



WEEKLY NEWS ROUND UP

DEMOCRACY REFORM TASK FORCE

REP. JOHN SARBANES, CHAIR

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NATIONAL NEWS

THE OVERHAUL PARTY

CQ ROLL CALL

If Max Rose's voters expected the freshman lawmaker from Staten Island, N.Y., to quiet down this election cycle about a major overhaul of the nation's political system, they were mistaken. It was a centerpiece of the Democrat's campaign-trail mantra in 2018. And now, as one of the most vulnerable incumbents in Congress, he's not stopping. Neither are many of his similarly situated colleagues. Rose was among the challengers who pressed the party's leadership to take up a sweeping campaign finance, ethics, voting rights and lobbying law revamp -- assigned the symbolically significant HR 1 bill number -- as a first order of business this Congress. House members passed it on a party-line vote, and Senate Majority Leader Mitch McConnell has lived up to his promise to block it. The policy tenets of the overhaul, and GOP efforts against them, may prove pivotal in Rose's race and other 2020 contests that will determine which party controls the House and Senate. The multiple political money scandals, including charges of foreign influence against associates of President Donald Trump's personal lawyer Rudy Giuliani and a separate conviction against another Trump attorney, Michael Cohen, have shone a spotlight on the darker corners of campaign contributions, potentially ripening voters' interest in a wholesale political overhaul along the scale of the 1970s post-Watergate agenda. "I'm going to keep talking about it. I'm going to keep hammering away at home at it," Rose says, his voice booming, in a hallway outside the House floor. Voters, he adds, believe that if lawmakers are to have any hope of big

changes, on lowering prescription drug prices, for example, then "anti-corruption measures, true system reform, bottom-up, wholesale change is absolutely vital." He and other Democrats say this because, in their view, well-financed industries can put their thumbs on a legislative scale, tipping the balance in their favor with campaign donations and lobbyists. That's a frequent refrain among Democratic presidential candidates, with Joseph R. Biden Jr., Elizabeth Warren and Bernie Sanders all issuing campaign finance and anti-corruption blueprints.

KOCH MACHINE STEPS UP LOBBYING TO STALL CLIMATE ACTION, FIGHT DONOR DISCLOSURE

PR WATCH

Newly released figures show that Koch Industries has spent almost 20 percent more on federal lobbying expenses so far this year than it had at the same time last year. With the U.S. House in Democratic hands, Koch, like other fossil fuel companies, is forced to play defense on energy issues, along with pushing back against Trump trade policies. Koch spent \$9.1 million on lobbying for the first three quarters of 2019, both for the company's own lobbyists and outside lobbying firms. At the same point last year, the company had spent \$7.7 million. The company's lobbying reports don't break down expenses by issue or legislation, but show that Koch Industries has lobbied on at least 46 bills, nominations to the Environmental Protection Agency, and U.S. trade negotiations.... In addition, Koch Industries has been actively lobbying against H.R. 1, the House Democrats' sweeping anti-corruption and election reform package known as the For the People Act of 2019. Koch and its influence network, including Americans for Prosperity (AFP) and the State Policy Network (SPN) strongly oppose the bill's donor disclosure provisions. Both AFP and SPN have also reported lobbying against the bill.

TRUMP UKRAINE FRACAS ECHOES NIXON, CLINTON CAMPAIGN-LAW SCANDALS

BLOOMBERG GOVERNMENT

Elton John headlined a fundraising concert for Hillary Clinton's 2008 presidential bid, triggering a complaint, rejected by the Federal Election Commission, that the British pop star violated a ban on foreign contributions in U.S. elections. In the 1990s, charges that Chinese businessmen funneled millions of dollars into the

