

PIPER FUND

a proteus fund initiative

A Strategy for Advancing Comprehensive Reforms
in the Influence of Money on Politics in the United States

Richard Kirsch
January 2012
(revised July 2012)

Table of Contents

Foreword.....	i
Executive Summary.....	iv
Introduction.....	2
The Way Forward.....	5
Building a Cohesive Movement Around a Common Narrative....	11
Goals and Objectives.....	25
Strategic Keys to Policies.....	31
Goals and Objectives.....	41
Conclusion: Liberty and Justice for All?.....	45
Appendix A: Who Was Interviewed.....	a
Appendix B: Capacities Proposed by Those Interviewed.....	e

Foreword

Thirty months ago, the Roberts' Court's *Citizens United* decision threw the world of political campaigns into free fall by giving corporations and other special interests the ability to give unlimited funds to candidates, capping three decades of the highest court's slow and steady political empowerment of the wealthy at the expense of everyday citizens. Large segments of the public, the media, and even a good number of elected officials who had paid little attention to campaign finance began to focus on how our democracy is being warped by the political dollars of the wealthy and big corporations.

Over the ensuing two and a half years the public understanding and anger about how our government is not working has only grown. Pollster and strategist Stan Greenberg has emphasized that for the public the challenge of cleaning up Washington and Albany in fact supersedes other issues. After conducting extensive public opinion research, Greenberg concluded that the public will not have confidence in government doing the right thing or delivering on health care, financial reform or environmental issues until and unless we confront the ever increasing power that the wealthy and big corporations have on government decisions and policy making.

That narrative was expanded by the Occupy movement. By linking the inequality in our economy with the inequality in our democracy, Occupy framed money in politics as a core part of the agenda for the 99%, connecting money in politics to the growing alarm about economic insecurity, our inability to compete in a global economy, the fear that our best days are behind us and that our children will not do as well as we have done.

But while a large majority of everyday people understands the enormity of the problem and the need for change, the path to winning reform is long-term and unclear. Most of all, we face the massive resources of the wealthy and big corporations which funds not only their lobbying and campaign contributions but also their communications machines that are capable of manipulating events and controlling the narrative so they appear to have the best interests of the everyday citizen in mind. And all of this unfolds with the stark reality that, given the present composition of Congress and many state legislatures, the prospects of legislative victory, with a few notable exceptions, are remote.

The combination of these factors presents a conundrum for the growing number of funders who understand the urgency of the problem but operate in an environment that requires measurable outcomes within specific and relatively short timeframes. How can funders rationalize grantmaking in an area that is unlikely to see success defined by policy victories for a number of years? Might we identify intermediate and short-term benchmarks and objectives that we are confident indicate steps toward achieving longer-term goals? Can we build consensus around longer-term goals and then identify longer-term but measurable objectives for getting there? Many funders have told the Piper Fund, in individual conversations and at funder briefings, that identifying long term goals, with accompanying step by step benchmarks, would be helpful in their developing funding strategies for this work and would make assessing progress more feasible.

Prompted by these conversations, and a desire to take full advantage of the opportunity to grow the movement for democracy, the Piper Fund decided to carry out research and planning to identify short, medium and long-term goals . We commissioned Richard Kirsch to interview dozens of leaders, academics, advocates and funders, and to synthesize their input in order to identify the long term goals for the money in politics movement, the key strategies that should be employed to reach those goals, and the specific objectives to mark important progress in achieving those goals.

We had known Richard for over two decades and from his tenure as Co-Director of Citizen Action of New York had followed his dedication to democratizing our elections. We had seen, as well, the impressive leadership he had provided as the National Campaign Manager for Health Care for America Now (HCAN), leading HCAN to a most important role in winning the historic health care legislation in 2009. In Richard, we were getting someone with experience at working on issues from both national and state levels, a passion for the work, and the ability to synthesize information and frame issues strategically.

Two important notes: First, this report proposes some objectives that are already underway; their inclusion here underscores that they should be continued or expanded.. Second, an important benefit of the strategy Richard proposes is that it lays out a plan to diversify the voices of those calling for systemic political change. While the ranks of reformers have been disproportionately white and middle class, an expanded movement rooted in the critical day-to-day struggles of ordinary Americans will connect good government initiatives with the broad and diverse public they aim to serve.

Our goal is to help spark a robust conversation among advocates and funders about how to build and move this work forward. To that end, Piper and others sponsored nine briefings since the first draft of this paper was completed in January where Richard discussed his report. Additionally, we shared the draft with a wide set of

fundes and advocacy organizations for comments. We believe that process has both sparked critical thinking of strategies that the money in politics community should pursue and presented advocates and fundes with a plan for the movement to achieve its fundamental goals.

All of that work underscores our hope that the report will contribute to the growth of a powerful political force for revitalizing our democracy..

Marc Caplan
Senior Program Officer, Piper and Proteus Funds
July 2012

Reclaiming Democracy: Executive Summary

The goal of this report is to propose, as the title says, “a strategy for advancing comprehensive reforms in the influence of money and politics in the United States.” The Piper Fund commissioned this report to take a fresh look at how its mission – “to engage and mobilize a powerful movement to address the problem of special interest influence in our political system” – could be best accomplished and to propose long-and-short-term goals and objectives within the framework of an overall strategy.

The report draws from 63 interviews with 73 individuals representing 51 organizations, which the author conducted mostly from September through November of 2011. The organizations included: campaign reform groups, community organizing networks, economic issue campaigns, labor unions, environmental groups, foundations and on-line organizations.

In interviews about what was shaping the political context around money and politics, by far the most frequent responses were about corporations and economic pressures on American families. As one person observed, “Our members are like a lot of the 99% - they understand that there’s an outsized influence on policy makers and they are getting hurt because government policies are favoring wealthy and corporate America.”

Proponents of reform have long been forced to respond to the refrain from elected officials and political consultants that campaign finance reform never comes up high on a list of issues of voters concern in public opinion polls. The new reality, that Americans view money and politics as a primary obstacle to government addressing their top issues, offers a pathway to making reforms in money and politics a top tier issue.

What we are learning is that champions of reforms in money and politics must become closely allied with champions of economic fairness and other issues of pressing concern, particularly the environment. The good news is that many advocates for both campaign finance reform and issues of the economy and environment understand this. The single idea expressed most frequently in the interviews, was that the way forward was to intimately link specific issues to money and politics.

The most consistent theme in the interviews regarding strategy was summarized well by one reformer, “We need to build a populist movement that will have energy. We need to take what people get about corporate money and elections and turn cynicism into movement and action. We need to stop talking about campaign

finance reform - it puts people to sleep - and talk about democracy in terms of jobs, economy and environment. Our job is to create narrative.”

Building a Cohesive Movement Around a Common Narrative

Organizational Base: Connect the Dots: The overwhelming ability of corporate interests to use political money to stymie the work of issue organizations opens the door to building a much broader coalition of groups that will work for money and politics reforms. However, it will take deliberate work with issue groups to move them from seeing the problem to working for specific solutions.

A growing number of issue groups have begun working with campaign finance reformers to weave facts, analysis, and research into their ongoing work on a variety of priority issues for their members. The next challenge is working with these groups to move from describing the problem to advocating for solutions. The goal is to have issue groups regularly talk about campaign finance solutions in their communications and organizing, and to work for specific solutions when a campaign is ripe.

Building an Activist Base: A priority is building a large base of individuals who can take actions, both on-line and on the ground. Several campaign finance organizations are working to build an increased on-line presence. The next step will be to effectively transform the netroots energy to focused grassroots energy.

Building a base for mobilization will take highly-committed volunteer leaders, who can be developed from on-line activists, and from leaders of other organizations. Supporting and developing leaders requires an intentional program of recruitment, training, and organizing.

Mobilizing Around Corporate Targets: Corporate campaigns project the key narrative about the relationship between the economy and democracy, and provide a new set of targets for actions, at a time when people have little belief that elected officials will act, in substantial part because they see them as beholden to their corporate puppet masters. Corporate campaigns also offer policy targets other than legislatures, including actions by corporations themselves, such as voluntarily seizing, limiting or disclosing electoral contributions. As investors, foundations can participate in shareholder campaigns aimed at such voluntary actions.

Successful corporate campaigns would target firms that are well-known consumer brands and have a regular pattern of making campaign contributions to candidates or PACS that have unpopular positions on salient issues, including some contributions that stand out as harsh examples. The campaign would need to be sustained over time, with a clear demand to end corporate electoral contributions, and also to support policy reforms.

Improve the Ability to Communicate Effectively: There needs to be a significantly improved communications capacity, including: 1) assuring that ongoing activities are communicated; 2) generating new, newsworthy information; 3) coordinating responses to breaking events; 4) promoting a common narrative; 5) projecting effective spokespeople.

The upcoming election is seen as a prime opportunity to heighten public attention to money in politics. While organizations can make these connections directly, another powerful tool is through investigative journalism.

Reform advocates need to recruit and train spokespeople who look more like the diversity of America and can talk about the problem and solutions by telling compelling stories about the impact of issues on their lives.

It would be advantageous to create a communications hub - which need not be housed in one organization but which can function to: help groups amplify their own work; provide common services such as media booking; identify opportunities for groups to exploit; harmonize regular messaging; and, coordinate rapid response.

Work With Elected Officials Who Are Champions of Reform: An important strategy is to identify elected officials who can become visible champions of reform. Champions are essential to providing credibility and visibility to the public and to organizing support inside government to enact reforms.

Hold Elected Officials Accountable: The goal of this work is to have it be widely understood within the political community that a number of elected officials lost their elections because of negative public reaction to their taking big campaign contributions. Accomplishing this goal would take implementing a comprehensive plan in carefully selected districts. Electoral work is also a powerful way to recruit more organizations and activists to work on money and politics reforms. Running a successful electoral campaign, which results in defeating an incumbent, is a good way to make the winning candidate a champion of reform and to have built a base that will keep the newly elected official on that course. It can also serve as a powerful example to other incumbents on why they might want to become champions of the issue.

Creating Strategic Unity through Coordination and Coalition: While campaign finance organizations often seek to coordinate their work when specific issues emerge, and there is also a regular history of some groups coming together when an opportunity opens to move specific legislation, the lack of a regular venue for coordinating overall strategy creates the real possibility that the work of

organizations adds up to less than the sum of their parts and that opportunities to make major advances are missed. Given the enormous challenges inherent in moving reforms on money and politics, it would be a significant achievement if a critical mass of groups were able to reach agreement on how to achieve common principles by executing a shared strategy. Building a broader coalition for reform will require inviting a broader array of organizations to join in shaping policy and strategy.

Section III - Goals and Objectives: Strategies and Capacities

Building an organizational base –short-to-mid term goal: Substantially increase the number and range of issue and constituency groups that integrate money and politics into their communications, organizing and advocacy.

Objectives – short-to-mid term:

- > *Short:* Identify, prioritize, and hold strategic meetings with issue and organizing networks and groups that, given their goals or policy objectives, are significantly impacted by corporate political spending.
- > *Short to mid:* Expand the ability to strategically provide research on money and politics to issue groups.
- > *Short to mid:* Work with issue groups that organize people to advance from highlighting the problem to fighting for solutions.
- > *Short to mid:* Identify opportunities for municipal or state campaigns.

Building an activist base – short-term goal: Create a large and ever increasing base of activists and volunteer leaders, in communities around the country, who organize and advocate for money and politics reforms.

