



PROGRAM FOR PUBLIC CONSULTATION
SCHOOL OF PUBLIC POLICY, UNIVERSITY OF MARYLAND

Evaluating Proposals for Campaign Finance Reform

A Multi-Wave Survey of American Voters

May 2018

Methodology

Fielded by: Nielsen Scarborough

Method: Administered online to a probability-based sample selected from a larger panel recruited by telephone and mail.

Wave 1: August 3 - 16, 2017

3045 Registered voters (MoE +/-1.8%)

Wave 2: September 7 - October 3, 2017

2,482 Registered Voters (MoE +/-2.0%.)

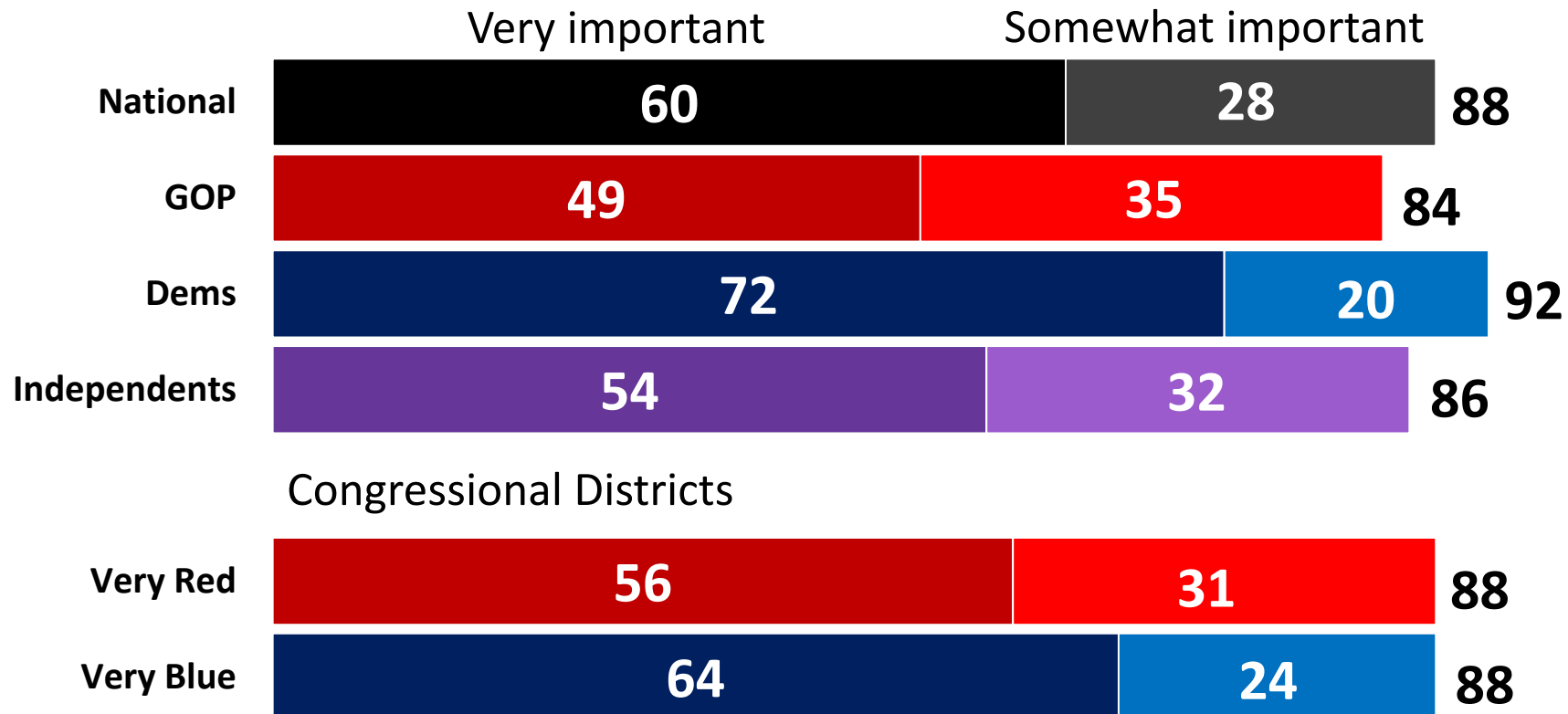
Wave 3: September 22 - October 17, 2017

2569 Registered Voters (MoE +/-1.9%

Offsetting the Influence of Big Campaign Donors

Importance of Reducing Influence of Big Campaign Donors

We are now going to consider a proposed bill in the U.S. Congress that has the goal of reducing the influence of big campaign donors—including special interests, corporations and wealthy people—on the Federal government.



Offsetting the Influence
of Big Campaign
Donors

Increasing the Influence of
Small Donors

Introduction

One set of proposals that seeks to reduce or counter-balance the influence of big donors would reduce the percentage of donations that come from big donors by increasing the percentage that comes from small donors.

Tax Credit for Small Donors

Here is one of the proposals in a proposed Congressional bill:

When a citizen contributes up to \$50 to a specific candidate, half of the contribution would be refundable in the form of a tax credit. This would be limited to small donors, which would be people whose donations to that candidate are no more than \$300. The idea is that, by reducing the cost of making donations, more citizens will make donations and small donors will make somewhat larger donations, thus increasing the total amount coming from small donors.

Tax Credit for Small Donors

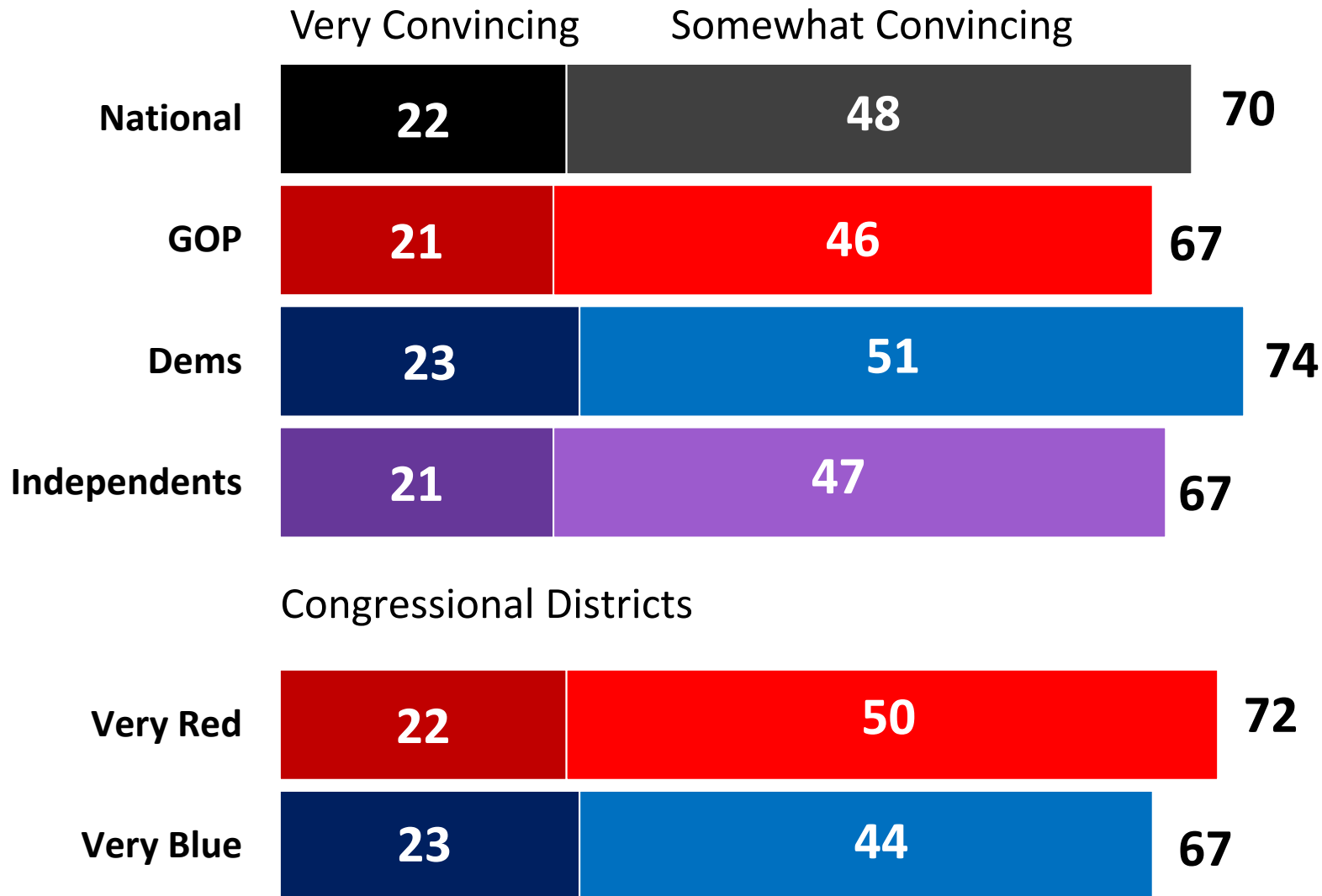
Pro Argument:

Campaigns cost money. If we encourage many small donors and increase the portion of money coming from small donations, this can free candidates from reliance on a few large donors and make them less influential. Congress will then be responsible to voters, not well-financed special interests.

Candidates who do not want to be beholden to big donors will be more able to run for office and succeed.

Tax Credit for Small Donors

Pro Argument:



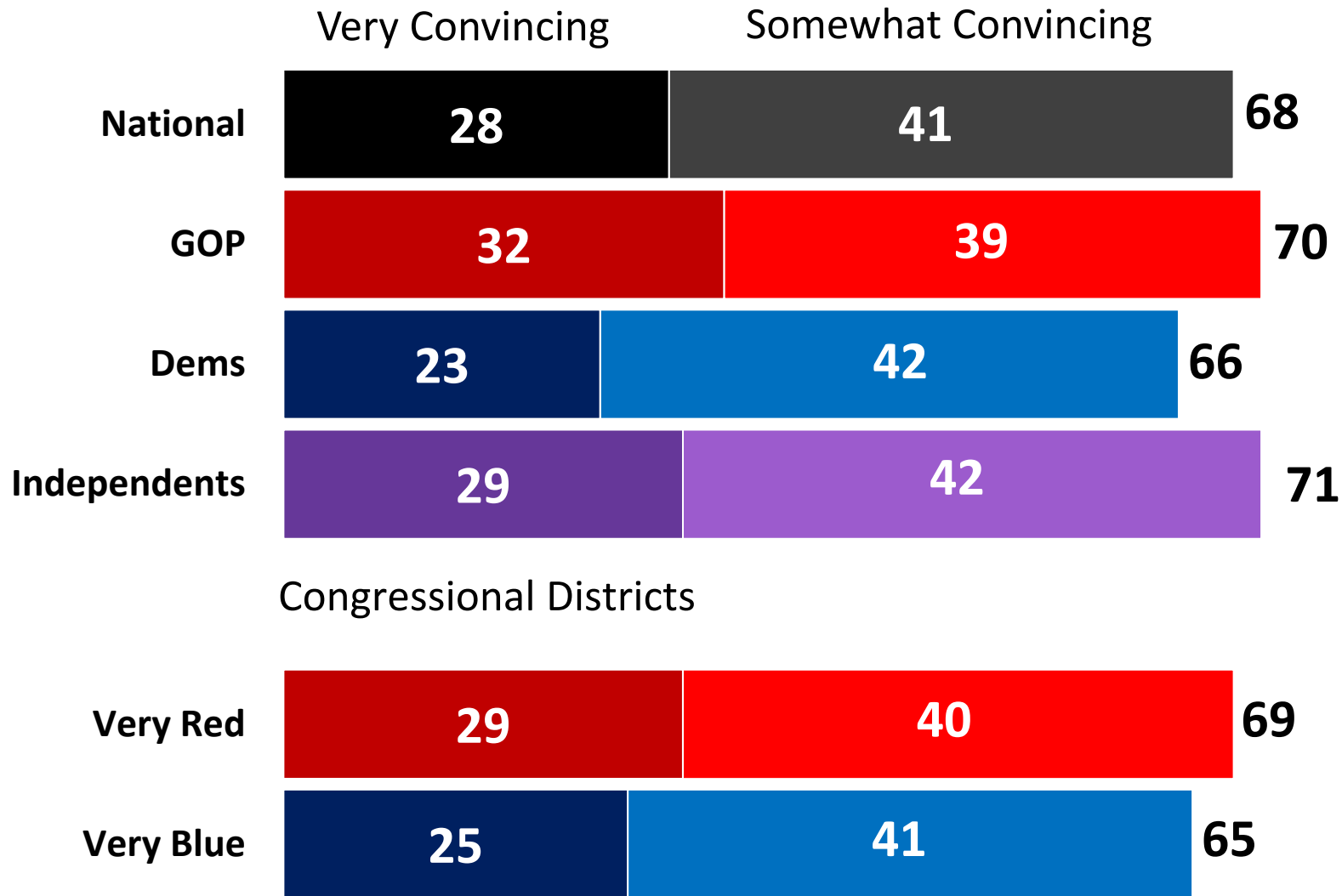
Tax Credit for Small Donors

Con Argument:

Giving away tax credits to increase the amount of money from small donors effectively spends government funds on election campaigns. This is not a good use of taxpayer money. Furthermore, it is not clear that it will even work. Big donors will still have a lot more influence than small donors, even if the small donors are more numerous or are able to give a little bit more than they are now.

Tax Credit for Small Donors

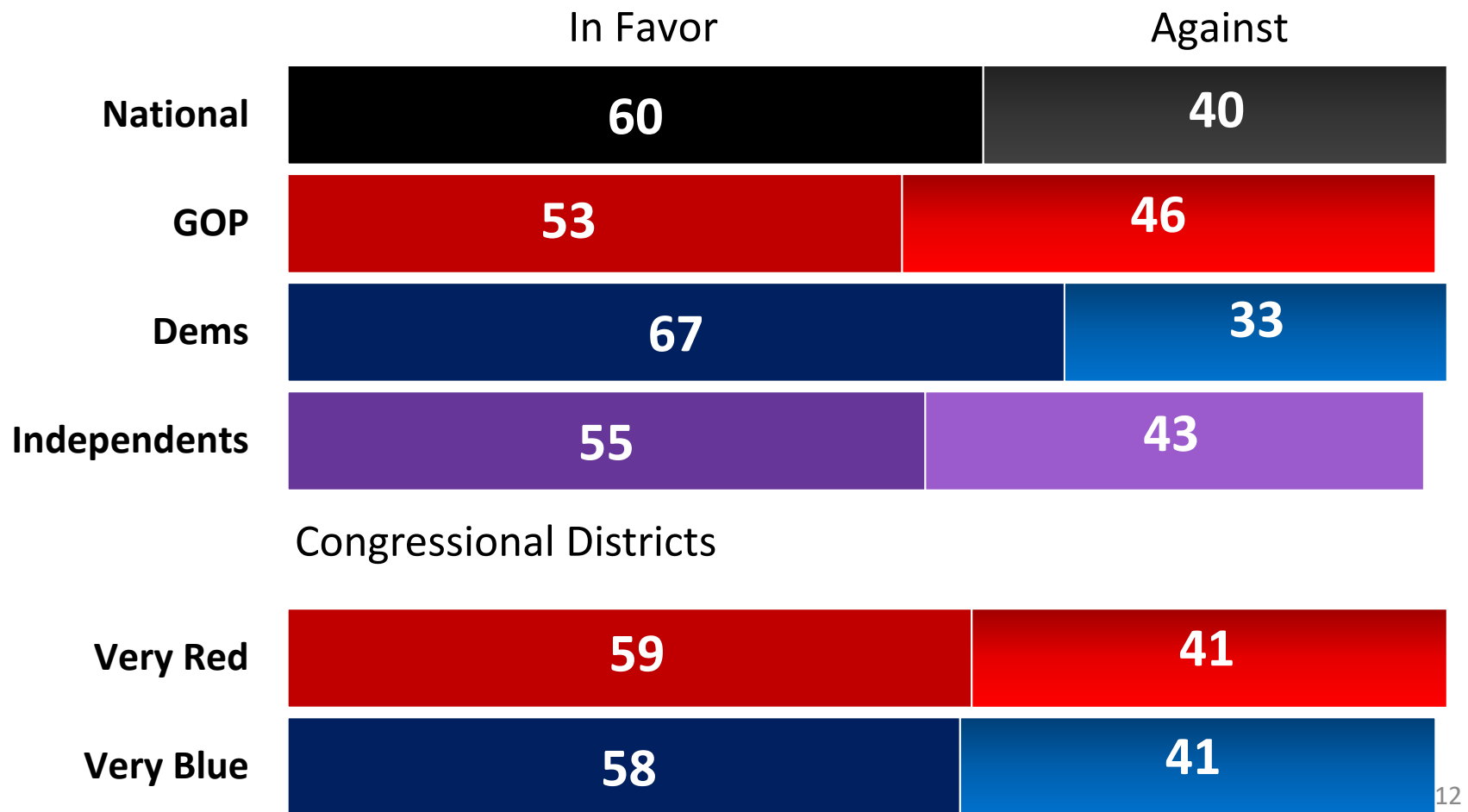
Con Argument:



Tax Credit for Small Donors

Final Recommendation:

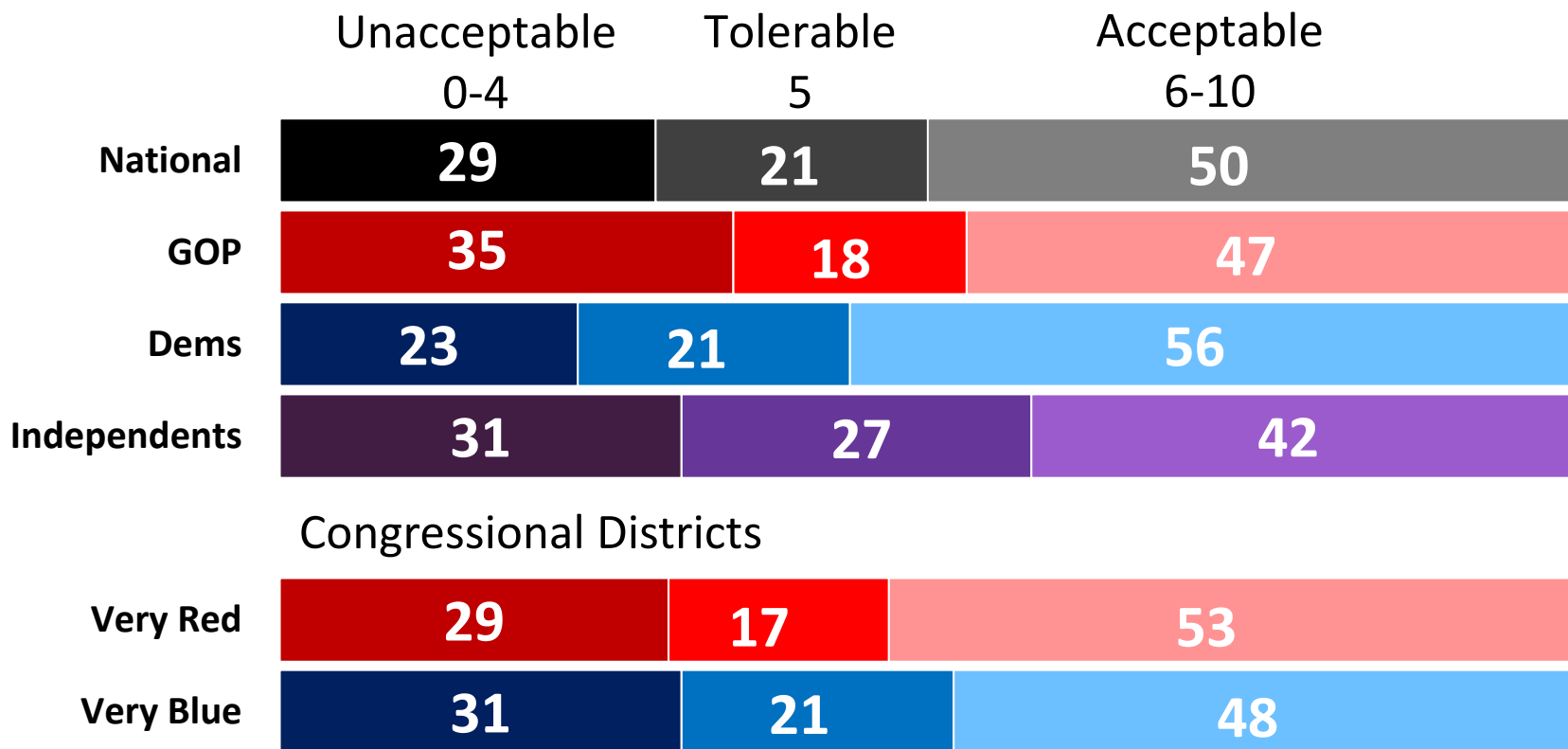
So, would you recommend that your Members of Congress vote in favor of or against this proposal?



Tax Credit for Small Donors

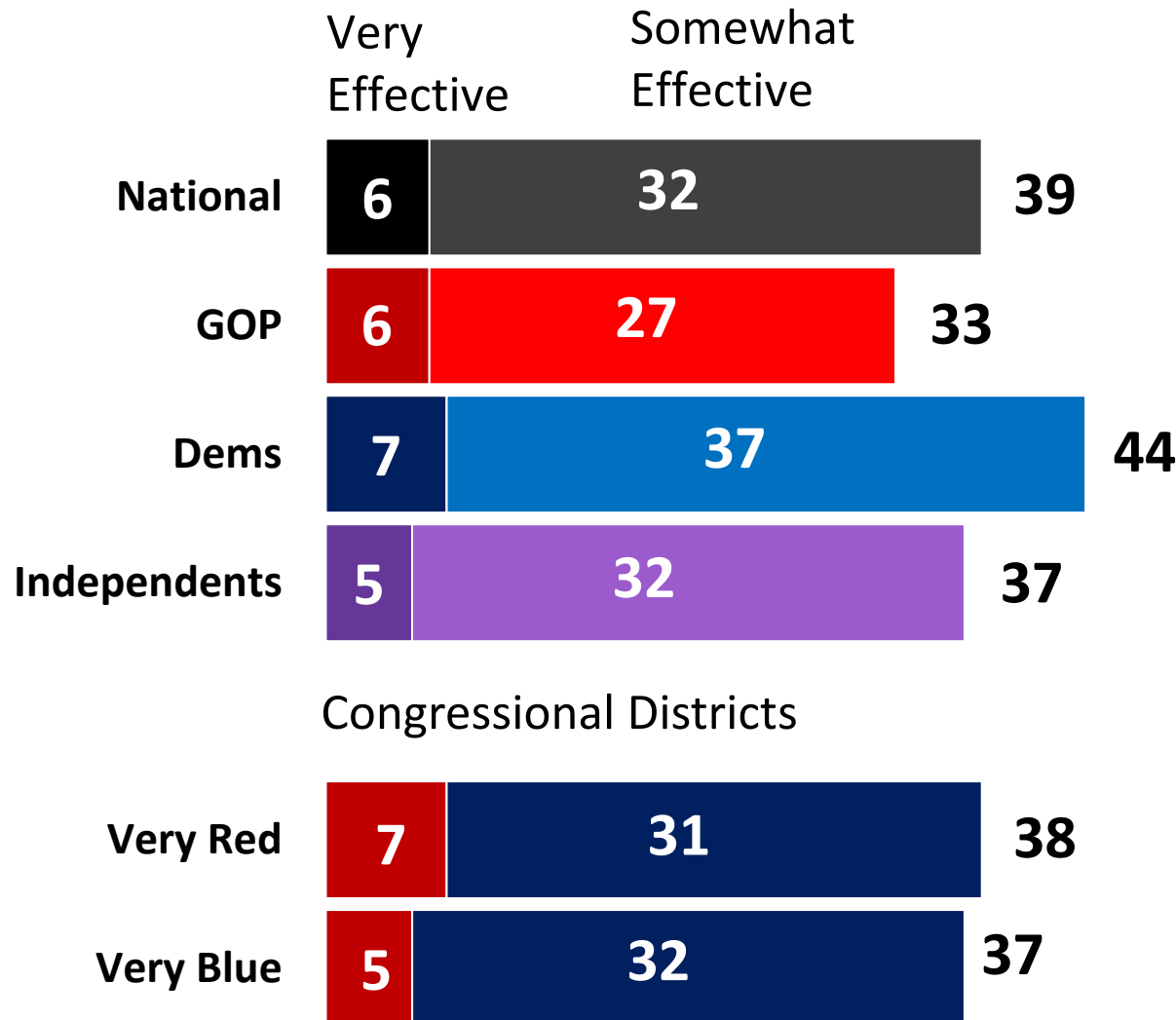
Assessment:

When a citizen contributes up to \$50 to a specific candidate, half of the contribution would be refundable in the form of a tax credit. This would be limited to small donors, which would be people whose total donations to that candidate are no more than \$300. Please select how acceptable this proposal would be to you.