Democratic and Republican parties through straw donors spurred congressional hearings and hefty fines. Once again, Washington is grappling with accusations of unlawful foreign involvement in U.S. elections as House Democrats conduct an impeachment inquiry into President Donald Trump's demand that Ukraine President Volodymyr Zelenskyy probe a potential Democratic opponent, former Vice President Joe Biden, and his son Hunter. What's different now is that the episode at the heart of the probe involves not money but something that could be just as valuable—a foreign government investigation of a political rival, according to Ciara Torres-Spelliscy, a law professor at Stetson University, who's studied the history of campaign finance law. "It is beyond the pale," Torres-Spelliscy said, to make the request Trump did in a phone call to Zelenskyy. The House clearly could determine this was an illegal solicitation of something valuable to the president as a candidate for re-election, she said, but lawmakers wouldn't be able to point to a specific precedent.... Determining the legality of Trump's request for a foreign government investigation could depend on where the House looks for guidance. The Trump Justice Department and the Democratic chairwoman of the FEC are starkly divided about whether campaign-finance law may have been violated. FEC Chairwoman Ellen Weintraub said laws barring foreign campaign contributions are broad and could cover a request for non-monetary help, such as investigating an opponent. She's proposed an "interpretive rule" to state this, but the FEC lacks a quorum of at least four commissioners needed to approve any new rule.

TRUMP COULD GET WHACKED BY LEGAL LOSSES IN COMING MONTHS

POLITICO

The final year of President Donald Trump's first term will be loaded with legal landmines — and it's not just the impeachment cases. Trump could face court rulings that say he is illegally profiting from foreign governments, that he must hand over his tax returns and that lawmakers should see more of Robert Mueller's Russia probe evidence. He may even get hit with Supreme Court decisions that rebuff his administration's bold claims of presidential immunity from prosecution and congressional investigations. Nothing is certain with the courts, of course. The Supreme Court might not take up every case, while others could drag out beyond Election Day 2020. Judges could rule narrowly in some matters and Trump could prevail in others. But the president's no-compromise,

litigation-first defense strategy has created a queue of potentially perilous disputes that could force embarrassing testimony or unflattering document disclosures at the peak of his bid for a second term.... Any Supreme Court ruling on these cases could define the contours of executive branch power for Trump and his successors, setting precedents on heated questions such as whether a sitting president can be criminally investigated and when the White House can resist a congressional subpoena. It could also offer some clarity to the Constitution's vague and largely untested emoluments clause, which bars federal officials from receiving payments from foreign governments.

THE POLITICAL CORRUPTION LEGALIZED BY THE SUPREME COURT

THE NATION

When discussing corruption in the Trump era, it's easy to focus on the most flagrant examples. The Trump Organization announced last week that it plans to sell its infamous D.C. hotel, which gave businesses and foreign governments seeking the White House's favor a high-profile mechanism to funnel cash into the Trump family's coffers. Subtlety has never been their strong suit. "People are objecting to us making so much money on the hotel, and therefore we may be willing to sell," Eric Trump, one of the president's sons, told The New York Times. Easier to miss are the more innocuous and pedestrian ways that money—especially large sums of it—shapes American politics. Over the past 15 years, the Supreme Court has aggressively struck down campaign-finance regulations on First Amendment grounds. The system they've carved out of Congress's efforts to constrain public corruption rests upon a series of assumptions that have proven laughable.... Federal campaign finance laws are supposed to reduce the reality or appearance of corruption in American politics. In recent years, however, this regulatory regime has lent corruption a legal structure in which to flourish.

IS AMERICA A DEMOCRACY? IF SO, WHY DOES IT DENY MILLIONS THE VOTE?

