

# VIUA



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### From the President

2021 was a year when many Americans witnessed firsthand the numerous challenges facing American democracy. The former president, defeated for re-election by the voters, pushed stolen election lies, and those lies took hold among many of his supporters, culminating in unprecedented pressure on state election officials and legislators to take illegal actions, and finally the effort to force the vice president in his role presiding over the electoral vote counting in Congress to overturn the results of the 2020 presidential election. Thankfully, the vice president sought independent legal advice and fulfilled his role as a presider, not a decider, but these events made clear that there are powerful forces working to manipulate our citizens and our laws protecting democracy.

In the aftermath of this contested presidential election, we subsequently witnessed a wave of actions by politicians in the states to pass legislation restricting the freedom to vote. As the year went on, we also began to see partisan actors try to manipulate post-election processes, in part by pushing out independent and experienced election officials in favor of zealous partisans.

Against the backdrop of these anti-voter efforts, the once-in-a-decade redistricting cycle that began in 2021 has further revealed the promises and perils of the state of fair maps and gerrymandering in America. And by the end of 2021, it was looking like the movement toward the biggest federal voting rights legislation in decades would not succeed in Congress.

# If 2021 brought the challenges before us into greater contrast, it also revealed that CLC and our partners are ready to meet them.

In the coming pages, you'll learn more about how CLC stood up for voters. You'll learn about CLC's lawsuits to halt restrictive voting barriers; about CLC's leadership in efforts to update the Electoral Count Act of 1887 (the law providing the primary legal framework for casting and counting electoral votes); about CLC Action's groundbreaking work to stop groups like the National Rifle Association from violating election laws and secretly buying influence over elected officials; about CLC's efforts to hold members of Congress accountable for stock trading; and about CLC's efforts to educate voters about how they can hold their government accountable.

Thank you for standing with us in this fight for every American's right to responsive government and a fair opportunity to participate in and affect the democratic process.



Sincerely,

Trevor Potter

Campaign Legal Center,

President and Founder



ENSURING VOTERS—NOT POLITICIANS— DECIDE FUTURE ELECTIONS

It should go without saying, but politicians and partisan actors shouldn't be able to sabotage elections or overturn election results.

In 2021, CLC identified election sabotage as a key threat to democracy in 2022 and beyond. CLC made combating election sabotage an organizational priority and emerged as a key leader in advocating for updating the Electoral Count Act of 1887 so that it can meet the challenges of today. CLC also continued its involvement in the diverse, cross-partisan National Task Force on Election Crises.

HIGHLIGHT

### Advocacy for Updating the Electoral Count Act of 1887

The Electoral Count Act of 1887 (ECA) provides the primary legal framework for casting and counting electoral votes, but it has not been updated since its enactment more than 130 years ago, and it is rife with gaps and ambiguities that make it confusing.

In the winter and spring of 2021, CLC convened a group of national constitutional lawyers and scholars to address potential changes to the ECA. CLC successfully hosted several meetings over a two-month period.

Since then, CLC has been working on this issue with congressional staff and has engaged partners across the political spectrum to build support for ECA updates. CLC's Trevor Potter engaged with right-of-center thinkers on Twitter and shared supportive opinions from the National Review, the Cato Institute and others. Trevor and CLC Board Chair Norman Ornstein also wrote an opinion piece in Talking Points Memo.

CLC, Protect Democracy, Issue One and RepresentUS also commissioned a poll that showed strong bipartisan support for updating the ECA.

In December 2021, CLC hosted a virtual public event titled "How Can We Keep Partisan Politics Out of Election Administration?" CLC welcomed guests Tammy Patrick, senior advisor to the Elections program at the Democracy Fund, and Peg Perl, director of elections for Arapahoe County, Colorado, to this fruitful and productive conversation. CLC hosted several virtual public events in 2021 on diverse democracy topics.