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



Gov't Matching Small Donations (Proposal 1)

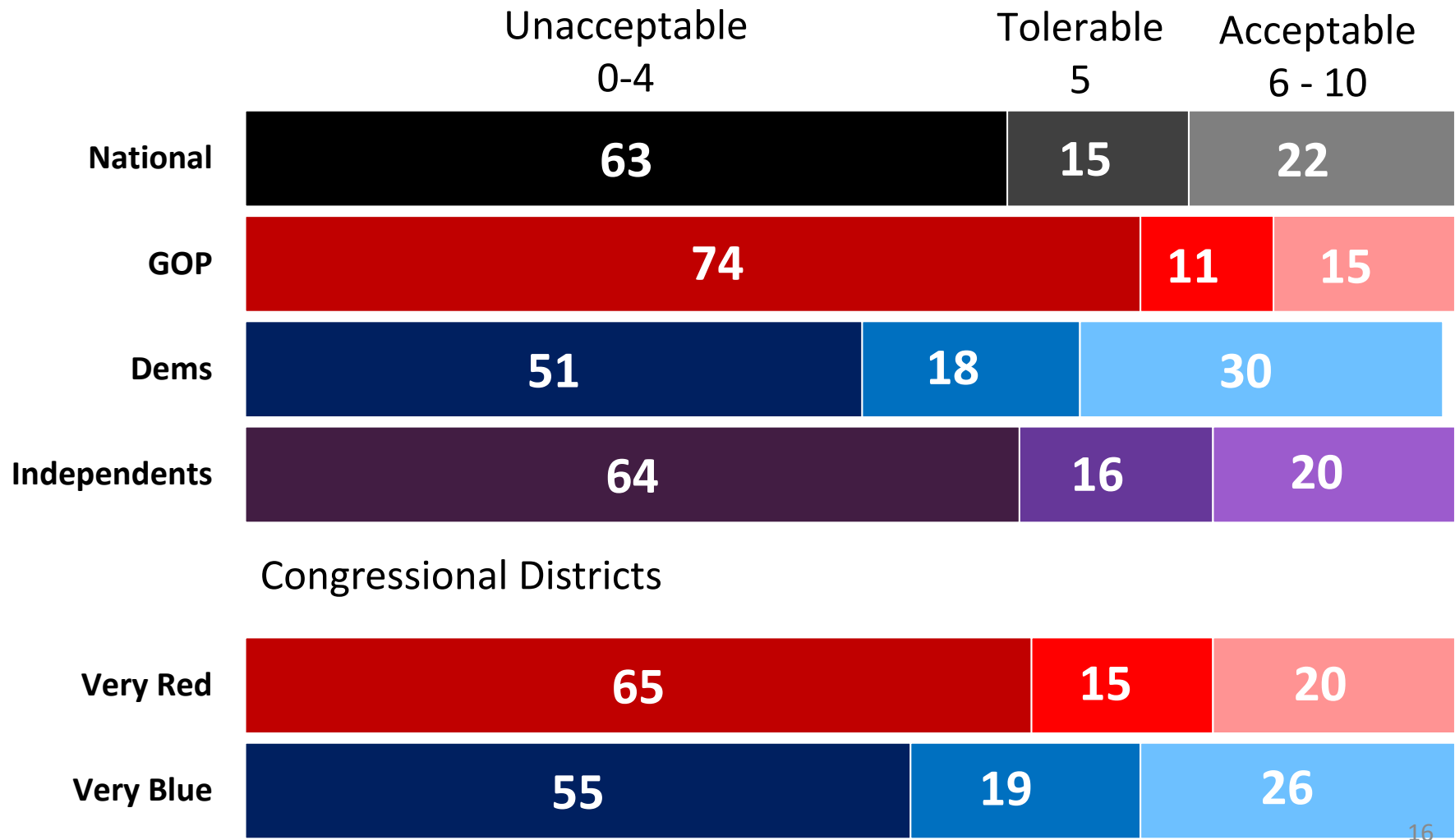
Here is another proposal in a Congressional bill that seeks to reduce or counterbalance the influence of big donors by increasing the percentage of donations that come from small donors.

This proposal requires that a candidate must first agree not to take any donations over \$1,000. Then, the government will match 6 to 1 all donations up to \$150. Thus, for example, if someone were to make a donation of \$100, the government would provide \$600.

Gov't Matching Small Donations (Proposal 1)

Assessment:

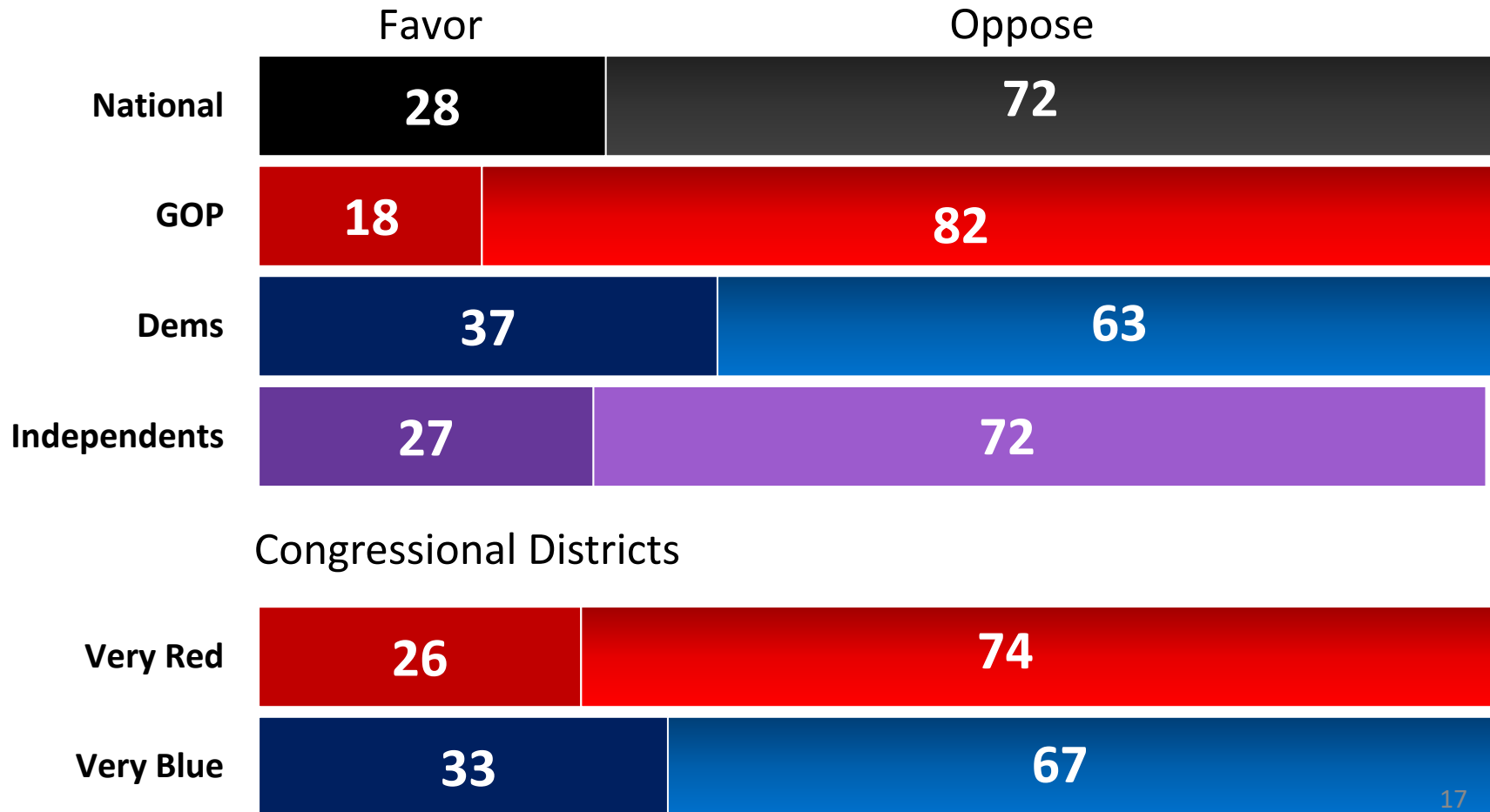
Please select how acceptable this proposal would be to you.



Gov't Matching Small Donations (Proposal 1)

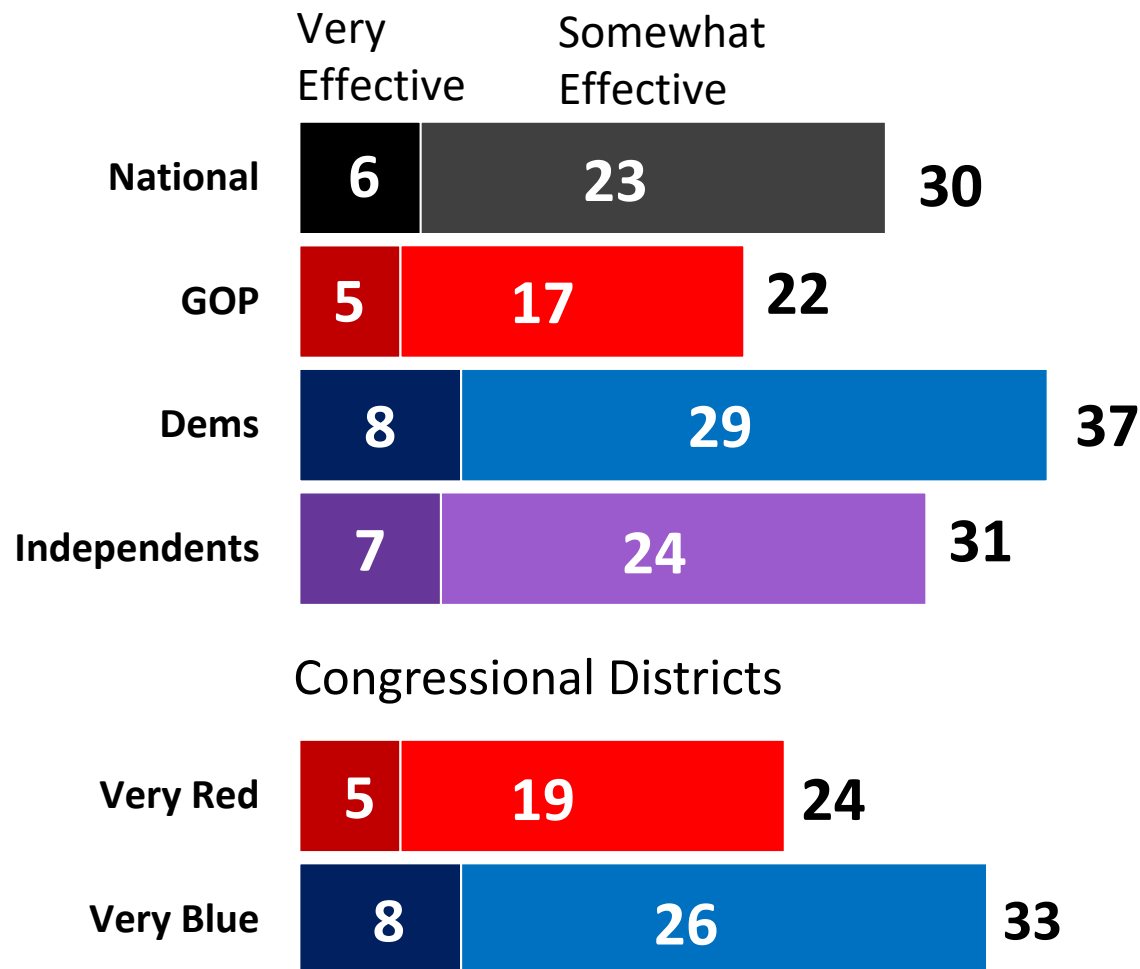
Final Recommendation:

So, would you recommend that your Members of Congress vote in favor of or against this proposal?



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



Gov't Matching Small Donations (Proposal 2)

This proposal seeks to reduce the influence of big donors by making it more possible for candidates for U.S. Senate to rely entirely on small donors.

The idea is to create a program that provides financial support to US Senate candidates who agree to limit their fundraising to small donors. Here is how it would work:

A candidate who chooses to participate must:

- agree not to take donations of more than \$150 from any donor for an election.
- demonstrate their viability as a candidate by raising a substantial number of small donations from in-state donors.

The candidate would then receive additional funds as follows:

- a six-to-one match of each small donation (e.g. if someone were to make a donation of \$100, the candidate would receive an additional \$600)
- a grant and credits for media ads, totaling approximately \$1-\$14 million, depending on the population of their state

The program would be funded by a new fee paid by companies who do large contract work for the federal government. They would be charged a fee of 0.5% on the amount of each contract over \$10 million.

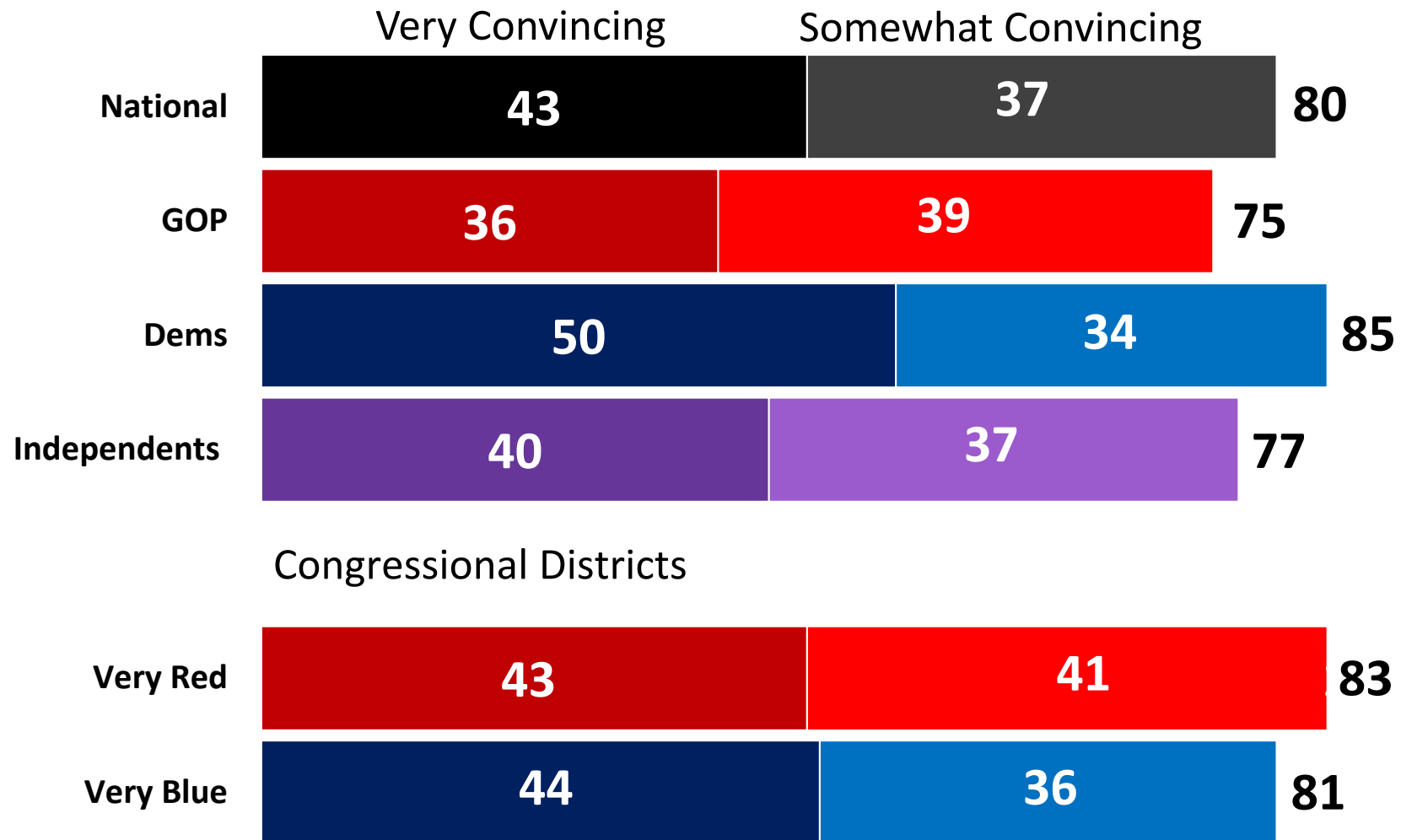
Gov't Matching Small Donations (Proposal 2)

Pro Argument:

By limiting Senate candidates to small donors, big donors will have less influence on the Senators once they are in office. Rather than spending much of their time trying to woo big donors they will spend more time getting to know a wider range of people in their state. Senators will then be more likely to be responsive to their constituents, as a whole, not just well-financed special interests. Candidates who do not want to be beholden to big donors will be more able to run for office and succeed. This program won't add to the deficit and will improve the quality of American democracy.

Gov't Matching Small Donations (Proposal 2)

Pro Argument:

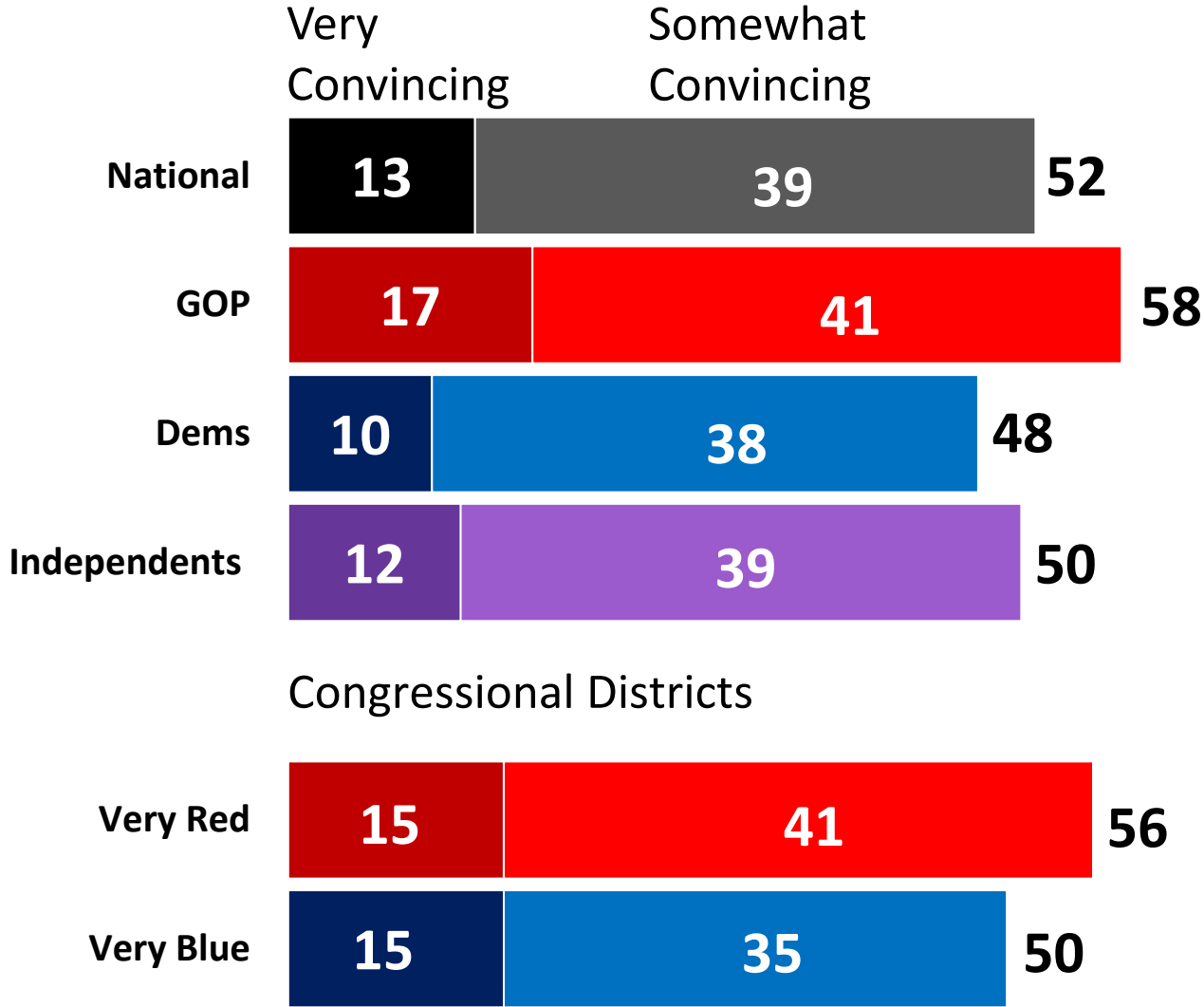


Gov't Matching Small Donations (Proposal 2) *Con Argument:*

While the program would be funded by charging a fee to federal contractors, they would simply add that cost to their contract; so taxpayers would still end up paying for it. Giving money to any Senate candidate—just because they have a substantial following of small donors—won't necessarily produce good candidates. This will give fringe candidates who are not electable a government-funded platform for furthering their extreme ideas. Finally, ideas like this have been tried in some states and there's no clear evidence they have diminished the influence of special interests.