THE GUARDIAN

Until recently, the Voting Rights Act of 1965 ensured that the federal government had oversight of changes to voting systems in those US states that had a history of

voting discrimination. But that changed six years ago with a supreme court ruling that gutted the law. It meant that those very same states no longer had to get “pre-clearance” from the federal government for legislation affecting elections and voting processes. In other words, the states with the worst history of voting discrimination were free to revert to something like their previous behavior. The Brennan Center at New York University – the foremost non-partisan organization devoted to voting rights and voting reform – reports that “over the last 20 years, states have put barriers in front of the ballot box – imposing strict voter ID laws, cutting voting times, restricting registration, and purging voter rolls. These efforts, which received a boost when the supreme court weakened the Voting Rights Act in 2013, have kept significant numbers of eligible voters from the polls, hitting all Americans, but placing special burdens on racial minorities, poor people, and young and old voters.” The measures these states have introduced, affecting millions of Americans, are designed to suppress the vote, hence the term “voter suppression”. Such policies not only endanger the gains of the civil rights era, which ushered in the Voting Rights Act, but they also threaten the notion that the United States is at the forefront of western liberal democracies.

FEDS AND POLICE ARE WAR-GAMING ALL THE WAYS AN ELECTION CAN BE HACKED

THE WASHINGTON POST

As voters head to the polls today in Virginia's odd-year contest, federal officials and local police are war-gaming how adversaries could disrupt next year's contest without hacking any election systems at all. Officials from the FBI, Department of Homeland Security and U.S. Secret Service are working with cops in Arlington to game out how to respond if hackers from Russia or elsewhere in 2020 disrupt electricity at polling places, shut down streetlights, or hijack radio and TV stations to suppress voter turnout and raise doubts about election results. They'll also test how to respond if adversaries launch social media campaigns to incite fights at polling places — or to spread rumors about riots or violence that deter people from going out to vote. Cybersecurity experts and academics will play the mock hackers, lobbing new challenges at officials throughout the day. The exercise underscores how hackers could destroy public faith in an election's outcome without changing any votes.

IN 2020, SOME AMERICANS WILL VOTE IN THEIR PHONES. IS THAT THE FUTURE?

NPR

For decades, the cybersecurity community has had a consistent message: Mixing the Internet and voting is a horrendous idea.... And yet, just a few years removed from Russia's attack on democracy in the 2016 presidential election, and at a time of increased fear about election security, pockets of the U.S. are doing just that: experimenting with Internet voting as a means to increase turnout.... Just last year, Alaska shut down a Web portal it had been using to accept absentee ballots from overseas voters.... The Democratic National Committee made a similar judgment call this year in nixing a proposal for remote caucusing in Iowa and Nevada. At the same time, however, West Virginia and counties in Utah, Oregon and Colorado are at different stages in implementing a new Internet voting app to allow overseas and military voters to cast votes on their phones. The goal is to make things easier for some of the voters who are farthest away. Exactly 144 overseas voters used the mobile app to vote in West Virginia in 2018, even though most experts who focus on cybersecurity and voting say the Internet isn't yet secure enough to mix with elections. The broad push recently has been back to paper ballots and machines that produce a voter-verified paper trail, because they allow for election results to be double-checked in a way that can guarantee an election's accuracy. Many experts argue that no computer can be completely unhackable, so to get the public to have full faith in its elections, the voting has to be done on paper.... A common refrain among online-voting advocates is that people bank and shop online, so they should be able to vote online too. But breaches and fraud happen online every day, DeMillo observes, and companies accept the millions in dollars in losses as the cost of doing business. Fraud is such a part of the world of finance that the American Bankers Association issues regular reports about it. Election officials can't accept that a certain percentage of votes cast might not be legitimate, because, among other reasons, so many races in the U.S. are decided by thin margins.

[“DEEP FAKE” VIDEOS COULD UPEND AN ELECTION — BUT SILICON VALLEY MAY HAVE A WAY TO COMBAT THEM](#)

THE LOS ANGELES TIMES

Election officials and social media firms already flummoxed by hackers, trolls and bots are bracing for a potentially more potent weapon of disinformation as the 2020 election approaches — doctored videos, known as “deep fakes,” that can be nearly impossible to detect as inauthentic.... On Tuesday, leaders in artificial intelligence plan to unveil a tool to push back — it includes scanning software that UC Berkeley has been developing in partnership with the U.S. military, which the industry will start providing to journalists and political operatives. The goal is to give the media and campaigns a chance to screen possible fake videos before they could throw an election into chaos. The software is among the first significant efforts to arm reporters and campaigns with tools to combat deep fakes.