### What Happens To My Ballot After I Vote?











Due to the speed and manner in which election results have historically been reported, many Americans are unfamiliar with the process election administrators undertake to reach a final vote tally. It is important for voters to understand the way these procedures regularly unfold to reduce uncertainty and increase voters' confidence in the process. More complete knowledge can allow voters to feel certain and confident in events as they occur, resist disinformation and enable them to recognize when the post-election process has truly gone

Election administration in the United States is highly localized. Different states and election jurisdictions (counties, cities or towns) conduct elections in different ways, but typically the local officials responsible for administering elections in their communities conduct most of the post-election procedures. Although

Also in December 2021, CLC published the explainer "What Happens To My Ballot After I Vote?" This piece, available on CLC's website and accessible to voters through search engines, provides information about ballot counting processes so voters can feel certain and confident about casting their ballots. CLC's blog content helps to educate our audiences about our work and provide voters with trustworthy information.



Whatever our color, background or zip code, most of us believe that, when it comes to our elections, we want a transparent process we can trust, where Americans have equal freedom to vote.

In 2021, CLC made valuable contributions to the fight for the freedom to vote and for safe and accessible elections for all.

### HIGHLIGHT

## CLC's Freedom to Vote Lawsuits

The Pascua Yaqui Tribe, CLC and the Pima County Recorder's Office signed an agreement on Aug. 16, 2021, that will establish an early voting site on the Pascua Yaqui reservation before the 2022 midterm election for every statewide primary and general election.

This settlement represented a significant victory for the reservation's 4,000 residents, ending a long-running dispute stemming from a controversial decision in 2018 by former Pima County Recorder F. Ann Rodriguez to remove an early voting location on the reservation.

The Pascua Yaqui Tribe had advocated for the reinstatement of the early voting location in every election since Rodriguez removed the site weeks before the 2018 election.

The Tribe was represented by CLC, Osborn Maledon and the Indian Legal Clinic at Arizona State University.



### Challenging Voting Barriers in Georgia

In 2021, CLC surveyed numerous potential avenues for litigation to protect voters. CLC has prioritized lawsuits to protect the First Amendment rights of nonpartisan voter-turnout nonprofits, whose activities were targeted by new state laws in 2021.

One of these lawsuits was filed in federal court in Georgia. CLC is representing a coalition of civic participation groups to block a new state law, S.B. 202, which, among many other problems, restricts the distribution of vote-by-mail applications to voters.

In a victory for voters, on Dec. 9, 2021, a federal court said CLC's lawsuit challenging Georgia's anti-voter law can move forward. CLC is preparing for trial at the time of publication.



### Telling Stories of Those Impacted by Anti-Voter Efforts

### **GAYLON TOOTLE**

CLC interviewed Gaylon Tootle, a blind registered voter in Georgia, on the impact of anti-voter bills in Georgia, especially for Black Georgians and Georgians with disabilities. Tootle's remarks can be accessed on CLC's YouTube page.





### **VOTEAMERICA**

On our website, CLC published the story of Debra Cleaver, the founder and CEO of VoteAmerica, one of our clients in the Georgia lawsuit. She wrote that she fears Georgia's law will have a chilling effect on nonpartisan voter outreach if it is not struck down.

### Defending and Advancing Americans' Freedom to Vote

# CLC Plays Leading Role in Advocating for Federal Voting Legislation

CLC has been a strong advocate for federal election legislation for years—far before 2021. CLC has emerged as the go-to organization for legal/legislative review of all relevant democracy bills.

