



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

MAY 10, 2019

NATIONAL NEWS

[RUSSIAN EFFORTS TO EXPLOIT RACIAL DIVISIONS IN 2016
FOUND FIRM GROUND IN U.S., REPORT SAYS](#)

THE NEW YORK TIMES

Russian disinformation operations to exploit racial tensions during the 2016 presidential election in the United States found firm ground in a country where legislators have long sought to suppress the black vote, according to a report released Monday. The report, “State of Black America,” was released by the National Urban League, a civil rights organization based in New York. It underlined the Russian interference in particular but said that black voting rights were under attack from a wide range of actors, including domestic politicians. In about two dozen states, voting restrictions have gotten worse since 2010 because of changes including new voter identification laws and decisions to limit locations where voters can cast ballots, the report said. The report’s findings on the Russian interference drew from academic research and federal investigations to highlight the huge campaign run by a St. Petersburg company called the Internet Research Agency, which deployed thousands of accounts on Facebook, Twitter and other platforms.

[ELECTION ASSISTANCE COMMISSION LOSES KEY EXPERT
AHEAD OF 2020](#)



CYBER SCOOP

The top official responsible for certifying voting systems at the federal Election Assistance Commission is stepping down, multiple sources confirmed to CyberScoop. The departure of Ryan Macias, the EAC's acting director of testing and certification, comes as the commission prepares for the 2020 election and continues to mull an important update to voting system security guidelines – a process that Macias has overseen. The commission's Voluntary Voting System Guidelines are a key set of principles that technical experts can use to evaluate the security of their systems. In February, the commission released the proposed new guidelines, known as VVSG 2.0 for public comment. The result could be the most thorough update to the guidelines since 2005. Macias also manages EAC's program that works with the country's top voting equipment vendors to certify and decertify voting system hardware and software, and accredits labs for testing equipment. Multiple people familiar with the matter told CyberScoop that Macias had given notice to EAC that he would be leaving this month.... Macias's resignation comes as the entire voting ecosystem – from technology vendors to federal, state, and local officials – prepares for the 2020 presidential election.... Macias is not the only technical expert at EAC to exit recently. In February, his predecessor as head of testing and certification, Brian Hancock, retired. Some lawmakers have pushed for an increase in EAC funding to hire more tech experts. A group of 31 Democratic senators last month urged appropriators to give EAC more money than what the Trump administration's fiscal 2020 budget allots, arguing that more cybersecurity expertise was needed at the EAC.

TRUMP LAWYERS CALL CONGRESS' DEMANDS FOR HIS TAX RETURNS, FINANCIAL STATEMENTS 'UNCONSTITUTIONAL'

THE WASHINGTON POST

Lawyers for President Trump called Congress's demands for his tax returns unconstitutional Wednesday, urging a federal judge to block a House Oversight Committee subpoena for years of his financial statements. In a 24-page filing, Trump's legal team asked the D.C. court to block a committee subpoena to Trump's accounting firm, Mazars USA, saying the panel's demand "lacks a legitimate legislative purpose." Even if there were one, Trump's lawyers argued, the newly elected Democratic-led House overstepped its authority by passing a

campaign finance and ethics bill as its first legislation in January that would require, among other things, the president and the vice president to make public 10 years of tax returns. “H.R. 1 and any similar proposal to regulate the President’s finances would be unconstitutional. Congress cannot interfere with the Executive’s execution of his duties, or add qualifications for President,” wrote Trump’s attorneys, led by William S. Consovoy of Arlington, Va. Trump’s lawyers argued that the president’s past personal dealings are irrelevant to the legislative branch’s duties.