IN THE STATES

[HOUSE SPEAKER NANCY PELOSI, REP. MIKE LEVIN TALK GOVERNMENT REFORM, ETHICS IN OCEANSIDE](#)

THE SAN DIEGO UNION-TRIBUNE

At the event, with dozens of pro-Trump protesters amassed outside, Pelosi joined Rep. Mike Levin and more than 250 San Diego County residents for a discussion focused mostly on campaign finance and ethics reform. Pelosi and Levin, a freshman Democrat from San Juan Capistrano, touted House Resolution 1, the first bill Democrats passed when taking control of the House earlier this year. The bill, dubbed the For the People Act of 2019, is an anti-corruption bill that seeks to expand voting rights, propose new financial disclosure requirements on campaigns and creates incentives for elected officials to build campaigns around small donors rather than large corporate donations. The bill has little chance of passing. Senate Majority Leader Mitch McConnell, R-Ky., made it clear early that he does not intend to take it up in the Senate. But that didn't deter House Democrats from making it a priority and some candidates from using it as a campaign issue.

GEORGIA BETS ON NEW VOTING SYSTEM AMID HIGH-STAKES ELECTION

AJC

With a presidential election on the line in 2020, Georgia is switching to a new voting company, Dominion Voting Systems, that state evaluators ranked second-best and that critics said will leave elections vulnerable. Dominion, based in Denver, must rush to install 30,000 voting machines for 7 million Georgia voters before the March 24 presidential primary, the largest rollout of elections equipment in U.S. history. Most voters in Tuesday's local elections will cast ballots on Georgia's 17-year-old machines, and voters in six counties are testing Dominion's machines. The company faces intense scrutiny in Georgia, one of the most competitive states in the nation entering an election year featuring President Donald Trump and two U.S. Senate seats on the ballot.

THE WEAPONIZATION OF NEW YORK'S CAMPAIGN FINANCE COMMISSION

NEW YORK DAILY NEWS

The creation of the Public Campaign Financing Commission has been a rare chance for New Yorkers to have a robust discussion on how to eliminate very wealthy people's disproportionate influence on politics and expand democratic choice. Unfortunately, recent statements by Gov. Cuomo, his appointee Jay Jacobs and former Gov. David Paterson show the commission has perversely become a cudgel with which to attack smaller parties while defending major parties and incumbents. The concerns raised by all three men are broadly similar: Public financing is expensive, fusion will increase the expense, it is too easy to become a ballot-status party and more groups will aim to do so in order to receive public campaign funds; thus, the threshold for access to funds must be high and requirements to become a party must be raised in order to weed out most third parties. Each of these arguments is flawed, and flawed in a way designed to persuade voters we cannot enact a system of broad public financing and have multi-party democracy.

**Related Story: [Cuomo Concerned About Costs of Public Matching Program As He Questions Third Party Impact On State Elections.](#)*

FLORIDA'S "ARBITRARY" ELECTION LAWS KEEP THOUSANDS FROM VOTING, EXPERTS SAY

THE ORLANDO SENTINEL

Years ago, the deadline to register to vote in Florida was set at 29 days before the election.... Today, we live in an age of instantaneous communication, massive databases and several ways to verify identity. And the voter registration deadline in Florida is still 29 days before the election. "Many laws don't get changed as technology changes," said Orange County elections supervisor Bill Cowles. The early registration deadline is just one example of how the state's elections laws "are as arbitrary as they come," said Florida ACLU executive director Micah Kubic. Mail-in ballots need to be delivered by the end of Election Day – leaving the fate of many ballots to the Post Office. Thousands of ballots were rejected for mismatched signatures, often because voters awkwardly signed on electronic pads.... One year after an incredibly close 2018 election exposed serious flaws in those laws – and led to the first real changes in years – many critics and voting rights experts still say the voter experience in Florida continues to disenfranchise thousands of people.