Objectives – short term:

- > *Short:* Campaign finance groups establish large, response on-line lists.
- > *Short to mid:* Recruit, develop, train and organize leaders in targeted communities who organize others, host and organize events, use their social networks and serve as local spokespeople for reform efforts.
- > *Short to mid:* Be able to engage people effectively in a variety of activities, including: rallies, protests, canvasses, phone banks and press conferences, demonstrating:
- > *Short:* Recruit and train diverse spokespeople who can talk about campaign finance reform in terms of compelling issues, including those who have compelling, personal stories.

Corporate campaign goal – short to mid term: Increase the number of corporations that voluntarily disclose or restrict electoral activities and support policy reforms.

Objectives – short to mid:

- > *Short:* Conduct at least one sustained campaign aimed at demonizing a major corporation for making electoral contributions. Measure the campaign's impact on.

- > *Mid*: Using the lessons from that campaign, expand the effort into other selected targets in the same industry and at least one other industry.

Build communications capacity - goal short-to-mid term: See an increased level of coverage about money and politics in the mainstream and new media, including regular connecting of campaign contributions and lobbying to the behavior of elected officials and candidates and an increase in coverage of proposed solutions.

Objectives - short:

- > Strengthen the communications capacity of reform organizations.
- > Establish a communications operation that will:
 - Guarantee rapid response to breaking events;
 - Make visible nationally and with elites the growing amount of grassroots actions around the country;
 - Track the traditional media's stories on money and politics;
 - Track and interact with the blogosphere and netroots community on money and politics issues;
 - Help to promote national reports and analyses;
 - Promote ideas for investigative journalism and research;
 - Develop a "message of the day," with talking points and factual backup;
 - Have an aggressive booking operation.
 - Train spokespeople.

Legislative champion goal - short to mid term: Reform advocates build strong relationships with elected officials, including those in leadership, who will champion their issues and work with them strategically.

Objectives - short to mid:

- > *Short*: Reformers establish a deliberate process of identifying and recruiting elected officials as champions according to specific criteria.
- > *Short to mid*: Reformers are successful in recruiting champions that meet those criteria and work closely with the champions to advance reform.

Hold elected officials accountable goal - short-to-mid term: Have it be widely understood within the political community that a number of elected officials lost their elections because of negative public reaction to their taking big campaign contributions.

Objectives - short to mid:

- > Create a narrative: The goal is to have it widely understood by voters that the incumbent did the bidding of his/her of big money campaign contributors at the expense of the best interest of his/her constituents.
- > Connect the dots: The effort must relentlessly make the connection between votes that the incumbent took, or statements that the incumbent made, and money that the incumbent took from unpopular interests.
- > Build a coalition: Build broad coalition behind the effort.

- > Coordinate Communication: There should be a coordinated communication plan.
- > National impact: There should be a concerted effort to keep the national political elite - press; political consultants; talking-heads; political leaders - informed about activities within the districts.

Coordination and Coalition goal - short-term: There is the formation of at least one broad coalition that is successful in: 1) reaching agreement on principles of reform that are specific enough to drive an ambitious reform agenda; and 2) rules of engagement that create effective, joint work on major strategic initiative to advance that agenda.

Objectives - short-term:

- > There is an intentional effort for a broad range of campaign finance reform groups and other potential allies to seek common ground on major initiatives to advance work on money and politics.
- > The current community of reform organizations should make a concerted effort to coordinate their work.

Where Are We Going: Strategies to Advance Key Policies

Public Financing: By far, the overwhelming policy imperative identified by those interviewed is public financing of elections. Campaigns for public financing should be conducted at the state and local level, as well as the federal, and in judicial elections, when opportunities are created by strategic organizing. In the face of recent court decisions, which restrict the ability to provide grants of public funds to compensate for spending by opponents of publicly funded candidates, most advocates are now rallying behind systems based on public matching of small contributions.

Successful efforts to enact public finance laws require building a coalition that includes the traditional campaign finance community and multi-issue groups that engage in electoral politics.

While public financing may be the top priority for those who are familiar with campaign finance policy, a major challenge for advancing public financing is that it is not widely understood to be the key policy goal. Even when public financing is understood to be important, a further barrier is to make it a priority for advocacy, rather than a second tier issue. Another challenge is having the wider public understand and support public financing. It is important to tell the story of public financing within in a broader narrative about reclaiming our democracy.

Regulation of Campaign Spending and Contributions: Supreme Court decisions have handcuffed the ability of policy makers to regulate the financing of elections, both spending and contributions. The 1976 *Buckley v. Vallejo* case, infamous as the

decision that equated money with speech, blocked legislation that would limit campaign spending. In 2010, *Citizens United* - infamous for ruling that corporations have the free speech rights of people - and a number of other less well-known Supreme Court rulings in recent years, expanded the already significant ability created by *Buckley* for unlimited independent spending on campaigns and restricted the ability of policy makers to compensate for such spending through public financing.

The *Citizens United* decision has ignited efforts to change the judicial framework governing regulation of money and politics, either through amending the constitution or a deliberate challenge to Supreme Court doctrine.

There are at least six proposed amendments introduced in Congress: some aim simply at reversing *Citizens United*; others also would reverse *Buckley*, giving policy makers the ability to regulate campaign spending and independent expenditures. The interest in a constitutional amendment transcends policy; it also springs from the desire for an organizing strategy that will capture the public's imagination and engage people in real activity on the ground.

There needs to be a concerted program of challenging the current jurisprudence. Developing a new jurisprudence, including ensuring justices appointed to the Court who will be open to a new way of viewing these issues, will also be made more possible when it is part of a broader movement advocating reform.

Enhanced Disclosure: In *Citizens United*, the Court cleared the way for legislation requiring full disclosure of individuals and entities that finance campaigns, including independent expenditures. Venues for expanding disclosure include federal and state legislation and regulatory activity by the FEC, IRS and SEC.

There is a healthy level of disagreement among reformers about whether to focus scarce resources on advocating for passage of enhanced disclosure. A lesson in how to balance the role of pushing for enhanced disclosure in terms of more fundamental goals may be taken from the experience in Connecticut, where advocacy for enhanced disclosure was positioned as a subsidiary goal toward public financing.

Lobbying Reforms: Despite widespread public disgust with corporate lobbying, and very weak federal lobbying laws, lobbying reforms were almost never listed in the interviews as a reform priority. When the issue was raised, some advocates argued that the best way to diminish the power of lobbying is through public financing, since the greatest source of lobbyist power is their ability to collect and bundle campaign contributions. Nevertheless, lobbying reforms should be part of both the policy agenda and broader narrative about the need to create a government that is responsive to the 99%.

Voting Rights: While issues around voting rights may be seen as distinct from the financing of elections, the two are not that easily separated. The observations provide four important reasons for including a focus on voting rights in an agenda aimed at reducing the influence of big money on our political system: 1) increasing voter participation in elections; 2) assuring that the regulation of campaign finance does not discourage voter participation; 3) respecting the ability of membership organizations supported by small donors to participate in elections; and 4) building a broader coalition in support of campaign finance reform.

Rethinking policy from a coalition perspective: A key recommendation of this report is that the coalition of groups that advocate for money and politics reform be expanded significantly. Doing so will require respecting the policy perspectives of potential allies, who need to be brought to the table to seek agreement on a broad range of reforms that will enhance democracy over plutocracy.

Policy Goals and Objectives:

Public Financing: Goal - long term: Enact comprehensive public financing at the federal, state and major local government level for executive, legislative and judicial (where appropriate) offices.

Objectives - short-to-mid term:

- > *Short to mid:* Educate the leaders of issue organizations and other opinion leaders on why public financing is vital to reforming the political system.
- > *Short to mid:* Seek the full engagement of multi-issue organizations, which also do electoral work, as partners in building movement for public financing.
- > *Short to mid:* Make public financing an integral part of the broader narrative.
- > *Short to mid:* Establish Fair Elections public financing model at federal level as the major policy option for lawmakers and organizations.
- > *Short to mid:* Identify and focus on opportunities to enact public financing at the state and local level.
- > *Short to mid:* Build support from political donors for public financing and incorporate those donors into campaign plans.

Regulation of Campaign Spending and Contributions: Goal - long term: Create a new legal framework, which gives policy makers the ability to regulate electoral spending and contributions by candidates and other individuals and entities.

Objectives - short-to-mid term:

- > *Short:* The reform movement, including the broader coalition that will be needed to mobilize support and Congressional champions, reach agreement on the content of a proposed constitutional amendment.
- > *Short to mid:* The theory of whether the constitutional amendment is a powerful way to organize the public should be tested by determining whether specific campaign objectives are met.
- > *Short-to-mid:* Progress should be measured on specific objectives towards developing a new jurisprudence.
- > *Short:* A federal judicial nominee's views on campaign finance doctrine become a major issue in confirmation hearings.

Enhanced Disclosure: Goal - long-term: Enact legislation at the federal and state levels requiring full disclosure of all spending to influence elections by individuals and entities.

Objectives - short-to-mid term:

- > *Short:* Reach agreement among advocates on policy for federal Disclose Act that provides full disclosure of campaign spending while protecting the identity of small donors to associations.
- > *Short:* Identify, prioritize and advance disclosure legislation in states where such legislation will help advance broader policy goals;

- > *Short to mid:* Frame enhanced disclosure within the context of comprehensive reform.

Lobbying reform goal – long-term: Reform federal lobbying laws so that entities that spend significant sums on lobbying are significantly limited in their ability to shape legislation.

Objectives – short to mid term:

- > *Short:* Convene campaign reform and other allies to reach agreement on a policy agenda for lobbying reform.
- > *Short:* Set short and mid term benchmarks for progress in advancing this work.
- > *Short:* Include the need for lobbying reform in the broader narrative around restoring a government that is accountable to the 99%.
- > *Short:* Frame the influence of lobbyists as another powerful argument for public funding.

Voting rights: Goal – short-to-mid-term: Protect current voting rights and make it easier for people to vote.

Objectives – short term:

- > Encourage campaign finance reform and voting rights leaders to meet to discuss increased coordination and collaboration.
- > Incorporate voting rights agenda into broader agenda for reforms in money and politics.

Reaching broader consensus on policy: Goal – mid-term: Achieve significant agreement on a comprehensive policy of campaign finance reform, under both current legal options and options potentially opened under a new jurisprudence, among a broad coalition of organizations, including campaign finance reformers, labor unions, other membership organizations, civil rights and civil liberties groups.

Conclusion

It will take a popular movement to throw the money-changers out of the temples of American democracy. After three decades of an economy in which the rich got richer, the poor got poorer and the middle-class got crushed, we see the beginnings of that movement in the anger and grassroots action across the political spectrum. Our job is to combine the prosaic with the inspirational, to build a movement that is smart and energetic, that springs from anger to hope through action.

Throughout American history, philanthropy has played a key role in fueling movements for change. Just as groups that work on the economic and the environment are coming to understand that they can not make progress without working on “money and politics,” foundations should envision that tackling the role

of money in politics is essential to achieving their program goals. With the core values of our society at stake, and a unique opportunity for progress at hand, all of us need to do what we can to build a society that provides liberty and justice for all.

