



WEEKLY NEWS ROUND UP
DEMOCRACY REFORM TASK FORCE
REP. JOHN SARBANES, CHAIR

APRIL 26, 2019

NATIONAL NEWS

[IN PUSH FOR 2020 ELECTION SECURITY, TOP OFFICIAL WAS
WARNED: DON'T TELL TRUMP](#)

THE NEW YORK TIMES

In the months before Kirstjen Nielsen was forced to resign, she tried to focus the White House on one of her highest priorities as homeland security secretary: preparing for new and different Russian forms of interference in the 2020 election. President Trump's chief of staff told her not to bring it up in front of the president. Ms. Nielsen left the Department of Homeland Security early this month after a tumultuous 16-month tenure and tensions with the White House. Officials said she had become increasingly concerned about Russia's continued activity in the United States during and after the 2018 midterm elections — ranging from its search for new techniques to divide Americans using social media, to experiments by hackers, to rerouting internet traffic and infiltrating power grids. But in a meeting this year, Mick Mulvaney, the White House chief of staff, made it clear that Mr. Trump still equated any public discussion of malign Russian election activity with questions about the legitimacy of his victory. According to one senior administration official, Mr. Mulvaney said it “wasn't a great subject and should be kept below his level.” Even though the Department of Homeland Security has primary responsibility for civilian cyberdefense, Ms. Nielsen eventually gave up on her effort to organize a White House meeting of cabinet secretaries to coordinate a strategy to protect next year's elections.



JARED KUSHNER DISMISSES RUSSIAN ELECTION INTERFERENCE AS 'COUPLE OF FACEBOOK ADS'

THE NEW YORK TIMES

Jared Kushner, President Trump's son-in-law and senior adviser, dismissed Russia's interference in the 2016 presidential campaign on Tuesday as a "couple of Facebook ads" and said the investigation of it was far more damaging to the country than the intrusion itself. "You look at what Russia did — you know, buying some Facebook ads to try to sow dissent and do it — and it's a terrible thing," Mr. Kushner said during a panel sponsored by Time magazine. "But I think the investigations, and all of the speculation that's happened for the last two years, has had a much harsher impact on our democracy than a couple of Facebook ads...." Mr. Kushner said in his first public comments since the release of the report of the special counsel, Robert S. Mueller III, last week. Facebook estimated that Russia-backed ads and social media posts reached 126 million Americans during the election, only about 10 million fewer than voted in 2016. Moreover, Russians hacked accounts of the Democratic National Committee and leaked damaging information about Mr. Trump's opponent, Hillary Clinton, at critical moments during the campaign. In his report, Mr. Mueller concluded that "the Russian government interfered in the 2016 presidential election in sweeping and systematic fashion."

DHS MOUNTS CANDIDATE SECURITY EFFORT

POLITICO (MORNING CYBERSECURITY)

DHS hopes to provide cyber defenses to every 2020 presidential campaign, Cybersecurity and Infrastructure Security Agency Director Chris Krebs said Tuesday at an Atlantic Council event. There are some complications, such as making sure that the campaigns don't feel like DHS is providing invasive services. But another DHS official, senior cyber adviser Matt Masterson, said campaigns seem to be taking the threat seriously.... DHS is scrutinizing the reliability of ballot-marking devices following a study from experts concluding that they cannot be reliably audited, Krebs also said Tuesday, but the department hasn't come to a firm conclusion. "It's part of the conversation to look at what the next generation of technology looks like," he told reporters, given a debate over the importance of using hand-marked paper ballots and "whether the risk of BMDs can be managed." But Krebs, who said he hadn't finished reading the study yet, said it's part of a larger approach.

CYBERSECURITY PROPOSAL PITS CYBER PROS AGAINST CAMPAIGN FINANCE HAWKS

THE WASHINGTON POST

The Federal Election Commission could decide today whether nonpartisan groups can offer political campaigns free cybersecurity services, an issue that has made bedfellows of Republicans and Democrats but divided cyber pros and campaign finance hawks. The proposal's authors, Hillary Clinton's 2016 campaign manager Robby Mook and Mitt Romney's 2012 campaign manager Matt Rhoades, come to the issue from bitter experience.... The bipartisan duo want to help presidential and congressional campaigns steer clear of similar hacking operations by allowing nonprofits to provide cybersecurity free of charge. But first they need the FEC to say those services don't amount to an illegal campaign contribution.... The plan is a hit with many cybersecurity pros who say campaigns aren't equipped to defend themselves against sophisticated, government-backed hacking operations from Russia and China, and think this might level the playing field. Good-government advocates, however, say the proposal creates a loophole for cybersecurity and tech companies – or other nonprofit groups – to secretly curry favor with politicians. It's not just the bipartisan group that could offer protections for free, but any nonprofit that wants to.