N.C.'S CONGRESSIONAL DISTRICT REDRAW STARTS TUESDAY

WTOP-FM (ONLINE)

The nuts and bolts of yet another North Carolina redistricting will start getting laid out Tuesday when legislative leaders huddle on the state's court-challenged congressional maps. House and Senate leadership announced the committee late Monday, appointing the usual suspects to oversee the process. The interim committee on redistricting plans to meet at 1 p.m. Tuesday in Room 544 of the Legislative Office Building. The meeting is open to the public. A three-judge panel last week ordered the state not to proceed with the 2020 elections under the current congressional map, saying it may soon be declared an illegal partisan gerrymander under the North Carolina constitution. The judges didn't order the General Assembly to redraw the map yet, but lawmakers expect that's coming and are taking preemptive steps, as the court said they could.

[“DEMOCRACY DOLLARS” VOTED DOWN, BUT OTHER PUBLIC FINANCING IMPROVEMENTS, BONDS PASS](#)

THE NM POLITICAL REPORT

A high-profile ballot question in Albuquerque endorsed by three Democratic presidential candidates failed on Tuesday in a high-turnout election. With all precincts reporting, the unofficial results showed “No” winning with 51.25 percent of the vote in unofficial results. The Democracy Dollars ballot initiative would have shored up the city’s public financing program and allowed voters to direct vouchers of \$25 for qualified candidates.

[NEXT ELECTION SEASON SAN FRANCISCO MAY SEE MORE GRASSROOTS FUNDRAISING](#)

KALW-FM (ONLINE)

In 2000, San Francisco passed what was considered a highly progressive public finance system for city elections. But since that time, analysts say that San Francisco has fallen far behind other major U.S. cities. Supervisor Gordon Mar represents San Francisco’s District 4 in the Sunset. In September, the Board of Supervisors passed his “Public Financing 2.0” legislation, which will go into effect in January 2020. The new law will dramatically increase the amount of public funding accessible to candidates.

[THESE HUGELY POPULAR LOCAL NEWS SITES IN THE U.S. AND CANADA ARE FAKE](#)

BUZZFEED

Since 2004, more than 2,000 newspapers have closed in the United States, and many local news outlets are struggling to build a digital business. But one remarkable success story is the Albany Daily News, a website that clocked nearly 10 million pageviews in August, roughly five times that of the 160-year-old Albany Times Union newspaper, according to analytics service SimilarWeb. The most popular news site in Albany has a simple secret to success: Fake just about everything and rake in the advertising dollars. The Albany Daily News is an empty husk of a website filled with old content that for months was showered with questionable traffic as part of a digital ad fraud scheme, according to new research

from Social Puncher, an ad fraud prevention consultancy. The Albany site has a Canadian counterpart, City of Edmonton News, that's generated more pageviews than authentic local news operations such as the Edmonton Journal and Edmonton Sun, according to SimilarWeb. Those two were recently joined by another fake local site, the Laredo Tribune, which began receiving significant traffic in September. There's also a now-dormant site called the Stanton Daily whose domain now redirects to the Albany site.

KEY OPINION

[THE GOP IS IGNORING THE WILL OF THE AMERICAN PEOPLE](#)

THE HILL (OPINION)

Three times. That's how many attempts Senate Democrats have made to pass much-needed democracy reform legislation in recent months, only to have it blocked by Senate Republicans. The latest example was last Wednesday when Senate Majority Leader Mitch McConnell (R-Ky.) and Senate Republicans blocked a critical vote on H.R. 1, the For the People Act, a groundbreaking democracy reform bill that passed with unanimous Democratic support in the House earlier this year. Our democracy works best when everybody's voice can be heard, instead of being drowned out by the voices of corporate interests and dark money. H.R. 1 is a bold, once-in-a-generation democracy reform package designed to realize the promise of our democracy and repair our democratic institutions.... By stopping the legislation from moving forward, Senate Republicans are standing in the way of critical election security measures.... The Senate must bring H.R. 1 to the floor for a vote immediately. This continued obstruction by McConnell and Senate Republicans signal that they are putting special interests over the interests of the American people.

