

represent **Us**

# LOOK FORWARD: DEMOCRACY REFORM IN 2021

DECEMBER 2020



**This document outlines how RepresentUs is adapting and expanding our strategy to respond to America’s emergent threat: the rise of authoritarianism and minority-party rule; while we double down on our work to fix the underlying system failures that enabled its ascension. We outline three program areas, and several pilot programs in this snapshot of what’s ahead.**

## **2020: UPHEAVAL AND ADAPTATION**

The rise of American polarization, political dysfunction — and more recently authoritarianism — is the result of decades of failure to effectively address the systemic flaws in our political system. The past four years culminated in the Trump Administration breaking through countless safeguards: federal agencies defanged or coerced into supporting autocratic impulses, inspector generals and myriad officials dismissed for doing their jobs, rule of law and long-standing norms tossed aside.

The 2020 election revealed still more fissures, as state officials were placed under inappropriate and extraordinary pressure to overturn the people’s vote, and 19th century election protocols withered in the face of modern attacks from within our own government. Recently, some 25% of the Pennsylvania legislature, including the Speaker and Majority Leader of the House, signed a letter to their Congressional delegation asking them to invalidate the state’s Electoral College votes. This is not an outlier; it is a cancer. We have become dependent on the backbone of just a few public officials to keep democracy’s ship afloat — a prospect as unAmerican as it is unsustainable.

The malignancy is not going to magically disappear once Donald Trump leaves office. He has raised over \$200 million dollars into his PAC since November 3, and he will continue to lord over a party transformed in his image. He broke down the door and now authoritarianism is metastasizing atop anti-majoritarian and anti-democratic actions quietly advanced in recent decades. Indeed, enemies of a competitive and responsive democratic system have a clear playbook for the next 4 years: they are already moving to gerrymander state legislatures and the U.S. House in 2021 to lock in control for the next 10 years. They are already moving to advance a slate of bills in swing states under the guise of “electoral reform,” designed to suppress voters, erode safeguards, and further manipulate the election administration and certification process. In 2022 and 2024, they will again demand loyalty from election administrators and “primary” or replace those who will not genuflect. Ultimately, they will push the U.S. Supreme Court to shut the door behind them by ruling that only state legislatures and Congress (both rendered wholly unresponsive by terminal gerrymandering in 2021) have the power to adjust and adjudicate federal election laws — neutering the ability of citizen ballot initiatives, governors, and state courts/state constitutions to correct the course.

While our analysis could be misconstrued as partisan, it is not. One major political party has decided that representative democracy is not in its interest, and we must respond accordingly. We remain staunchly nonpartisan.

## 2020 LESSONS LEARNED:

- While we continue our work to cure the cancer of political system failure through election, ethics, and campaign finance reforms, we must simultaneously mend these new wounds — lest democracy bleed out before we cure the disease.
- RepresentUs is central to that work, as an organization with a proven and staunchly nonpartisan track record, operating in a reform ecosystem dominated by progressive/Democrat-leaning advocacy groups. Only 26% of Americans self-identify as liberal, and only 30% of voters are Democrats. Success requires winning with cross-partisan alliances that engage Independents and Republicans with non-progressive messages and messengers. It requires credible, conservative lobbying operations, mobilization and public pressure by trusted non-progressive brands/organizations.
- The task at hand requires a unified front: a coordinated, scaled effort comprised of a select (<5) group of high-caliber nonpartisan organizations, each with clearly-specified roles, accountabilities and capacities.

**Below is an overview of our expanded Core and Pilot program structure for 2021. As we scale existing and build new programs, we are integrating institutional partnerships into each.**

## CORE REPRESENTUS PROGRAMS

### 1. PROTECTING DEMOCRACY IN STATE LEGISLATURES (NEW SHORT-TERM PROGRAM)

*In response to emerging threats, we are launching a nonpartisan State Lobbying Program to:*

- *Extract a political price for supporting authoritarianism [“NRA for democracy”]*
- *Prevent legislatures from gerrymandering [targeting high impact states]*
- *Patch key holes in the election administration & certification process [battleground states]*
- *Defeat faux “reform bills” meant to disenfranchise voters in 2024 [battleground states]*

Gerrymandering with 2021 data and supercomputing power will be far more effective than in 2011, and has the potential to lock in undue majorities for an entire decade. We have the unique ability to act as a cudgel without being immediately dismissed as partisans. RepresentUs is ideal for this role, as swing-state legislatures are almost entirely Republican controlled. Progressive messaging, delivered by lefty messengers and Democratic lobbyists, won't sway Republican legislators to defy their base.

