

June 10, 2016

Platform Drafting Committee
Democratic National Convention

Members of the drafting committee,

Throughout the presidential campaign, both Secretary Hillary Clinton and Senator Bernie Sanders talked about our broken campaign finance system and the need to reform it so everyday people can have a bigger voice in the process.

“A lot of Americans are concerned about money in politics, and rightly so. It’s a serious problem that we have to address,” Sec. Clinton said during a speech about the Supreme Court earlier this year. “I hope all of us agree that we’re going to not allow billionaires and their super PACs to destroy American democracy,” Sen. Sanders said in Vermont in March.

Poll after poll shows that the American people agree—they’re tired of a political system that too often puts the needs of donors ahead of everyone else.

But it’s not enough to simply criticize the system, and both candidates offered bold, comprehensive money-in-politics reform plans that reflect these key principles:

- Everyone participates;
- Everyone’s voice is heard;
- Everyone knows who is trying to influence our views and our representatives;
- Everyone plays by fair, common-sense rules;
- Everyone is held accountable, with enforceable penalties to deter bad behavior.

These principles are also the basis for “Fighting Big Money, Empowering People: A 21st Century Democracy Agenda,” a detailed policy agenda that was developed by 13 national democracy reform organizations. We believe these principles, and the policies described in the agenda (included below) should be fully incorporated into the 2016 platform for the Democratic National Convention. Specifically, we call on Clinton to commit to, and campaign on, introducing a comprehensive money-in-politics legislative package in Congress within the first 100 days of her presidency and to make its passage a national priority throughout her presidency. The package must include bold reforms, like small-donor public financing and constitutional change.

Policies that reduce the influence of big money and lift up the voices of ordinary Americans are supported by not just a broad majority of Democrats, but by Americans of all political stripes and backgrounds.

The American people are looking for elected officials who will fight for a democracy in which every voice is heard and every vote is counted and that’s why it’s critical the Democratic National Committee platform offer a comprehensive democracy reform plan.

Signed,

Brennan Center for Justice
Common Cause
Democracy 21
Demos Action
Democracy Matters

Every Voice
Free Speech for People
People for the American Way
Public Citizen

Fighting Big Money, Empowering People: A 21st Century Democracy Agenda

Like every generation before us, Americans are coming together to preserve a democracy of the people, by the people, and for the people. American democracy is premised on the consent of the governed, and on the idea that we all deserve a say in the government decisions that affect our families. We stand united supporting commonsense protections that recognize the people as the ultimate check on the corrosive influence of money in politics, which is eroding the very foundation of self-government.

Brennan Center for Justice
Common Cause
Democracy 21
Democracy Matters
Demos
Every Voice
Free Speech for People
Issue One
Mayday
People for the American Way
Public Citizen Inc.
Represent.Us
U.S. PIRG

July 2015

The next President of the United States should stand with Americans across the country and commit to these five principles of democracy:

1. Everyone participates;
2. Everyone's voice is heard;
3. Everyone knows who is trying to influence our views and our representatives;
4. Everyone plays by fair, common-sense rules;
5. Everyone is held accountable, with enforceable penalties to deter bad behavior.

To bring these democratic values to life, the next President of the United States must advocate for a specific and comprehensive plan, including:

Encouraging and amplifying the voices of everyday Americans by legislating a system of public funding for qualified federal candidates, meaningful contribution limits, and measures to reduce barriers to the ballot box and increase turnout;

Robust, real-time disclosure of political contributions and expenditures through legislation, rulemaking at the FEC, FCC, IRS, and SEC; and—if President Obama fails to act—an executive order;

Overturing *Citizens United* and earlier cases such as *Buckley v. Valeo* through the Democracy for All constitutional amendment, and the appointment of Supreme Court Justices committed to restoring the people's ability to protect our democracy;

Ending the mockery of existing campaign finance rules through legislation to shut down individual-candidate super PACs and effectively prevent coordination between candidates and outside groups; creating a new enforcement agency with real power; appointing FEC commissioners committed to enforcing existing law; and appointing an Attorney General who will crack down on violations of campaign finance laws and election laws that protect every voter's access to the ballot box.

The next President of the United States should commit to make this democracy reform agenda a national priority from Day One in office. In the past, presidents have made campaign commitments to prioritize campaign finance reform and then, once elected, have failed to take action. In addition to proposing a specific and comprehensive reform plan, the next president should publicly take these reforms to the country and Congress as a national priority, convening community leaders and activists from around the country to build support at every level, and create a White House task force to promote the reform agenda.



Everyone participates.

The next president of the United States should commit to a 21st Century democracy where everyone participates. The president should endorse, prioritize, and work aggressively with Congress to pass legislation to provide public funds that will amplify small donations to federal candidates who agree to lower contribution limits.

With each election cycle, our elected leaders depend on a smaller and smaller share of our population making larger and larger campaign contributions. As a result our leaders listen to a handful of deep-pocketed interests at the direct expense of everyday Americans.

We need to provide incentives such as matching funds that encourage the active participation of small donors in our elections.

We need to provide incentives such as matching funds that encourage the active participation of small donors in our elections so candidates are accountable to, and dependent on, the people—not wealthy donors and special interests. Other potential incentives include limited tax credits and small dollar vouchers.

Providing public funding support to amplify the role of ordinary Americans in financing elections makes elected officials less indebted to a narrow set of funders, allows candidates to spend more time listening to their constituents, gives more people the ability to run for office, elects officeholders more reflective of the community at large, and leads to policies more responsive to public needs and less skewed by wealthy interests.