PENCE HASN'T RELEASED ANY TAX RETURNS SINCE BECOMING VP

THE HILL

Vice President Pence has reportedly refused repeated requests for information about his tax returns since taking office, despite releasing returns through 2015 during the 2016 presidential race. The Wall Street Journal reported Tuesday that Pence has not released any turns since President Trump's inauguration in 2017 and has offered a similar explanation for his lack of transparency: He is under audit. Tax advisers told the Journal that the president and vice president are regularly audited under IRS protocol and that releasing returns while under audit could complicate the negotiation process between the IRS and Pence. A spokeswoman for Pence reportedly said this week that the vice president will release updated tax returns before 2020, provided that the audit is completed. Joe Thorndike, a tax historian, told the Journal, however, that vice presidents have typically released their returns even while under audit, noting that there is no law preventing them from doing so.

HOW THE IRS GAVE UP FIGHTING POLITICAL DARK MONEY GROUPS

PROPUBLICA

In the past decade, people, companies and unions have dispensed more than \$1 billion in dark money, according to the Center for Responsive Politics. The very definition of that phrase, to many critics, epitomizes the problem of shadowy political influence: Shielded by the cloak of anonymity, typically wealthy interests are permitted to pass limitless pools of cash through nonprofits to benefit candidates or political initiatives without contributing directly to campaigns. Such spending is legal because of a massive loophole. Section 501(c)(4) of the U.S. tax code allows organizations to make independent expenditures on politics while concealing their donors' names — as long as politics isn't the organization's "primary activity." The Internal Revenue Service has the daunting task of trying to determine when nonprofits in that category, known colloquially as C4s, violate that vague standard. But the IRS' attempts to police this class of nonprofits have almost completely broken down, a ProPublica investigation reveals. Since 2015, thousands of complaints have streamed in — from citizens, public interest groups, IRS agents, government officials and more — that C4s are abusing the rules. But the agency has not stripped a single organization of its tax-exempt status for breaking spending rules during that period.... Most cases do not even reach the IRS committee created to examine them. Between September 2017 and March 2019, the committee didn't receive a single complaint to review according to one former and one current IRS employee who worked closely with the committee, even as at least 2,000 warranted its consideration. (The IRS disputes this.) The standards are almost as permissive when organizations apply for C4 status in the first place. In 2017, for example, the IRS rejected only three out of 1,487 applications.

UNLEASHED BY CITIZENS UNITED: ENERGY, UTILITY GIANTS POURED \$60 MILLION INTO 2017 CAMPAIGNS

MAPLIGHT

Unleashed by a 2010 Supreme Court decision allowing corporations to make unlimited political contributions, about three dozen of the nation's largest energy and utility companies pumped almost \$60 million into campaign committees, ballot measures, trade associations, and nonprofits during 2017, according to a MapLight analysis. The analysis of data compiled by the Center for Political Accountability found the corporations gave at least \$31.4 million, or more than half of their 2017 contributions,



to politically powerful trade organizations that included the American Petroleum Institute, U.S. Chamber of Commerce, and Edison Electric Institute. The millions in corporate donations highlight the obstacles faced by environmental activists who are battling to win approval for legislative initiatives such as the Green New Deal, a resolution designed to mitigate the worst effects of climate change by reshaping the \$20.7 trillion U.S. economy. Although the trade associations represent the bulk of political power for the energy corporations, the data compiled by the center also show the 39 companies made significant donations to “dark money” nonprofit organizations, which are allowed to shield the identities of donors (\$9.3 million); individual candidate and party committees (\$8.6 million); nonprofit political organizations known as 527 Groups, which must disclose their donors (\$8.5 million); and ballot measures (\$2.1 million).

[2020 DEMOCRATS CONFRONTING DEBATE OVER LETTING FELONS VOTE](#)

THE SEATTLE TIMES

Democratic presidential contenders are facing a new debate over whether criminals in prison, even notorious ones like the Boston Marathon bomber, should be able to win back their right to vote. Vermont Sen. Bernie Sanders says that they should and that voting is “inherent to our democracy — yes, even for terrible people.” Many of his rivals for the 2020 nomination aren’t as sure, and at least one opposes the idea outright. Sanders himself acknowledged that he was essentially writing an attack ad for Republicans to use against him through his support for the issue. The question illustrates how Sanders continues to stand to the left of the other candidates as he endorses giving all prisoners, including those convicted of heinous crimes, the right to vote. Prodded by criminal justice activists, Democrats have largely embraced the politically safer cause of winning back access to the ballot box for felons who have served their time.... Only two states now allow prisoners to vote — Maine and Vermont, Sanders’ home state. But debate over the issues has begun percolating in a handful of other states, backed by advocates who see it as a civil rights issue.