Gov't Matching Small Donations (Proposal 2)

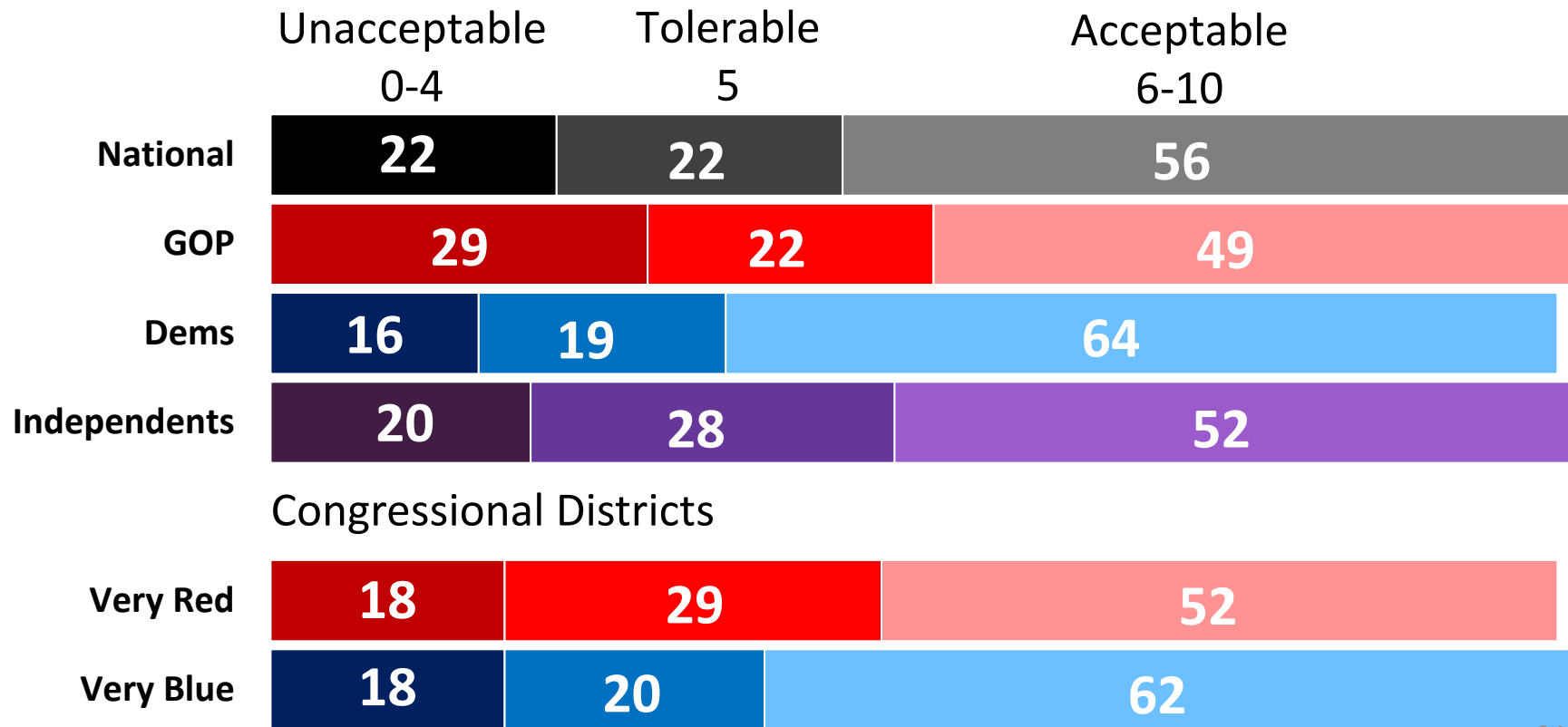
Con Argument:



Gov't Matching Small Donations (Proposal 2)

Assessment:

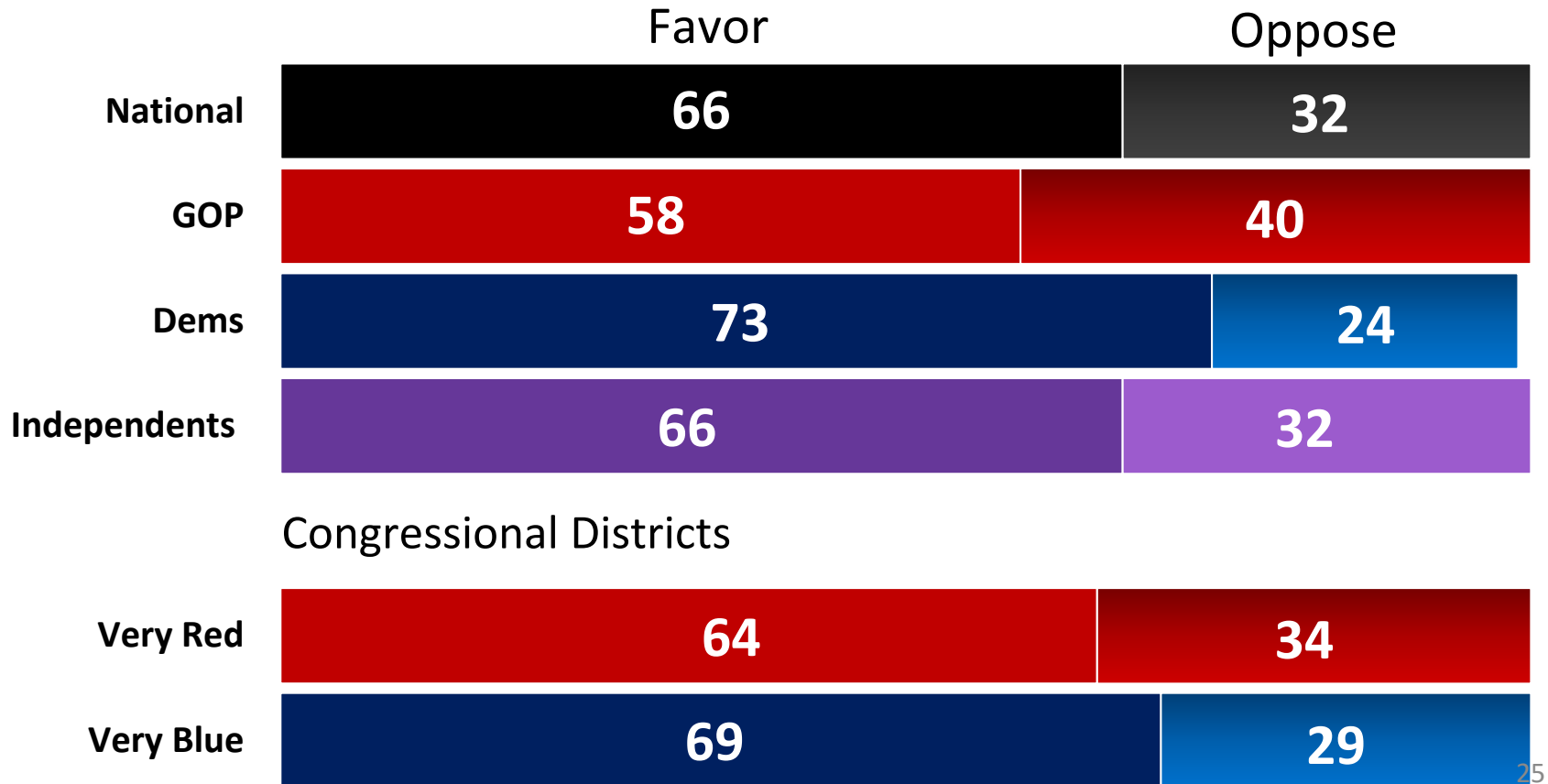
The program would be funded by a new fee paid by companies who do large contract work for the federal government. They would be charged a fee of 0.5% on the amount of each contract over \$10 million. Please select how acceptable this proposal would be to you.



Gov't Matching Small Donations (Proposal 2)

Final Recommendation:

The program would be funded by a new fee paid by companies who do large contract work for the federal government. They would be charged a fee of 0.5% on the amount of each contract over \$10 million. Please select how acceptable this proposal would be to you.



Redirecting Public Funding of Presidential Campaigns

Redirecting Public Funding of Presidential Campaigns

As you may know, in the 1970's, the federal government established a program to make presidential campaigns less dependent on private contributions by providing them government funds. Presidential campaigns receive these funds, though, only if they agree to limit the total amount of money they spend in their campaign, and the amount of money they get from private sources. The program is funded by taxpayers, who check a box on their IRS tax forms directing \$3 to the fund for this purpose. Contributing to the fund does not increase an individual's taxes or reduce any refund they are owed.

For some time, all major presidential candidates adhered to the spending limits and received the funding. With time, though, some candidates found they could raise so much more money through private sources that they chose not to accept the limits on their spending, even though they would have to forego the public funds. By the 2016 election, all of the major candidates chose to exceed the spending limits, foregoing the public funds. Thus, the fund has been rarely used and now has nearly \$300 million available.

The legislation proposes to end the Federal program providing public support for presidential campaigns. The \$3 check off on taxpayers' IRS forms would be ended and the unused funds would be directed to pediatric research or deficit reduction.

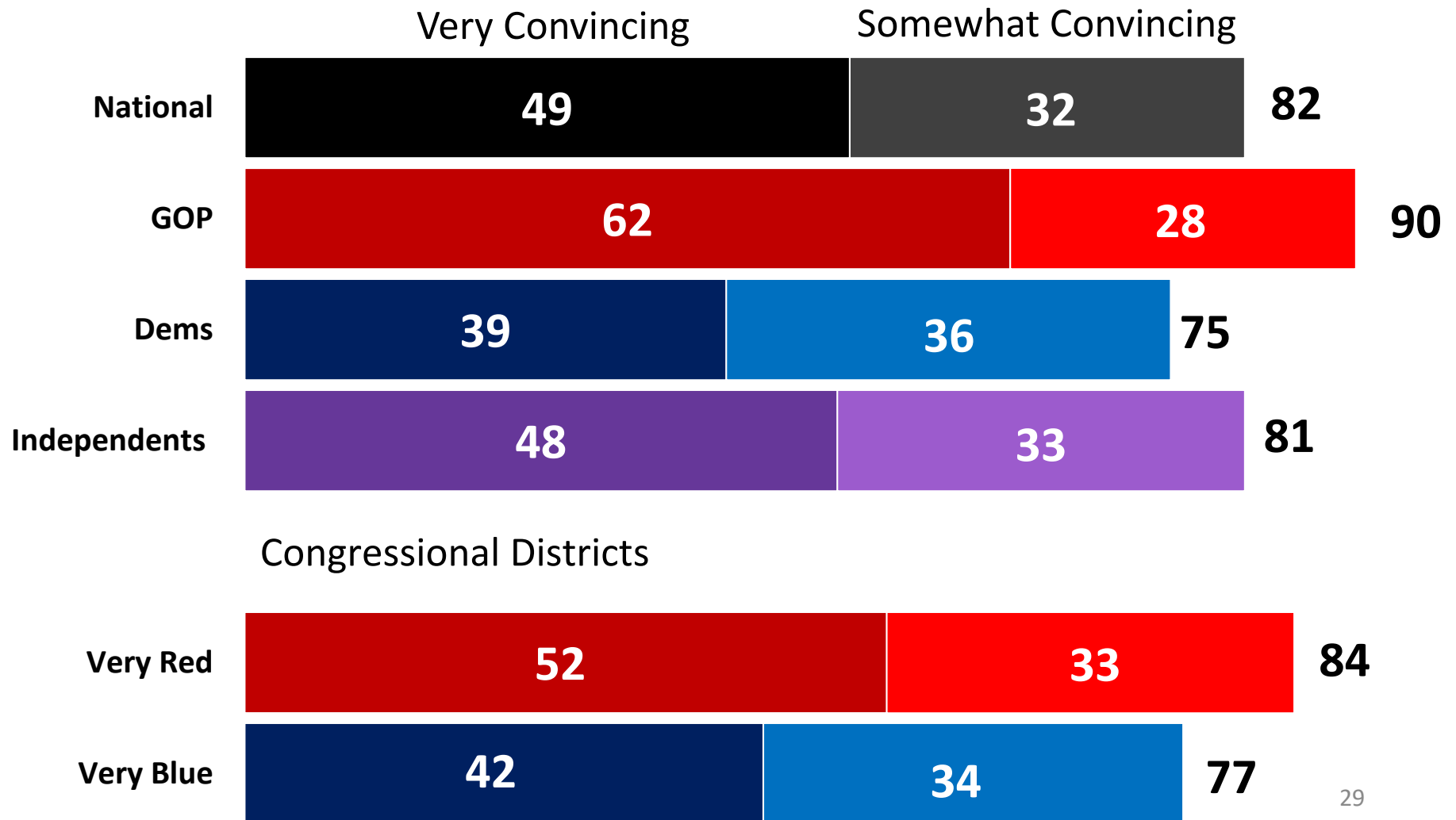
Redirecting Public Funding of Presidential Campaigns

Pro Argument:

This program for public funding of presidential campaigns is clearly not working. The amount of private money flowing into the leading campaigns keeps going up. The only candidates using the public funds are ones who do not have a remote chance of winning. Furthermore, the whole idea of using taxpayer's money to subsidize presidential campaigns is a dubious idea to begin with. It's simply welfare for presidential candidates. It would be better for these tax dollars to go to something like pediatric research or deficit reduction.

Redirecting Public Funding of Presidential Campaigns

Pro Argument:



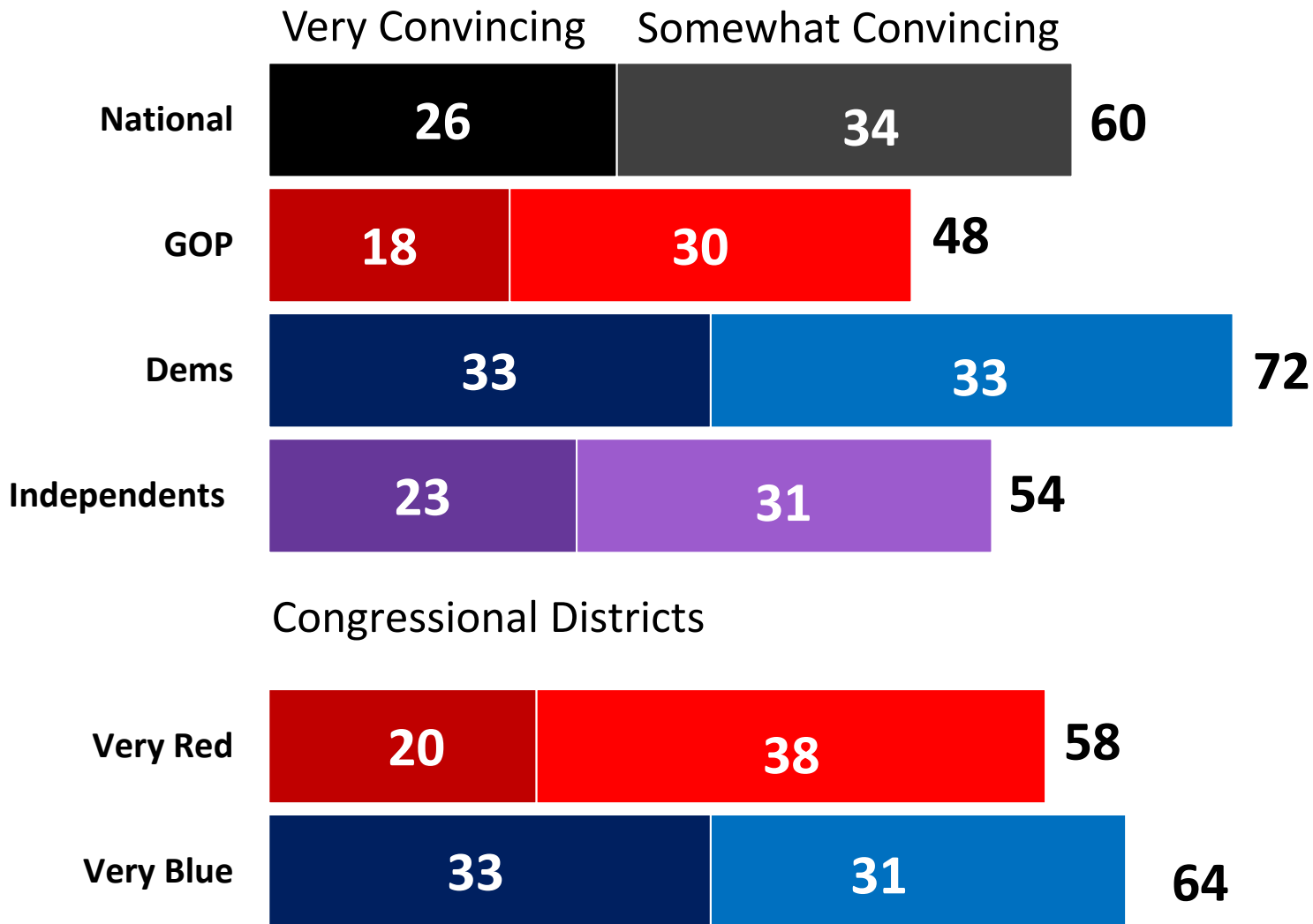
Redirecting Public Funding of Presidential Campaigns

Con Argument:

It is critical that we limit the corrupting power of campaign donors in presidential races. Public financing can play a key role in counterbalancing their influence. For many years, this program was effective in helping presidential candidates be less dependent on big campaign donors and limiting the role of big money. It's true the current system is having some problems. But it can be fixed through raising the limits and making them more realistic in the current environment. We cannot wave the flag of surrender and let big special interests dominate elections and ultimately our government. We need to fix the program, not throw it out.

Redirecting Public Funding of Presidential Campaigns

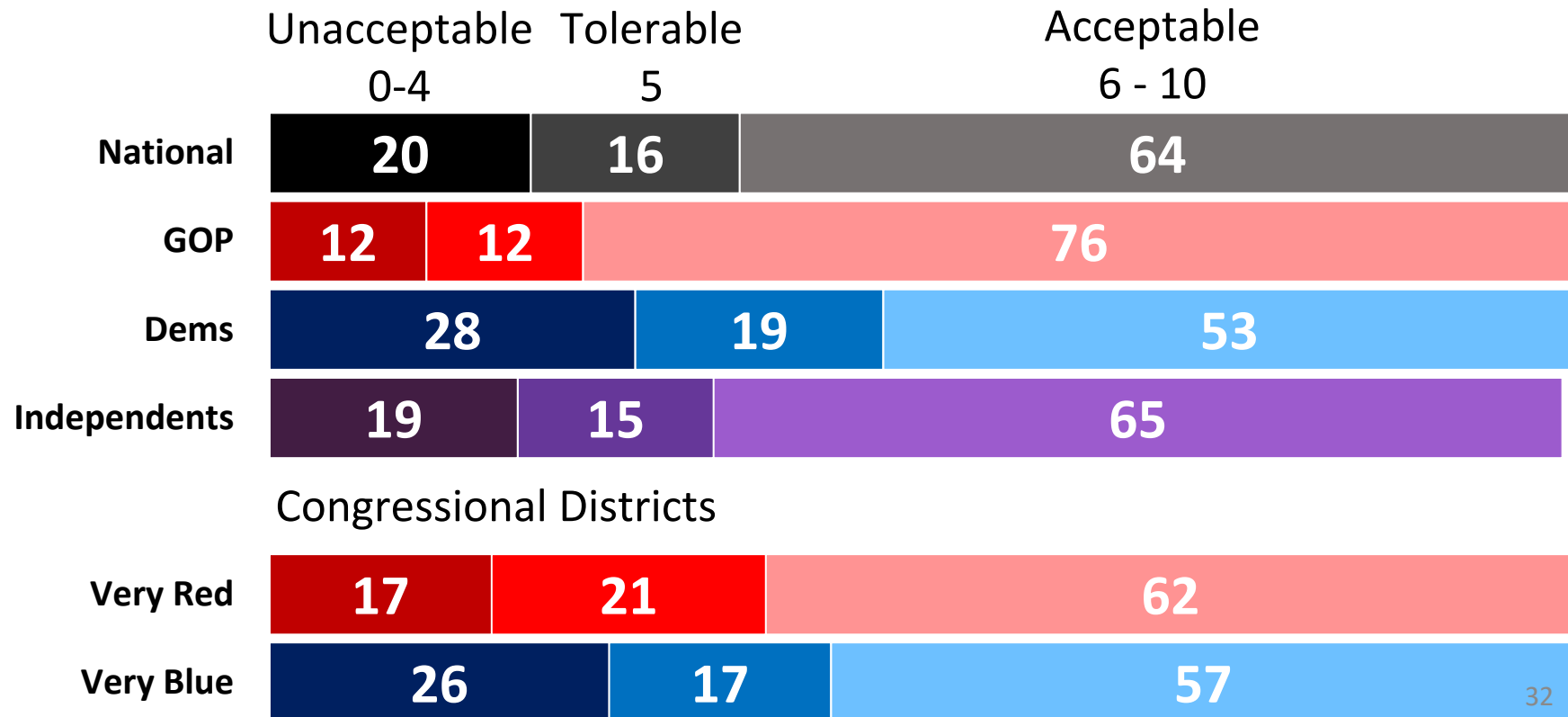
Con Argument:



Redirecting Public Funding of Presidential Campaigns

Assessment:

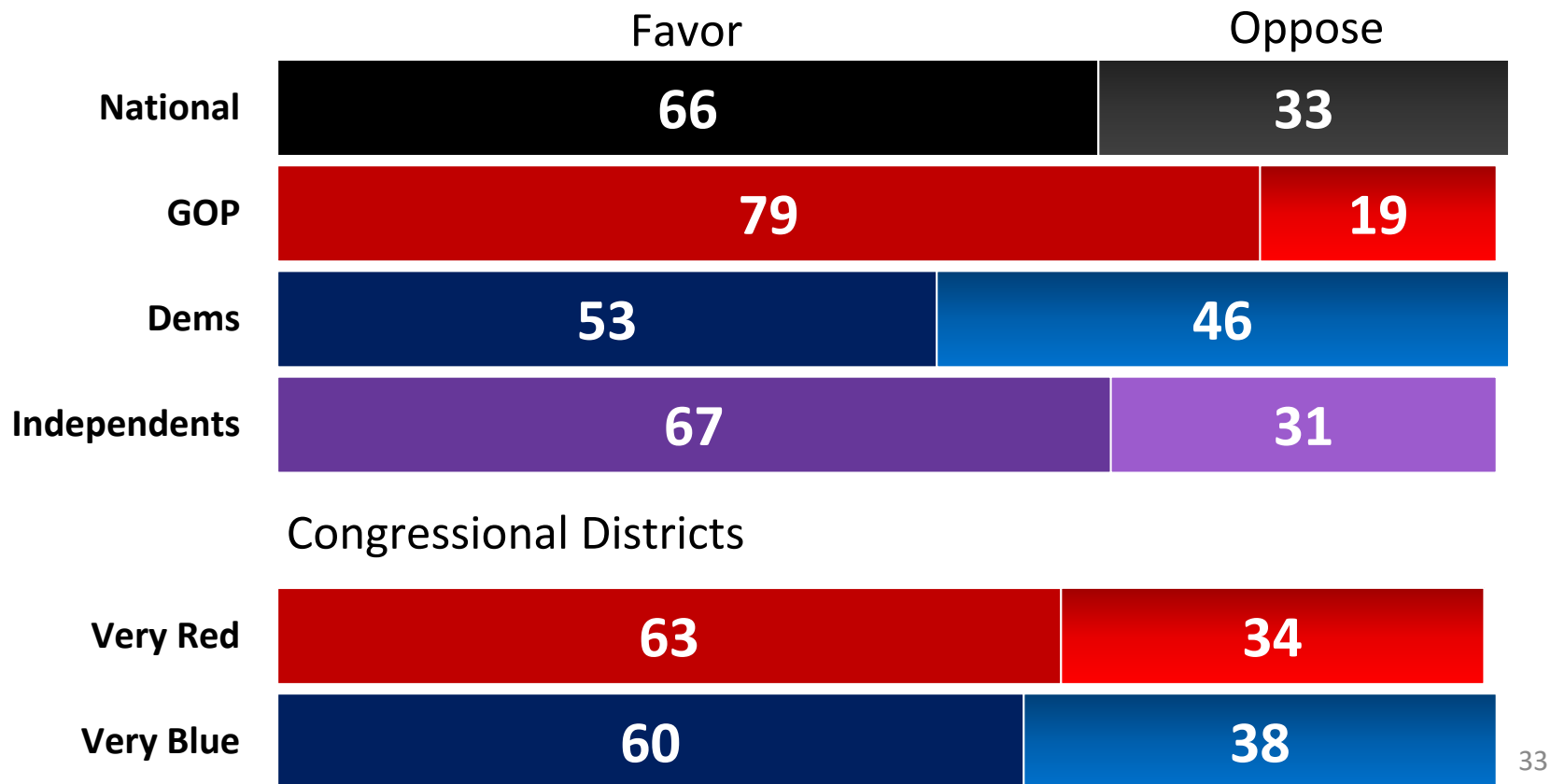
The bill proposes to end the Federal program providing public support for presidential campaigns. The \$3 check off on taxpayers' IRS forms would be ended and the unused funds would be directed to pediatric research or deficit reduction. Please select how acceptable this proposal is to you.



