independent Sector (IS), which is a national organization that speaks for the non-profit sector on a number of issues. One concern of the IS working group is that the valuable role played by social welfare organizations will be tainted by new groups that are being created under section 501(c)(4) of the tax code but whose purpose is primarily to funnel funds into electoral races.

7. The Board is recommending to Convention a comprehensive program to educate members and communities on the issue of campaign finance in order to inform our education and legislative efforts as needed.

What Local and State Leagues Can Do Now

1. Engage in the League's Money in Elections reform campaign. Call on your Senators and Representative to support the DISCLOSE Act. Respond to LWVUS action alerts, reach out to your members to engage them in this topic, especially to meet with your federal representatives or their staff in the state or district. Write a letter-to-the-editor of your local papers and call attention to the problems of secret money in campaigns. Voters deserve to know where the money is coming from.
2. Participate in the "Stations: Stand by Your Ad" campaign. LWVUS is encouraging Leagues to participate in a project of the Annenberg Public Policy Center of the University of Pennsylvania that identifies ways TV and radio stations can reduce the number of erroneous campaign ads run by third party organizations. A description of the campaign and how Leagues and others can get involved will be available on our website. See also: <http://www.annenbergpublicpolicycenter.org/NewsDetails.aspx?myId=475> and <http://www.flackcheck.org/stand-by-your-ad/>
3. Engage in public education about how to watch TV campaign ads – particularly those sponsored by third party (and supposedly independent) organizations – with a critical eye. This effort can build on work already done by many Leagues to develop skills on "Debate Watching 101" and "How to Judge a Candidate". LWVUS/EF hopes to produce some tips on this topic, but we need your help! If your League has developed materials on how to watch campaign ads, please send them to Pam Sterner at psterner@lwg.org, so that we can compile information that can be shared with all Leagues.