“We can have democracy in this country, or we can have great wealth concentrated in the hands of a few, but we can’t have both.” Justice Louis D. Brandeis

Introduction

The goal of this report is to propose, as the title says, “a strategy for advancing comprehensive reforms in the influence of money and politics in the United States.” As most everyone would agree, from the casual observer of our political system to political junkies, this is a huge challenge, particularly because the concentration of wealth bemoaned by Justice Brandeis is at historic levels not seen since he made his observation almost a century ago. For the Piper Fund’s mission – “to engage and mobilize a powerful movement to address the problem of special interest influence in our political system” – it is a challenge that must be answered. For that reason, the Piper Fund commissioned this report to take a fresh look at how its mission could be best accomplished and to propose long-and-short-term goals and objectives -within the framework of an overall strategy.

The Piper Fund, and all of those who work in the arena of money and politics, understand the enormity of the task at hand. The challenge is further underlined by the difficulty of seeing a legislative path forward for enacting reforms and the additional obstacles erected in the past several years by the Supreme Court. When the prospects of achieving the most easily measurable progress – passage of a new law – appear far off, how can progress be measured? A major purpose of this report is to answer that dilemma, to provide a strategic framework for change and propose major goals and objectives for actualizing that strategy. ***Specific Goals and Strategies are presented at the end of two major sections of this report: Section III on Policy and Section IV on Capacities.*** Funders and practitioners will be able to judge their progress by the success of implementing those goals and objectives.

The report draws from 63 interviews with 73 individuals representing 51 organizations, which the author conducted mostly from September through November of 2011. The organizations included: 18 campaign finance groups; 11 community-based organizations; 3 issue coalitions that focus on economic issues; 2 on-line progressive groups; 4 labor unions; 3 environmental groups; and 10 foundations that provide funding for work around money and politics. The conversations were with high-level staff, including in 32 cases, the organization's principal (President or Executive Director). In addition to the organizations, I talked with one pollster and two attorneys who are active in the field. Appendix A includes a chart summarizing the interviews and a list of those who were interviewed.

The conversations covered four broad topics:

1. the overall political environment and the challenges and opportunities for advancing work on money and politics;
2. long and short term policy objectives, that respond to the challenges;
3. major strategies that advance the policy objectives;
4. key capacities to be enhanced to make this work possible.

The interviews were confidential, open-ended and the conversations free-flowing; the goal was to get people to be frank in their opinions, to freely explore ideas and imagine new approaches. The views shared were crucial in shaping the recommendations in this report. The quotes in the document reflect both broadly held opinions and observations that were particularly insightful.

While we have not identified organizations that are currently carrying out aspects of the strategy recommended in this report, we do not imply that the work is not being done now. In fact, many groups have been following elements of the recommended strategy for some time or have begun to do so recently. Hopefully, if the strategy recommended in the report makes sense, these efforts will be enhanced and more groups of funders will incorporate the recommendations.

The following is organized in three sections. Section II proposes an overall strategic framework for reform. Section III describes strategies and capacities to build a movement for reform generally. Section IV discusses strategies specific to achieving particular policy goals.

The Way Forward

The national conversation around inequality - both economic and political - created by Occupy Wall Street had a clear impact on the interviews conducted for this report. Pessimism about prospects expressed in early interviews - “bleak,” “difficult,” “challenging,” “little ability to imagine people could see change” - was replaced by hopefulness in interviews conducted after Occupy Wall Street erupted: “It’s revolutionary;” “It’s opened up a real discussion.” One funder commented, “An opening is seen by Occupy Wall Street: the 99%, inequality, people connecting the depth of political and economic unhappiness to money and politics more generally.”

The Occupy movement brought national attention to a 35-year long trend of increasing economic inequality in the United States, which the public views as being intrinsically tied to who controls the government. In an article in *The New York Times* (July 31, 2011) pollster Stan Greenberg summarized the views of many Americans as, “There’s just such a control of government by the wealthy that whatever happens, it’s not working for all the people; it’s working for a few of the people.... They think that the game is rigged and that the wealthy and big industries get policies that reinforce their advantage. And they do not think their voices matter.”¹

In interviews about what was shaping the political context around money and politics, by far the most frequent responses were about corporations and economic pressures on American families. Here are some sample comments:

- > Our members are like a lot of the 99% - they understand that there’s an outsized influence on policy makers and they are getting hurt because government policies are favoring wealthy and corporate America. (Labor union)
- > If reform is divorced from issues of opportunity and social mobility it won’t get very far. (Funder)

¹ The Pew Research Center’s 2010 Trust in Government survey backs this up. In response to an open-ended question about what people perceive as the biggest problem with elected officials, the top response volunteered was “the influence of special interest money.”

- > I think people feel like the game is rigged; the deck is stacked; it's not fair but money rules and most people don't have much money. (State-based reform advocate)
- > Now that we've been able to isolate the problem - enemy is corporations and problem is their influence on our democracy - our members are way more excited to work. (Environmental)
- > Can't separate democracy movement from economic well-being. We won't have decent jobs for people until people are in charge of the political system. Public doesn't think of these as separate. (Reformer)

An observation from a union representative (echoed almost word for word by a campaign reformer), underlines that it is economic distress that is driving concerns about corporate power: "If there were 4% unemployment and increasing wages, people would think government is doing a great job, even if there was corporate control of government. People don't experience corporate control of government; they experience what's in their lives."

This last point is important because the broad concern about corporate power is not corporations themselves, but the view that corporate behavior, and corporate influence on government, are prime causes of the deep economic insecurity that dominates American life. The quotes above emphasize that a successful strategy to mobilize Americans to reign in the influence of money on politics must be founded on the core issues that are of the most pressing concern in people's lives, rather than more abstract ideas about democracy.

Proponents of reform have long been forced to respond to the refrain from elected officials and political consultants that campaign finance reform never ranks high on a list of issues of voters concern in public opinion polls. The new reality, that Americans view money and politics as a primary obstacle to government addressing their top issues, offers a pathway to making reforms in money and politics a top tier issue.

What we are learning is that champions of reforms in money and politics must become closely allied with champions of economic fairness and other issues of pressing concern, particularly the environment². Powerfully, this must be a reciprocal alliance, a partnership, because champions of creating an economy of shared prosperity or a sustainable environment will be unable to rally people to their issues unless they take on the control of our government by corporations and other well-financed interests.

The good news is that many advocates for both campaign finance reform and issues of the economy and environment understand this. The single idea expressed most frequently in the interviews, was that the way forward was to intimately link specific issues to money and politics and to do so in every sphere: communications; organizing and mobilization; legislative advocacy; and electoral accountability.

Some people will view this strategy as left/progressive and argue that it misses the broad trans-partisan disgust with government being a captive of well-healed interests. However, it is important not to confuse partisanship as defined by political party with public opinion on issues. For example, there is broad majority support for taxing the wealthy, even while there is a sharp partisan divide. Being trans-partisan in this context means linking money and politics with popular issues where the control of our politics by well-financed interests is having adverse impact on people's lives.

This last point emphasizes the broader theory of change underlying this report. Everyone acknowledges that given the current state of Congress and most state legislators, and of the Supreme Court, there is no hope for making real - if any - progress. And in fact, even under the best of circumstances, getting elected officials to change the rules that got them elected is daunting. It will be nearly impossible to win

² The environment is included because there is a sizeable constituency of activists, and a broad concern among the public, about the survival of the planet and the sustainability of the economy. The link between money and politics in this sphere is both egregious and obvious.

legislative policy changes, or to see a major shift in jurisprudence, without a major shift in today's political landscape. Significant reform is much more likely to occur within a broader political movement that legitimizes the role of government in taking robust steps to address major societal problems, including regulating the practices of the most powerful private actors in our economy. However, when such a shift occurs, that does not guarantee it will result in major reforms in financing elections. The strategy recommended here aims to embed reform deeply in that shift so that reform is one product of the new alignment.³ Many of the recommendations - embodied in the Goals and Recommendations sections of this report - suggest specific ways to implement this strategy.

How long will this take? Of course, nobody knows, but we should not think it will necessarily be years and years. As one long-time reformer observed, "The near term prospects are grim. But people here were excited less than two years ago. So things can change; it may move faster than people think. The volatility related to a lack of strong affiliations among the public now and the deep recession making people really upset, create the possibility of an opening for rapid change."⁴

The energy of the Occupy movement and the resonance of the "We are the 99%" message, follow: three decades of conservative hegemony; the emergence of a huge divide between the very wealthy and the rest of us; the failure to deal with a looming environmental catastrophe; and the globalization of capital and corporate power. Our task is to hasten the movement to a new politics that reclaims our democracy from the grip of big money.

³ There are those who argue that what we need to do is keep the candle burning and wait for a scandal. However, that is not a strategy and in fact plenty of scandals occur without making any progress on reform. A scandal may be a catalyst, but we need to change the environment for the reaction to occur.

⁴ In American history, periods of progressive change often follow closely on the heels of conservatism: the Gilded Age created the conditions for the Progressive Era; the roaring twenties to the New Deal; and the stasis of the 1950s were followed by the Great Society and major corporate regulations of the environment, consumer issues and campaign finance, that lasted from the early 1960s through the early 1970s.

Telling Our Story

The power of the “We are the 99%” meme is that it captures the broader story that the public already intuitively understands and that many organizations have begun to portray through their work. Our challenge is to tell the story over and over again, connecting it clearly to people’s lives, through all the means of communications and venues for change that we can grab hold of.

The most consistent theme in the interviews regarding strategy was summarized well by one reformer, “We need to build a populist movement that will have energy. We need to take what people get about corporate money and elections and turn cynicism into movement and action. We need to stop talking about campaign finance reform - it puts people to sleep - and talk about democracy in terms of jobs, economy and environment. Our job is to create narrative.”

Narrative is much more than messaging. Narrative is a story that helps explain how the world works, with villains who are responsible and heroes who can help lead us to a happy ending. In a public policy context, “The narrative determines our attitudes toward the actors and events of the crisis. It also identifies the structural problems thought suitable for legislative and regulatory remedy.” (Vincent Reinhart, American Enterprise Institute)

Reinhart’s definition of narrative reminds us that the challenge is to tell the story - of how the huge corporations and the super-rich wield their money to assure government does their bidding at the expense of the rest of us - in such a way that points the way for the policy remedies we want to see enacted.

How do we do that? The answer, detailed in the following two section of this paper, is through building a movement around a common narrative that presses for essential

changes in public policy. Section III describes the major capacities to be built to organize the movement. Section IV describes strategies to move particular policy objectives. Both sections include detailed Goals and Objectives for each strategy.

Building a Cohesive Movement Around a Common Narrative

The collective wisdom of the people interviewed for this report proposed building the capacity to undertake a number of inter-related strategies to build a cohesive movement, which are summarized in order of the frequency with which they were suggested in Appendix A. In the following section, we present those strategies in four areas, mindful that the distinctions are somewhat artificial as each strategic initiative complements the other.

1. Build and mobilize a bigger base of organizations and people;
2. Improving the ability to communicate effectively;
3. Creating legislative champions and holding elected officials accountable;
4. Creating strategic unity through coordination and coalition.

We do not mean to imply that none of these capacities exist or that all of the recommendations are new. While some of the proposals below are for new efforts, many are not. Particularly in the past year, more groups have initiated or accelerated work on the strategies described below. We hope that by laying out a cohesive strategic program, we will reinforce the work that is being done, and lead others to join in and invest in that work. We also hope that the strategic lens will help focus the work that is being done more effectively and create new synergies that will move a larger narrative.

Build And Mobilize a Bigger Base of Organizations and People

Organizational Base: Connect the Dots

The overwhelming ability of corporate interests to use political money to stymie the work of issue organizations opens the door to building a much broader coalition of groups that will work for money and politics reforms. However, it will take deliberate work with issue groups to move them from seeing the problem to working for specific solutions.