[TRUMP SLAMMED OPPONENTS FOR BEING IN ‘CAHOOTS’ WITH SUPER PACS. NOW, HE’S ENDORSED A GROUP SUPPORTING HIM.](#)

THE WASHINGTON POST

In October 2015, then-candidate Donald Trump railed against his opponents and the political committees raising huge sums to try and boot him out of the primaries.... But on Tuesday, President Trump made a sharp about-face: He publicly endorsed America First Action, a super PAC run by his allies that aims to raise millions of dollars to ensure his second term.... Candidates and the independent super PACs that support them have increasingly found ways to work together without breaking laws barring outright coordination. But the Trump reelection campaign’s statement appeared to go further than any other. The statement came in response to alleged efforts by a former campaign aide accused of misleading donors about how they are spending money. It attracted attention from advocates for greater campaign finance restrictions, who pointed to it as the latest sign of the erosion of the independence that super PACs are supposed to maintain from the candidates they support. The Supreme Court has held that the government has an interest in restricting large campaign contributions to prevent corruption. When it opened the door to super PACs with its seminal Citizens United decision in 2010, the court wrote that unlimited donations for independent political spending could not be corrupting because it would not be coordinated with candidates. But Trump, advocates said, is taking advantage of a legal gray area that candidate committees and super PACs have used to stretch the legal boundaries of how much they can work in tandem with each other.

**Related Story: [Trump Campaign Denounces 'Dishonest' Fund-Raising That Uses President's Name.](#)*

**Related Story: [Inside a Top Trump Adviser's Fundraising Mirage.](#)*

TRUMP EMBRACES THE TRADITIONAL FUND-RAISING HE ONCE SHUNNED

THE NEW YORK TIMES

About 200 bundlers from across the country are expected to gather Tuesday at the Trump International Hotel for a series of meetings and workshops about the campaign's new fund-raising program. Vice President Mike Pence will address the group. Brad Parscale, President Trump's campaign manager, will play host. Stephen A. Schwarzman, the Wall Street billionaire, has R.S.V.P.'d yes. The group will be divided into tiers, based on success in raising money. The "Trump Train" donors, or those who raise \$25,000, will be given a lapel pin and access to a national retreat and leadership dinners. "Club 45" members, or those who raise \$45,000, will get all of that, as well as monthly conference calls with Republican Party leaders. And the "Builders Club," or those bundlers who raise \$100,000 or more, will be given access to national campaign events. It is the kind of traditional campaign fund-raising apparatus that Mr. Trump thumbed his nose at during his 2016 run. And it involves some donors who only grudgingly accepted him once he was the Republican presidential nominee.

A DAY AFTER BLOCKING HOUSE DEMAND FOR TRUMP'S TAX RETURNS, MNUCHIN ADDRESSED GATHERING OF HIS TOP FUNDRAISERS

THE WASHINGTON POST

Treasury Secretary Steven Mnuchin addressed a group of top donors backing President Trump's reelection Tuesday evening, making an unusual political appearance at a gathering that included industry executives his agency is tasked with regulating. Mnuchin's attendance at the kickoff event for the Trump Victory Committee came a day after he rejected a request from House Democrats for Trump's tax returns and as the Dow Jones industrial average fell sharply amid a trade standoff between the United States and China. Mnuchin was not listed as an official speaker at the event, held at the Trump International Hotel in

Washington, according to a copy of the agenda obtained by The Washington Post. But Tim Murtaugh, a spokesman for the reelection committee, confirmed that the Trump campaign invited Mnuchin to deliver brief remarks. He said participants came from “a wide range of American industries, including the financial sector....” Treasury secretaries in recent years have avoided attending fundraiser events with people they could be tasked with regulating, in part because of their unique role in overseeing a broad swath of companies in the financial system.... Cabinet secretaries can appear at campaign events as private citizens without violating the Hatch Act, a federal law that prohibits public employees from using their official capacity to conduct political activity. But the law prohibits them from being named by their official title in connection with their appearance, either in introductory comments or official event materials, and from soliciting donations. Treasury Department officials said Mnuchin planned to attend the event in his personal capacity and that he first sought guidance from Treasury’s ethics officials. Mnuchin did not solicit or accept any donations at the event, “nor is he utilizing Treasury resources” at the gathering, according to a Treasury spokeswoman.