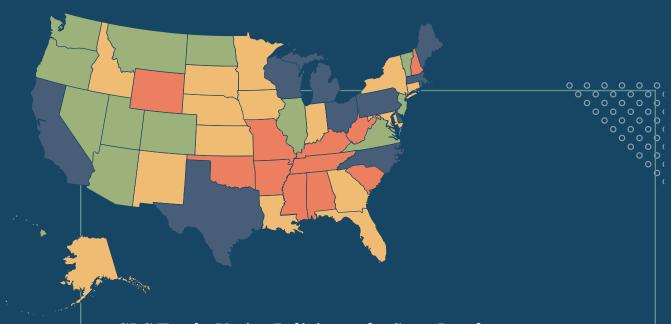
Throughout 2021 and into early 2022, CLC strongly supported the For the People Act, which passed the U.S. House in March 2021, and the subsequent Freedom to Vote and Freedom to Vote: John R. Lewis Acts, the latter of which incorporated the John Lewis Voting Rights Advancement Act, which aims to restore the Voting Rights Act after it was undermined by the U.S. Supreme Court in 2013.

CLC's Trevor Potter testified on Capitol Hill in support of the For the People Act in spring 2021. During his testimony, Trevor shared CLC's analysis that the For the People Act would not benefit one political party over another and that many of the provisions have a long history of bipartisan sponsorship and support.

CLC was frequently in contact with congressional offices and served as an important part of the conversation advocating for the legislation in both traditional and digital media.







### CLC Tracks Voting Policies at the State Level

On Aug. 11, 2021, CLC released a report grading states on their 2021 legislative sessions, specifically on how states changed their vote-by-mail and early voting laws in 2021. CLC's report used a 10-point scale to grade the performance of all states that had completed their legislative sessions, examining the impact of changes caused by COVID-19 and detailing which states made those changes permanent. CLC's report found that seven states enacted restrictive laws in the first half of the year, while nine states made vote-by-mail and early voting more accessible. CLC's scorecard was featured in a report by the Fulcrum, and CLC used this report to educate reporters, partners and the public about the freedom to vote in the states.





New Report Alert 2: Our 2021 #StateScorecard highlights which states spent their legislative sessions making it easier to vote by mail & vote early & which states worked to make it harder. Congress must pass #S1 & the #VRAA NOW before more states pass suppression bills. Thread

CLC's Caleb Jackson shared CLC's state scorecard on Twitter and called for legislative action to protect the freedom to vote. In 2021, CLC spokespeople advocated for democracy on social media.



It's important that every American has access to fair representation. The voting district maps drawn every 10 years have a big impact on our everyday lives. They determine which politicians our communities can vote for to represent us, and this impacts things like health care, the economy, pandemic response and more.

In 2021, CLC continued its long-running advocacy for fair maps. CLC advocated for fair representation in states like Wisconsin and Colorado, and won historic victories in Yakima County, Washington and Virginia Beach, Virginia. CLC organized a social media day of action—#OurFairMaps day—in April, and a diverse group of voters posted videos sharing why fair maps matter to them. And CLC continued its advocacy for and defense of independent redistricting commissions—a solution to take map drawing out of the hands of politicians and into the hands of citizens.

### HIGHLIGHT

### CLC Successfully Defended Michigan's Voter-Approved Independent Redistricting Commission in Appeals Court, and Fairer Maps Followed

In May, the U.S. Court of Appeals for the Sixth Circuit upheld the state of Michigan's voter-approved independent redistricting commission (IRC) as constitutional in *Daunt v. Benson*. CLC represents Voters Not Politicians, the grassroots group that drafted and sponsored the constitutional amendment to create an IRC.

Michigan's IRC, which CLC defended, is made up of 13 registered voters. Those

commissioners were obliged to follow redistricting criteria designed to ensure fairer maps.

The partisan fairness metrics used by CLC's PlanScore.org demonstrate that Michigan's IRC adhered to its call to ensure fairness for the congressional, state Senate and state House plans. In this way, Michigan's IRC demonstrated how IRCs can be used to step away from partisan gerrymandering and toward fair maps.

Additionally, the process for Michigan's IRC was generally more transparent than partisan-led legislative redistricting, which was beneficial for Michigan voters.