IN THE STATES

JUDGES RULE MICHIGAN CONGRESSIONAL DISTRICTS ARE UNCONSTITUTIONALLY GERRYMANDERED

THE NEW YORK TIMES

A panel of three federal judges ruled on Thursday that 34 congressional and state legislative districts in Michigan are extreme partisan gerrymanders and unconstitutional. The judges ordered state lawmakers to redraw maps in time for elections in 2020. The panel wrote that it was joining “the growing chorus of federal courts” that have held that drawing districts to unfairly favor the party in power is unconstitutional. The judges said the maps violated Democratic voters’ constitutional rights. But the impact of the ruling ultimately will turn on an opinion by the Supreme Court, which is weighing decisions in two other partisan gerrymander cases involving congressional districts in North Carolina and Maryland. The justices’ decision in those cases, expected by the end of June, could reinforce the Michigan ruling, force alterations to it, or even overrule it entirely.... During arguments in the Supreme Court cases last month, some justices questioned whether it was possible to draw a bright line between an acceptable political map and one that is too partisan, and others wondered aloud whether a growing public outcry against partisan maps might solve the problem without judicial intervention. But in the Michigan ruling, the three judges said emphatically that inaction was not an option.

SEATTLE’S DEMOCRACY VOUCHER PROGRAM IS ALREADY SPARKING A LIVELY ELECTION SEASON

SIGHTLINE INSTITUTE

Seattleites are flooding a small office in the Seattle Municipal Tower with stacks of mail. In the last eight weeks, city residents have sent more than 43,000 democracy vouchers to the city, each a small publicly funded donation to candidates running for city office. Though several public financing programs exist across the United States, Seattle’s voucher model is the first of its kind. This year marks only the second time the city is using the program, but already it’s demonstrating that vouchers are a game changer for public elections. Thanks to the program, which was first used in 2017, nearly every Seattle resident age 18 years and older got four \$25 democracy vouchers



by mail in February. They now have the chance to give these vouchers to candidates for city office who pledge to rely on small-dollar donations and limit campaign spending. The goal of the voucher program is to get candidates in touch with diverse Seattleites. By making nearly every city resident a potential donor, the program encourages competitive campaigns fueled by a broad base of donors. That's a big change from business as usual, when the most successful candidates are often those with direct lines to the city's one percenters—those with wallets fat enough to write big checks.... This year will provide more information about how the innovative voucher model for public funding impacts elections. We'll be watching how donor and candidate diversity stacks up compared with pre-voucher elections, and whether the city sees any changes in voter turnout. As we wait to learn more, it's already clear the voucher program has helped get this year's races off to a great start. With the number of contributors soaring, along with a diverse and activated candidate pool, Seattle can look forward to a lively and engaged election season.

POLITICS HAMPER ELECTION SECURITY FIXES AS THREATS LOOM

GOVERNMENT TECHNOLOGY

Despite broad agreement that foreign hackers will again target American voting systems in 2020, partisan friction in St. Paul and Washington has stalled efforts to bolster election security, with less than a year to go before Minnesotans cast presidential primary ballots. The delay has alarmed elections officials and cybersecurity experts who warn of a repeat of 2016, when Russians targeted Minnesota and 20 other states in what special counsel Robert Mueller's report, released Thursday, called a "sweeping and systematic fashion...." Amid the warnings of Russian interference, Minnesota lawmakers remain at odds over using more than \$6 million in federal funds approved by Congress more than a year ago to shore up election security. Minnesota is the only state that has yet to touch its share of the \$380 million federal appropriation. At the same time, a measure co-sponsored by Minnesota U.S. Sen. Amy Klobuchar to improve cybersecurity information sharing between federal agencies and local election workers also is at a standstill. Local officials warn that time is running out.... Secretary of State Steve Simon wants to upgrade the state's 15-year-old system, which he said is vulnerable to attack, and hire a "cyber navigator" that federal Homeland Security officials recommend states employ to help improve cyber defenses in local communities. But despite initial optimism for bipartisan cooperation, the federal money has become a flash point of discord between Simon, a Democrat, and Senate Republicans who would like to steer resources into voter ID

laws and other measures aimed at alleged voter fraud, which they consider a more urgent priority than possible foreign hacking.