Redirecting Public Funding of Presidential Campaigns

Final Recommendation:

The bill proposes to end the Federal program providing public support for presidential campaigns. The \$3 check off on taxpayers' IRS forms would be ended and the unused funds would be directed to pediatric research or deficit reduction. Please select how acceptable this proposal is to you.



Offsetting the Influence of Big Campaign Donors

**Requiring Greater Public Disclosure of
Campaign-Related Donations**

Greater Public Disclosure of Campaign- Related Donations

Another idea for reducing or counterbalancing the influence of big donors is to require that donations to candidates and political causes be publicly disclosed or made more transparent.

While many forms of campaign-related donations and spending are required to be publicly disclosed, there are donations that can be made anonymously to certain organizations that can support candidates and political causes. Critics of this kind of giving call it 'dark money' because it is anonymous.

Until recently, the amount that could be donated to such organizations was limited, but with the U.S. Supreme Court's "Citizens United" decision, these limits were removed as an interference with free speech. Since then, the amount of such anonymous donations has gone up dramatically.

There are a number of proposals for requiring that such donations be publicly disclosed. There is also a debate about whether there should be greater public disclosure of campaign-related donations.

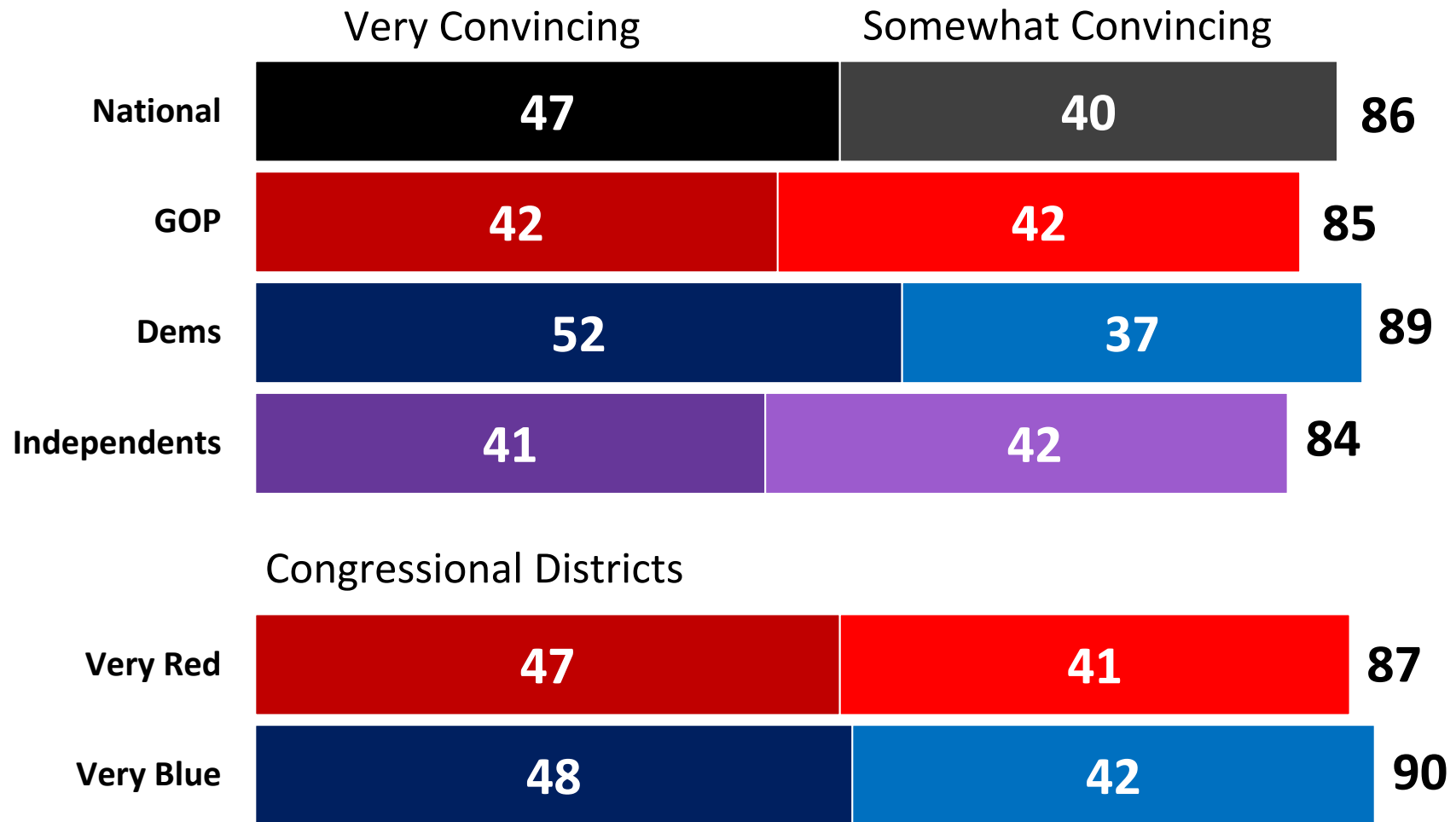
Greater Public Disclosure of Campaign-Related Donations

Pro Argument:

When campaign-related donations are fully disclosed, it makes it more difficult for elected officials to do favors, taking actions that serve the interests of the donor, rather than the common good. If the donation is disclosed, the public, the media, and watchdog groups can question whether an action was a favor in exchange for a donation. This will create political costs for the elected official as well as discourage donors from seeking favors through donations.

Greater Public Disclosure of Campaign-Related Donations

Pro Argument:



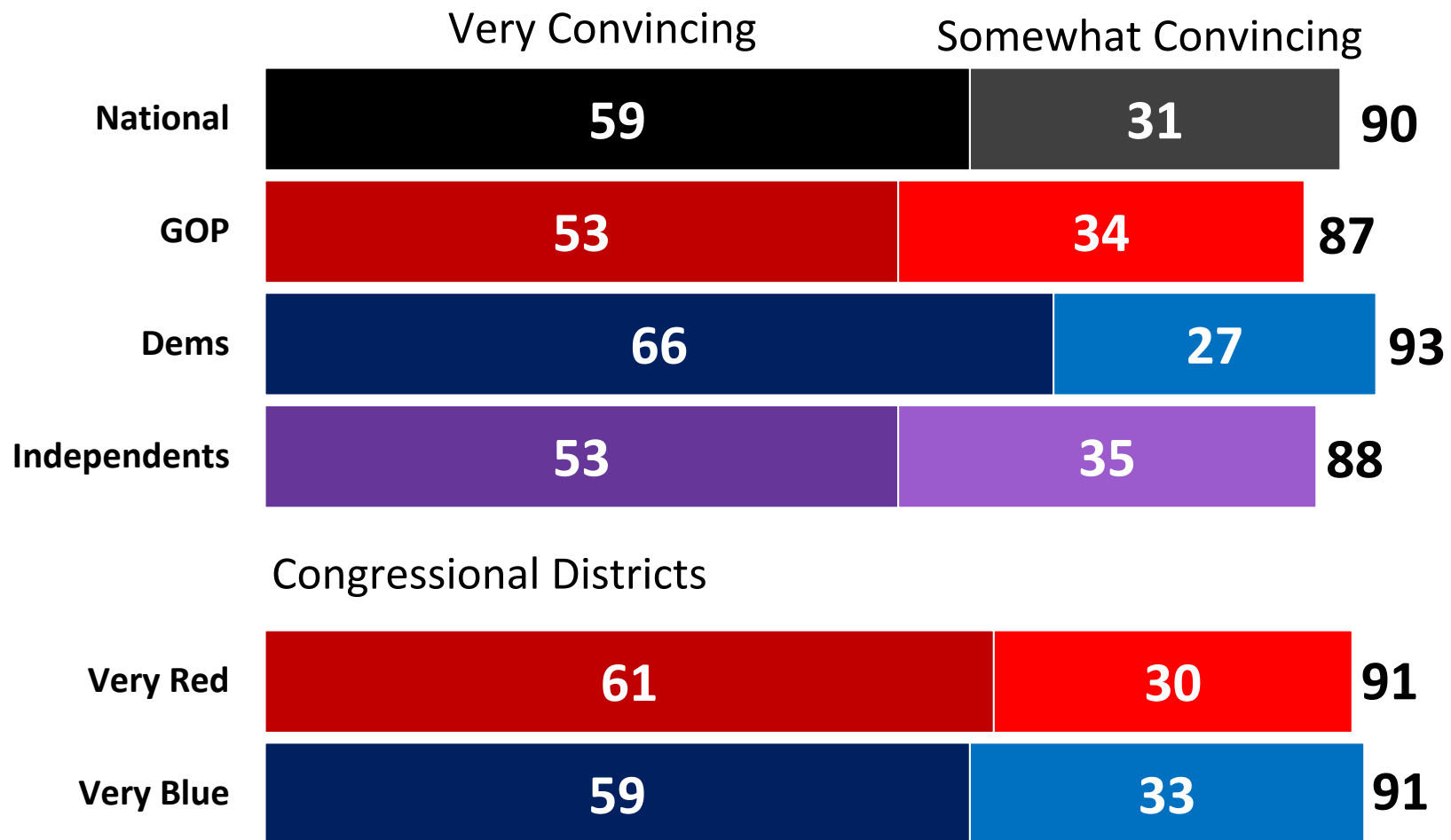
Greater Public Disclosure of Campaign-Related Donations

Pro Argument:

When judging a candidate people have a right to know who is providing money in support of the candidate. Voters can get a better sense of the allegiances that the candidate might have and the interests they might support.

Greater Public Disclosure of Campaign-Related Donations

Pro Argument:



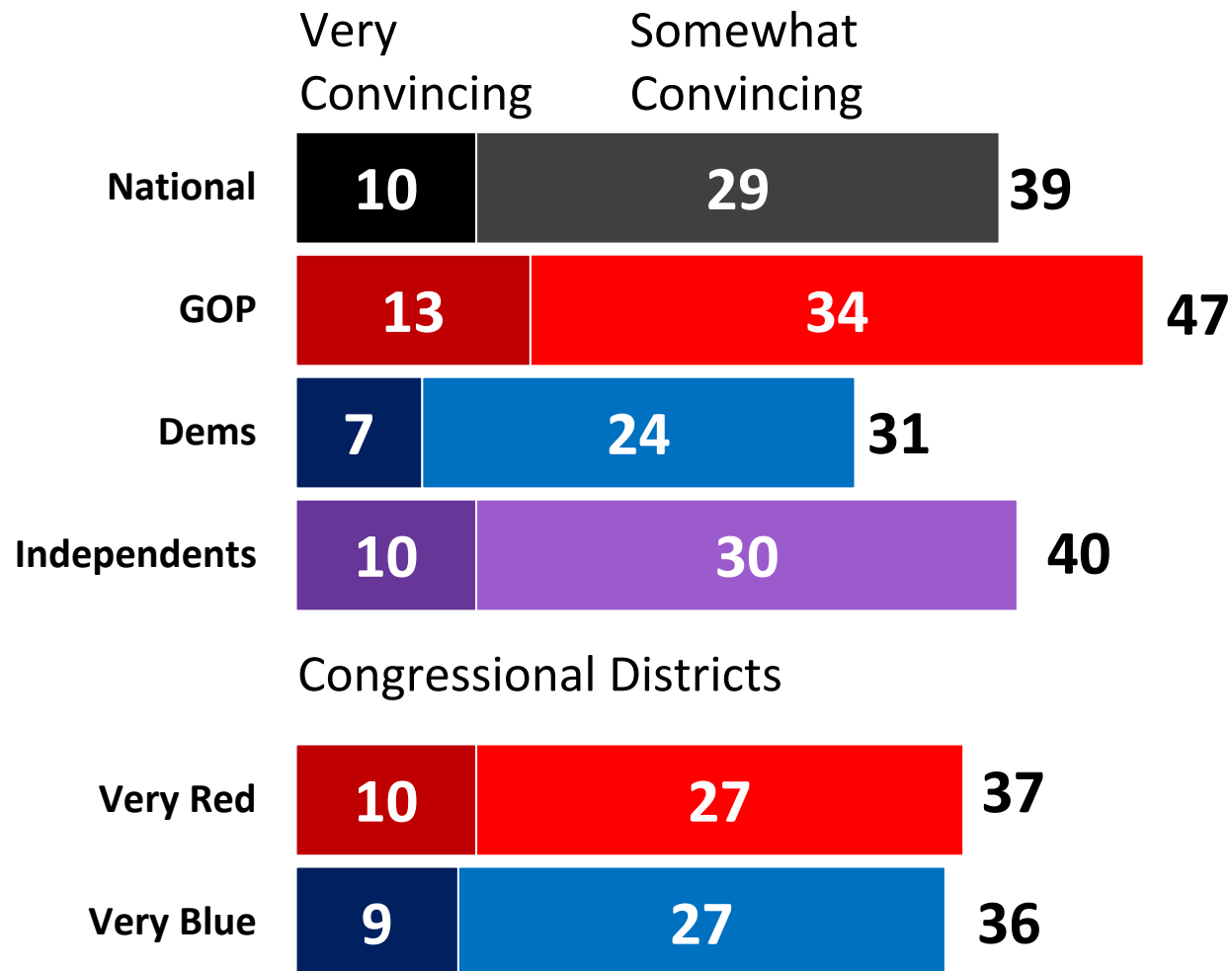
Greater Public Disclosure of Campaign-Related Donations

Con Argument:

Making a campaign donation has been established by the U.S. Supreme Court as a basic right as part of the principle of free speech. If every donation is subject to public scrutiny, it can lead to claims that it was basically a bribe, when in fact it might not be at all. People may also get harassed or threatened for making donations. This will discourage people from making such donations, including completely legitimate ones.

Greater Public Disclosure of Campaign-Related Donations

Con Argument:



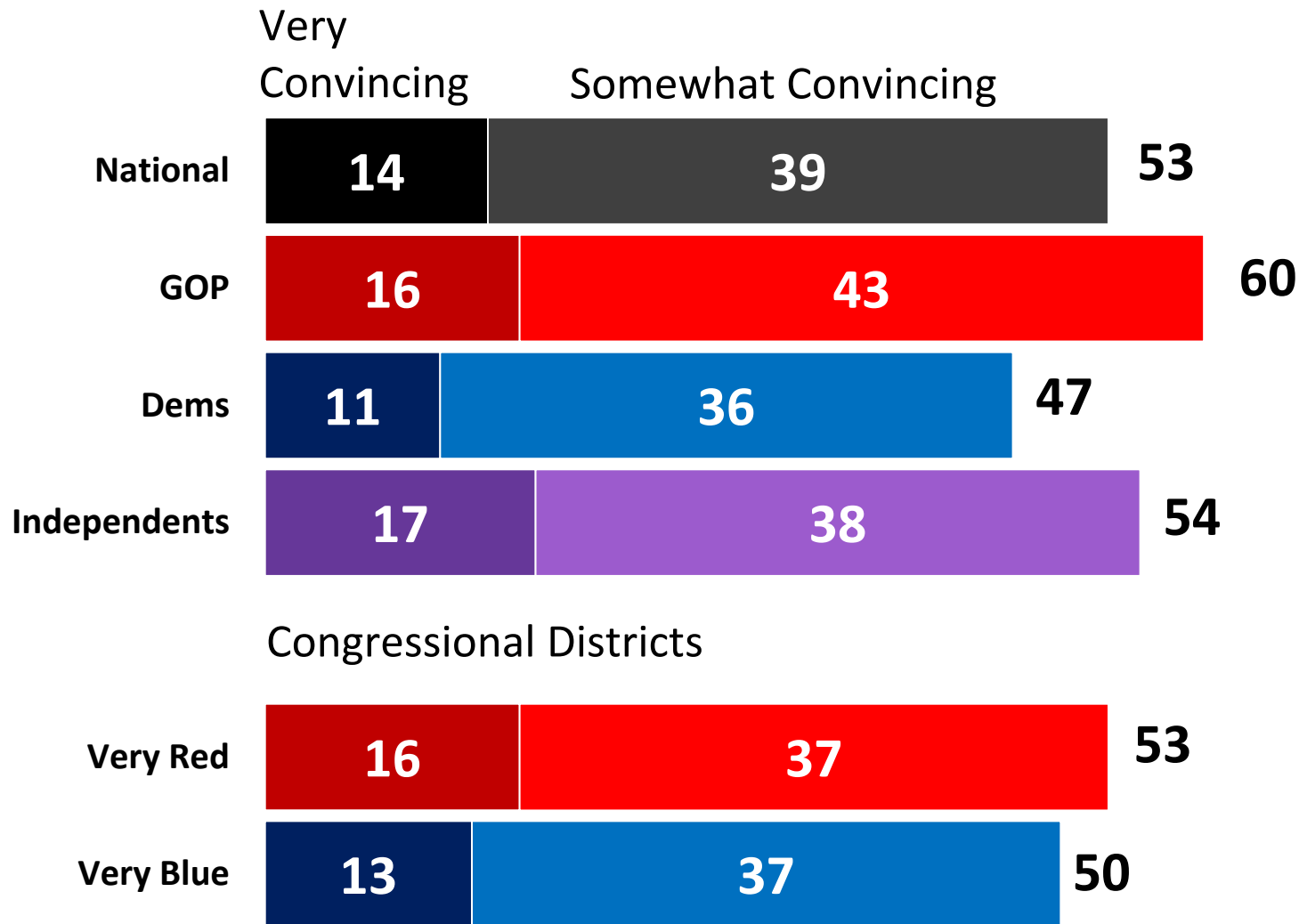
Greater Public Disclosure of Campaign-Related Donations

Con Argument:

Public disclosure is not going to prevent elected officials from doing favors in exchange for financial support. Even if elected officials are, in fact, taking a position to serve the interests of a donor (in exchange for support), the officials can simply say that they think the position is the right one--and there's no way to prove they don't think that. Furthermore, in some cases the politician may genuinely support the position. Disclosure will not clarify what's really going on.

Greater Public Disclosure of Campaign-Related Donations

Con Argument:



Requiring Greater Disclosure of Campaign-Related Donations (Proposal 1)

Now, here is one proposal for greater public disclosure that is included in a Congressional bill under consideration.

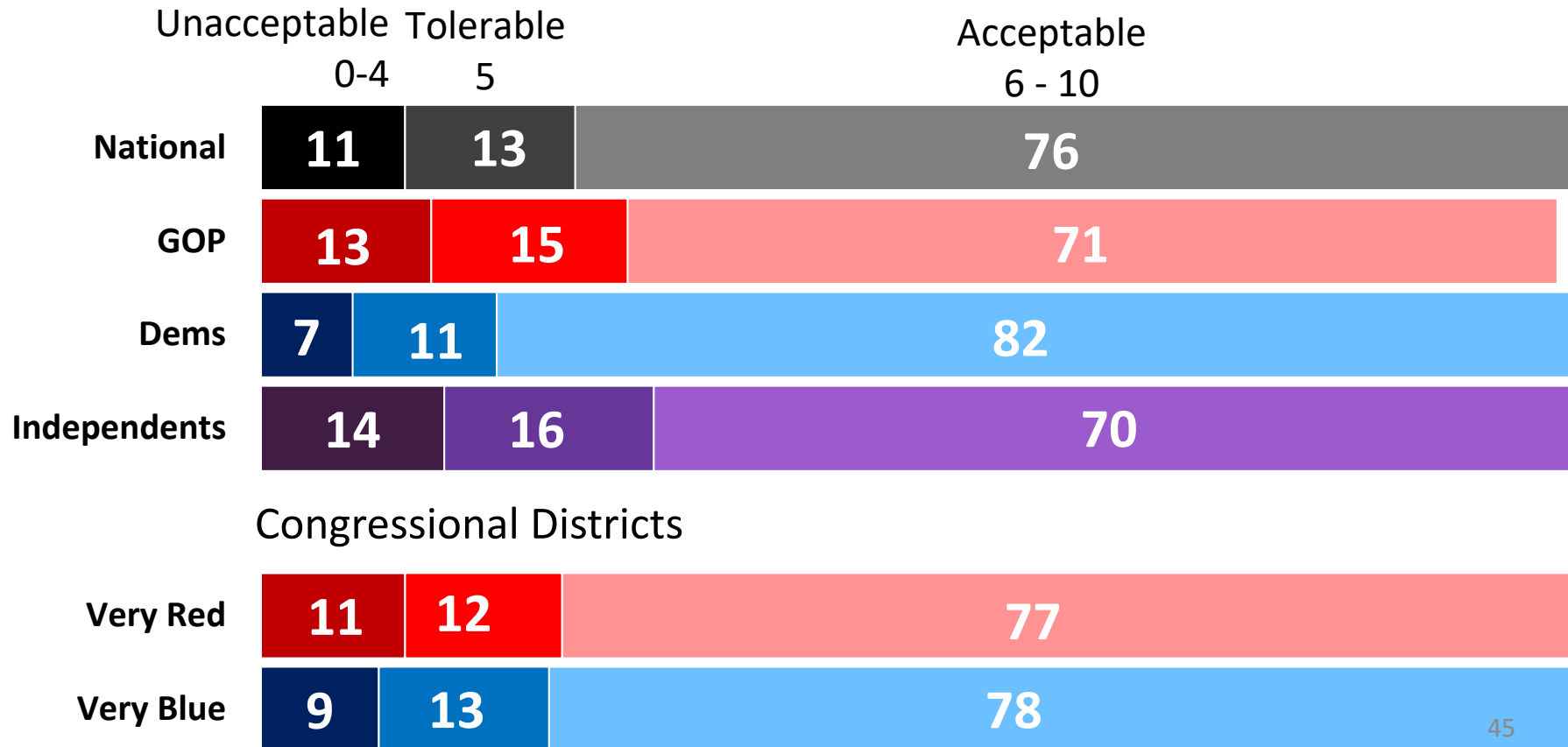
Currently, all donations made directly to campaigns must be made public, but there is no requirement for a variety of organizations that spend money on campaign-related efforts to disclose the names of their donors and the amounts donated.

This proposal would require that all individuals or organizations that donate or receive a total of \$10,000 or more for campaign-related activities promptly register with the Federal Election Commission, and have their name and the amount of the donations listed on the Commission's website.