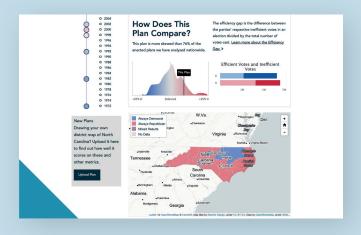
### CLC Presents PlanScore.org, the Premier Tool to Measure Gerrymandering

In anticipation of the Aug. 16, 2021 release of redistricting data by the U.S. Census Bureau to the states, CLC relaunched PlanScore.org, an empowering online tool to measure voting maps and evaluate them for partisan impact.

Visitors to PlanScore.org can upload new district maps as they are being proposed and assess whether the plans are gerrymandered.

The site also contextualizes the gerrymandering taking place in the current cycle by allowing visitors to click on states and compare them to other states or previous maps from the same state. PlanScore.org presents the most comprehensive historical dataset of partisan gerrymandering ever assembled, going back to the 1970s.

In October, CLC launched the PlanScore library feature, giving visitors access to numerous analyses of noteworthy redistricting maps proposed around the country. The PlanScore library includes plans scored using various fairness metrics, as well as links to raw files and authoritative sources.



CLC's PlanScore.org is an indispensable tool for fair maps advocacy. It helps voters and advocates easily see whether politicians in their states are rigging maps to keep themselves in power—which impacts everyday issues Americans care about. At the time of publication, PlanScore has been cited at least 59 times by media outlets since its inception.

→ VISIT PLANSCORE.ORG TO SEE FOR YOURSELF!





### CLC's Paul Smith Argues for Fair Maps at the U.S. Supreme Court

In 2017, CLC's Paul Smith told the court there would be a "festival of gerrymandering" without federal judicial action. Unfortunately, that has happened. Now, we are actively challenging unfair maps in state courts across the country.



CLC has long been a leader in advocating for changes to our campaign finance system to ensure more accountability, more transparency and less corruption.

In 2021, CLC focused tremendous energy on promoting transparency in our political system and raising awareness about the harmful effects of secret spending in our elections. For example, CLC produced a new video explaining "dark money" and why it matters (check it out on YouTube!), successfully advocated for a veto of an anti-transparency bill in North Carolina and continued representing the city of Santa Fe in defending its political disclosure law, which protects voters' right to know which groups are advocating for and against municipal ballot measures. In Rio Grande Foundation v. City of Santa Fe, CLC obtained a judgment upholding the law in January 2020, and in the summer of 2021, the Tenth Circuit Court of Appeals rejected the plaintiff's appeal of that decision. (The plaintiff has since filed a petition for certiorari in the U.S. Supreme Court, and CLC is representing the city in opposing that petition.)



Campaign Legal Center has long been a valuable partner in this work. I am ever grateful that you are there, willing and able to serve as a legal resource.

 KATE TITUS, EXECUTIVE DIRECTOR, COMMON CAUSE OREGON

CLC also released a report and video in October 2021 examining the impact of DC's Fair Elections program following the first election cycle under this promising program. Additionally, in February 2021, CLC filed one of the first-ever private citizen enforcement suits against a group (lowa Values) that failed to register and report as a federal political committee. The case is still in its early stages, but CLC has already defeated lowa Values's attempt to get the case dismissed.



### CLC Action Wins Ability to Sue NRA Directly in Court Over Illegal Spending

This groundbreaking effort demonstrates the ingenuity and prowess of CLC Action, CLC's 501(c)(4) partner, in addressing violations of campaign finance law, even when the federal government fails to do so.

The gun safety organization Giffords had asked the Federal Election Commission (FEC) to hold the National Rifle Association (NRA) accountable. Giffords' complaint to the FEC detailed how the NRA illegally and surreptitiously contributed up to \$35 million to the presidential campaign of Donald J. Trump and the Senate campaigns of Tom Cotton, Thom Tillis, Cory Gardner, Ron Johnson, Josh Hawley and Matt Rosendale across the 2014, 2016 and 2018 elections, in violation of federal law.

The FEC—the dysfunctional federal agency tasked with enforcing our campaign finance laws for federal campaigns—failed to enforce the law, so CLC Action, representing Giffords, took the FEC to court over its failure.