[E.P.A. LEADERS DISREGARDED AGENCY’S EXPERTS IN ISSUING ASBESTOS RULE, MEMOS SHOW](#)

THE NEW YORK TIMES

Senior officials at the Environmental Protection Agency disregarded the advice of their own scientists and lawyers in April when the agency issued a rule that restricted but did not ban asbestos, according to two internal memos. Because of its fiber strength and resistance to heat, asbestos has long been used in insulation and construction materials. It is also a known carcinogen. Last month’s rule kept open a way for manufacturers to adopt new uses for asbestos, or return to certain older uses, but only with E.P.A. approval. Andrew Wheeler, the E.P.A. administrator, said when the rule was issued that it would significantly strengthen public health protections. But in the memos, dated Aug. 10, more than a dozen of E.P.A.’s own experts urged the agency to ban asbestos outright, as do most other industrialized nations.

[RUDY GIULIANI PLANS UKRAINE TRIP TO PUSH FOR INQUIRIES THAT COULD HELP TRUMP](#)

THE NEW YORK TIMES

Rudolph W. Giuliani, President Trump's personal lawyer, is encouraging Ukraine to wade further into sensitive political issues in the United States, seeking to push the incoming government in Kiev to press ahead with investigations that he hopes will benefit Mr. Trump. Mr. Giuliani said he plans to travel to Kiev, the Ukrainian capital, in the coming days and wants to meet with the nation's president-elect to urge him to pursue inquiries that allies of the White House contend could yield new information about two matters of intense interest to Mr. Trump. One is the origin of the special counsel's investigation into Russia's interference in the 2016 election. The other is the involvement of former Vice President Joseph R. Biden Jr.'s son in a gas company owned by a Ukrainian oligarch. Mr. Giuliani's plans create the remarkable scene of a lawyer for the president of the United States pressing a foreign government to pursue investigations that Mr. Trump's allies hope could help him in his re-election campaign. And it comes after Mr. Trump spent more than half of his term facing questions about whether his 2016 campaign conspired with a foreign power.... Mr. Giuliani's planned trip, which has not been previously reported, is part of a months long effort by the former New York mayor and a small group of Trump allies working to build interest in the Ukrainian inquiries. Their motivation is to try to discredit the special counsel's investigation; undermine the case against Paul Manafort, Mr. Trump's imprisoned former campaign chairman; and potentially to damage Mr. Biden, the early front-runner for the 2020 Democratic presidential nomination.

FEDERAL ELECTION COMMISSION LAYS BARE INTERNAL CONFLICTS AND CHALLENGES IN LETTERS TO CONGRESS

THE CENTER FOR PUBLIC INTEGRITY

The Federal Election Commission's four leaders are offering lawmakers clashing perspectives on the agency's very purpose. The FEC's greatest challenge to fulfilling its mission is a misperception that "adherence to the rule of law and sensitivity to Americans' First Amendment rights reflect hostility towards enforcing the law or, even, toward the Commission itself," Republican commissioners Matthew Petersen and Caroline Hunter wrote. Chairwoman Ellen Weintraub, a Democrat, took the opposite view, arguing the FEC has been "severely challenged from the inside by a group of commissioners who

harbor ideological opposition to the very nature of the agency and the law we are charged with enforcing.” The FEC commissioners’ comments are part of 171 pages’ worth of responses to dozens of questions Committee on House Administration Chairwoman Zoe Lofgren, D-Calif., sent the FEC on April 1. The Center for Public Integrity on Thursday obtained the FEC responses, dated May 1, from the Committee on House Administration. Commissioners at the FEC — an independent, bipartisan agency tasked with enforcing and regulating federal campaign finance laws — had refused the Center for Public Integrity’s requests to review their responses. Lofgren has openly doubted the FEC’s ability to function as the agency struggles with deadlocked votes, internal conflict, chronic vacancies and low morale. Her inquiries come at a time when “dark money” and the specter of foreign election influence have captured the attention of the public amid historically long and expensive federal campaign seasons.