We are already structured for this work. In 2020, with no reliable partners on the state level to work with on the right, we created them, and placed Republican lobbyists under retainer in key swing-states. We used right-leaning messaging and messengers to inoculate against legislatures sending alternate slates of electors. We mobilized thousands of Republican and Independent constituents to call their representatives. We worked collaboratively with our national allies, playing an essential role that they could not play as left-leaning groups.

Today, in most swing states we are already seeing moves towards legislation disguised as “reform bills” to disenfranchise voters. The first salvos have already been fired in [Georgia](#), [Pennsylvania](#),

[Wisconsin](#), and [Michigan](#). Our program will run a no-holds barred accountability campaign/Political Action Committee to stop gerrymandering, defeat bad bills, and name and shame elected officials who openly embrace authoritarianism. There must be a bright, nonpartisan line drawn between democracy and authoritarianism. Any official who steps over that line needs to be publicly called out and shamed. We need to make it painful enough that they renounce authoritarianism. If they refuse, we will run recall campaigns, and/or come after them in their regular election. We will run sophisticated independent expenditure (IE) campaigns, and offer no mercy until they either publicly retreat or are removed from office.

## **2. STATE & CITY STRUCTURAL REFORMS (OUR CORE LONG-TERM POLITICAL WORK)**

*Seed, grow, and win high-impact structural election reform policies via ballot initiative and legislative lobbying in cities and states, prioritizing campaigns at the intersection of policy impact and political viability.*

Since our founding in 2012, RepresentUs has attacked the 'root cause' of political system failure by opportunistically passing laws that realign political incentives through changes to election, ethics, and campaign finance laws. Our political strategy follows the footsteps of successful movements — marriage equality, women's suffrage, marijuana, etc. — that turned to the states in the face of insurmountable obstacles in D.C., building momentum for federal reform. To date, our Campaign Accelerator has delivered top-caliber, locally-branded political, policy, legal, design, communications, digital, and grassroots support, and have helped secure more than 130 victories across the nation. In 2018, we saw more binding reforms (23) pass than at any time in American history.

[List of victories here.](#)

In 2020, our movement won important statewide victories, including Virginia (anti-gerrymandering), Alaska (ranked choice voting and open primaries), and several citywide election reforms. Notably, Alaska has now passed the most impactful democracy reform package in American history, showing the structural path out of the doom loop of extremism and partisanship. With victories in 2018 and 2020, Alaska is a new model state for reform; a 'Shining City on a Hill' with roughly 70% of the American Anti-Corruption Act now on the books. The importance of this cannot be overstated, and is instructive in our program design.

While the pandemic slowed us down (dropping our menu of 2020 high impact statewide campaigns from roughly 10 to 4), and the Massachusetts ranked choice voting ballot measure defeat was a sore disappointment, we must remember that marriage equality lost 32 ballot initiatives between 1998 and 2012 before their ultimate victory. If we do not remain committed to long-term structural reform, we will find ourselves in 2030, still chasing symptoms without addressing the underlying disease as democracy withers.

Success requires increased investment in states, select municipalities, and federally, a more assertive expansion into state legislative lobbying (and less reliance on ballot measures), more proactive "seeding" of campaigns, and the continued growth of a robust democracy movement that cannot be ignored. We continue to prioritize ranked choice voting/open primaries (in particular in upcoming Senate battleground

and open races), anti-gerrymandering, and voter access. Yet we remain opportunistic, pursuing a broad range of impactful policies based on viability. [Full policy platform here](#). Critically, we are doubling down on our investment in recent victory states to protect wins, ensure proper implementation of law, and set the table for further reform. And we're evaluating near-miss opportunities for a second campaign (Massachusetts, Arkansas, North Dakota, Nebraska, Oklahoma, and Missouri), and beginning deeper investment in a handful of key states to replicate what we achieved in Alaska: turning additional states into full-suite pro-democracy models.

### **3. SCALE AND EXPAND THE DEMOCRACY MOVEMENT (OUR CORE MOVEMENT WORK)**

We will continue to be the premiere nonpartisan American democracy movement organization, recruiting millions of conservatives, independents, and progressives into the fight. The national trauma of the 2020 election cycle will enable movement building at unprecedented scale, and RepresentUs is the best equipped nonpartisan democracy organization to do it. With our track record of unifying and coordinating a fractured and disparate field, we are a proven and trusted convener and broker. We will expand our ranks, connect our members with real-time reform efforts, create watchdog networks in cities and state legislatures, and mobilize for reform in the highest impact locations.