In September 2021, a federal court agreed with CLC Action's position. The federal court ordered the FEC to act on CLC Action's complaint within 30 days. The FEC again failed to act.

Consequently, CLC Action, on behalf of Giffords, filed suit directly against two NRA affiliates, Josh Hawley for Senate and Matt Rosendale for Montana, for violating federal campaign finance laws.

At the time of publication, the lawsuit is still ongoing, and CLC Action remains optimistic that it will be successful and will pave the way for future efforts to protect the voices of everyday Americans in our political system.



### Trevor Potter on the Colbert Report

2021 marked the 10-year anniversary of CLC President Trevor Potter's first appearance on the Colbert Report. Trevor's on-air explanation of super PACs helped make the term a household name, and the program won a Peabody Award for excellence in reporting on money in politics.







When it comes to our elected representatives in Congress, the American people should be able to trust that members are making decisions on behalf of the public interest, not their own personal financial interests.

66

Noncompliance with the STOCK Act is the most blatant violation by multiple members of Congress that I've seen in recent history.

 KEDRIC PAYNE, CLC SENIOR DIRECTOR, ETHICS AND VP, GENERAL COUNSEL, THE NEW YORK TIMES, DEC. 28, 2021 In 2021, CLC's ethics program pivoted to focus primarily on ethics in Congress. Ethics in Congress hadn't received enough attention in recent years, and CLC leveraged its expertise to draw attention to systemic enforcement issues that crossed party lines.

CLC filed numerous STOCK Act complaints, published research showing the need for independent ethics enforcement in the U.S. Senate, filed complaints against members of Congress for misusing leadership PAC funds and for other infractions, and drew attention to members of Congress failing to cooperate with Office of Congressional Ethics (OCE) investigations. CLC made valuable contributions to furthering congressional ethics in 2021. For example, following one CLC complaint, the OCE found substantial reason to believe that a member of Congress's campaign used private office space at no cost or for a rate below fair market value in

violation of federal law, FEC regulations and House rules. Ensuring that ethics rules are followed is crucial for fostering public trust in government and preventing corruption.

CLC's efforts have brought renewed attention to ethics in Congress. CLC's ethics attorneys and work were cited in publications such as The New York Times, The Washington Post, NPR, Business Insider and local outlets reporting on members of Congress.

Additionally, for the executive branch, CLC drew attention to inspector general vacancies, the Hatch Act and President Biden's lack of follow-through on his many ethics promises.

### CLC's Bipartisan STOCK Act Complaints Bring Momentum for Change

At the beginning of the COVID-19 pandemic, CLC noticed and documented a flurry of stock transactions by members of Congress. This drew attention because members had a front-row seat to information about the unfolding pandemic, and they were making consequential decisions about the economy and government spending. CLC's research on early-pandemic congressional stock trading was cited by the Washington Post Editorial Board in a December 2021 opinion piece criticizing the practice of stock trading by members of Congress.

With congressional stock trading in the spotlight, CLC began to file complaints identifying apparent violations of the Stop Trading on Congressional Knowledge Act—or STOCK Act, for short. The STOCK Act requires members of Congress to report stock trades within 45 days of the transaction; failure to do so can result in civil and criminal penalties. CLC played a role in advocating for the law's passage.

This law is important for protecting voters' right to know what financial investments might be influencing politicians' decisions. Unfortunately, this law has suffered from weak enforcement, leading to a recent widespread trend of members failing to properly disclose their stock activity.

In 2021, CLC filed STOCK Act complaints against over a dozen members of Congress from both parties to try to obtain enforcement and raise awareness of the problem.

Seven months after CLC filed a complaint with the OCE against Rep. Tom Malinowski (D-NJ) for alleged violations of the STOCK Act, OCE found "substantial reason to believe" there was a violation and took the rare step of referring the matter to the House Committee on Ethics. This represented the first true enforcement of the STOCK Act by OCE.