Issue organizers are finding that their activists and leadership increasingly understand the political power of their opponents:

- > An environmentalist found that what got her constituents “madder than anything” in the fight against the Keystone Pipeline was finding out that Secretary of State Hillary Clinton’s former Deputy Campaign Manager was lobbying for TransCanada, the pipeline company. This illustrated the insidious way that corporate money bought influence by hiring as a lobbyist someone whose chief qualification was his access to a powerful government official who is considered pro-environment.
- > A faith-based organization working to change bank foreclosure practices came to see that the banking industry has deep connections with officials in the Treasury Department, and enormous influence in Congress, “This was consciousness raising, radicalizing, for people to see those connections. When the bankruptcy reform bill went down and [Illinois Senator Dick] Durbin said, ‘The banks own the place.’”
- > In New York City, a community organization, which for ten years avoided electoral politics in its work on tenants’ issues, realized that elected officials were more responsive to the landlords that financed their campaigns than the numerous constituents they organized in the community.

However, the fact that leaders and activists in issue organizations confront the power of money and politics does not automatically lead them to understanding how the political system could be changed. The first impulse is to keep fighting on the issue, not to think about rewriting the rules of the game.

The first step that many issue groups are making towards focusing directly at the political game is to describe what is happening. A growing number of issue groups have begun working with campaign finance reformers to weave facts, analysis, and research into their ongoing work on a variety of priority issues for their members. This work is strategic: it calls out their opponents for trying to buy their way to a unmerited victory, and puts pressure on elected officials to side with people or side with corporate or special interest donors. The joint work takes the form of short or longer research reports that detail corporate campaign contributions and lobbying expenditures around the issue that the organization is engaged in; press releases or opinion pieces about current events; flyers for organizations conducting direct action

on political or corporate targets; and. background materials for leaders and reporters alike. The issues have ranged from health care, to climate change, to corporate tax policy, to private prisons. These recent efforts should be encouraged and expanded, including with greater capacity to generate and utilize the data.

The next challenge is working with these groups to move from describing the problem to advocating for solutions. The groups understand that they need to recognize the power of money in politics in order to reach people who are skeptical of being able to make change. But most of the issue organizations have not taken the next step, understanding and advocating solutions. Issue groups do not need to become experts on policy issues. However, it is important that they include solutions - in broad strokes - in their narrative and policy prescriptions. The goal is to have issue groups regularly talk about campaign finance solutions in their communications and organizing and to work for specific solutions when a campaign is ripe. The work is also likely to identify activists and leaders from these organizations who will make campaign finance reform a top personal priority.

Building an Activist Base

Many reform advocates understand that there needs to be a much greater ability to, as one reformer said, “mobilize people directly... we need to be able to have 200 or 2000 protesting at a fundraiser, not 20.”

There is growing evidence that the most effective mobilization today has several elements:

- > Grounded in an overall worldview and values, as opposed to a narrow issue. People need to feel that fighting for a democracy is a cause, not an issue;
- > An on-line identity linked with social marketing to create community;
- > The ability to move people on the ground, through moving people from netroots to grassroots activism and by joining with organizations who have established leadership and the ability to mobilize people on the ground.

As might be expected, there are several campaign finance organizations that are working to build an increased on-line presence. This will certainly result in finding many more netroots activists, who will respond to e-alerts, make financial contributions and spread the work through their social networks.

The next step will be to effectively transform the netroots energy to focused grassroots energy, as in the example above of generating a big turn out for a protest at a campaign fundraiser. In the best of all possible worlds, the various efforts at mining the on-line world for activists would cooperate to build the biggest presence possible and would work within the context of an overall strategy. So to continue the example above: 1) several on-line groups would turn people out at the same protest outside of a candidate's fundraising event, targeted because it meets some mutually agreed upon criteria about why it would be a good opportunity to advance the issue; 2) social networks established by local leaders - recruited on-line and on the ground - would encourage people to turn out; 3) local organizations with a grassroots base would organize the fundraising protest and reach out to local press.

Building a base for mobilization will take leaders, who as one reform organizer said, "who wake up every morning thinking about this - for whom it is their burning issue, who will volunteer to organize other people, and to work with other groups." Leaders do much more than respond to an email alert or turn out for a house-meeting or demonstration. Leaders organize the house meetings, demonstrations and visits to the offices of elected officials; they write letters to the editor and organize others to do the same; and they become spokespeople for the issue. Leaders can be developed from on-line activists, who are identified and given training, and from leaders of other organizations, for whom campaign finance reform moves from a second-tier to a top-tier issue. Supporting and developing leaders requires an intentional program of recruitment, training, and organizing.

Mobilizing Around Corporate Targets

Many of those interviewed, proposed broadening the playing field to focus directly on corporations who use their wealth to influence elections and legislation. Corporate campaigns project the key narrative about the relationship between the economy and democracy, which is underneath the depth of the populist backlash to *Citizens United*: corporations cut wages and benefits and ship jobs overseas while they dodge taxes and rake in record profits; Wall Street speculators crashed the economy, got bailed out and walked away with huge bonuses. Corporate campaigns provide a new set of targets for actions, at a time when people have little belief that elected officials will act, in substantial part because they see them as beholden to their corporate puppet masters. Corporate campaigns offer a promising arena for organizing and mobilizing organizations and people, leading to new activists, and donors, and more media attention.

Corporate campaigns also offer policy targets other than legislatures, including actions by corporations themselves, such as voluntarily seizing, limiting or disclosing electoral contributions. The SEC could also act to require publicly traded corporations to disclose and/or seek shareholder contributions for electoral contributions.

One new tactic is aimed at investors and shareholders, including an effort by some public pension funds to demand that corporations at a minimum not avail themselves to contribute directly to campaigns opened up by *Citizens United*. Another tactic is organizing support for advisory shareholder resolutions, which would have the corporations disclose all corporate electioneering communication and have shareholders vote on corporate policy; one such resolution was passed by Sprint shareholders in 2011.

The most aspirational goal of the corporate work is, as a representative of an on-line organization said “... to create clear moral lines, a taboo against private interest messing with our democracy. Like the animal rights movement; we need to upend our moral order. I can imagine a market system and democracy co-existing if there’s a firewall between them.” The goal would be to make it morally unacceptable for corporations to make electoral contributions and for candidates to solicit or accept corporate money. In that spirit, a legal scholar proposed that disclosure be radically expanded, so that corporations would have to put their electoral contributions on product labels, just as they now have to list ingredients or nutritional value.

Several people suggested that the ripest targets for this approach are retail firms. Another on-line organizer: “Getting corporations out of politics means going after their customers, consumers, advertising and their brand. And this could also scare off others.”

One example of such an effort was a brief firestorm created in the summer of 2010 when retail giant Target contributed \$150,000 to a Minnesota PAC that supported a candidate for Governor who was a vehement opponent of LGBT rights. One of Target’s marketing strategies was to promote its brand in the LGBT community, opening the firm to charges of hypocrisy. The furor earned Target a spate of controversial press attention, including reports of consumers vowing never to shop at the chain again. The campaign also was highly successful in engaging online activists and on the ground protests. However, several people pointed out that Target did not back off from making campaign contributions. And to date, there has not been another consumer campaign aimed at a corporation for its political contributions.

The Target experience underscores that a successful campaign would have to pick a firm that is both a well-known consumer brand and has a regular pattern of making campaign contributions to candidates or PACS that have unpopular positions on

salient issues, including some contributions that stand out as harsh examples. The campaign would need to be sustained over time, with a clear demand to stop electoral contributions and also to support policy reforms. The campaign would need to have the backing of a number of groups, including establishing a big on-line presence and the ability to take actions on the ground, which organize people and earn media. All of this would need to be backed up with communications to the political and business press.

Even if such an effort is successful in generating significant adverse publicity for a firm, it will take more than one successful campaign to convince companies that making political contributions is a liability or that they should put their weight behind legislative reforms. One campaign would need to be followed by others, targeting consumer firms in several different industries, so that corporations generally recognize their vulnerability.

Improve the Ability to Communicate Effectively

Clearly an essential ingredient to creating a cohesive movement around a common narrative is being able to get the story out, far and wide. The communications capacity should include: 1) assuring that ongoing activities are communicated; they are now too often like the tree that fell in a very crowded forest of information; 2) generating new, newsworthy information; 3) coordinating responses to breaking events; 4) promoting a common narrative; 5) projecting effective spokespeople.

There was considerable consensus among those interviewed of the need to bolster communications capacity. As one reform advocate said, there is a need to "... build a deeper communications infrastructure, one that is internal to reach activists and external, aimed at local and national press." That communications capacity should include "rapid response to identify and react to opportunities, tied to hot local issues."

The upcoming election is seen as a prime opportunity for, as one reformer observed, “Being able to use what happens in the 2012 elections to illustrate what the problem is. When we have these examples of secret money flowing in, and attack ads inundating the airwaves, we need to translate, so that what people are seeing connects to the policy choices that are being made.” Reform advocates can take advantage of reporters’ huge appetite for understanding the underlying political dynamics behind the flood of campaign spending to help tell a broader story.

While organizations can try to make these connections directly, another powerful tool is through investigative journalism. The huge sums of money that will be spent in 2012, and the plethora of new PACs that will spend the money, create an enormous opportunity for journalists to investigate the sources behind the contributions. Many sources will contribute to multiple candidates, PACs and organizations, as Jane Mayer portrayed in her *The New Yorker* article entitled, “State for Sale”, describing the role of Art Polk in North Carolina⁵. There will be fertile ground to uncover contribution history and other past financial connections of major candidates. Organizations can work with investigative journalists by developing and researching stories themselves, and then feeding the information to journalists who have the capacity to verify and expand on the story. Another way to support investigations is directly through support of organizations that fund investigative journalists who can focus time on unearthing stories.

Effective communication also requires the right messengers and people telling compelling stories. Too often, campaign finance spokespeople are white, middle-class, highly educated individuals who are addressing issues of good government. Reform advocates need to recruit and train spokespeople who look more like the diversity of

⁵ Mayer, Jane; “State for Sale: A conservative multimillionaire has taken control in North Carolina, one of 2012’s top battlegrounds,” *The New Yorker*, October 10, 2011.
http://www.newyorker.com/reporting/2011/10/10/111010fa_fact_mayer

America and can talk about the problem and solutions by telling compelling stories about the impact of issues on their lives.

A major challenge for campaign finance advocates is how best to build the various communications capacities. One answer is increasing the capacity for reform organizations to communicate their work effectively. In addition, in the fast-paced world of e-journalism and the 24-hour news cycle, it would also be advantageous to create a communications hub, which: can help groups amplify their own work; provide common services such as media booking; identify opportunities for groups to exploit; harmonize regular messaging; and, coordinate rapid response.

While the services that the hub provides need not be housed in a single organization, it is important that each of the communications functions reside in at least one group; that those responsible are in very regular communication; and that there is a culture of accountability created among the participants. The Goals and Objectives section below outlines key communications functions that should be the responsibility of a communications hub, however structured.

Creating Legislative Champions and Holding Elected Officials Accountable

Work With Elected Officials Who Are Champions of Reform

Changing public policy requires identifying elected leaders who are champions of the issue. As one person shared with me, “We need leaders at the grassroots who see leaders in Congress who validate their views. You need leaders in Congress to get media coverage.”