## **TEST FIRST: 2021 PILOT PROGRAMS**

RepresentUs is launching a set of pilot programs — most in response to emerging threats. These programs are designed by our R&D department to use limited resources while providing a viability test: if they prove impactful/viable, they will be scaled to Core programs. This kind of strategic agility is essential. For most, we will work in close coordination with other advocacy groups and leverage our existing infrastructure.

### **FEDERAL PILOT PROGRAMS**

We are piloting a new, streamlined Nonpartisan Federal Lobbying Program to liaise with current federal efforts, and more effectively link our state-based advocacy to existing efforts led by partner organizations.

#### **1. OMNIBUS FEDERAL REFORM (IF DEMOCRATIC TRIFECTA IN 2021)**

While much is contingent on the results of the January 5 Georgia Senate races, it is possible that federal opportunities to pass omnibus reform, such as the Democrats' HR-1, will arise — though historically, Democratic party leadership has consistently failed to advance democracy reform when they've had the chance. If this opportunity opens, we will work collaboratively with the field to pass HR-1 by filling the most important gaps created by its strong leftward tilt, through RepresentUs and new, conservative spin-up brands in key states.

#### **2. OPPORTUNISTIC FEDERAL REFORM (IF SPLIT CONGRESS IN 2021)**

In the more likely scenario that Congress remains divided, opportunities may materialize to pass incremental yet impactful democracy reforms related to ethics, transparency, accountability, election

administration, and more. A new Senate could see a moderate wedge ready to cross the aisle to support sensible reform; moreover, Mitch McConnell is 78 years old and frail. We must prepare, and this pilot program again focuses on the gaps. We will work in coordination with other groups to create state-based cover and political backing for key moderate senators to act without fear of political retribution. (Note: the ballot measure we passed in 2020 in Alaska purposefully frees Sen. Murkowski from this bind.) This pilot investment helps set the table to eventually pass full-suite, omnibus democracy reform at the federal level. Potential federal reforms include:

- **“Election Security Act”** to properly fund 2024 election administration, prevent foreign interference, and use a carrot/stick approach for states’ receipt of funding to ensure an effective and nonpartisan election process.
- **“Presidential Checks and Balances Act”** that limits the opportunities for destructive action by the President, with focus on conflicts of interest, obstruction of justice, agency independence/oversight, nepotism, and abuse of power.
- Modernizing the **Electoral Count Act** in case of Electoral College disputes in 2024.

## STATE PILOT PROGRAMS

### 1. MULTIPARTY DEMOCRACY (MULTI-MEMBER DISTRICTS) IN STATES

Our R&D department is experimenting with policies that would allow truly representative multi-party legislatures that facilitate more compromise and public-benefit policymaking — and make gerrymandering impossible/obsolete.

### 2. NONPARTISAN ELECTION OFFICIALS

Election reforms must go beyond modernizing obsolete processes. We must put an end to the practice of administrators and judges resolving election disputes while wearing partisan jerseys. Our R&D department is experimenting with key reforms, such as a “Nonpartisan Election Referees Act,” to remove partisanship from election administration.

### 3. POLITICAL ACTION COMMITTEES

Scaled legislative lobbying requires the creation of new Political Action Committees and related independent expenditure vehicles to financially support ally candidates/legislators and attack opponents.

## CONCLUSION

*“Democracy is nothing but a raw contest for power tamed by norms and instantiated into law. When an authoritarian comes around, tearing holes through every norm, the power players see the holes and follow. We thought our democracy was sacrosanct. It’s not. It is stitched together by mere threads.”*

**-Matt Chanoff, Investor**

Our nation’s neglect of democracy reform has exposed a stark reality: Beyond the heroism of key federal judges and election administrators — demonstrated in the face of national scrutiny, direct pressure from

the Oval Office, and even death threats — it was indeed mere threads that prevented anti-democratic forces from prevailing in 2020. We cannot depend on those same threads holding in 2024.

Generations of advocates and philanthropists have chosen not to prioritize structural democracy reform, and the result of that mistake came home to roost during the past 4 years. We continue this path at our own peril. We face what is perhaps the last window in which our broken system of elections, ethics, and executive powers can be fixed such that the next authoritarian will be stymied by laws rather than temporarily inconvenienced by norms. We have a short time before the next, more skillful authoritarian takes the White House. A short window to address the most urgent crises facing our planet by fixing the underlying, root causes of our political crisis. With a fierce commitment to filling gaps, and constantly adapting, RepresentUs has built the brand and leadership required to meet the moment and fix the root cause of our political crisis.

This is the fork in the road, and the stakes couldn't be higher.

Josh Silver

December, 2020

*Detailed strategic plan available upon request.*