Requiring Greater Disclosure of Campaign-Related Donations (Proposal 1)

Assessment:

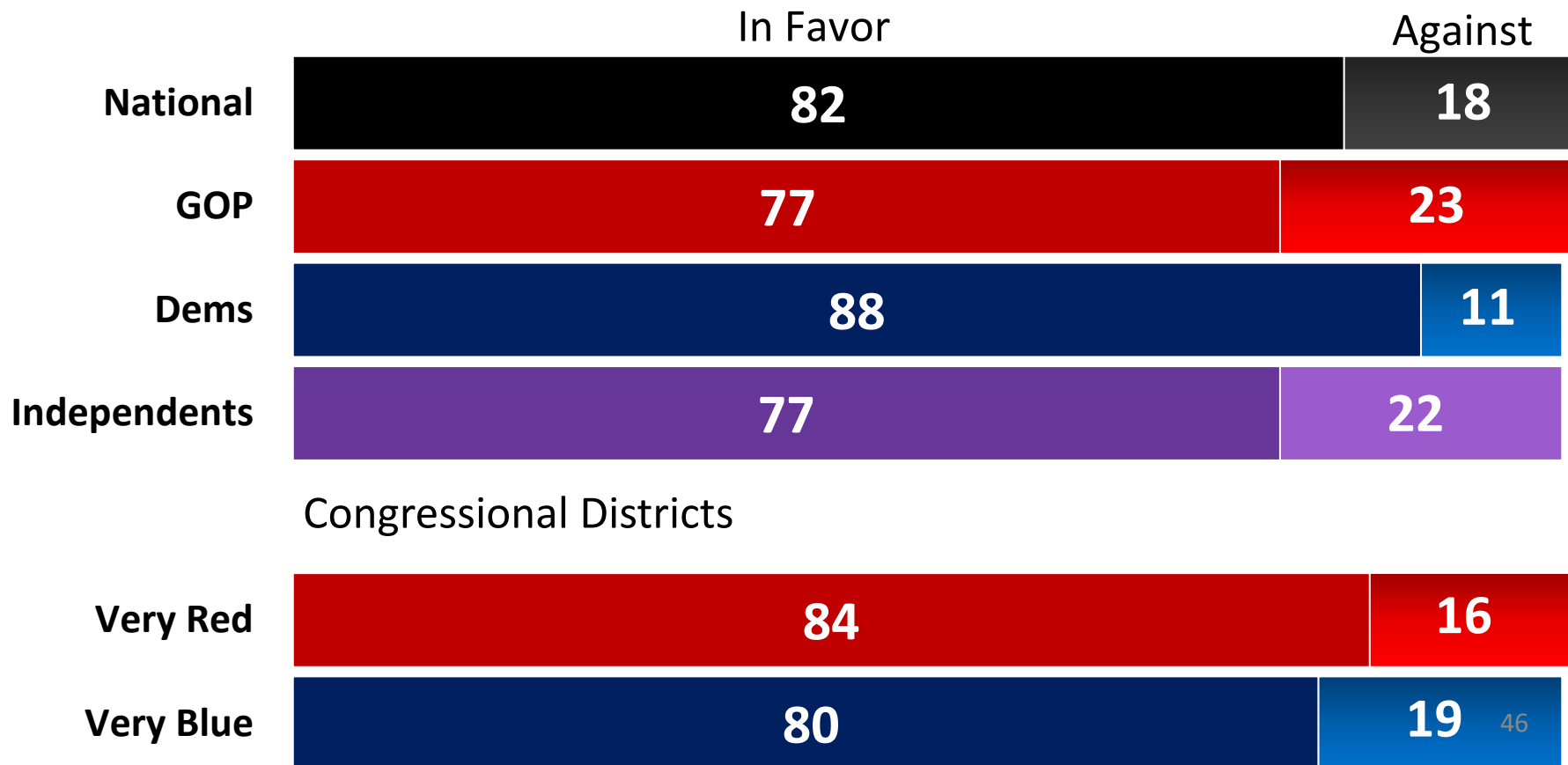
Require that all individuals or organizations that donate or receive a total of \$10,000 or more for campaign-related activities promptly register with the FEC and have their name and the amount of the donations listed on the Commission's website.



Requiring Greater Disclosure of Campaign-Related Donations (Proposal 1)

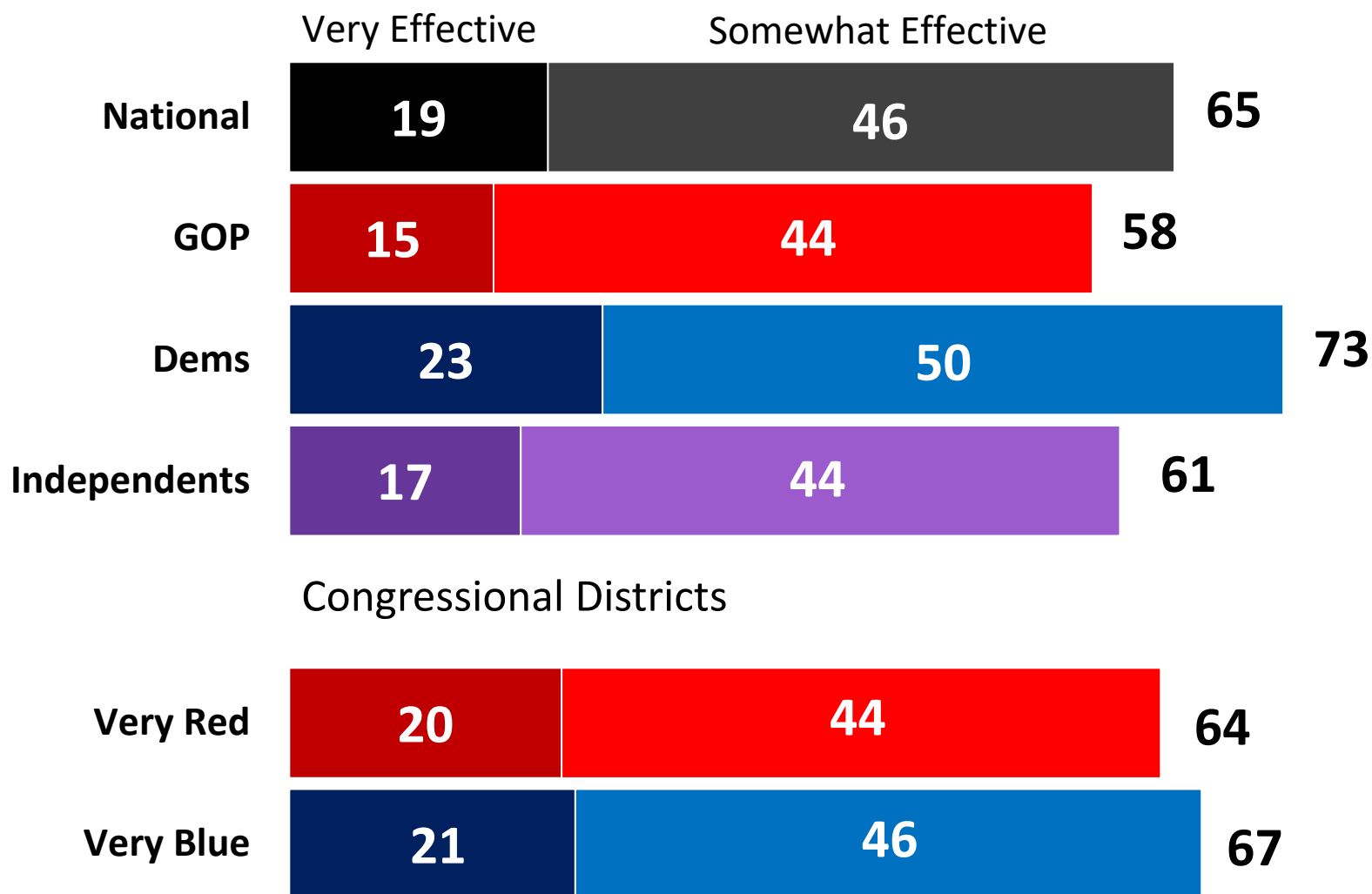
Final Recommendation:

Require that all individuals or organizations that donate or receive a total of \$10,000 or more for campaign-related activities promptly register with the FEC and have their name and the amount of the donations listed on the Commission's website.



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



Requiring Greater Disclosure of Campaign-Related Donations (Proposal 2)

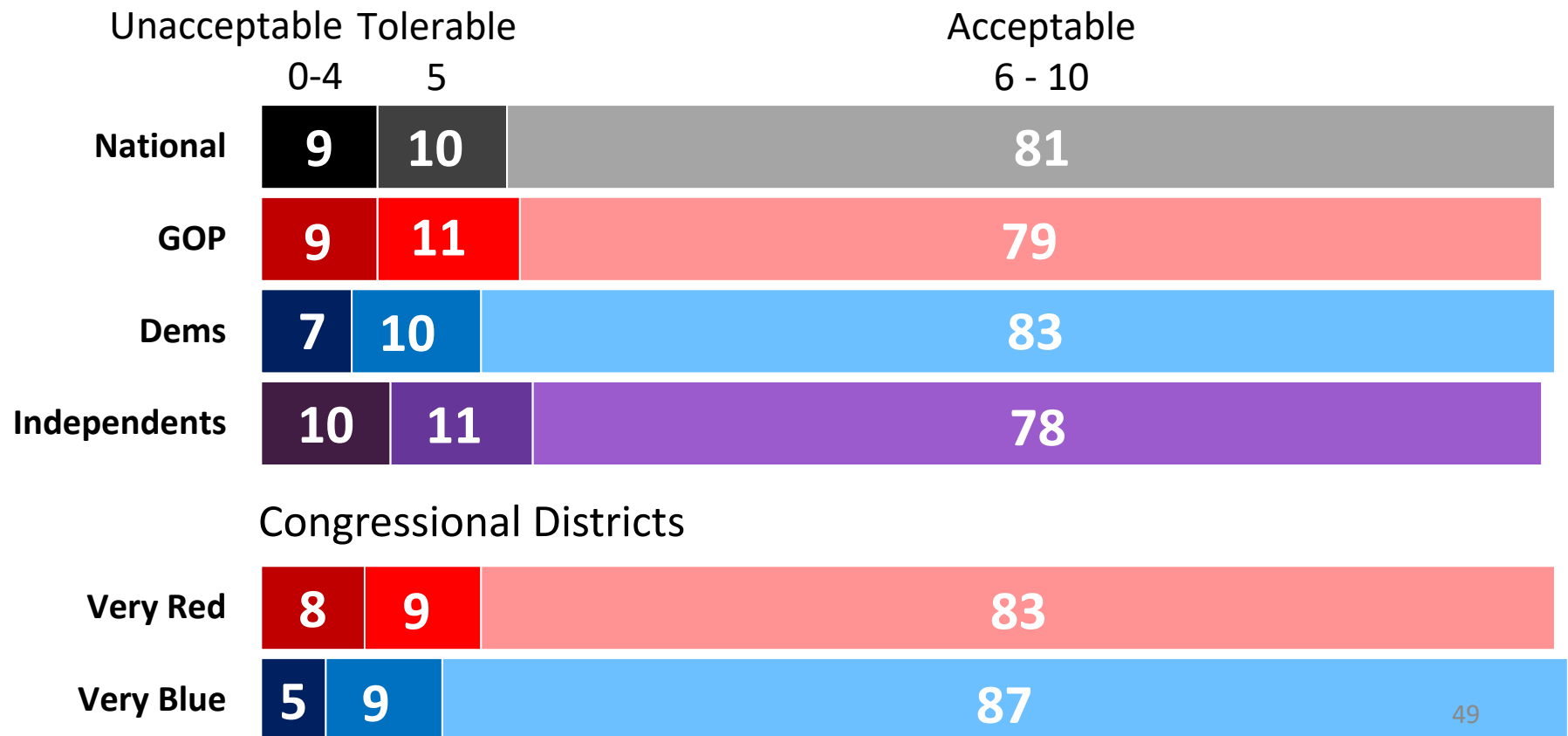
Currently, when corporations, unions, and other groups spend money on their own campaign-related activity, such as running a TV ad that is supportive of a candidate, they do not have to report it. This proposal would require that, these groups:

- report this spending, within 24 hours, to their shareholders and members
- make this information available to the public on their websites
- report it to the FEC

Requiring Greater Disclosure of Campaign-Related Donations (Proposal 2)

Assessment:

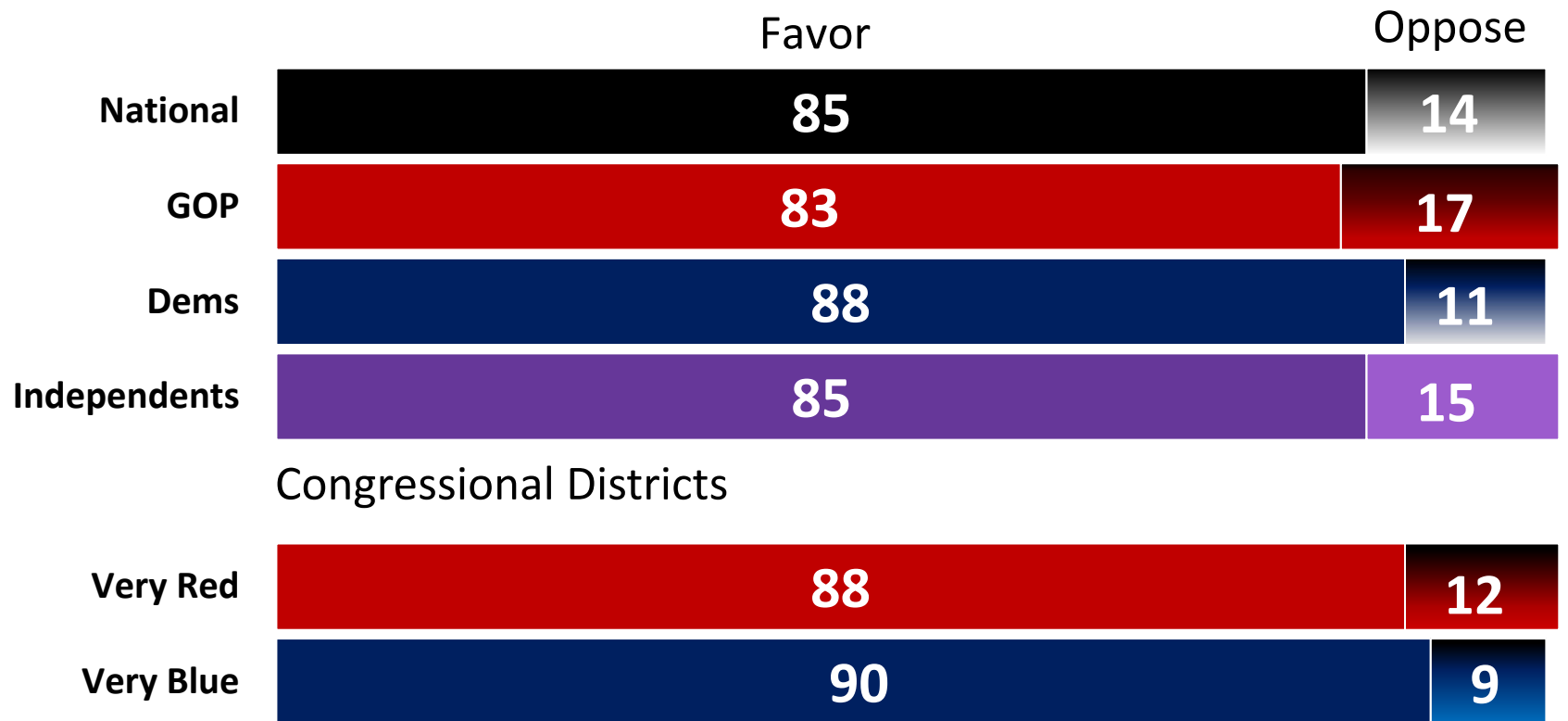
This proposal would require that, these groups: report this spending, within 24 hours, to their shareholders and members make this information available to the public on their websites report it to the FEC.



Requiring Greater Disclosure of Campaign-Related Donations (Proposal 2)

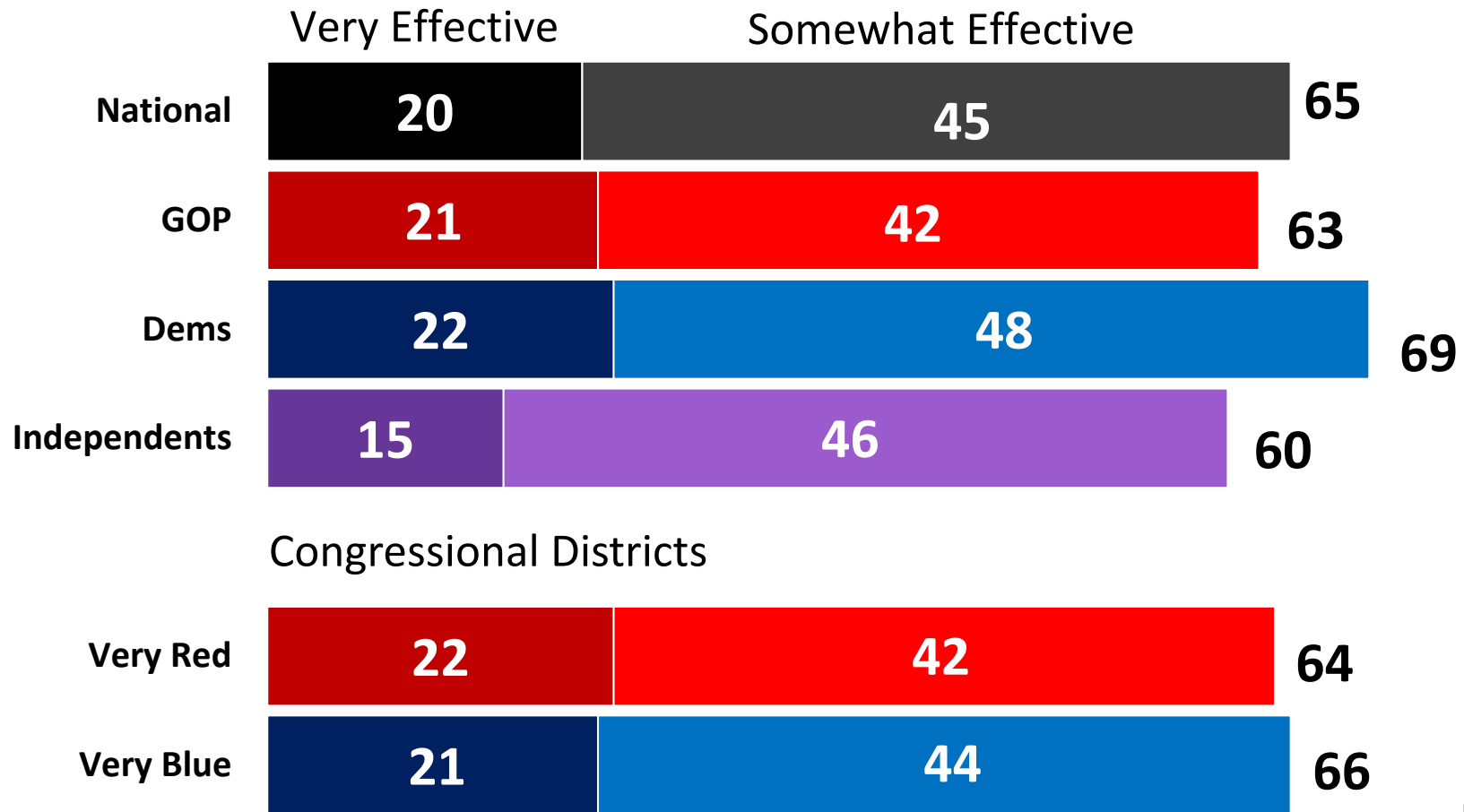
Final Recommendation:

This proposal would require that, these groups: report this spending, within 24 hours, to their shareholders and members make this information available to the public on their websites report it to the FEC.



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



Greater Public Disclosure of Campaign-Related Donations (Proposal 3)

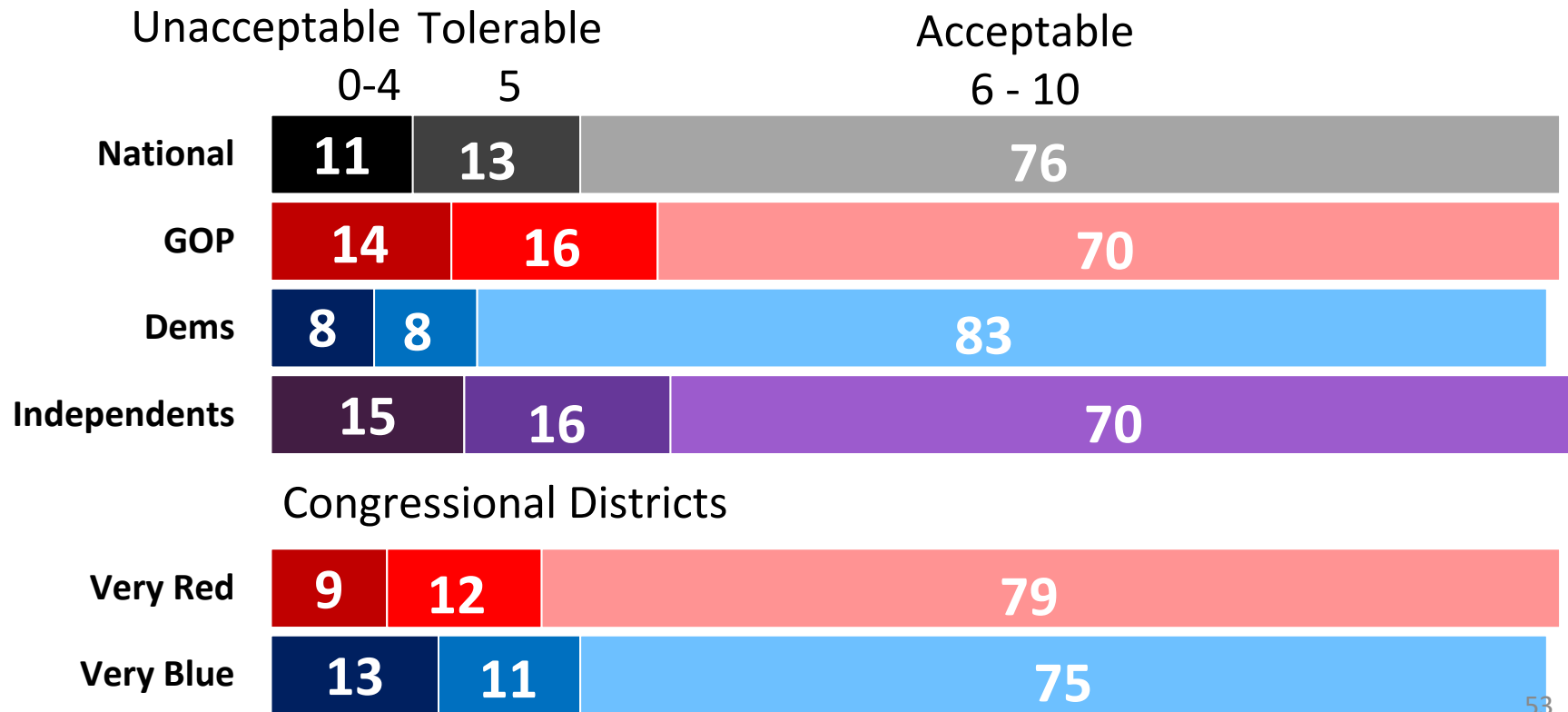
Currently, when significant donors spend money on their own campaign-related activity, such as running a TV ad that is supportive of a candidate, they do not have to report it.

This proposal says that the Federal Communications Commission would require the public disclosure of the names of significant donors in paying for TV or radio ads in support of candidates or related to controversial public issues.