Often issue campaigns make the mistake of focusing all of their resources on “swing” legislators. However, within the legislative process it takes the leadership of deeply-committed legislative leaders to carry an issue far enough so that swing legislators are forced to take a stand. When it comes to campaign finance reform, an issue that deals

directly with the self-interest of office-holders, strong leadership is even more essential. That leadership should come from the executive branch as well, where direction from a president or governor can make all the difference.

There is a strong synergistic relationship between elected leaders and a mobilized base of activists. Elected officials will be much more vocal champions of a cause when they are actively encouraged by constituents and defended when their positions are attacked. They are much more likely to receive media attention - which is an important validation for an issue - when campaigns make an issue more visible.

Issue campaigns can identify and create champions by: building relationships with elected officials who share the campaign's values; demonstrating that the campaign has support from a multitude of organizations and constituents; providing leaders with opportunities to become visible on the issue; and, working hand-in-hand with elected officials on strategy, as well as on policy.

Another powerful way to build a strong relationship with an elected official is - for those organizations that are able to do so - to work on their election or reelection. Even when an organization may not do so, an effective tactic is to have key leadership of the organization volunteer to assist on an election campaign.

Hold Elected Officials Accountable:

A wise activist once said, "It makes no sense to be involved in politics 364 days of the year and stay home the one day that politicians care about the most." If there is an issue to which this most applies, it would be the financing of elections, since it requires that elected officials vote to change the system that worked to get them elected.

In the baldest terms, one environmentalist told me, “If a couple of people lost their seats next year, that would be a major success. Now there is no cost for politicians to take unlimited amount of money from the fossil fuel industry.”

The goal of this work is to have it be widely understood within the political community that a number of elected officials lost their elections because of negative public reaction to their taking big campaign contributions.

Accomplishing this goal would take implementing a comprehensive plan in carefully selected districts. The most favorable districts should be characterized by: 1) an incumbent with a clear record of taking large campaign contributions and voting against the public interest on understandable issues; the best targets will have been vocal supporters or in positions of power to assist the interest group; 2) the district has a record of electing candidates from both major political parties; 3) there is a sufficient number of organizations in the district, with members or other capacities, who support campaign finance reform and will contribute to the effort in a way that is appropriate for that group; 4) the incumbent is opposed by a candidate who will be a vocal supporter of campaign finance reform and has a record of integrity; and, 5) paid media is reasonably affordable.

Electoral work is also a powerful way to recruit more organizations and activists to work on money and politics reforms. There is a history of issue organizations - and their volunteer leaders - learning directly about the need for campaign finance reform from their direct experience in seeing the gross inequities in spending in campaigns. Campaigns have a long history of exciting people’s imagination and hopes and channeling that into specific volunteer activities. Activists who are identified through campaigns can go onto to become issue activists, if given the opportunity by local organizations.

Running a successful electoral campaign, which results in defeating an incumbent, is a good way to make the winning candidate a champion of reform, and to have built a base that will keep the newly elected official on that course. It can also serve as a powerful example to other incumbents on why they might want to become champions of the issue.

Pledge Campaigns: A method that is often used to raise the profile of an issue before an election is to ask candidates to take a position in support of a specific issue or a set of principles. Pledge campaigns can be a very effective tool for focusing a campaign on communicating with candidates, recruiting volunteers, and getting press. The contrast between candidates who sign the pledge and who refuse to sign, can be used in an electoral contest. Pledge campaigns should also be seen as a powerful grassroots lobbying tool; conducting such a campaign requires substantive conversations with incumbent legislators.

However, pledge campaigns should not be undertaken lightly. To have a broad impact, the campaign should have: the participation of a wide variety of organizations, which can mobilize grassroots and grassroots leaders on the ground; the resources to support a sustained, coordinated effort around the country; a strategy for building the support of multiple types of legislators; the ability to publicize the results when candidates sign or refuse to sign; and a carefully constructed pledge, which is specific enough to distinguish between opponents and supporters of reform but broad enough to be a meaningful statement on the issue.

Creating Strategic Unity through Coordination and Coalition.

The goal of establishing a communications hub is a subset of a larger goal: the challenge of bringing strategic unity to the work on money and politics. One reform advocate bemoaned, “A lack of unity among groups. If you could start with a blank slate this is not what it would look like. Now we have some groups that do a lot of different things; others that are very narrow. There are too many groups chasing not enough resources; everyone scrapping for funding and too staff top-heavy.” The observer went on to say, “The positive version of this is I’d like to see is more coordination and consolidation of the work around a common narrative with common agendas and resource sharing. I don’t want necessarily unanimity - I want coordination.”⁶

Questions of coordination are of necessity complicated. Organizations are properly reluctant to meet just for the sake of meeting. And in fact, campaign finance organizations often seek to coordinate their work when specific issues emerge. There is also a regular history of some groups coming together when an opportunity opens to move specific legislation. Nevertheless, the lack of a regular venue for coordinating overall strategy creates the real possibility that the work of organizations adds up to less than the sum of their parts and that opportunities to make major advances are missed.

Some of the issue groups that have recently begun to show an interest in campaign finance reform said that the lack of a strategic center hampers their ability to work on the issue. Several of the groups observed that in order for their organizations to become meaningfully involved in money and politics reform there would need to be some sort of coordinating body or campaign that they could become part of.

⁶ It is not uncommon for multiple groups, with overlapping missions, to exist in an issue space. And truth be told, while funders often complain about the plethora of groups, they are just as often responsible for starting a new organization for a purpose that might be better housed in an established organization with a closely-aligned mission. If groups with similar or complementary missions were to merge, the impetus for that would need to come from the organizations, although funders could play a very helpful role by agreeing to support the work of a newly merged group.

There is a widespread view in the reform community that it will not reach its goals unless many more organizations become active in the fight. But while many campaign finance reform advocates said that building a much broader coalition in support of reforms should be a major goal, few recognized that doing so effectively will require expanding the conversation and creating new formations. One reformer who understood this commented on the need to build coalitions “from the outset, not as an afterthought.” What is key about this observation is the recognition that what has often been past behavior - a small number of groups agreeing on policy and strategy and then asking others to endorse the product of their work - is not what is required.

Effective coalition work demands that organizations be brought in on the ground floor to participate in shaping policy and strategy. The best coalition work begins by carefully identifying common values and goals, identifying and seriously addressing differences, and seeking to define rules-of-the-road for various levels of cooperation. The result of these discussions will vary, sometimes leading to:

1. A coalition that includes a critical mass of groups and agrees on common policy and strategy;
2. An issue campaign run by a coalition of groups to move specific legislation;
3. A “table” where groups meet regularly to discuss policy and strategic issues, to foster cooperation and negotiate conflict;
4. A communications hub that functions to coordinate a significant body of work;
5. Informal tables to discuss regularly specific aspects of the work, for example: disclosure of information on campaign contributions; legal strategy; legislative advocacy. (Some of this already happens as a matter of course, but it is worth identifying ways for the collaboration to be enhanced.)

In highly developed issue areas, it is possible for several of these formulations to function at the same time. Some groups form a formal coalition, and at the same time

participate in less formal coordination with groups that do not share the same analysis or strategy.

Given the enormous challenges inherent in moving reforms on money and politics, it would be a significant achievement if a critical mass of groups were able to reach agreement on how to achieve common principles by executing a shared strategy.

Section III - Goals and Objectives: Strategies and Capacities

Building an organizational base -short-to-mid term goal: Substantially increase the number and range of issue and constituency groups that integrate money and politics into their communications, organizing and advocacy.

Objectives - short-to-mid term:

- > *Short:* Identify, prioritize, and hold strategic meetings with issue and organizing networks and groups that, given their goals or policy objectives, are significantly impacted by corporate political spending. Prioritize membership organizations.
- > *Short to mid:* Expand the ability to strategically provide research on money and politics to issue groups.
 - Recognizing that many groups now organize data, create the capacity to easily provide data in the most useful form to organizations. Data should be available nationally and in states and local governments, using existing data aggregators when possible. Provide training for people to do research on local governments and their own lawmakers.
 - Have the capacity to present the data in a way in a way that is appealing to the press and to the organization's members. The information should be able to be used elastically, as grist for reports, actions, online organizing, blogging, etc.
 - Create support for using the data in rapid response: an elected official announces a position, a bill or amendment suddenly appears on the floor of a legislature, a candidate fundraiser is held; etc.
- > *Short to mid:* Work with issue groups that organize people to advance from highlighting the problem to fighting for solutions.
 - Provide training for staff and volunteer leadership on campaign finance solutions, both substance and messaging;
 - Incorporate campaign finance issues into major organizational convenings;
 - Having volunteer leaders participate in actions and events in which campaign finance solutions are explicitly tied to the underlying cause;
 - Organize groups to join a coordinated campaign with regular contact with other groups that are pushing for solutions.

- > *Short to mid*: Identify opportunities for municipal or state campaigns, where the affiliates of national organizations and local groups can work together, providing an opportunity to build connections between organizations, build membership and volunteer leadership infrastructure and win victories.

Building an activist base - short-term goal: Create a large and ever increasing base of activists and volunteer leaders, in diverse communities around the country, who organize and advocate for money and politics reforms.

Objectives - short term:

- > *Short*: Campaign finance groups establish large on-line lists:
 - Located in communities across the nation, including priorities for legislative change;
 - Which demonstrate strong response rates including making financial contributions and taking actions;
 - The ability to move a core of individuals from netroots to grassroots activists who turn-out to events and actions on the ground;
- > *Short to mid*: Recruit, develop, train and organize leaders in targeted communities who organize others, host and organize events, use their social networks and serve as local spokespeople for reform efforts.
 - Develop leaders from on-line groups;
 - Identify leaders from local organizations;
 - Create community spokespeople who can talk about the need for reform in personal terms and work with them to raise their profiles;
 - Integrate work of netroots and grassroots leaders.
- > Be able to engage people effectively in a variety of activities, including: rallies, protests, canvasses, phone banks and press conferences, demonstrating:
 - Working as part of an overall strategy;
 - Turn out in large enough numbers to have an impact;
 - Rapid response capacity;
 - Media and press facility;
 - Ability to evaluate and be accountable.
- > *Short*: Recruit and train diverse spokespeople who can talk about campaign finance reform in terms of compelling issues, including those who have compelling, personal stories.

Corporate campaign goal - short to mid term: Increase the number of corporations that voluntarily disclose or restrict electoral activities and support policy reforms.

Objectives - short to mid:

- > *Short*: Conduct at least one sustained campaign aimed at demonizing a major corporation for making electoral contributions. Measure the campaign's impact on:
 - mobilizing activists;

- focusing adverse publicity on the corporation;
- corporate behavior
- > Mid: Using the lessons from that campaign, expand the effort into other selected targets in the same industry and at least one other industry.

Build communications capacity – goal short-to-mid term: See an increased level of coverage about money and politics in the mainstream and new media, including regular connecting of campaign contributions and lobbying to the behavior of elected officials and candidates and an increase in coverage of proposed solutions.