ANDY KIM APPEARS UP TO THE CHALLENGE

ERIE TIMES-NEWS (EDITORIAL)

Right out of the box, he has pushed for the issues he campaigned on: H.R. 1 is an expansive bill that would address campaign finance reform, gerrymandering, voting rights and ethics. Kim called the measure “necessary” and noted, “It means a lot to me personally...” That seems like a full plate, and we applaud Kim for his hunger and drive to represent the 3rd District well. We also thank him for finding time to meet with our editorial board and stick to his promise of holding monthly town halls. We believe “accessibility and transparency” are keystones for any legislator who wants to serve beyond one term in this district. This is a challenging time to be a member of Congress. Kim not only appears to be up to that challenge, but also to relish it.

AFTER 100 DAYS CONTROLLING THE HOUSE, VIRGINIA DEMS TOUT ACCOMPLISHMENTS, INTRAPARTY DEBATE

WVTF-FM (ONLINE)

This month Democrats reached their 100th day controlling the U. S. House of Representatives. But some fissures are starting to show in the party. Some new lawmakers are starting to show some frustration with life in the nation’s capital. Possibly the most notable accomplishment of the new Congress was ending the longest government shutdown in American history. But that was months ago and Congress hasn't sent the president many bills to sign since... House Democrats have sent the Senate a slew of bills, including a background check bill that's the first gun-control measure that's passed in more than two decades. And they passed HR 1 – a sweeping proposal aimed at shining a light on "dark money" in politics along with additional reforms aimed at increasing transparency in elections. Those accomplishments have been drowned out by President Trump and the bully pulpit he controls from the Oval Office and on Twitter. [Congresswoman Jennifer] Wexton blames the media for not focusing on her party’s accomplishments.

U.S. SENATE CANDIDATE MARK KELLY: 'I WANT TO REPRESENT ARIZONANS, NOT CORPORATIONS'

KJZZ-FM

We're still more than 18 months away from the next general election, but candidates for federal office already have to focus on raising funds to increase the viability of their candidacies. In the race to take on incumbent Republican Sen. Martha McSally, former astronaut Mark Kelly has collected \$4 million via 58,000 contributors. Kelly has vowed not to accept money from corporate PACs and, on Monday, he received an early endorsement from End Citizens United. Mark Kelly joined The Show to talk about that and other topics.

SECRETARY OF STATE FRANK LAROSE, LAWMAKERS TO SEEK AUTOMATED VOTER REGISTRATION, OTHER ELECTION REFORMS

CLEVELAND PLAIN DEALER

Secretary of State Frank LaRose and state lawmakers on Tuesday said they're working on legislation to reform the state's voting system – including automated voter registration and increasing the sharing of information between agencies to avoid voter purges. LaRose, a Hudson Republican, said during a Statehouse news conference that he hopes within the next few months to hammer out a final proposal to the state legislature that would also contain additional measures to “modernize” Ohio's voting process. One of the ideas LaRose said his office is working on would create an “opt-out” voter registration system. That means that when voting-eligible Ohioans file taxes, renew a driver's license, get a fishing license, or have other interactions with a state agency, they would be registered to vote unless they push a button or check a box declaring they don't want to be. Fifteen states and the District of Columbia already have similar “opt-out” registration systems in place, according to the Brennan Center for Justice. Another idea LaRose put forward would seek to keep more Ohioans' voter registration up to date by requiring state agencies to notify the secretary of state's office whenever a voter provides an updated address. LaRose said such inter-agency cooperation to keep voters' information up to date would help avoid a repeat of controversial purges of Ohio voting rolls pushed by LaRose's predecessor, Jon Husted.

KEY OPINION

[MUELLER DOCUMENTED A SERIOUS CRIME AGAINST ALL AMERICANS. HERE'S HOW TO RESPOND.](#)

THE WASHINGTON POST (OP-ED BY HILLARY CLINTON)

Our election was corrupted, our democracy assaulted, our sovereignty and security violated. This is the definitive conclusion of special counsel Robert S. Mueller III's report. It documents a serious crime against the American people. The debate about how to respond to Russia's "sweeping and systematic" attack — and how to hold President Trump accountable for obstructing the investigation and possibly breaking the law — has been reduced to a false choice: immediate impeachment or nothing.... Congress should hold substantive hearings that build on the Mueller report and fill in its gaps, not jump straight to an up-or-down vote on impeachment.... The House has already passed sweeping reforms that would strengthen voting rights and crack down on corruption, and now is the time for Democrats to keep their foot on the gas and put pressure on the do-nothing Senate. It's critical to remind the American people that Democrats are in the solutions business and can walk and chew gum at the same time.