LAWMAKERS SEEK TO CURB FOREIGN INFLUENCE BY CLOSING ONLINE POLITICAL AD LOOPHOLES

OPEN SECRETS

Lawmakers and transparency groups announced legislation Wednesday meant to close digital political advertisement loopholes that enabled Russian actors to meddle in the 2016 presidential election. Sens. Amy Klobuchar (D-Minn.) and Lindsey Graham (R-S.C.) introduced the 2019 Honest Ads Act, which would mandate disclosure of those paying for online political ads and create a publicly available database of political ads that appear on major online platforms such as Facebook, Google, Amazon, Snapchat and Twitter. The bill would encourage major platforms to ensure that foreign entities are not buying political ads. The bill was introduced with the backing of several campaign finance watchdogs. In a conference call Wednesday, Campaign Legal Center (CLC) President Trevor Potter, a former Republican FEC commissioner, said the bill would give “voters, journalists, and law enforcement officers important tools to help root out illegal foreign activity.” Special counsel Robert Mueller found that Russian actors spent more than \$100,000 on digital ads, many of which explicitly supported or opposed candidates — violating the federal ban on foreign involvement in elections. These ads were disseminated through fake accounts that mimicked existing political groups, but as disclosure laws apply only to TV and radio ads but not digital ads, users were unable to find out who was behind the ads. Following outrage over Russian-purchased ads meant to influence the 2016 election, Facebook, Google

and Twitter launched their own databases to track political advertising. But it's clear lawmakers and watchdogs don't want to rely on voluntary reporting. By the end of 2018, all three companies endorsed provisions in the Honest Ads Act, which applies to platforms with at least 50 million monthly users.

[DEMS WANT TO END DARK MONEY; BUT FIRST THEY WANT TO USE IT](#)

NPR

Reform-minded Democrats have long held up "dark money" — political money that can't be traced back to its source — as a symptom of what's wrong with politics in Washington. But while House Democrats this winter passed a bill to end the secrecy shielding donors behind unregulated dark money contributions, liberal activist groups now deploy those funds to boost the party's candidates in the 2020 elections. A recent study by the government reform group Issue One found that in the 2018 midterm elections, politically active tax-exempt groups spent about \$150 million in secret money, and Democratic-leaning groups accounted for 54 percent of it... Future Majority ran an ad in 2018 that attacked the dark-money system. In the ad, aimed at disaffected millennials, a young woman praises candidates who take a pledge to clean up politics. Another woman asks, "What about dark money?" She answers, "No dark money. Full disclosure of donors, and lobbyists." Future Majority intends to concentrate on messaging, branding and strategic advice, mostly in Midwestern states. Riddle said, "I think looking at the best tactics and the best words and the best images is going to be really, really important in going against one of the best marketers in Donald Trump." But once that's accomplished, he said he'd rather not have secret money. "I actually do believe that House Bill 1 is maybe the most important piece of legislation that can be passed," he said. H.R. 1 is the reform bill passed by the House; it includes a provision to require disclosure of contributions of \$10,000 or more to politically active tax-exempt groups.

[LIBERAL MEGADONORS PLAN \\$100 MILLION SWING-STATE BLITZ TO BEAT TRUMP](#)

POLITICO



The country's most powerful liberal donor club is reshaping its spending on the 2020 elections, playing down longtime relationships with groups in Washington and instead preparing to pour \$100 million into key states to help defeat President Donald Trump. The group, the Democracy Alliance, wants to fund everything from programs combating social media disinformation to candidate training sessions leading up to the elections and the next round of redistricting, according to a new three-year spending plan described to donors during a recent members-only meeting at the Four Seasons Hotel in Austin, Texas. It's a significant shift for the group, whose members pumped \$600 million into various causes on the left in 2017 and 2018. The Democracy Alliance has long been a major funder of left-leaning Washington-based institutions like the Center for American Progress think tank and the national media watchdog Media Matters. But while individual Democracy Alliance members may continue financing those groups, the groups are no longer a central focus for the donor club, whose members pledge to give at least \$200,000 a year to groups on a list of approved organizations.... The Democracy Alliance's next wave of spending will include "funding programs that listen to voters' concerns and amplify the policy records — and harm — that the Trump administration and conservatives have caused in Americans' lives," according to a spending plan reviewed by POLITICO. New Media Ventures, which invests in politically minded tech startups, is helping the group's digital organizing, spurred by concerns among Democrats that the GOP and Trump campaign deployed better digital advertising and organizing tactics in 2016 than they did. The Democracy Alliance is aiming to funnel more than \$5 million into digital spending in 2019, on top of the \$100 million in state spending.