Everyone's voice is heard.

The next president of the United States should commit to a 21st Century democracy where everyone's voice is heard. The president should endorse, prioritize, and work aggressively with Congress to pass legislation to reduce barriers to the ballot box and increase turnout. The next president should support meaningful contribution limits so a wealthy few cannot use their economic power to shut out ordinary citizens.

Our democracy is based on the principle of *one person, one vote*— not *one dollar, one vote*. From equal access to the ballot box to the right not to be silenced by big money, democracy requires everyone to have a voice in the decisions affecting their lives.

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Our democracy is undermined when elected representatives only hear the policy preferences of the wealthy. We need reasonable limits on using money in politics so our government doesn't just respond to wealthy donors and special interests when it should be responding to all Americans. Limits are most effective when combined with reforms to encourage more small donors to participate.

Our democracy functions best when all eligible Americans participate in the political process, and when the voting system is free, fair, accessible, and free from discrimination. Reforms to modernize our voter registration system would make voting more convenient and secure. They would provide Americans with the options they need to ensure they can register, vote, and make their voices heard. Restoring the Voting Rights Act would ensure that every American is protected against discrimination in voting.



Everyone knows.

The next president of the United States should commit to a 21st Century democracy where everyone knows who funds campaigns. The president should push Congress to enact new disclosure requirements for outside spending groups, urge the FEC to create dark money regulations responsive to the Citizens United decision, urge the SEC to require public corporations to disclose their political spending, urge the FCC to require advertisers to disclose their “true identity,” and urge the IRS to more clearly define political activity so organizations cannot abuse the system to keep their donors secret. The president should issue an executive order requiring all federal government contractors to disclose their political spending.

Voters have a right to know who is trying to influence our views and our elected representatives.

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Americans should be able to easily look up candidates, online and in “real-time,” to see what entities have spent substantial sums on the candidate’s behalf, and which donors have provided the funds, both during the election and afterwards.

Congress should enact effective disclosure requirements so outside spending groups cannot hide from voters the wealthy donors and special interests funding them.

If President Obama fails to act, the next president can increase disclosure by signing an executive order requiring all federal contractors to disclose their political spending. Federal regulatory agencies—the FEC, FCC, IRS, and SEC—also have important roles to play in ensuring transparency.



Everyone plays by fair, common sense rules.

The next president of the United States should commit to a 21st Century democracy where everyone plays by common sense rules and should pledge to restore our pro-democracy Constitution by endorsing, prioritizing, and calling on Congress to pass and the states to ratify the Democracy For All amendment. The next president should appoint justices who will transform the Supreme Court's approach to money in politics, overturn Citizens United and Buckley v. Valeo, and revive the People's ability to protect our democracy.

The size of your wallet should not determine the strength of your political voice. But, in a long series of decisions beginning with *Buckley v. Valeo* and escalating with *Citizens United v. FEC* and *McCutcheon v. FEC*, the Supreme Court has cemented a flawed reading of our Constitution that strips the ability of We the People to impose common sense limits on election spending.

Moreover, the Democracy For All constitutional amendment would correct the Court's fundamentally flawed decisions by restoring our ability to set commonsense rules.

A narrow 5-4 majority on the current Court rejects any reason other than fighting quid pro quo corruption (or bribery) as the basis for reining in big money, including leveling the playing field between mega donors and the rest of us, or ensuring the integrity of our democratic system. The Court has struck down strong protections, such as caps on candidate spending, meaningful contribution limits, and bans on corporate political spending.

Justices appointed by the next president will have the opportunity to transform the current Court's misguided approach to money in politics. Moreover, the Democracy For All constitutional amendment would correct the Court's fundamentally flawed decisions by restoring our ability to set commonsense rules that stop the influence of big money on our government and empower the people to fully participate and have their voices heard.



Everyone is held accountable.

The next president of the United States should commit to a 21st Century democracy where everyone is held accountable. The next president should endorse, prioritize, and work aggressively with Congress to pass legislation to create a new enforcement agency with real power to hold campaign violators accountable and legislation to shut down individual-candidate super PACs and strengthen the rules that prohibit coordination between candidates and outside spending groups. The next president should commit to appointing FEC commissioners who promise to enforce existing law and an Attorney General who will prioritize addressing violations of campaign finance and election laws.

A fair and accessible election system requires strong enforcement of our laws. Those who break the law must face real consequences that deter bad behavior.

But the FEC consistently fails to enforce and properly interpret campaign finance laws. As a result, candidates and their political operatives constantly stretch, if not break, the laws with impunity. A new, real enforcement agency is needed to replace the FEC. In the meantime, the President should appoint individuals to the FEC who are committed to enforcing existing law.

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Individual-candidate super PACs and coordination between candidates and outside spending groups allow federal candidates and their big donors to evade the candidate contribution limits enacted by Congress and upheld by the Supreme Court. Shutting down individual-candidate super PACs and strengthening coordination rules are necessary to ensure accountability.

Given the complete enforcement breakdown, the Department of Justice needs to actively exercise its jurisdiction to prosecute criminal violations of campaign finance laws and election laws that protect access to the ballot box.

Fighting Big Money, Empowering People: A 21st Century Democracy Agenda

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If you have any questions about this agenda, please email agenda@everyvoice.org.