[WILL TRUMP AND THE SUPREME COURT TEAR OUR DEMOCRACY APART?](#)

THE WASHINGTON POST (OP-ED BY E.J. DIONNE JR.)

Our nation faces a constitutional conflagration, and President Trump is not the only actor willing to put personal and partisan interests above the preservation of our system of self-rule. Five conservative justices on the Supreme Court signaled clearly on Tuesday that they are willing to allow the administration to act lawlessly in distorting the 2020 Census and thus representation in Congress to benefit the party that placed them on the court. Trump's brazen attacks on U.S. institutions and the court's partisanship are not separate stories. They are the product of a radicalization of American conservatism. Republicans and conservative ideologues — including the ones wearing the robes of justice — are destabilizing our institutions in pursuit of power.... Once upon a time, we could depend on justices regardless of party to stand up to a paranoid, power-mad president making weirdly unprecedented claims about

the Supreme Court's role in the impeachment process. It should scare us, really scare us, that members of the court's conservative majority are giving us reason to wonder if they would do so now.

[THE SUPREME COURT IS POISED TO SHRED ITS CREDIBILITY TO LET TRUMP RIG THE CENSUS](#)

SLATE (OP-ED)

By all indications, the Supreme Court is poised to let the Trump administration add a citizenship question to the 2020 census. The consequences of its probable ruling will last longer than Donald Trump's presidency, well into the term of the next president, and possibly the one after that. Hispanics and immigrants will be undercounted, leading to overrepresentation in the House of Representatives and state legislatures of disproportionately white and rural regions. The result will entrench Republican power into the 2030s, depriving Democrats of representation in Congress and state legislatures, as well as electoral votes. States with large immigrant communities will lose billions in federal funding. Ultimately, the citizenship question is not some wonky dispute about proper census protocol. It is a dispute over who counts in America.

[CONGRESS IS RIGHT TO SCRUTINIZE CHARGES OF VOTER SUPPRESSION IN GEORGIA](#)

THE HILL (OP-ED BY JESSICA MARSDEN)

Georgia Gov. Brian Kemp made headlines last fall for his efforts as secretary of state to change election procedures to suppress likely Democratic voters—efforts designed to tilt the playing field in his own race for governor. Among other things, he oversaw a large-scale purge of the state's voter rolls and held up voter registration applications.... Recognizing that Kemp could not be trusted to supervise a recount of his own race, a group of Georgia voters sued him, arguing that his biased administration of the election violated their constitutional rights.... Reflecting the importance of this issue, the Oversight Committee has specifically sought information about Kemp's conflicts of interest and how those might have affected his decisions leading up to the 2018 election. Moreover, Congress is actively considering actions to curb such conflicts of interest in the future. For example, H.R. 1, a package of election and ethics reforms recently passed by the House, includes a provision that would bar state election officials from setting rules for elections in which they are candidates for federal office. Gov. Kemp and Georgia's new secretary of state, Brad Raffensperger, shouldn't rely



on the Republicans' flimsy excuses to dodge their responsibility to provide information to Congress. Congress's focus on voter suppression and electoral conflicts of interest is well-placed—our democracy depends on it.

[NEW YORK, TAKE A STAND AGAINST BIG MONEY IN POLITICS](#)

NEW YORK DAILY NEWS (OP-ED BY BEN COHEN)

New York State is poised to become America's preeminent democracy, if the Legislature is willing to take the leap. The state Assembly and Senate passed a budget bill that would establish a commission on the issue of big money in politics. Its goal? Propose a system of public campaign financing for statewide and state legislative offices by December 1, to be adopted by the end of the year. This new commission is partly a result of a promise Gov. Cuomo made during his State of the State speech in January, when he called for creating a statewide public financing system that allowed special interest groups to make donations in the range of tens of millions of dollars. The plan falls short of stamping money out of politics, but it represents a step in the right direction. We want our elected officials to fix our broken democracy and get big money out of politics once and for all. If New York's representatives aren't willing to confront the problem directly, they need to be prepared to accept the commission's final plan to achieve much-needed reform.... Nearly every presidential candidate for 2020 supports fundamental reforms to fix our democracy. Congress has proposed a comprehensive reform package (H.R. 1), which the House passed in March. And New York is on the brink of strengthening our democratic system to make it as good as its promise." We are not there yet, but the progress is undeniable. We just need to keep stamping and keep fighting until we win a better democracy for ourselves and for future generations.

★★★