IN THE STATES



[ZOE LOFGREN PUSHES BILL TO CLEAN UP WASHINGTON CORRUPTION](#)

SAN JOSÉ SPOTLIGHT

Congresswoman Zoe Lofgren is trying to do what some might say is impossible: Take money out of politics. On Saturday, the veteran lawmaker met with constituents at a town hall meeting in San Jose to discuss a recently passed bill in the House — a sweeping anti-corruption measure aimed at adopting stronger voting rights, enforcing stricter ethical standards on federal officials, ending partisan gerrymandering and getting big money out of politics.... The bill, titled H.R. 1 or “For the People Act” was drafted by the House administration committee that Lofgren leads and passed in the House in March by a 234-193 margin. The meeting Saturday was held at the Santa Clara County Board of Supervisors chamber, familiar to Lofgren who served as a supervisor for 13 years, before representing California’s 19th Congressional district, which covers a large portion of San Jose and Santa Clara County. The ambitious proposal is the Democrats’ latest attempt at cracking down on corruption and making government more transparent — a promise they’re trying to keep following the 2018 midterm.

[PROSECUTOR: PROOF OF ELECTION FRAUD IN U.S. HOUSE RACE IN VA.](#)

THE ASSOCIATED PRESS

A special prosecutor in Virginia said Monday that he’s presented two indictments of election fraud against someone who worked on a failed re-election campaign for a Republican congressman last year. Special prosecutor Donald Caldwell said his investigation into Scott Taylor’s 2018 campaign in Virginia’s 2nd Congressional District is still ongoing. Caldwell released a lengthy statement that offered fresh details on a months-old ballot-fraud scandal that clouded, if not doomed, Taylor’s bid for a second term in the district along Virginia’s coast. The scandal started after some of Taylor’s campaign staffers were accused last summer of forging voter signatures to place a third-party “spoiler candidate” on November’s ballot. The strategy was widely viewed as an effort to draw votes away from Taylor’s Democratic opponent, now a congresswoman, who had the backing of national Democrats.... The judge overseeing the lawsuit said there was evidence of “out-and-out” fraud by Taylor’s staffers. Caldwell, the



Commonwealth's Attorney for the city of Roanoke, was appointed to be special counsel for a criminal investigation. The statement he released Monday did not name the person who was indicted. But Virginia Beach Circuit Court Clerk Tina Sinnen told The Virginian-Pilot newspaper that a grand jury indicted Lauren Creekmore Peabody on two counts of false statements and election fraud.

[FBI TO MEET WITH FLORIDA DELEGATION TO DISCUSS RUSSIAN HACKING](#)

POLITICO

The FBI will hold a classified briefing with members of the Florida congressional delegation next week about suspected Russian hacking during the 2016 elections. The FBI is scheduled to meet with House members May 16. The agency will sit down Republican Sen. Rick Scott ahead of the delegation meeting.... Special counsel Robert Mueller last month revealed the suspected hacking in a report on Russian interference in the 2016 election. The disclosure jolted Florida officials, who had previously insisted the Russians had been unsuccessful in their hacking efforts. Republican Sen. Marco Rubio later confirmed the intrusion in an interview with The New York Times. His office has clarified that the Russians had access to a statewide voter registration database, not systems used to tally actual votes. A person with access to the database could have altered or changed voter information. Scott last month asked FBI Director Christopher Wray for any information the agency had to back up Mueller's conclusion. Reps. Michael Waltz (R-Fla.) and Stephanie Murphy (D-Fla.), both former national security professionals, last week wrote to Wray and Attorney General William Barr asking for a classified briefing "on the nature and extent of the Russian government's efforts to interfere with the 2016 election in our state." Gov. Ron DeSantis is also expected to meet with the FBI. DeSantis late last month expressed frustration that Florida officials don't know more about the incident, including which county was targeted.... Since the initial reports of Russian targeting local election offices surfaced, details have remained murky. The Republican-controlled Florida Legislature never delved into the incident or discussed the issue during the session that ended Saturday. An indictment filed by Mueller last year said Russian operatives sent more than 100 fake emails to elections offices and personnel in Florida. The final Mueller report said Russian hackers sent spear phishing emails to more than 120 email accounts operated by Florida county election officials.