Objectives – short:

- > Strengthen the existing capacity of groups already engaged on money in politics, as well as new players, to communicate effectively with the general public and target audiences.
- > Establish a coordinated, communications operation with improved institutional capacities that will accomplish the goals listed above, with acknowledged responsibility for each function, including overall coordination, that will:
 - Guarantee rapid response to breaking events, including (as appropriate): surfacing available research and facts; creating talking points; generating action alerts; organizing actions.
 - Make visible nationally and with elites the growing amount of grassroots actions around the country, including rallies, demonstrations, and town hall forums, which include a focus on money and politics. Package and communicate grassroots activities around the country for national media and elites.
 - Track the traditional media’s stories on money and politics, both in national outlets and in local targeted markets.
 - Track and interact with the blogosphere and netroots community on money and politics issues. Assure that national, state and local bloggers are fully informed of all activities and will help state partners to work closely with local bloggers.
 - Help to promote national reports and analyses produced by organizations and journalists – and help get the authors interviewed as guests on national media programs.
 - Develop ideas for investigative journalism and research and seek appropriate journalists and organizations to undertake the work.
 - Develop a “message of the day,” with talking points and factual backup, and distributing it to: reform coalition allies; congressional allies; state and local activists; and other sympathetic communicators.
 - Have an aggressive booking operation that schedules spokespeople on national radio and television shows, and that are highly targeted in key regional markets and to varying demographic groups.
 - Maintain a training capacity to improve the effectiveness of spokespeople.

- > *Short to mid*: Establish the capacity for keeping current on public opinion research and message development over time.

Legislative champion goal – short to mid term: Reform advocates build strong relationships with elected officials, including those in leadership, who will champion their issues and work with them strategically.

Objectives – short to mid:

- > *Short*: Reformers establish a deliberate process of identifying and recruiting elected officials as champions according to specific criteria, including:
 - Accountability of the elected official to the reform community;
 - The ability of reformers to organize the elected official's constituents;
 - The ability of the elected official to recruit and organize other policy makers;
 - The ability of the elected official to be a capable spokesperson;
 - The leadership positions of the elected official;
 - The public prominence of the elected official.
- > *Short to mid*: Reformers are successful in recruiting champions that meet those criteria and work with the champions to:
 - Develop and introduce policy proposals;
 - Develop a common strategy with champions;
 - Provide opportunities for the champions to receive media attention;
 - Provide opportunities for the champions to address supporters;
 - Work with the champion tactically as the issue develops.

Hold elected officials accountable goal – short-to-mid term: Have it be widely understood within the political community that a number of elected officials lost their elections because of negative public reaction to their taking big campaign contributions⁷.

Objectives – short to mid:

- > Create a narrative: The goal is to have it widely understood by voters that the incumbent did the bidding of his/her of big money campaign contributors at the expense of the best interest of his/her constituents.
 - The story should not be about any one issue; if so, the resulting lesson would be that there is a cost of a candidate opposing that one issue. Instead,

⁷ While 501(c)3 organizations cannot engage in any direct election activity, they can use the backdrop of an election season as an opportunity to educate the public on an issue or to elevate the profile of an issue. In some cases, the activities outlined in the Goals and Objectives section related to holding elected officials accountable could be carried out within the limitations placed on 501(c)3 organizations; however, it is likely that some of these goals and objectives would be more appropriately (and more effectively) carried out by other entities that do not operate under these tax law restrictions.

the story needs to be about the legalized bribery at the heart of the campaign finance system.

- A core of basic messages and talking points should be developed.
- > Connect the dots: The effort must relentlessly make the connection between votes that the incumbent took, or statements that the incumbent made, and money that the incumbent took from unpopular interests.
 - Each of the specific issues (oil company tax subsidies; regulating banks; ripping off student loans; etc.) should have its own mini-plan of pressing the issue through: issuing reports; organizing constituencies most impacted to engage in the campaign; using those constituents as spokespeople; holding mediagenic actions that highlight the issue; editorial focus (editorial boards; opeds; letters to the editor).
 - Corporate campaigns: The campaign could include directly targeting one or more corporations that contributed to the incumbent, including holding demonstrations outside of retail outlets of that corporation in the district.
- > Build a coalition: Build broad coalition behind the effort.
 - National issue groups should participate in as many of the districts as possible, and enlist the active participation of their local affiliates.
 - Within the districts, local coalitions of diverse issue and constituency groups should be recruited, including those whose issue is highlighted and others that are more generally concerned about the broader issue of money and politics.
- > Coordinate Communication: There should be a coordinated communication plan including:
 - District: The various communication efforts among groups should be coordinated as to timing and geographic targeting of activities.
 - Rapid response should be developed in response to events, such as: campaign filings; fundraisers; a candidate's statements and appearances.
 - Media covering the race -traditional and new - should be cultivated and given a steady supply of information.
 - Paid communications: Paid communications be undertaken, reinforcing the messages of the other actions. TV and mail, are very effective tools of political persuasion and will be essential to convincing political elites that the issue had an impact. It is also possible to test the impact of paid communications and use the evidence to help make the case.
- > National impact: There should be a concerted effort to keep the national political elite - press; political consultants; talking-heads; political leaders - informed about activities within the districts. This should be a national story before Election Day.

Coordination and Coalition Goal - short-term: There is the formation of at least one broad coalition that is successful in: 1) reaching agreement on principles of reform that are specific enough to drive an ambitious reform agenda; and 2) rules of

engagement that create effective, joint work on major strategic initiative to advance that agenda.

Objectives - short-term:

- > There is an intentional effort for a broad range of campaign finance reform groups and other potential allies, particularly membership organizations that work on economic and environmental issues, to seek common ground on principles, policy and strategies toward the aim of working together on major initiatives to advance work on money and politics.
 - The process should lead to decisions on one or more formulations that allow groups to work together strategically.
- > The current community of reform organizations should make a concerted effort to coordinate their work, with the result being the establishment of some mechanisms to enhance coordination of both the broader scope and particular capacities of the work.

Strategic Keys to Policies

The strategies and capacities outlined above will help power the overall policy agenda for reclaiming our democracy from the grip of money in politics. The following section describes key policy goals and particular strategies to advance each of those goals.

Public Financing

By far, the overwhelming policy imperative identified by those interviewed is public financing of elections. Of the 50 people who had an opinion on which policies should be advocated, 45 listed public financing and almost all of those said it was the number one goal. As a labor political director summarized, “Really robust public financing is the foundation for any reasonable strategy.”

Recent court decisions limit the ability to enact Clean Elections laws⁸, by restricting the ability to provide grants of public funds to compensate for spending by opponents of publicly funded candidates. As a result, most advocates are now rallying behind systems based on public matching of small contributions, including continuing matching when candidates who participate in the public financing system are outspent by other candidates or independent expenditures. However, some advocates remain committed to Clean Elections systems, although it will take a change in judicial doctrine to permit their enactment.

Several people discussed the importance of understanding the actual experience of Clean Elections public financing, which has been in place for statewide and legislative races for a decade or more in Maine and Arizona and since 2008 in Connecticut, as well as in a handful of other states and localities for a limited number

⁸ Clean Elections refers to public financing laws under which candidates who agree to limit campaign spending, and collect a set number of very small contributions, receive a grant of public funds up to the spending limit. The candidates also receive additional grants of public funding when they are outspent by other candidates or independent forces.

of public offices. Information on the experience of these systems is available and an effort should be made to disseminate the information and encourage discussion of their lessons.

One lesson that can be taken from states and localities that have been successful in passing public finance laws, is that it takes a coalition that goes beyond the traditional campaign finance community to include multi-issue groups, which engage in electoral politics. Connecticut is a good example, but is not at all alone. The campaign for Clean Elections in Connecticut was a well-coordinated effort led by Common Cause and the Connecticut Citizen Action Group (CCAG). Common Cause brought its considerable credibility, expertise and ability to mobilize people committed to campaign finance reform. CCAG brought a strong history of building hard-hitting issue campaigns on multiple issues and of playing a key role in electing progressive state legislators.

A number of observers emphasized that the involvement of multi-issue organizations, with the ability to work in elections, also increases the ability to take advantage of public financing laws after they are enacted to produce a more diverse set of candidates and achieve progressive policy gains. These groups have the ability to recruit candidates, effectively assist with the campaigns of candidates and broadly impact policy outcomes in state legislatures and city councils.

Campaigns for public financing should be conducted at the state and local level, as well as the federal, when opportunities are created by strategic organizing. Another avenue is to campaign for public financing in judicial races, which has become a more potent issue as corporations have poured funds into electing judges who are likely to side with corporations in their rulings. Experience demonstrates that creating such opportunities require: leadership on the ground by one or more organizations; building a coalition, which includes traditional reformers and a broader number of

allies, including groups who engage in electoral politics; creating elected officials who are champions of the issue; and a political opening created by a change in political power and/or a scandal.

While public financing may be the top priority for those who are familiar with campaign finance policy, a major challenge for advancing public financing is that it is not widely understood to be the key policy goal. In fact, many of the people interviewed from issue organizations had no opinion of what policies could address the destructive influence of big money, but were eager to learn more about what could work.

Even when public financing is understood to be important, a further barrier is to make it a priority for advocacy. As the leader of a community organizing network, who has also been a long-time advocate of public financing, told me, “I used to say that public financing doesn’t have to be everybody’s first tier issue; it can be everyone’s second tier. But what I’ve learned is, unless public financing is at the core of the message, it gets lost. It doesn’t work unless it becomes a primary pivot: this is the problem; this is what’s wrong with politics today; we can change it, this - public financing - is how. Our challenge is how to get people to talk about public financing with other issues.”

This observation emphasized the need to place public financing within a broader narrative, in order to advance popular support. While messages for public financing that test well in polls have been found, there remains very reasonable skepticism about how well they would hold up in a real legislative battle at a time when the dim view of both politicians and government spending would give fresh punch to the long-used “tax-payer funding of politicians” message. Instead, it is important to tell the story of public financing within in a broader narrative about reclaiming our democracy. As discussed earlier in this paper, acknowledging the public’s view that

government is unable to respond to urgent issues because it is a captive of the super rich and large corporations provides an opening to a new narrative. Public financing becomes an understandable solution when, for example, it becomes elections funded by the 99% instead of what we have now, elections funded by the 1%⁹.

We also note that a handful of groups have been successful in organizing the support of political donors for public financing. Donors are powerful messengers on this issue for two key reasons: 1) ironically, they have influence with elected officials who now rely so heavily on the donors; 2) their support for public financing, which would diminish their power, makes for a very good news story.

Regulation of Campaign Spending and Contributions

Legislative bodies in the United States are severely limited in their ability to regulate the financing of elections, both spending and contributions. A series of Supreme Court decisions, stretching back to *Buckley v. Vallejo* in 1976, continuing through and beyond the 2010 *Citizens United* decision, have handcuffed policy makers. *Buckley* is infamous as the decision that equated money with speech, blocking legislation that would limit campaign spending as an infringement of free speech rights. *Buckley* did permit limitations on campaign contributions made directly to candidates but outlawed limitations on expenditures made independently of candidates. *Citizens United* is infamous for ruling that corporations have the same free speech rights as people, opening the door to corporations to directly financing elections. *Citizens United*, and a number of other less well-known Supreme Court rulings in recent years, expanded the already significant ability created by *Buckley* for unlimited

⁹ As the Sunlight Foundation recently reported, “If you think wealth is concentrated in the United States, just wait till you look at the data on campaign spending. In the 2010 election cycle, 26,783 individuals (or slightly less than one in ten thousand Americans) each contributed more than \$10,000 to federal political campaigns. Combined, these donors spent \$774 million. That's 24.3% of the total from individuals to politicians, parties, PACs, and independent expenditure groups.” <http://sunlightfoundation.com/blog/2011/12/13/the-political-one-percent-of-the-one-percent/>

independent spending on campaigns and restricted the ability of policy makers to compensate for such spending through public financing.