Greater Public Disclosure of Campaign-Related Donations (Proposal 3)

Assessment:

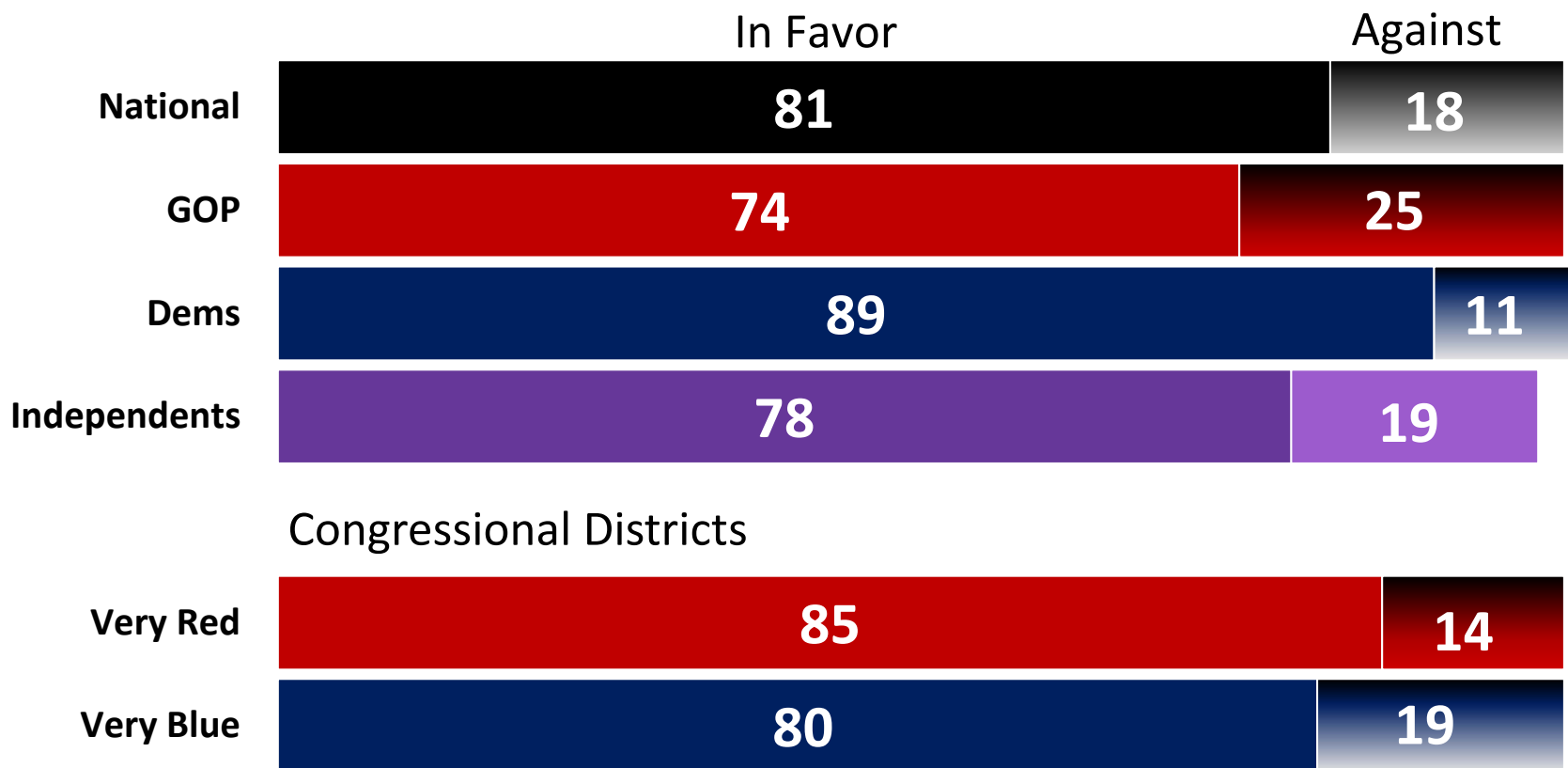
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Greater Public Disclosure of Campaign-Related Donations (Proposal 3)

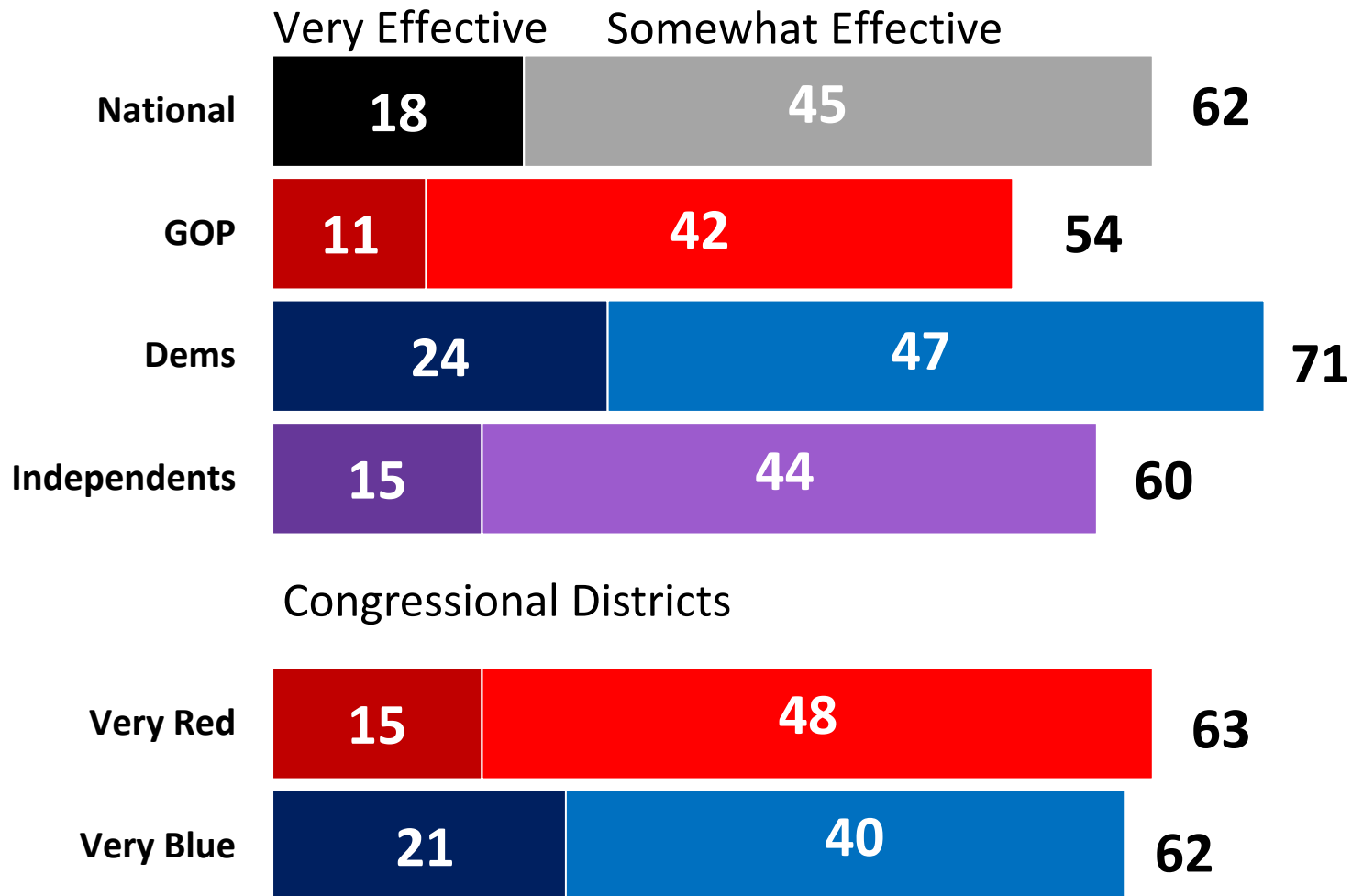
Final Recommendation:

This proposal says that the Federal Communications Commission would require the public disclosure of the names of significant donors in paying for TV or radio ads in support of candidates or related to controversial public issues.



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



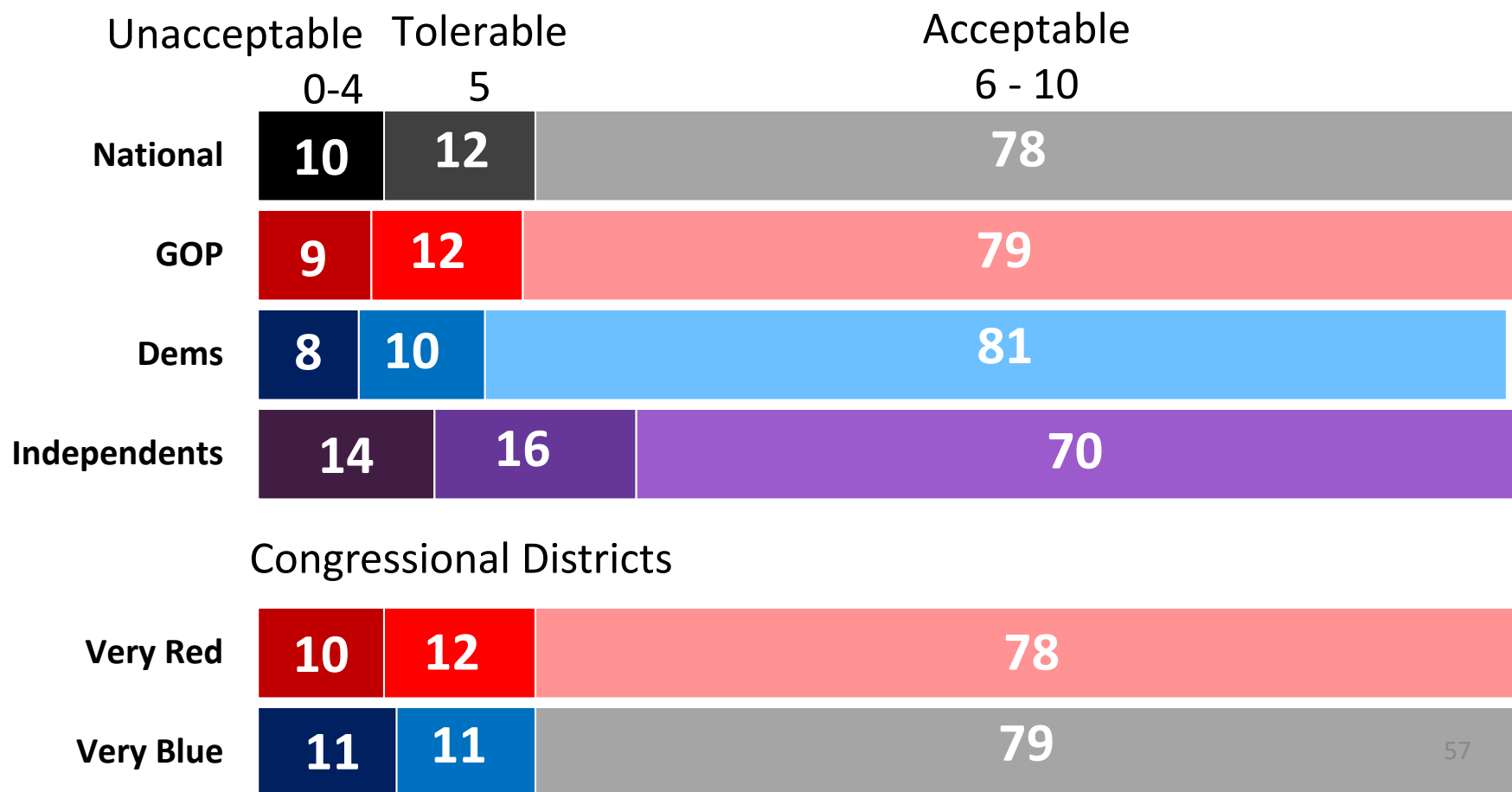
Greater Public Disclosure of Campaign-Related Donations (Proposal 3)

Let's suppose Congress does not pass the proposal described above. Here is an action that could be taken by the President to require greater disclosure.

As you may know, some federal contractors are big campaign donors. The President could require federal contractors to publicly disclose their donations to groups that spend money on campaign-related activities.

Greater Public Disclosure of Campaign-Related Donations (Proposal 3) *Assessment:*

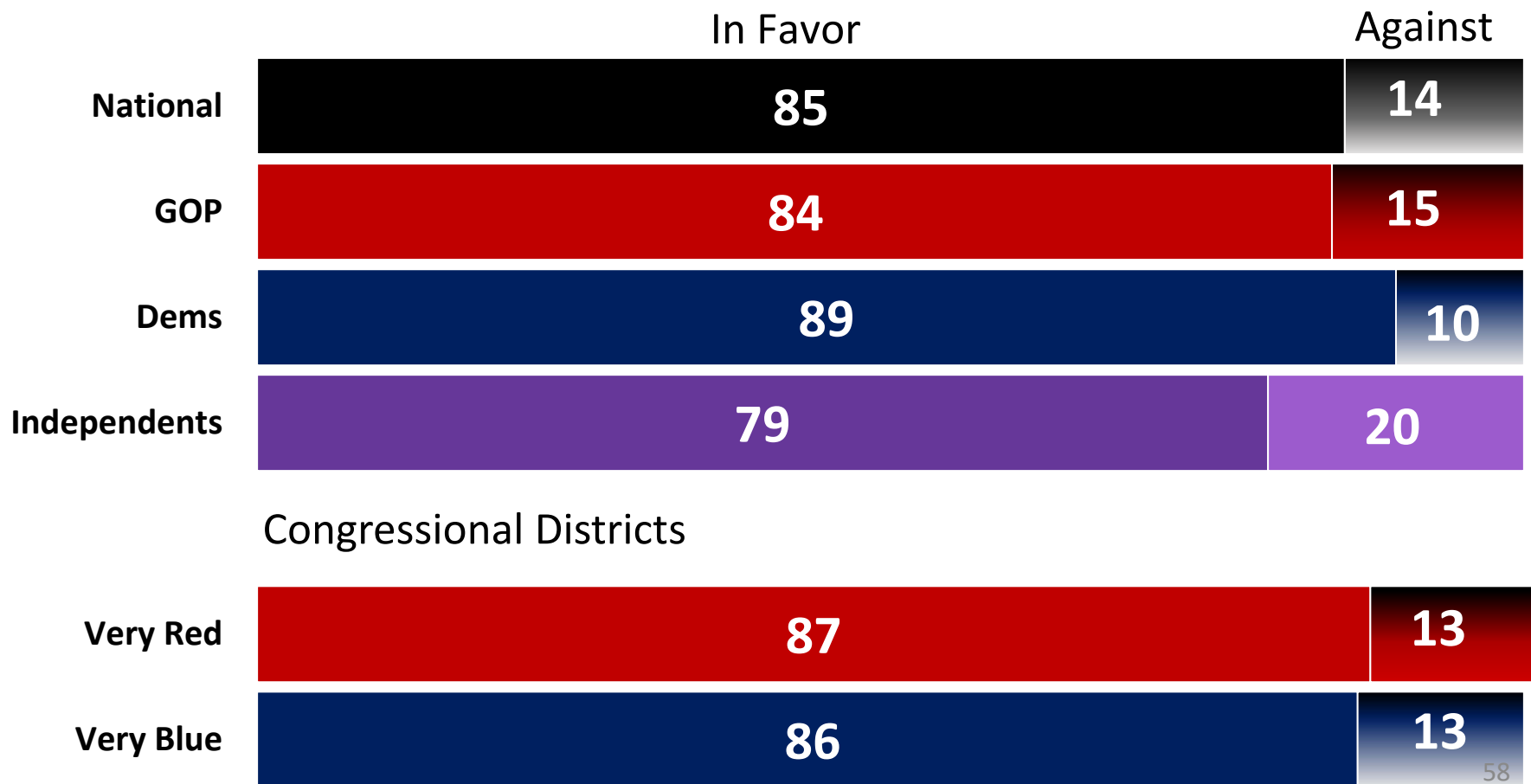
The President could require federal contractors to publicly disclose their donations to groups that spend money on campaign-related activities.



Greater Public Disclosure of Campaign-Related Donations (Proposal 3)

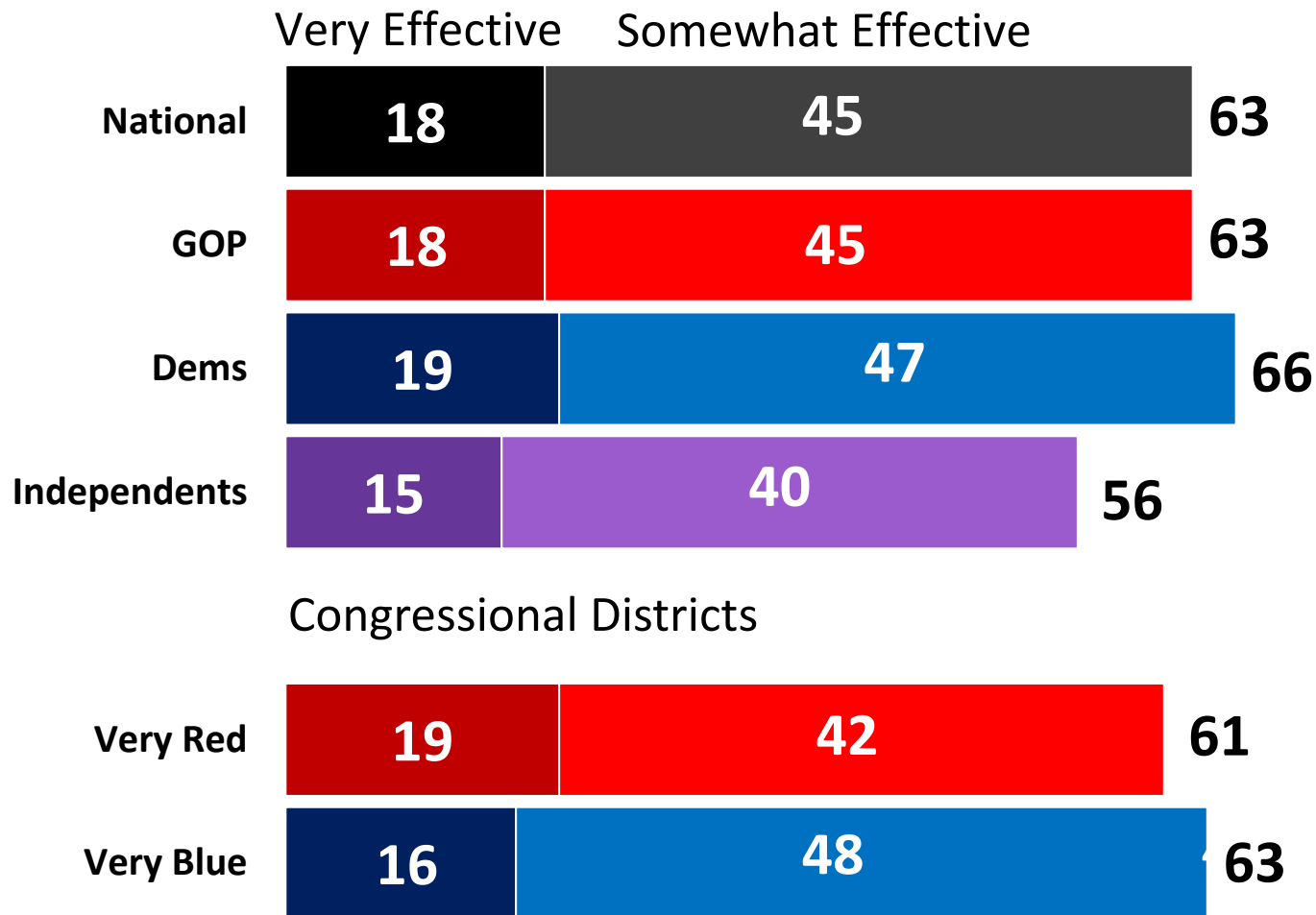
Final Recommendation:

The President could require federal contractors to publicly disclose their donations to groups that spend money on campaign-related activities.



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



Offsetting the Influence of Big Campaign Donors

Constraining Direct Fundraising by Members of Congress

Constraining Direct Fundraising by Members of Congress

Here is another proposal that seeks to reduce the influence of big donors on Members of Congress.

Members of Congress would be prohibited from personally asking a donor for money at any time. It allows them to attend and speak at fundraising events, but prohibits direct one-on-one appeals for donations.

Constraining Direct Fundraising by Members of Congress

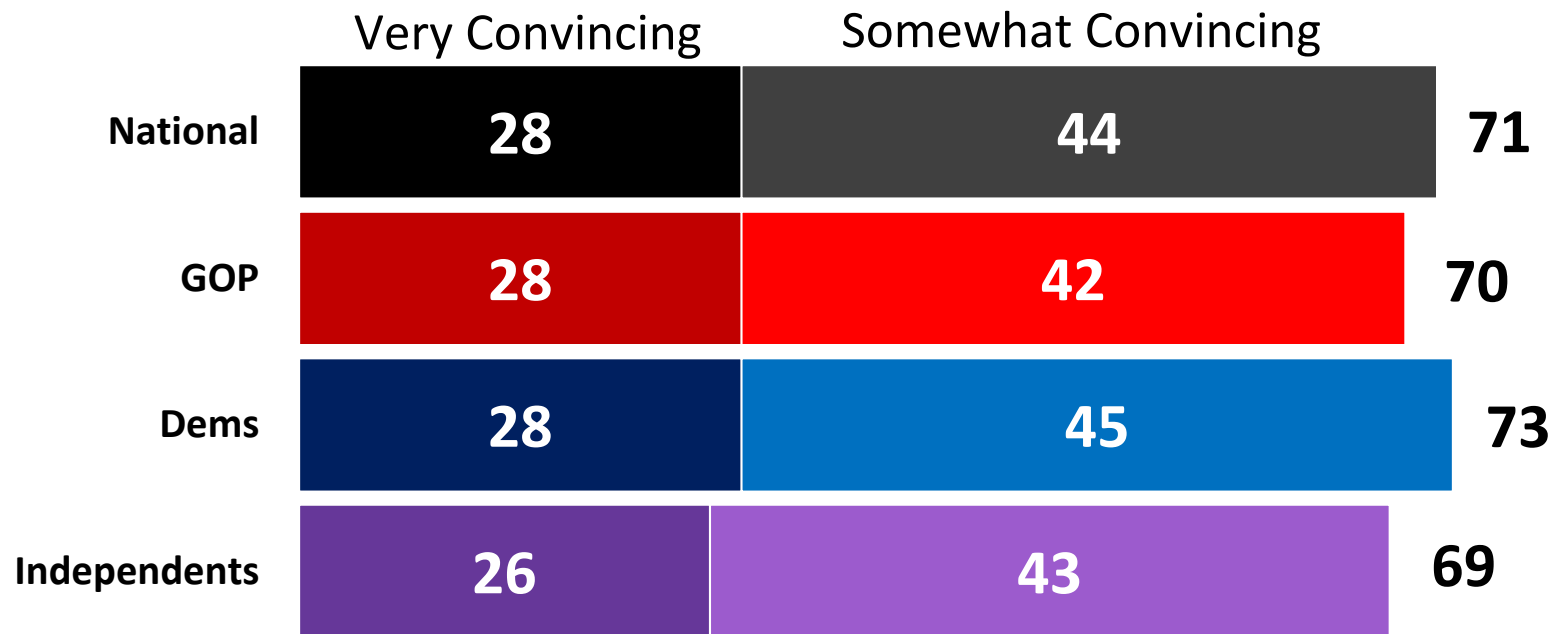
Pro Argument:

Members spend more time fundraising than doing their job. If all Members were to do less fundraising there would probably be less money going into campaigns in general, which would be good.

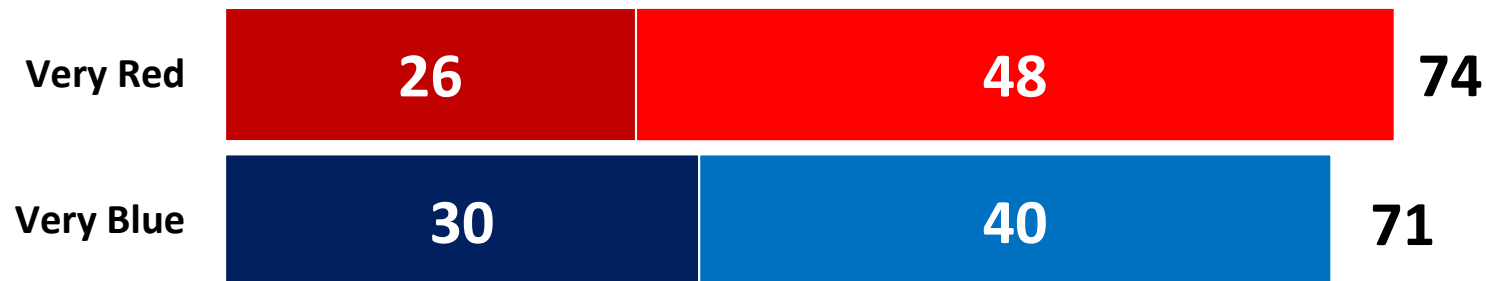
Furthermore, when the Members themselves do the fundraising it is most likely to lead to implicit understandings--with winks and nods--that the Members will do favors for the donor.