EMPOWER THE FEC TO FIGHT ELECTION CRIME

BLOOMBERG (EDITORIAL)

Igor Fruman and Lev Parnas, two Soviet-born associates of Rudolph Giuliani, are charged with funneling \$325,000 in foreign money into a super-PAC supporting President Donald Trump's 2020 reelection campaign. Their indictment should serve as a warning about the threat of foreign manipulation of U.S. elections. It also proves the need for a functioning Federal Election Commission. After a resignation in August, the six-seat commission is down to only three members. The commission needs four for a quorum, and requires a quorum to authorize investigations by its office of general counsel. So FEC lawyers can work on cases previously authorized, but they can't investigate new ones until the president nominates, and the Senate confirms, at least one new commissioner. Trump has nominated Texas lawyer James "Trey" Trainor III — but Senate Majority Leader Mitch McConnell, who has fast-tracked dozens of federal court nominees, has dragged his feet on this one, failing to schedule a hearing or a vote.... America's elections are under attack. The Senate Intelligence Committee's bipartisan report and the findings of special counsel Robert Mueller made that clear. Leaving the FEC impotent in the face of such threats is grossly irresponsible.

DON'T ABOLISH POLITICAL ADS ON SOCIAL MEDIA. STOP MICROTARGETING.

THE WASHINGTON POST (OP-ED BY FEC CHAIR ELLEN L. WEINTRAUB)

Twitter's surprise announcement on Wednesday that it would stop selling political advertising is an inflection point in paid political ads on the Internet. Twitter has made its move; pressure will build for the other Internet giants, particularly Facebook, to respond. Here's a move that would allow political ads while deterring disinformation campaigns, restoring transparency and protecting the robust marketplace of ideas: Sell political ads, but stop the practice of microtargeting those ads. "Microtargeting" is the sales practice of limiting the scope of an ad's distribution to precise sets of people, such as single men between 25 and 35 who live in apartments and "like" the Washington Nationals. But just because microtargeted ads can be a good way to sell deodorant does not make them a safe way to sell candidates. It is easy to single out susceptible

groups and direct political misinformation to them with little accountability, because the public at large never sees the ad.... When candidates — or anyone else — try to influence voters, they should be willing to let a wide range of voters hear what they have to say, instead of a precision-targeted few.

[THE REAL REASON FACEBOOK WON'T FACT-CHECK POLITICAL ADS](#)

THE NEW YORK TIMES (OP-ED)

When Twitter's chief executive, Jack Dorsey, announced on Wednesday that Twitter would no longer host political advertisements, he scored points with those who lament the ways social media platforms have polluted political culture. At Facebook, Mark Zuckerberg responded by reaffirming that his company would continue to distribute political ads without fact-checking them. "In a democracy, I don't think it's right for private companies to censor politicians, or the news," Mr. Zuckerberg said in a Wednesday earnings conference call.... If Facebook's leaders were willing to level with us, they would stop defending themselves by appealing to lofty values like free speech. They would focus instead on more practical realities: Facebook is incapable of vetting political ads effectively and consistently at the global scale. And political ads are essential to maintaining the company's presence in countries around the world.... We should know better than to demand of Facebook's leaders that they do what is not in the best interests of the company. Instead, citizens around the world should demand effective legislation that can curb Facebook's power. The key is to limit data collection and the use of personal data to ferry ads and other content to discrete segments of Facebook users — the very core of the Facebook business model.

★★★