The most important impact of *Citizens United* is that it captured the public's attention; the notion that "corporations are people" leaping to the public consciousness - rare for Supreme Court decisions - offering one more piece of evidence about the widespread concern with the impact of corporate power and the influence bought with their massive political spending on our nation. The decision opened the space for a movement, captured in the interest in a constitutional amendment, to reverse the last 35 years of jurisprudence - starting with *Buckley* - either through a constitutional amendment or a deliberate challenge to current Supreme Court doctrine. We consider each of these strategies below.

Constitutional Amendment Strategy: While the *Citizens United* ruling triggered the movement for a constitutional amendment, the opportunity has led to proposals for amending the constitution that go well beyond reversing *Citizens United*.. There are at least a dozen proposed amendments introduced in Congress: some aim simply at reversing *Citizens United*; some go more broadly, addressing the threat posed by fabricated corporate rights under the Constitution; and others focus on reverse *Buckley v. Valeo*, giving policy makers the ability to regulate campaign spending and independent expenditures¹⁰.

Crafting an amendment raises complicated first amendment issues around free speech, the rights of associations and the characteristics of various types of corporations. As a result, it is not surprising that there is not now an agreement by legislators or reformers on how to structure a constitutional amendment.

¹⁰ For a summary and links to the amendments go to: <http://movetoamend.org/other-amendments> and to <http://www.freespeechforpeople.org/resources>.

The interest in a constitutional amendment transcends policy; it also springs from the desire for an organizing strategy that will capture the public's imagination and engage people in real activity on the ground. As one of its' principal advocates told me, "We don't see the constitutional amendment fight in a vacuum. We see it as an engine. It's an opportunity to go back to first principles. There are certain moments in our history where the constitutional amendment process can be central."

Still, many people raised questions around a constitutional amendment strategy: the perception (which advocates say is not accurate) that it involves changing the first amendment; questioning how we can expect two-thirds of Congress to support an amendment when we can't get legislation through Congress now; the fact that even if an amendment were enacted, Congress would still have to pass actual reform legislation; it will take years and years to do.¹¹

Nevertheless, even the people who raised objections agreed that it still might be a powerful way of organizing people and communicating solutions to the problem to the general public. In short, while it is a long shot to amend the constitution, it is worth testing the issue's potential to galvanize public action.

Changing Jurisprudence: Supreme Court legal doctrine is not fixed. Discussing the *Citizens United* case, a legal scholar commented, "They have a one vote majority for *Citizens United*. I do think that the one vote majority can change. It was one of the most unpopular votes in recent memory. Once there is some movement on court, the issue will be revisited. Our job is to make sure we have a more compelling story than we had."

¹¹ The few people who mentioned a constitutional convention as an alternative to amending with the votes of two-thirds of Congress and three-quarters of the states, did so with horror. "A constitutional convention is scary – no way we can control that," being typical of worries that a convention would open the door to a host of right-wing amendments. However, none of the major groups advocating for an amendment are pressing for enactment via the convention route. Rather, they are pressing for enactment via the congressional route to the states – the route we have used for all of the 27 amendments to the Constitution.

Another attorney observed: “It’s careful, long-term jurisprudence that will allow the Court to allow campaign and public finance laws to stay on the books. It’s a ten-year drive, which requires patient capital – although not that much.”

The courts do not operate in a political vacuum. Developing a new jurisprudence, including seeing justices appointed to the Court who will be open to a new way of viewing these issues, depends on what goes on outside the courts, too. As one funder reminded me, recalling the fundamental change in the Court’s view of the Second Amendment over several decades, “The way that the NRA has engaged the Second Amendment shows you need a broader effort not just legal.¹²” One way to measure that is whether questions around campaign finance doctrine become part of the public discussion and formal hearing process when federal judges, and particularly Supreme Court justices, are nominated

Enhanced Disclosure

In *Citizens United*, the Court cleared the way for legislation requiring full disclosure of individuals and entities that finance campaigns, including independent expenditures, which is one reason that in the interviews for this report, the policy that was most often suggested as a potential shorter-run goal is enhanced disclosure. Doing so was the goal of the Disclose Act, considered in 2010 by the last Congress, which aimed to “...to provide the public with complete information regarding the funding sources of campaign-related expenditures and rein in entities that try to hide their activities by donating to an intermediary.¹³” One of the issues that needs clarifying in terms of policy is the extent to which disclosure should apply to individuals who make small contributions to entities, which engage in campaign spending, such as labor unions or

¹² The Court’s settled view, that the 2nd amendment referred to regulation of militias as opposed to an isolated individual’s right to bear arms, was reversed over time through a combination of well-plotted jurisprudence and the NRA’s muscular approach to politics.

¹³ From a summary by OMB Watch: <http://www.ombwatch.org/node/10973>

the National Rifle Association. Legislative and judicial battles on disclosure are also taking place in many state capitols around the country. Disclosure may be particularly potent in judicial elections, where it can be a basis to press for recusal.

Another venue proposed for increased disclosure is through regulation, pushing the FEC, IRS, and SEC to use the powers they have to force more disclosure of contributions. Among these, the SEC can be seen as part of broader corporate campaign, which will be discussed below in another section of this report.

There is a healthy level of disagreement among reformers about whether to focus scarce resources on advocating for passage of enhanced disclosure. Some argue that an achievable short term goal is important, while others respond by saying that since even passage of disclosure legislation is so difficult, it would be better to focus on the more far-reaching goals. Proponents point to the potential of more information on how money is being spent to influence policies to drive a narrative or unveil scandal. Others push back by saying there is already plenty of information available about the influence of corporations and the wealthy on government; we should instead concentrate on using what we have more effectively.

A lesson in how to balance the role of pushing for enhanced disclosure in terms of more fundamental goals may be taken from the experience in Connecticut. A leading proponent of the only successful effort to win legislative approval of comprehensive public financing for statewide and legislative offices told me that in Connecticut advocates used disclosure within the context of public financing: “In Connecticut, 80% of our time was spent pushing for public financing; when they killed it [before it finally was enacted], it positioned shorter term reforms, like enhanced disclosure. But we always positioned disclosure in terms of public financing.”

Contributions from entities that receive federal money: Two related policy demands can be useful to advance the broader narrative and support public financing: disclosure of electoral expenses by federal contractors; and, prohibiting federal contractors from making political contributions. One reform advocate noted that these measures have enormous reach, since the government, “...buys bombers and toothbrushes,” and “contracting is the greatest nexus for corruption.” The Main Street Alliance (MSA), which organizes small business, observed that these demands help focus their members on the huge advantage that large corporations have over small businesses in winning federal contracts.

Other Policy Issues and Challenges

Lobbying restrictions: As numerous reports by reform advocates reveal, spending on lobbying dwarfs spending on political contributions. The public appetite for such reforms is unmistakable. The public detests lobbyists, who they view as being on the payroll of the most well-heeled interest groups, particularly large corporations. Federal lobbying regulations are very weak; individuals who do a substantial amount of lobbying do not have to register and the revolving door spins quickly. Reforms that require disclosure of all lobbying expenditures and replace the revolving door with a wall, would be popular and together could be effective in changing DC culture.

However, in the interviews, lobbying reform was almost never mentioned. When the issue was raised, some advocates argued that the best way to diminish the power of lobbying is through public financing, since the greatest source of lobbyist power is their ability to collect and bundle campaign contributions. It was also noted that since lobbyists would unite behind opposition to reform, tough lobbying regulations would be difficult to win. Nevertheless, lobbying reforms should be part of both the policy

agenda and broader narrative about the need to create a government that is responsive to the 99%.

Voting rights: One issue that was listed by several people was access to the ballot. As one reform advocate explained, “If they are going to flood the system with money, we need to flood the system with voters.” Currently, there are major attacks on voting rights in state legislatures around the country, including voter identification requirements that effectively discriminate against low-income people and people of color. Other efforts aim to impede voter registration and curtail early voting.

While issues around voting rights may be seen as distinct from the financing of elections, the two are not that easily separated. An attorney stressed the importance of distinguishing between funding for voter registration and get out the vote efforts from getting “big money or corporate money out of politics... Those differences which are treated as minor by some have profound impact on how labor or civil rights groups operate and support.” Another advocate recalled, “A long history of not connecting to social justice or racial justice groups, who find their elected officials on business end of corruption probe. ... There’s got to be a stronger sense that the electoral reform and campaign finance movement embraces other democracy planks: voting rights are protected and voter suppression opposed.”

The observations provide four important reasons for including a focus on voting rights in an agenda aimed at reducing the influence of big money on our political system: 1) increasing voter participation in elections; 2) assuring that the regulation of campaign finance does not discourage voter participation; 3) respecting the ability of membership organizations supported by small donors to participate in elections; and 4) building a broader coalition in support of campaign finance reform.

Rethinking policy from a coalition perspective: A key recommendation of this report is that the coalition of groups that advocate for money and politics reform be expanded significantly. Doing so will require respecting the policy perspectives of potential allies. As a legal scholar observed to me, “We need to develop more of a consensus on an approach. For too long, people haven’t been willing to talk with campaign finance skeptics. For example, to actually have people from labor and the ACLU as part of the process. So, for example, talking to ACLU about a disclosure system they could support.” She went on, “And you can still develop laws that make a difference, related to the size of contributions. The Supreme Court treats it all as identical. It’s not to our advantage to treat all contributions and activity as the same.”

The scholar’s invitation to labor is one that some of the biggest unions in the nation are eager to accept. The union representatives who were interviewed for this report are clear about the challenge and opportunity: “The labor movement should be part of a conversation about how we reverse libertarian trends in campaign finance; we can’t have a democratic society under this regime. For the labor movement to be partner, it would need a foundational discussion with us, which might promote a very interesting internal dialogue within labor movement. I don’t get the sense we’ve been challenged with the luxury of a blank statement and asked what do we think about this.”

Another labor rep opined, “Now more people in labor movement see that we can’t outspend them. If people thought there was a comprehensive conversation instead of a sign-on letter, there would be a real interest.”

The need for such an approach goes beyond labor; as the discussion above illustrates, membership groups, civil rights and civil liberties organizations need to be brought to the table to seek agreement on a broad range of reforms that will enhance democracy over plutocracy.

Section III: Goals and Objectives for Policy

Public Financing: Goal - long term: Enact comprehensive public financing at the federal, state and major local government level for executive, legislative and judicial (where appropriate) offices.¹⁴

Objectives - short-to-mid term:

- > *Short to mid:* Educate the leaders of issue organizations and other opinion leaders on why public financing is vital to reforming the political system so that elected officials are more accountable to the public as opposed to large campaign donors.
 - Increase awareness of the experience, success and limitations of public financing systems in encouraging a diversity of candidates and changes in public policy.
- > *Short to mid:* Seek the full engagement of multi-issue organizations, which also do electoral work, as partners in building movement for public financing.
- > *Short to mid:* Make public financing an integral part of the broader narrative; that in order to have an economy that works for the 99%, and a government accountable to the 99%, we need our elections to be funded by the 99%.
- > *Short to mid:* Establish Fair Elections public financing model at federal level as the major policy option for lawmakers and organizations alike by developing champions from elected office and from organizations to specifically connect Fair Elections to ongoing money in politics coverage.
- > *Short to mid:* Identify and focus on opportunities to enact public financing at the state and local level.
 - Prioritize states which have the full engagement of a broad coalition, including reform groups and organizations capable of exercising political power;
 - Build up infrastructure capable of taking advantage of public financing to successfully run candidates.
- > *Short to mid:* Build support from political donors for public financing and incorporate those donors into campaign plans.