FLORIDIANS GAVE EX-FELONS THE RIGHT TO VOTE. LAWMAKERS JUST PUT A BIG OBSTACLE IN THEIR WAY.

THE NEW YORK TIMES

In November, Florida voters approved a groundbreaking ballot measure that would restore voting rights for up to 1.5 million people with felony convictions. But the Republican-led Legislature voted on Friday to impose a series of sharp restrictions that could prevent tens of thousands of them from ever reaching the ballot box. In a move that critics say undermines the spirit of what voters intended, thousands of people with serious criminal histories will be required to fully pay back fines and fees to the courts before they could vote. The new limits would require potential new voters to settle what may be tens of thousands of dollars in financial obligations to the courts, effectively pricing some people out of the ballot box.... With the House voting 67-42 along party lines on Friday to endorse the new restrictions, the legislation goes next to Gov. Ron DeSantis, who had called on the Legislature to set additional standards for registering ex-felons to vote. The vast majority of criminal defendants are poor when they are arrested and even poorer after they are released from prison. The new restrictions have been attacked by civil rights groups and some of the initiative's backers as an exercise in Republican power politics, driven by fears that people with felony convictions are mostly liberals who could reshape the electorate ahead of presidential elections in 2020 and beyond.

**Related Story: [House Democrats Blast Florida's 'Illegal Poll Tax' Amid Federal Oversight Push.](#)*

FEDERAL JUDGES DECLARE OHIO CONGRESSIONAL MAP UNCONSTITUTIONAL

THE WASHINGTON POST

A unanimous panel of federal judges on Friday declared Ohio's Republican-drawn congressional map unconstitutional, adding to a growing number of states where partisan gerrymandering has been outlawed. That decision and a similar one last month in Michigan could be seen as signals from the lower courts to their superiors. The Supreme Court is deciding whether judges even have a role in such disputes. While the high court regularly polices redistricting plans for

racial gerrymandering, it has never found lawmakers' partisan efforts to preserve power so extreme that their actions violate the constitutional rights of voters. The justices' decision is expected by the term's end in June. But with the ruling in Ohio, federal courts in five states have struck down maps as partisan gerrymanders. The decisions will either guide the Supreme Court to find there is a way for judges to identify extreme partisanship — or make the rulings short-lived.

**Related Story: [Lower Courts Are Lobbying SCOTUS to Rein in Partisan Gerrymandering.](#)*

DEMOCRACY VOUCHERS CLEAR ONE MILLION DOLLARS

THE STRANGER

Over one million spent in the name of Democracy: The city gave every voter in Seattle \$100 to spend on City Council campaigns this year, and it appears as if people are energetically spending it. Voters have assigned \$1.2 million in Democracy Vouchers to candidates this year, with seven candidates bringing in at least \$50,000 to their campaigns, according to the city's latest data release yesterday. KUOW's Amy Radil over at KUOW has a story that looks at two of the most heated battles over Democracy Vouchers: District 4's matchup between Shaun Scott (\$91,350 in vouchers) and Alex Pedersen (\$79,100 in vouchers) as well as District 3's matchup between Logan Bowers (\$59,400 in vouchers) and Kshama Sawant (\$0 in vouchers). Sawant might be Seattle's most famous socialist, the incumbent councilmember is one of the few candidates this year to say no to the public financing program.

★★★