Constraining Direct Fundraising by Members of Congress

Pro Argument:



Congressional Districts



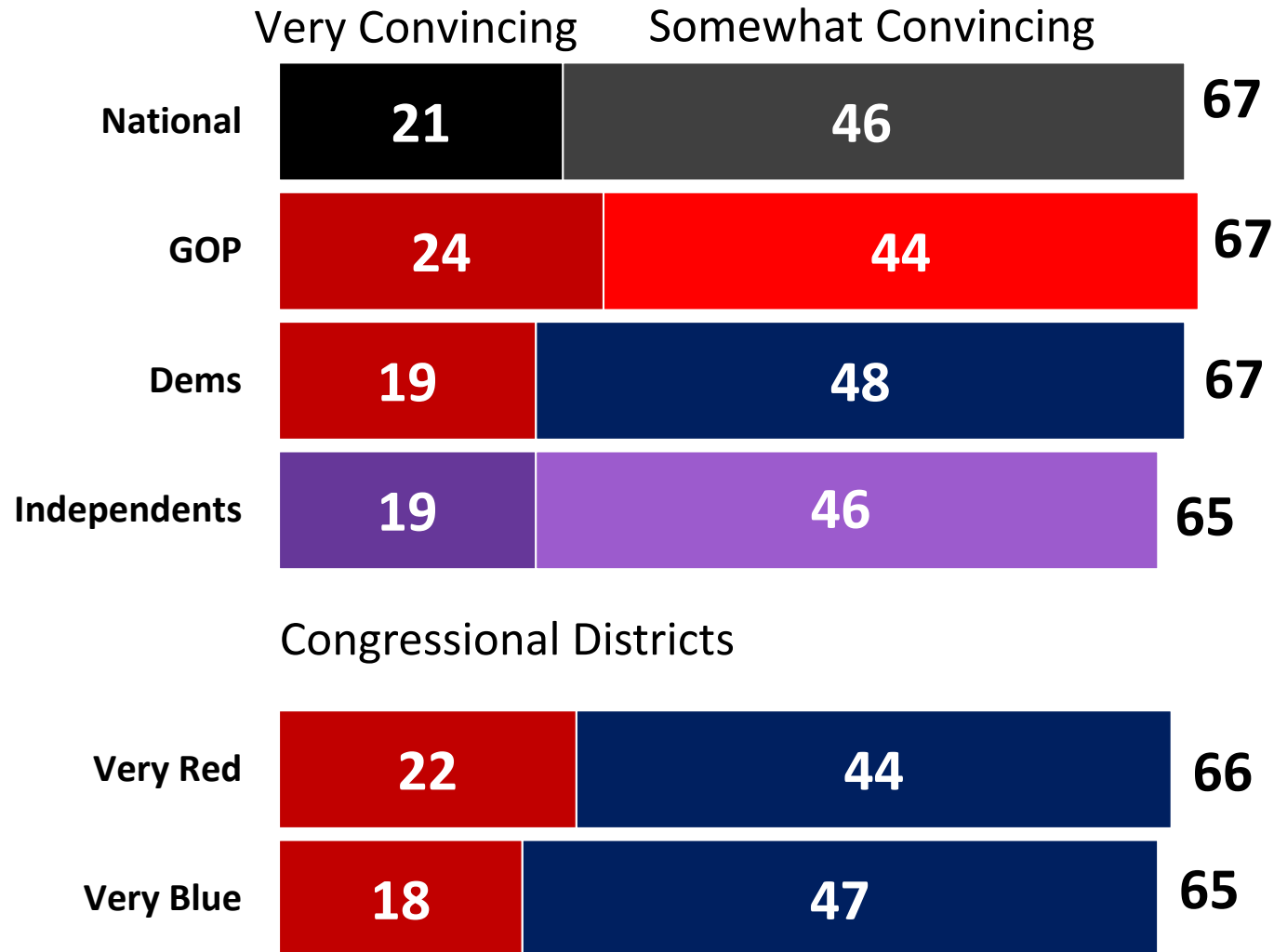
Constraining Direct Fundraising by Members of Congress

Con Argument:

Imposing limits on the fundraising activities of Members of Congress would give an unfair advantage to challengers who would not have the same limits. Enforcing it would be nearly impossible. Furthermore, limiting their right to ask for a donation is a violation of the freedom of speech of Members of Congress and would probably be declared unconstitutional by the Supreme Court.

Constraining Direct Fundraising by Members of Congress

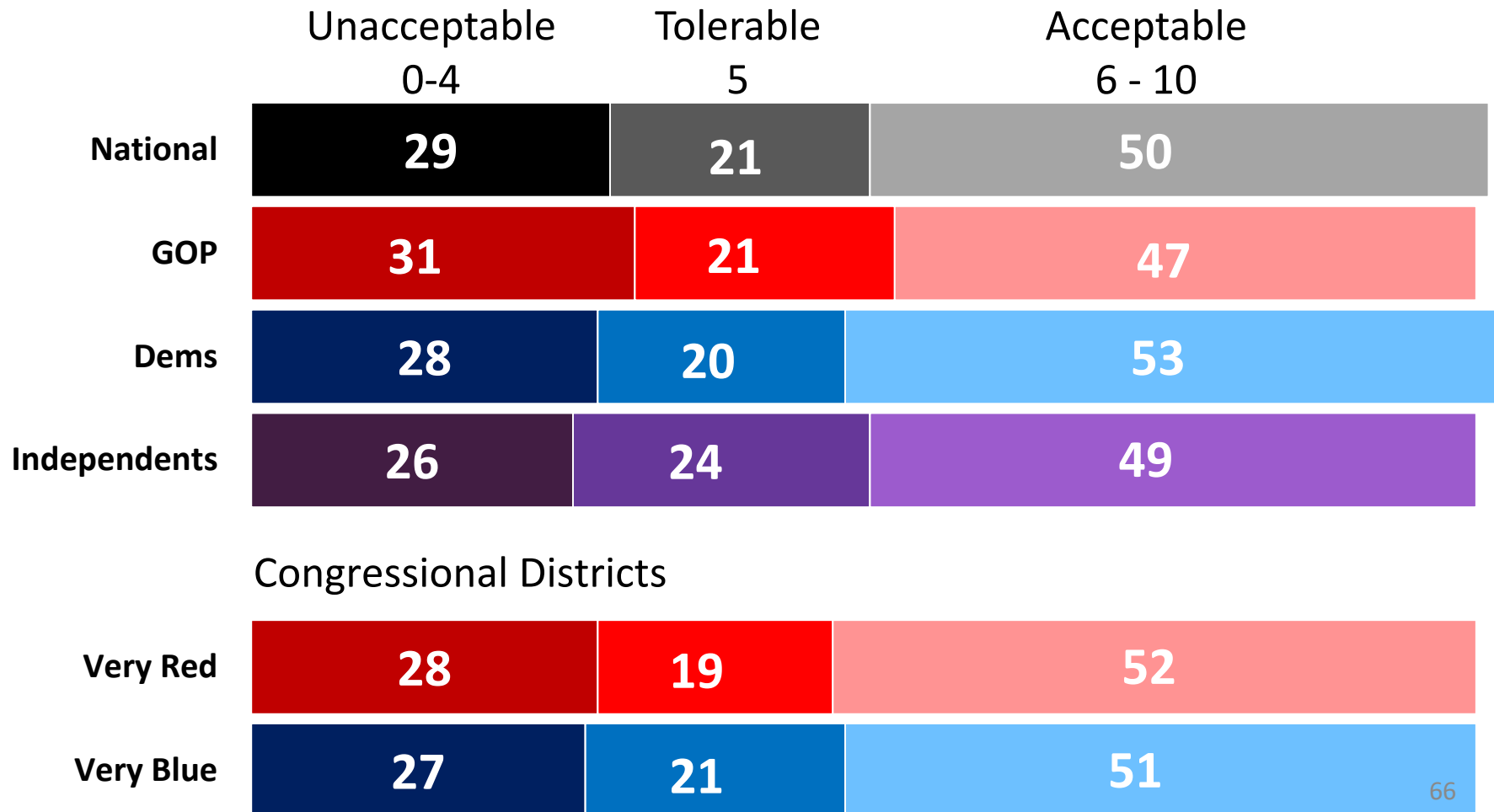
Con Argument:



Constraining Direct Fundraising by Members of Congress

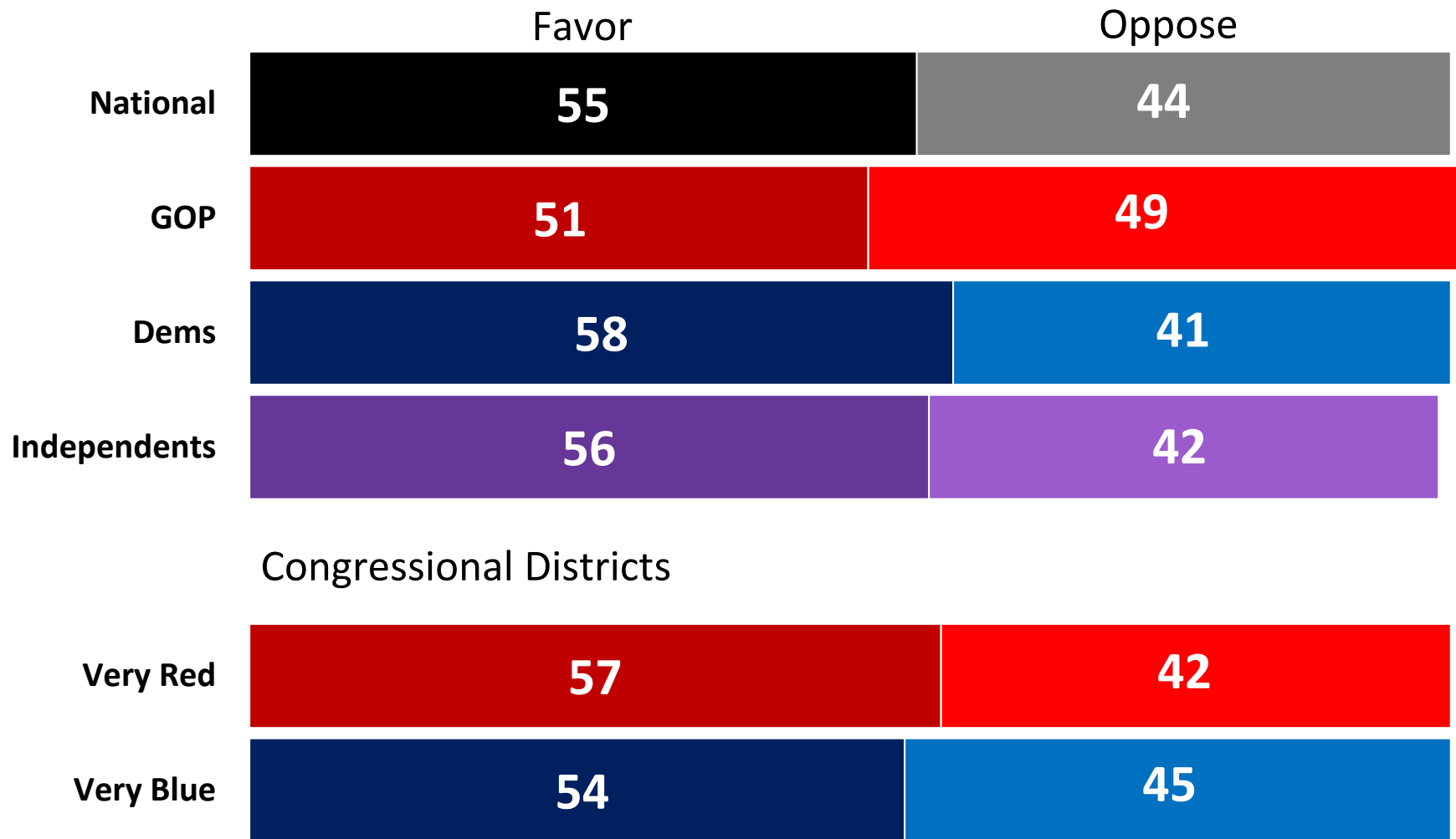
Assessment:

Please select how acceptable this proposal would be to you.



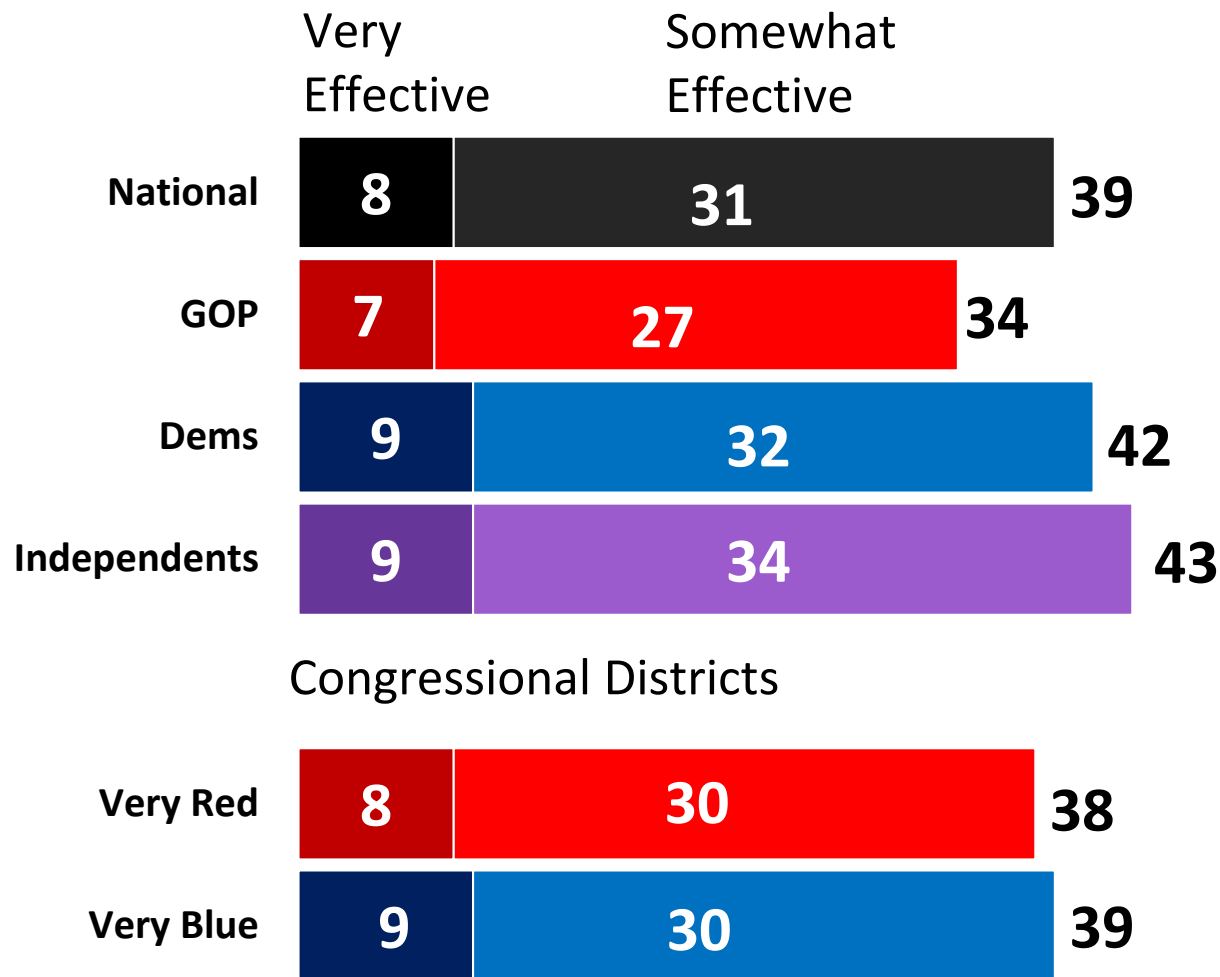
Constraining Direct Fundraising by Members of Congress

Final Recommendation:



Effectiveness

How effective do you think this proposal, if enacted, would likely be in reducing or counterbalancing the influence of big campaign donors?



Offsetting the Influence of Big Campaign Donors

Constitutional Amendment to Overturn Citizens United

Constitutional Amendment to Overturn Citizens United

We have been considering proposals that seek to counter the influence of big donors by enhancing the influence of small donors or requiring greater transparency of all donations. Some people think this is not adequate to counter the influence of big donors and say that Congress should directly limit all forms of campaign-related donations.

For Congress to do this, however, would require a new Constitutional amendment, which would override the Supreme Court's past decisions on this subject, including 'Citizens United,' and prevent the courts from striking down campaign finance laws in the future.

Passing any Constitutional amendment is quite challenging. It requires ratification by two thirds of Congress and three quarters of all states.

Such an amendment has been proposed in both houses of Congress. It has two parts, which we will consider one at a time.

Constitutional Amendment to Overturn Citizens United

Congress May Regulate Campaign Financing (Part 1)

The first part of the proposed Constitutional amendment would say Congress and the states may regulate and set reasonable limits on the raising and spending of money by candidates and others seeking to influence elections.

Constitutional Amendment to Overturn Citizens United

Congress May Regulate Campaign Financing (Part 1)

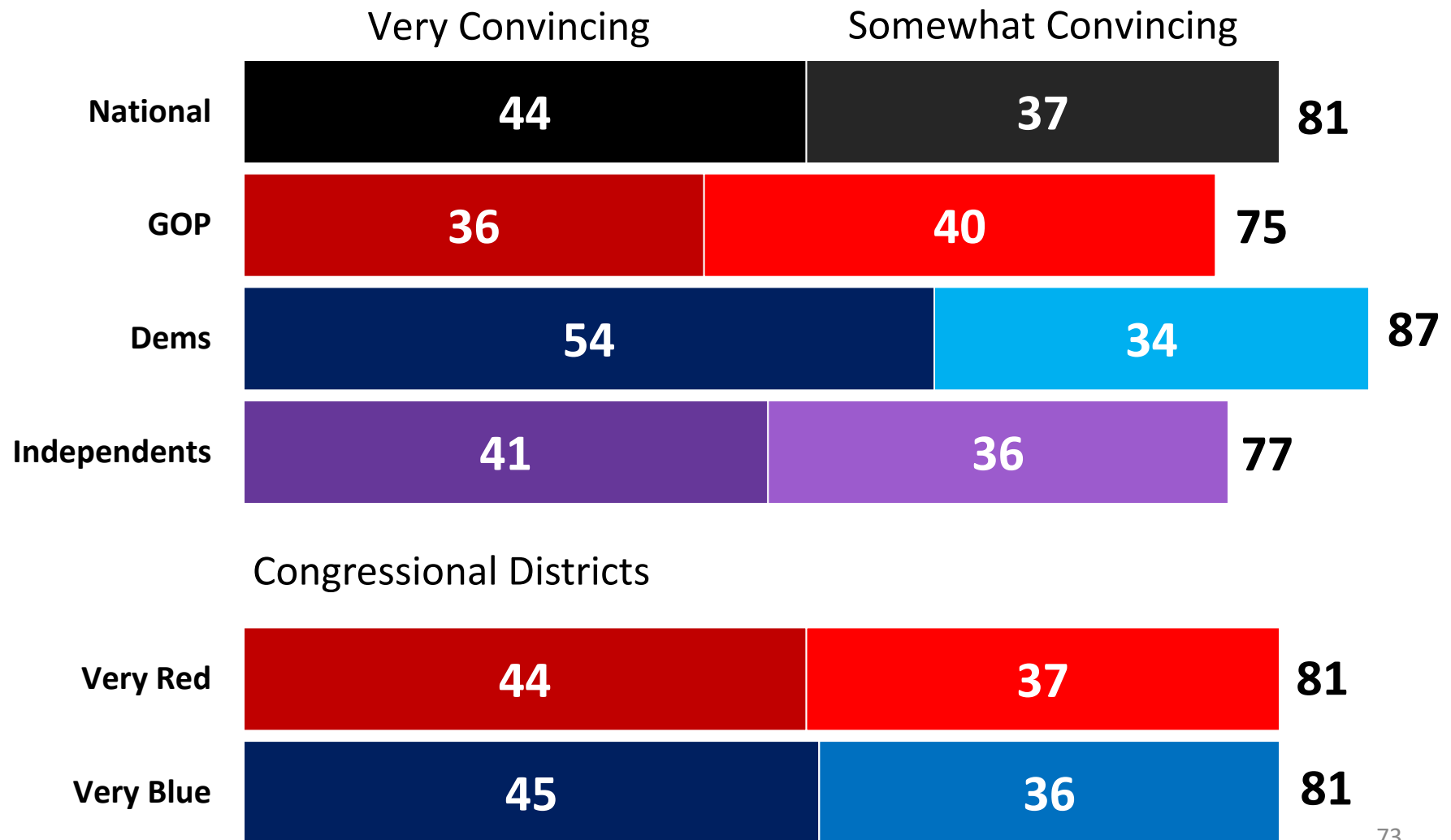
Pro Argument:

Clearly, we cannot go on letting people and organizations use the cover of the First Amendment to allow what is essentially bribery of Members of Congress. Since the recent Supreme Court decision to allow unlimited contributions, there has been a flood of money pouring into organizations seeking to influence elections. The rich should not have more influence just because they have more money. They are drowning out the voice of most ordinary voters. The Founders would be horrified by the amount of money in elections and this is just the kind of problem that they established the Constitutional amendment process to address. Congress should be able to set reasonable limits on political spending.