Regulation of Campaign Spending and Contributions: Goal - long term: Create a new legal framework, which gives policy makers the ability to regulate electoral spending and contributions by candidates and other individuals and entities.

Objectives - short-to-mid term:

¹⁴ This includes reforming the presidential public financing system.

- > *Short*: The reform movement, including the broader coalition that will be needed to mobilize support and Congressional champions, reach agreement on the content of a proposed constitutional amendment.
- > *Short to mid*: The theory of whether the constitutional amendment is a powerful way to organize the public should be tested by determining whether specific campaign objectives are met, including:
 - *Short*: a critical mass of groups endorse a common amendment;
 - *Short*: demonstrated ability to turn people out in support of passing the resolution;
 - *Short*: providing a gateway through which people become interested in and participate in work on other reform policies;
 - *Short*: increased support in legal community;
 - *Short*: increasing support from opinion writers and editorial boards;
 - *Mid*: a growing number of Congressional sponsors;
 - *Mid*: a growing number of state legislators passing resolutions asking Congress to act.
- > *Short-to-mid*: Progress should be measured on specific objectives towards developing a new jurisprudence, including:
 - *Short*: the involvement of respected legal scholars;
 - *Short to mid*: the development of new and expanding current challenges to the current legal framework on a number of fronts;
 - *Mid*: progress at the appeals court level, with decisions that reflect the newly developed jurisprudence;
 - *Mid to long*: Supreme Court decisions that chip away or overturn the current jurisprudence.
- > *Short*: A federal judicial nominee's views on campaign finance doctrine becomes a major issue in confirmation hearings.

"Comprehensive reform" is short hand for the two major policy areas discussed above: 1) creating a new jurisprudence that allows policy makers to regulate campaign spending and contributions; and, 2) robust public financing that allows candidates who receive only small contributions and public funds to compete effectively.

Enhanced Disclosure: Goal - long-term: Enact legislation at the federal and state levels requiring full disclosure of all spending to influence elections by individuals and entities.

Objectives - short-to-mid term:

- > *Short*: Reach agreement among advocates on policy for federal Disclose Act which provides full disclosure of campaign spending while protecting the identity of small donors to associations.
- > *Short*: Identify, prioritize and advance disclosure legislation in states where such legislation will help advance broader policy goals;
- > *Short to mid*: Frame enhanced disclosure within the context of comprehensive reform.
 - *Short*: Use newsworthy examples of hidden campaign spending to propel the need for comprehensive reform primarily, with enhanced disclosure as a secondary goal;
 - *Short to mid*: Highlight examples where entities make campaign contributions and then get government contracts; work for disclosure and prohibition of such contributions (often called “pay to play”).

Other Policy Issues:

Lobbying reform goal - long-term: Reform federal lobbying laws so that entities that spend significant sums on lobbying are much more limited in their ability to shape legislation.

Objectives - short to mid term:

- > *Short*: Convene campaign reform and other allies to reach agreement on a policy agenda for lobbying reform.
- > *Short*: Set short and mid term benchmarks for progress in advancing this work.
 - Seek introduction of consensus legislation in Congress;
 - Encourage inclusion of lobbying reform in state campaigns.
- > *Short*: Include the need for lobbying reform in the broader narrative around restoring a government that is accountable to the 99%.
- > *Short*: Frame the influence of lobbyists as another powerful argument for public funding.
- > *Mid*: Make progress on building support for lobbying reform legislation.

Voting rights: Goal - short-to-mid-term: Protect current voting rights and make it easier for people to vote.

Objectives - short term:

- > Encourage campaign finance reform and voting rights leaders to meet to discuss increased coordination and collaboration in their work and to identify synergies in the policy and organizing work of the two issue areas.
- > Include civil rights and voting rights groups in discussions about policy issues regarding campaign finance reforms.
- > Incorporate voting rights agenda into broader agenda for reforms in money and politics.

Reaching broader consensus on policy: Goal - mid-term: Achieve significant agreement on a comprehensive policy of campaign finance reform, under both current legal options and options potentially opened under a new jurisprudence, among a broad coalition of organizations, including campaign finance reformers, labor unions, other membership organizations, civil rights and civil liberties groups.

Objectives - short term:

- > Initiate and carry-out a process through which the organizations above, with the assistance of legal scholars, seek to reach agreement.

Conclusion: Liberty and Justice for All?

An imbalance between rich and poor is the oldest and most fatal ailment of all Republics.” Plutarch

On a day to day basis, the work of making even the most profound social change involves prosaic objectives like building coalitions, training volunteer leaders, negotiating policy proposals and amplifying communication. But the nitty-gritty of everyday effort is carried forward by the powerful urgency of what is at stake. When we address “money and politics,” we consider how to safeguard the most cherished ideals of our country. As USAction President William McNary asked in a recent speech, “When you stood in school and took the pledge of allegiance, was it a pledge for liberty and justice for the few, for the super-rich? Or was it a pledge for liberty and justice for all?”

At stake is whether our government is capable of meeting the urgent needs of the nation and the global community. In a country that generates 24% of the world’s wealth, will poverty continue to rise, or can we provide shared prosperity and the opportunity for each of us to reach our potential? In an economy that produces one-quarter of the gases that contribute to global warming, will we threaten billions of lives around our planet or turn towards a sustainable future?

It will take a popular movement to throw the money-changers out of the temples of American democracy. After three decades of an economy in which the rich got richer, the poor got poorer and the middle-class got crushed, we see the beginnings of that movement in the anger and grassroots action across the political spectrum. Our job is to combine the prosaic with the inspirational, to build a movement that is smart and energetic, that springs from anger to hope through action.

Throughout American history, philanthropy has played a key role in fueling movements for change. In the book *Charity, Philanthropy and Civility in American History*, Lawrence J. Friedman and Mark D. McGarvie wrote:

“One of the best examples of philanthropic foundation giving helping to move social change more effectively than other forms of giving alone is philanthropy during the Civil Rights Movement. Without funding, much of the movement would have stagnated. Everything from making phone calls, to printing leaflets, transporting voter registrants, and posting bail for arrested protesters required money. Many church groups and individuals were very generous, but the addition of funding from non-profit organizations greatly expanded what it was possible to achieve. These contributions enable civil rights organizations to pay staff expenses, coordinate conferences and strategy sessions, and launch increasingly ambitious projects.”

Just yesterday, philanthropy played a crucial role in overcoming another historic barrier in the United States, the right to affordable health care, as foundations provided crucial funding for the broad coalition and grassroots movement to pass the Affordable Care Act.

Foundations can also intervene as investors and corporate entities. One foundation filed an amicus brief in the Montana Supreme Court case, supporting the right of Montana to ban corporate contributions. In their role as investors, several supported shareholder resolutions requiring disclosure by publicly-traded corporations of political contributions. Some foundations have been pressing corporations to withdraw from trade associations that oppose money and politics reforms.

Just as groups that work on the economy and the environment are coming to understand that they can not make progress without working on “money and politics,” foundations should envision that tackling the role of money in politics is essential to achieving their program goals. With the core values of our society at stake, and a unique opportunity for progress at hand, all of us need to do what we can to build a society that provides liberty and justice for all.

Appendix A

Who Was Interviewed:

The report draws from 62 interviews with 72 individuals representing 50 organizations, which the author conducted from September through November of 2011. More than one-third of the organizations (18) are active in campaign finance reform. Some 44% are organizations involved in issues, including 11 community-based organizations and two issue coalitions that focus on economic issues, two on-line progressive groups, four labor unions and three environmental groups. In addition, 20% (10) of the groups are foundations that provide funding for work around money and politics. My conversations were with high-level staff, including in 31 cases, the organization's principal (President or Executive Director). In addition to the organizations, I talked with one pollster and two attorneys who are active in the field.

Who was interviewed			
September through November 2011			
	Interviews	Interviewees	Discrete_Groups
Campaign Finance Reform Groups	21	26	18
Community Organizing and Issue Groups	13	13	13
Labor Unions	5	7	4
Environmental Groups	4	4	3
On-line - political	4	4	2
Funder	12	15	10
Individuals	3	3	3
Totals	62	72	53

Organizations and People Interviewed:

ACCE - *Alliance of Californians for Community Empowerment*

Amy Schur

AFL-CIO

Mike Podhorzer

Damon Silvers

AFSCME

Barbara Coufal

John Keenan

Jessica Robinson

Alliance for a Just Society

LeeAnn Hall

Americans for Campaign Reform

John Rauh

Arca Foundation
Anna Lefer Kuhn

Brennan Center for Justice
Adam Skaggs
Michael Waldman
Monica Youn

Campaign Finance Institute
Michael Malbin

Campaign Legal Center
Gerry Hebert joined by entire staff

Center for Community Change
Seth Borgos

Common Cause
Karen Hobert-Flynn
Arn Pearson

Compton Foundation
Ellen Friedman
Stephanie Smith
Jen Sokolove

CREDO
Becky Bond

CWA - Communications Workers of America
George Kohl
Kate Snyder

Democracy 21
Fred Wertheimer

Democracy Alliance
Julie Kohler
Felicia Wong

Democracy Matters
Joan Mandle

Democracy North Carolina
Bob Hall

Demos
Heather McGhee
Brenda Wright

Energy Action Coalition
Maura Cowley

Free Speech for People
John Bonifaz

HCAN - Health Care for America Now
Ethan Rome

Justice at Stake
Bert Bradenberg

Leadership Center for the Common Good
Brian Kettenring
Main Street Alliance
Sam Blair
Maine Citizens for Clean Elections
Alison Smith
Make the Road by Walking
Ana Maria Archilla
MAPLight
Dan Newman
MoveOn
Ilyse Hogue (former staff)
Ramona Oliver
Justin Ruben
National Institute on Money in State Politics
Ed Bender
National People's Action
George Goehl
New Bottom Line
Tracy Van Slyke
New Community Fund
Charles Rodgers
Oil Change International
Steve Kretzmann
Ross Hammond
Open Society Foundations
Tom Hilbink
Laleh Ispahani
PICO
Gordon Whitman
Proteus Fund
Meg Gage
Public Campaign
David Donnelly
Nick Nyhart
Public Citizen
David Arkush
Rob Weissman
Rockefeller Brothers Fund
Ben Shute
Roosevelt Institute
Mark Schmitt
SEIU

Peter Colavito
Sierra Club
Cathy Duvall
Solidago Foundation
Guillermo Quinteras
SWOP - Southwest Organizing Project
Thomas Garduno
The Kohlberg Foundation
Nancy McCabe
United Republic
Josh Silver
USAction
William McNary
Wellspring Advisors
Jeff Malachowsky
Working America
Karen Nussbaum

Other Individuals Interviewed

Heather Gerken
Zephyr Teachout
Drew Westen

Appendix B

Capacities Proposed by Interviewees:

The following is a list of the capacities to be developed, listed in the order of frequency with which they were proposed:

- > “Connect the dots” between issues and political money throughout issue organizing campaigns;
- > Build a much broader coalition in support of money and politics reforms;
- > “Connect the dots” through the media with an aggressive effort to generate stories that tie to topical issues and expose scandals;
- > Conduct campaigns aimed at getting corporations to back away from paying for politics;
- > Hold elected officials accountable for taking big money and voting against their constituents’ interests;
- > Build the capacity to mobilize many more people who care deeply about campaign finance reform.
- > Work with elected officials who are champions of reform;
- > Intentionally coordinate the work of reform organizations and allies.
- > Build new political formations.