

# CAMPAIGN TO MAKE DEMOCRACY WORK

## LWVUS Positions Adopted in 2016

### Money In Politics

The League of Women Voters of the United States believes that the methods of financing political campaigns should:

- Enhance political equality for all citizens;
- Ensure maximum participation by citizens in the political process;
- Protect representative democracy from being distorted by big spending in election campaigns;
- Provide voters sufficient information about candidates and campaign issues to make informed choices;
- Ensure transparency and the public's right to know who is using money to influence elections;
- Enable candidates to compete equitably for public office;
- Ensure that candidates have sufficient funds to communicate their messages to the public; and
- Combat corruption and undue influence in government.

The League believes that political corruption includes the following:

- A candidate or officeholder agrees to vote or work in favor of a donor's interests in exchange for a campaign contribution;
- An officeholder or staff gives greater access to donors;
- An officeholder votes or works to support policies that reflect the preferences of individuals or organizations in order to attract contributions from them;
- A candidate or office holder seeks political contributions implying that there will be retribution unless a donation is given; and
- The results of the political process consistently favor the interests of significant campaign contributors.

In order to achieve the goals for campaign finance regulation, the League supports:

- Public financing of elections, either voluntary or mandatory, in which candidates must abide by reasonable spending limits;
- Enhanced enforcement of campaign finance laws that includes changes to ensure that regulatory agencies are properly funded, staffed, and structured to avoid partisan deadlock in the decision-making process;
- Abolishing Super PACs and abolishing spending coordinated or directed by candidates (other than a candidate's own campaign committee); and
- Restrictions on direct donations and bundling by lobbyists, which may include monetary limits as well as other regulations.

Until full public financing of elections is enacted, limits on election spending are needed in order to meet the League's goals for protecting democratic processes. Among the different entities that spend money to influence elections, the League supports the following comparative limits:

- Higher spending limits for political parties, genuinely non-partisan voter registration and get-out-the-vote organizations and activities, and candidates spending money raised from contributors;
- Mid-level spending limits for individual citizens (including wealthy individuals), Political Action Committees (with funds contributed by individuals associated with the sponsoring organization, such as employees, stockholders, members and volunteers), and candidates spending their own money;
- Lower spending limits for trade associations, labor unions and non-profit organizations from their general treasury funds;
- Severely restricted spending by for-profit organizations spending from their corporate treasury funds; and
- No limits on spending by bona fide newspapers, television, and other media, including the Internet, except to address partisan abuse or use of the media to evade campaign finance regulations.

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## **Considerations for Evaluating Constitutional Amendment Proposals**

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

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

a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed. Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.

b) Whether the amendment as written would be effective in achieving its policy objective. Amendments that may be unenforceable, miss the objective, or have unintended consequences may not achieve the policy objective.

c) Whether the amendment would either make our political system more democratic or protect individual rights. Most adopted amendments have sought to make our system more representative or to protect the rights of minorities.

d) Whether the public policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment. In order to expend resources wisely, it is important to consider whether legislation or political action is more likely to succeed than an amendment.

e) Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach. It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.

## **Constitutional Conventions under Article V of the U.S. Constitution**

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

a) The Constitutional Convention must be transparent and not conducted in secret. The public has a right to know what is being debated and voted on;

b) Representation at the Constitutional Convention must be based on population rather than one state, one vote, and delegates should be elected rather than appointed. The delegates represent citizens, should be elected by them, and must be distributed by U.S. population;

c) Voting at the Constitutional Convention must be by delegate, not by state. Delegates from one state can have varying views and should be able to express them by individual votes;

d) The Constitutional Convention must be limited to a specific topic. It is important to guard against a "runaway convention" which considers multiple issues or topics that were not initiated by the states;

e) Only state resolutions on a single topic count when determining if a Constitutional Convention should be called. Counting state requests by topic ensures that there is sufficient interest in a particular subject to call a Convention and enhances citizen interest and participation in the process; and

f) The validity of state calls for an Article V Constitutional Convention must be determined by the most recent action of the state. If a state has enacted a rescission of its call, that rescission must be respected by Congress.