Constitutional Amendment to Overturn Citizens United

Part 1: Congress May Regulate Campaign Financing

Pro Argument:



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Congress May Regulate Campaign Financing (Part 1)

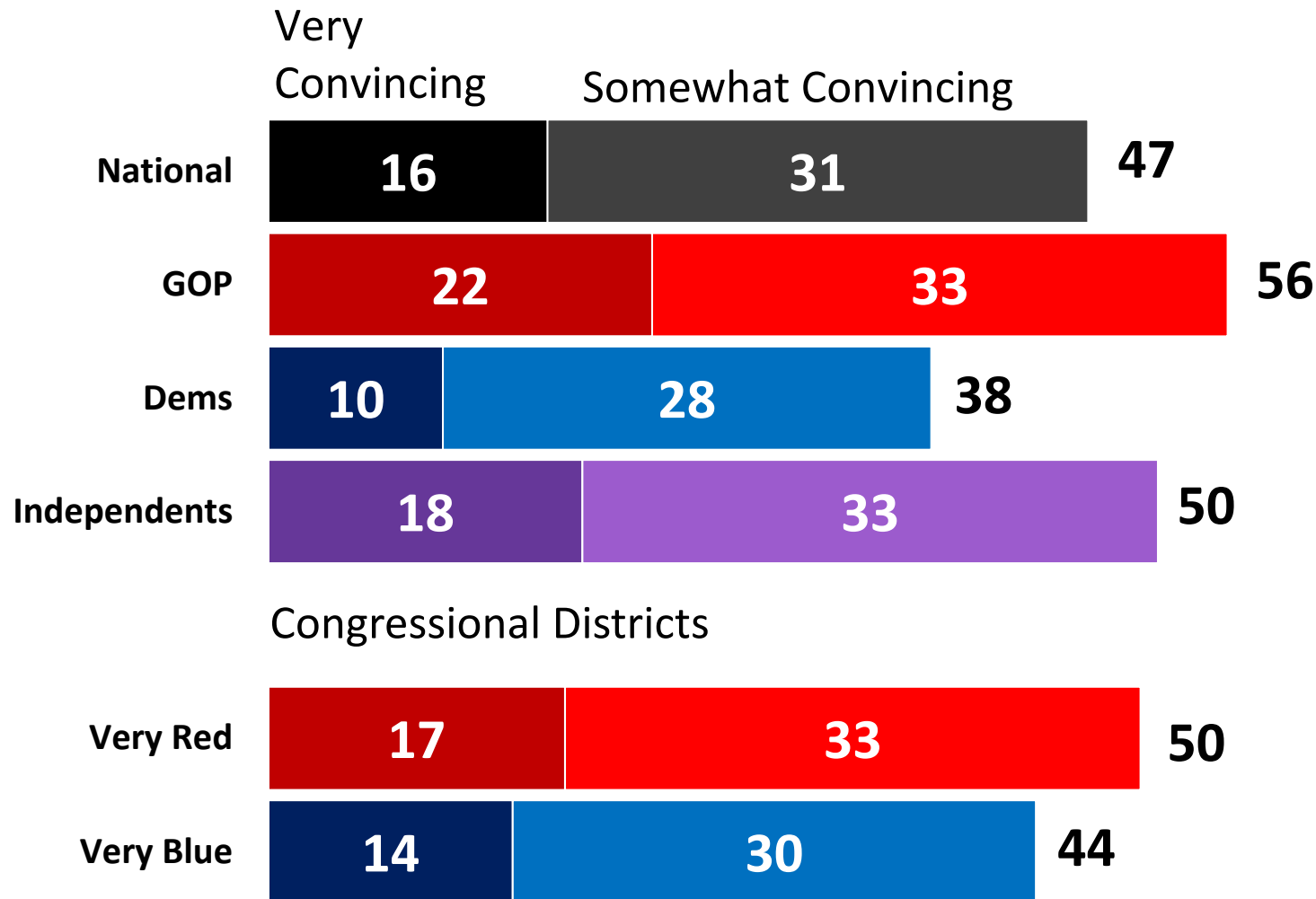
Con Argument:

This proposal is an end run around Constitutional principles—practically an attempt to repeal the First Amendment. If people want to spend money making their views heard about a candidate, the government should not have the right to stop them. Should we assume that the government knows what the right amount of free speech is? Real freedom of speech is often inconvenient for somebody. You can't just pick and choose where you want it to apply. Tampering with the Constitution is a risky idea. Once you start limiting some forms of speech it becomes a slippery slope toward more and more limits on our freedoms.

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Part 1: Congress May Regulate Campaign Financing

Con Argument:



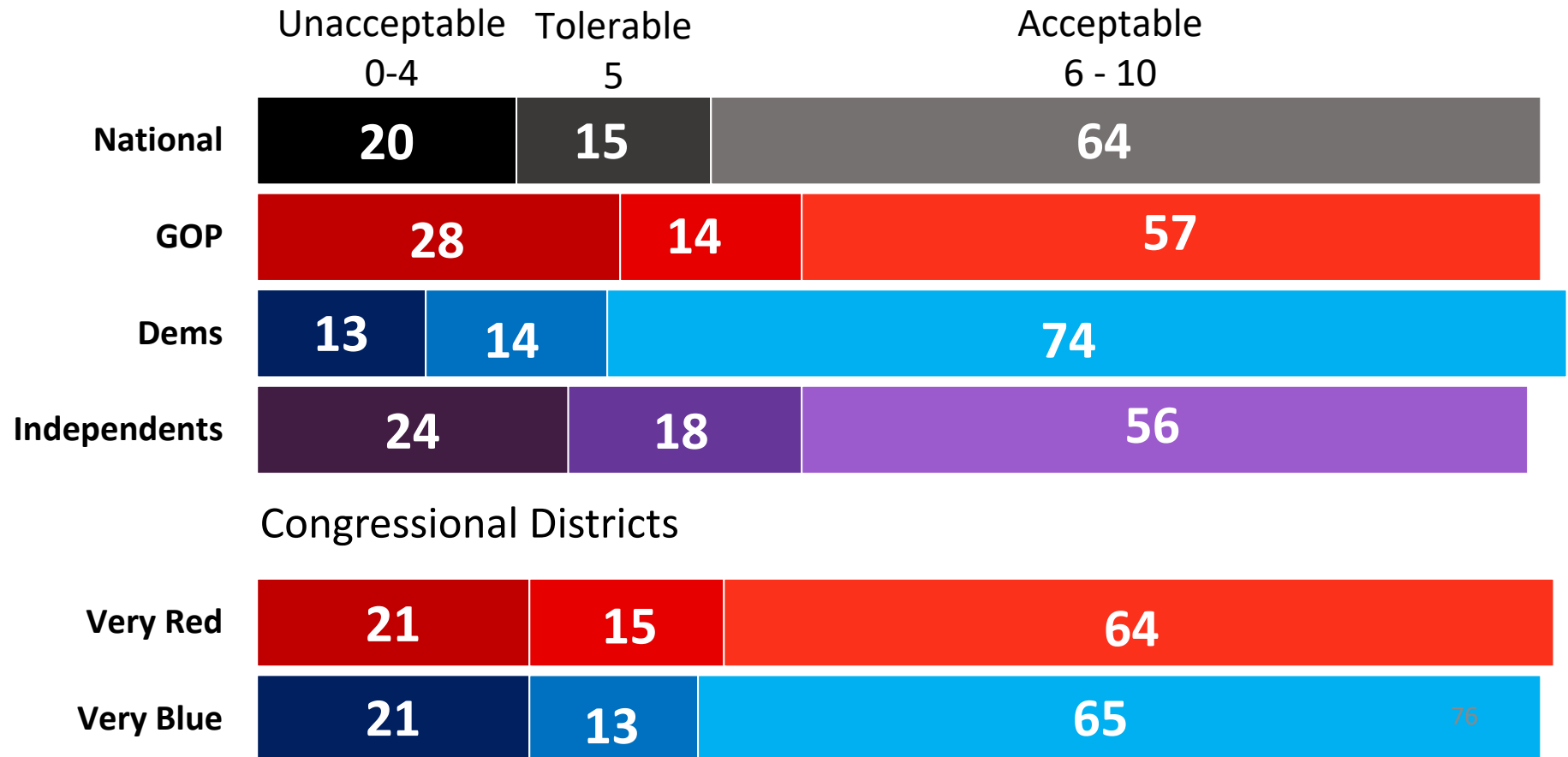
Constitutional Amendment to Overturn Citizens United

Part 1. Congress May Regulate Campaign Financing

Congressional Districts

Assessment:

A new Constitutional amendment that would say Congress and the states may regulate and set reasonable limits on the raising and spending of money by candidates and others to influence elections.



Constitutional Amendment to Overturn Citizens United

Corporations Different From People (Part 2)

The second part of the proposed Constitutional amendment would say that, in writing campaign finance laws, Congress would have the right to treat corporations and other organizations differently from ‘natural persons.’ This would allow Congress to restrict or even prohibit corporations and other organizations from spending money to influence elections.

Constitutional Amendment to Overturn Citizens United

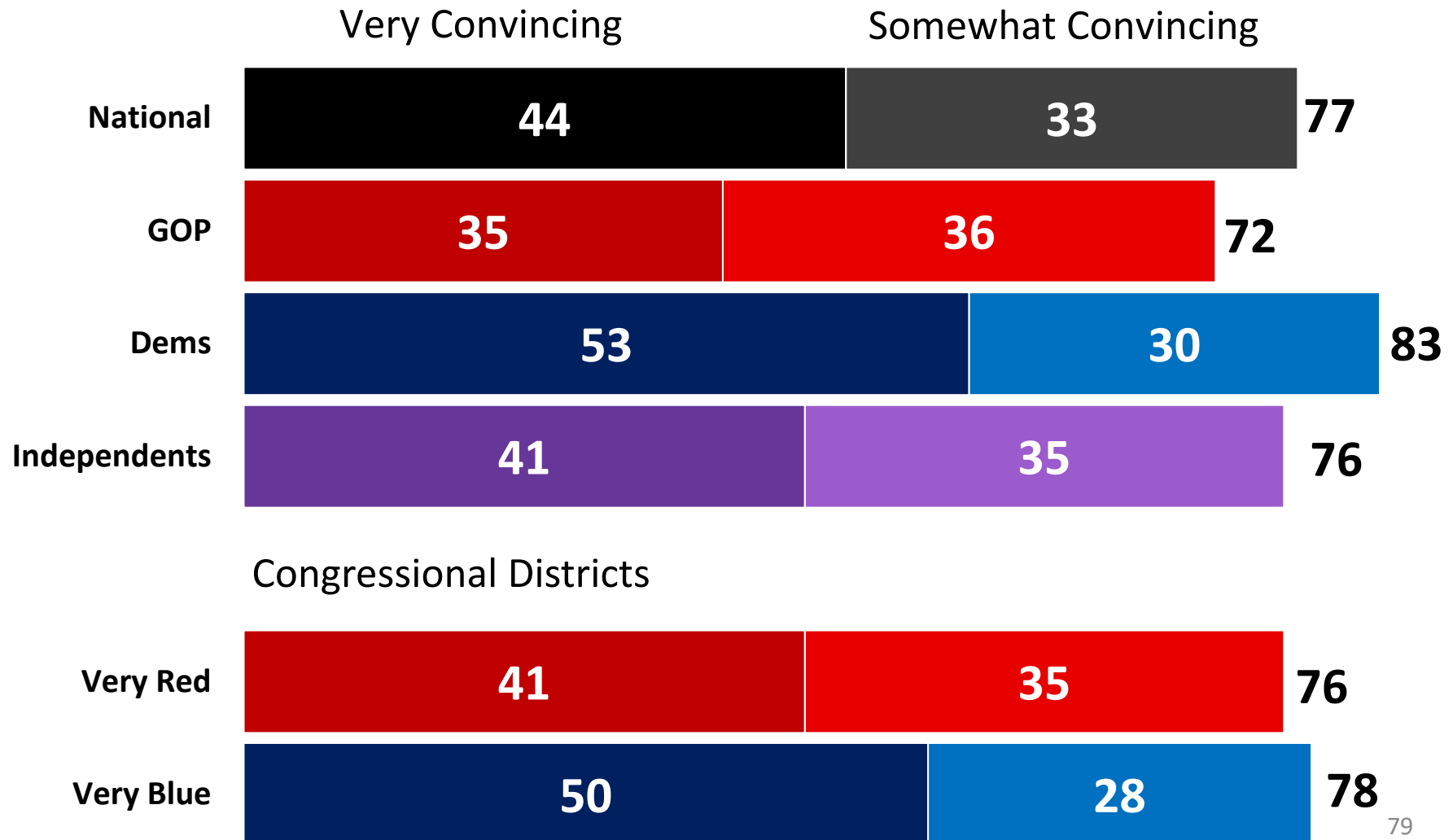
Treating Corporations Differently (Part 2)

Pro Argument:

A corporation should not have the same rights as a person. The idea that it is a group of people expressing their point of view is a fallacy. All of the people who are part of the corporation do not necessarily share a single point of view. A corporation is created to perform a function or to make money. It does not have the right to vote. Pursuing political influence through campaign-related donations in the service of a corporation's goals is not something the Constitution was ever meant to protect. If the individuals associated with a corporation want to express a point of view or donate to a campaign, they are still free to do so.

Constitutional Amendment to Overturn Citizens United Treating Corporations Differently (Part 2)

Pro Argument:



Constitutional Amendment to Overturn Citizens United

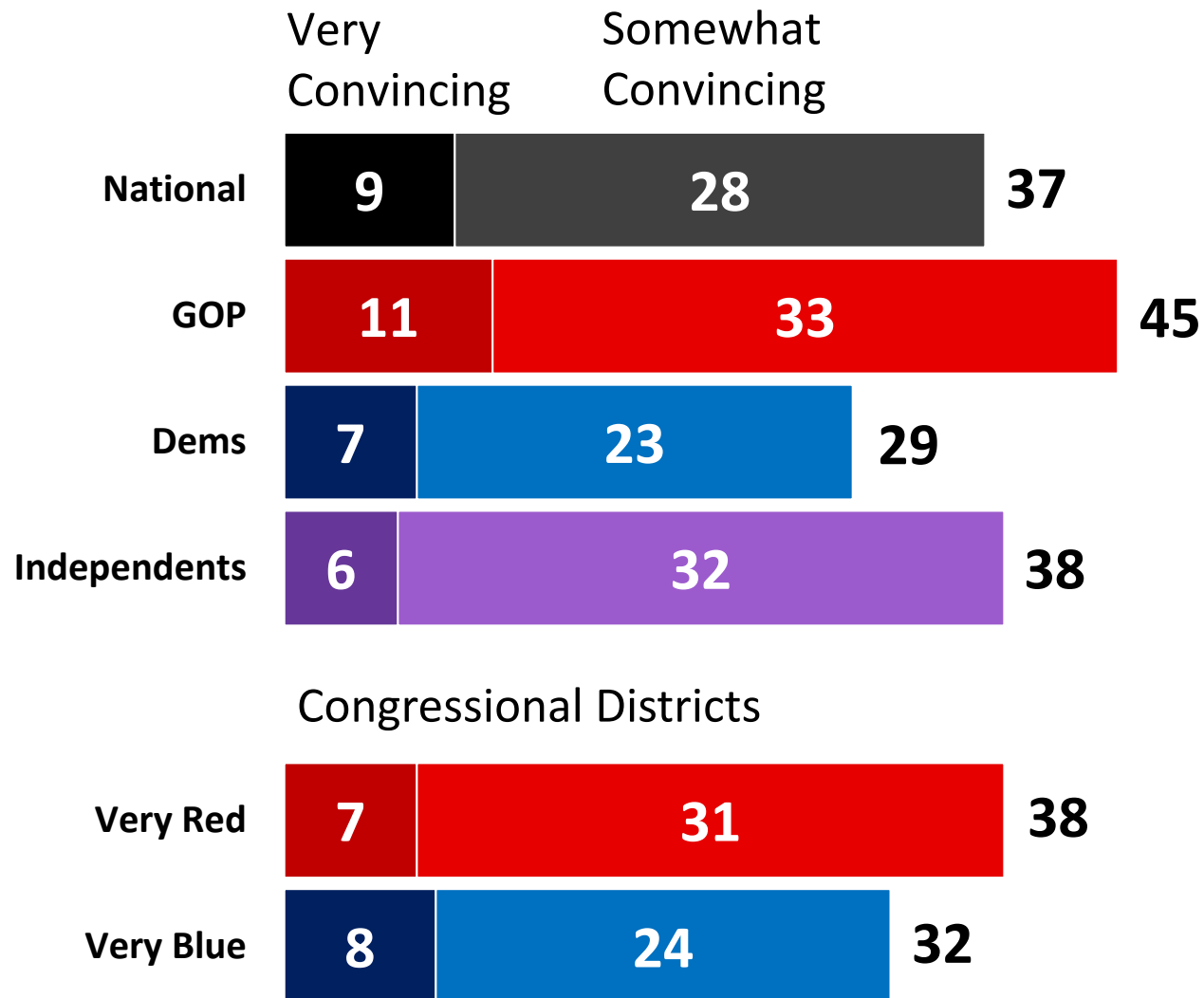
Treating Corporations Differently (Part 2)

Con Argument:

People have the right to come together and become shareholders in a corporation. As shareholders they have a shared interest in the goals of the corporation. Thus, the corporation should have the same rights of free expression as do the individual shareholders. The fact that they are also seeking to make money should not make any difference. Making a Constitutional amendment that would restrict the freedom of shareholders to act together would subvert the underlying principles of the Constitution. Furthermore, some of the corporations that would be limited by this law are nonprofit corporations that serve good causes and should not be prevented from making their voice heard.

Constitutional Amendment to Overturn Citizens United Treating Corporations Differently (Part 2)

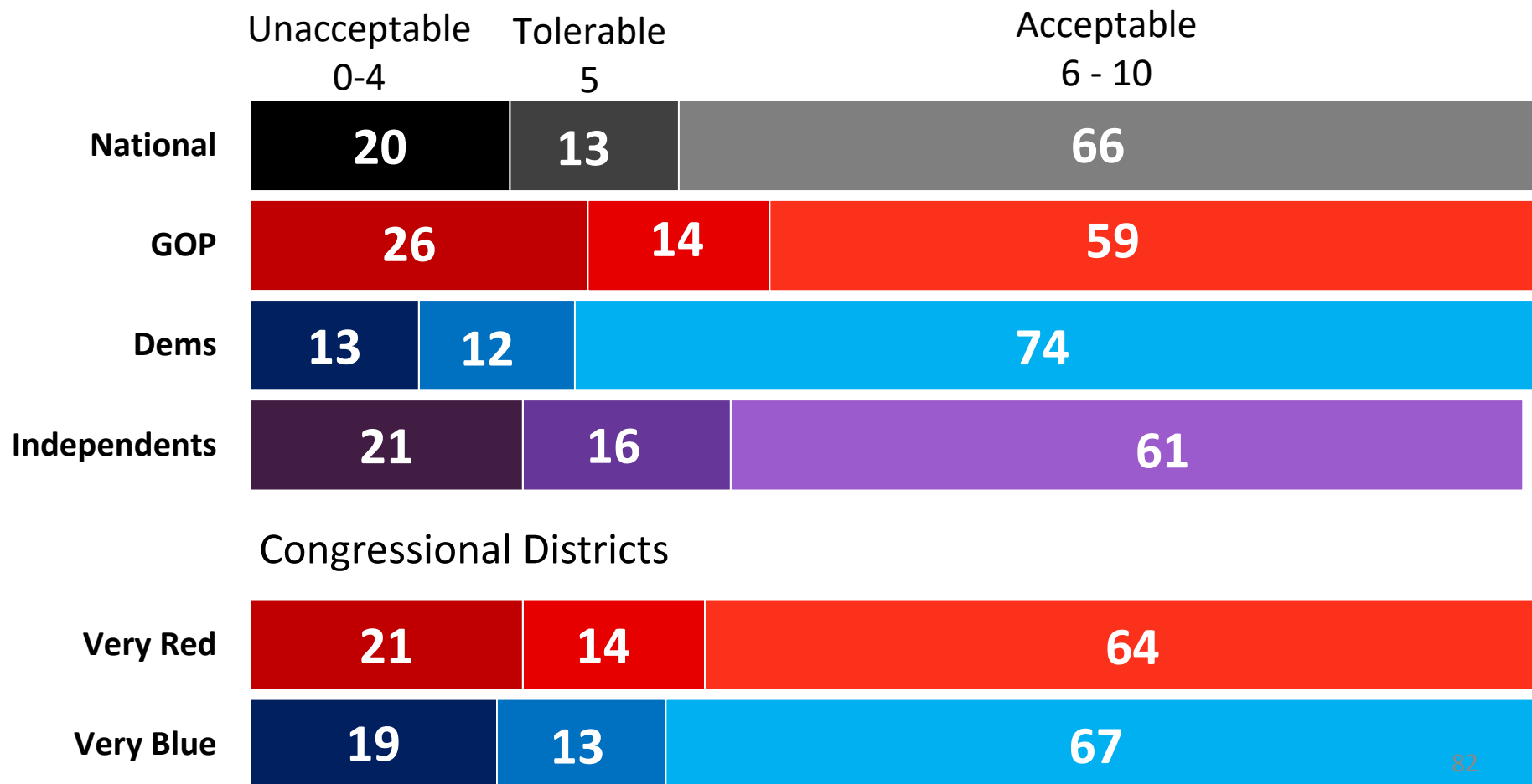
Con Argument:



Constitutional Amendment to Overturn Citizens United Treating Corporations Differently (Part 2)

Assessment:

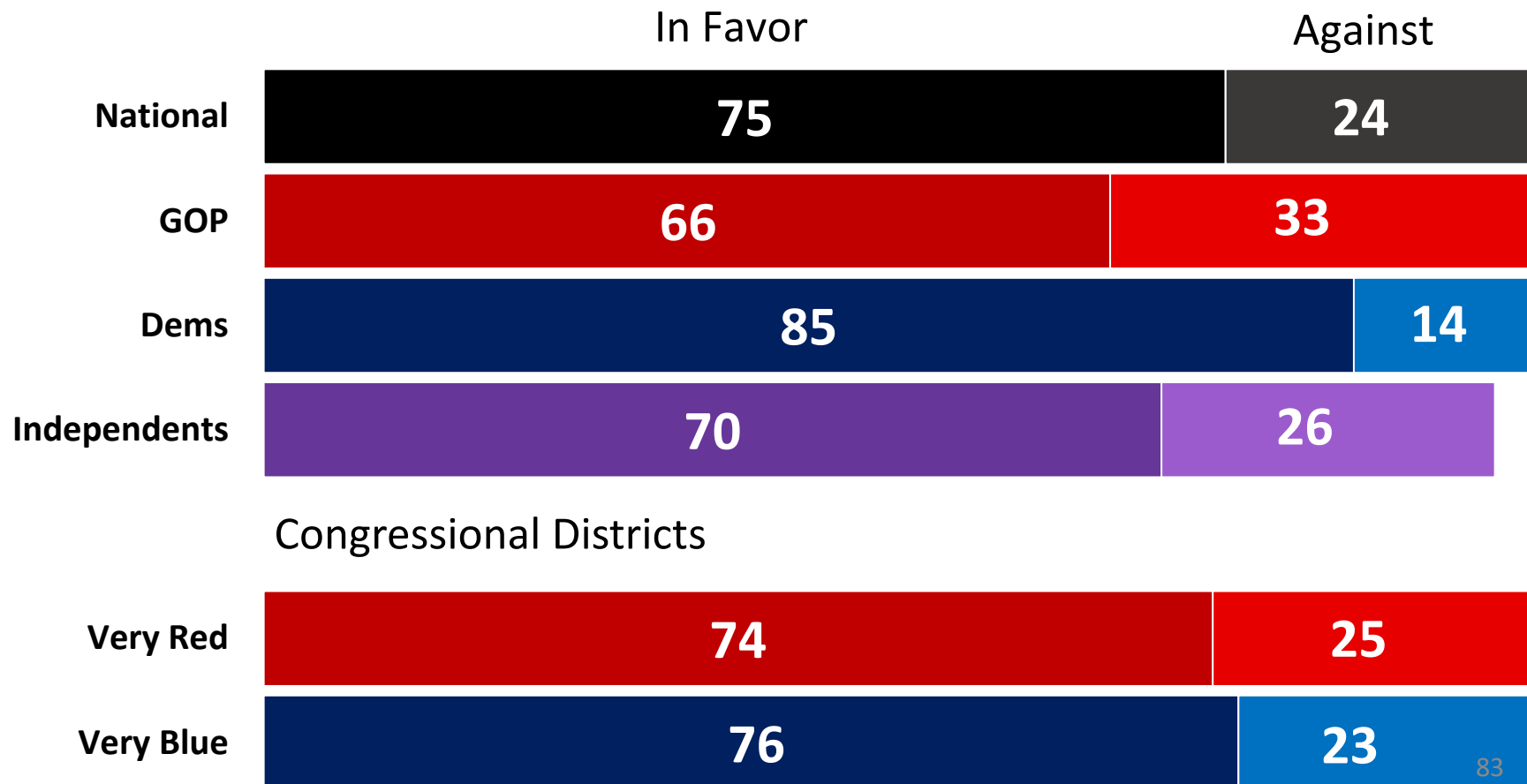
Now that you have reviewed these arguments, please select how acceptable this proposal would be.



Constitutional Amendment to Overturn Citizens United: Treating Corporations Differently (Part 2)

Final Recommendation:

So, would you recommend that your Members of Congress vote in favor of or against this proposal?



Effectiveness

How effective do you think this Constitutional amendment would likely be in reducing or counterbalancing the influence of big campaign donors?