In late 2021 and early 2022—in part following CLC's advocacy—the issue of congressional stock trading has gained considerable attention, and momentum toward enacting solutions is moving in the right direction. New bills have been introduced in Congress, traditional and social media scrutiny has intensified (with CLC getting press coverage and quotes) and U.S. Speaker of the House Nancy Pelosi, in early 2022, signaled she may be open to changing her mind on congressional stock trading if enough members of Congress support change. U.S. House Minority Leader Kevin McCarthy floated the idea of restricting individual stock trades if Republicans retake the House in 2022.



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Open Society Foundations Orange County Community Foundation Norman Ornstein John Ortega Robert Osann Georgina Owen Frank Pace, Jr. Foundation The Padosi Foundation Anne Pallie Pavan Pamidimarri D Williams Parker **Stuart Parsons** Malcom and Pamela Peabody Pearl Fund Robert Pennoyer Jean Perin Joseph Perta **Peters Family** Foundation Josh Pfrimmer **David Phillips** Zachary Piaker Marnie S. Pillsbury Fund Susanna Place and Scott Stoll Planning for Tomorrow Nancy Plaxico Judith Plotz Sharon Plummer Calvin Pohl The Marc and Tracy Porosoff Charitable Fund Porpoise Fund Maria Poulos Snehal Prajapati Prentice Foundation **Present Progressive** Fund Diana Prince The Jerold J. and Marjorie N. Principato Foundation Christopher Prosser Anna Prow Laura Quigg and Bjorn Flesaker The Raines Family Fund Ramsey Family Fund Heather Randall The Red House Fund The Reed Family Foundation

Rick Rees

María Reyes Lucy Rhame Suzanne and Robert Rheinstein John Richardson Cary Ridder Marie and Walter Ridder **Rockefeller Brothers** Fund Rockefeller Family Fund Harry and Helen Roper Andrea Rosen Daniel Rosenblatt Jim Rowe John Rozel Jodie Rubenstein Kenneth Ruberg Wendy Rubin Rudd-James Giving Fund George and Lisbeth Ruderman Howard Ruderman Jack Ruderman Matthew Ruderman Rose Ruderman Memorial Fund Fran and Lew Rumford Richard and Sally Russo Cynthia Nathanson Rust Erica Rutherford Kent Sabo Samuel Freeman Charitable Trust The Sandler Foundation Stanley Sandrowicz The Zankel Scala Family Foundation Leslie and Maury Scallet Mark Schenkman Michael Schiavoni Ed Schneider Robin Schneider Will and Suzanne Schutte Schwab Charitable Fund Lena Ingegerd Scott David and Marie Scudder Sedgwick Family Charitable Trust Segal-Ellis Family Fund **David Segatto** The Senville Foundation **Robert Serfass** 

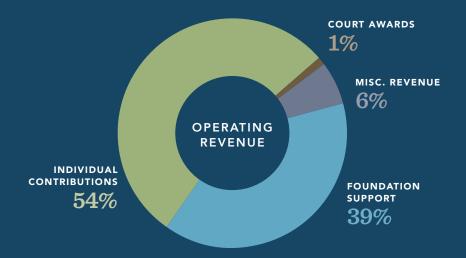
The Nancy and Greg

Serrurier Fund

**Shames Family** Foundation The Shared Ascent Fund Jeffrey and Darcie Sharlein David Sharpe Eli Shearn The Sherwood Foundation Joseph Singer Sirad Foundation SLC Giving Fund Joanne Slotnik and Stephen Trimble Peter Sly Farwell Smith **Edward Snowdon** Robert Snyder Alison Soccodato Daniel Solomon Soltani-Plotz Charitable Fund Sony Music Group Barbara Spaeth Michael Spinella and Matthew Welch The Bernard and Anne Spitzer Charitable Trust The Spud Giving Fund Lynn and Samuel Stahl Peter Staple Charles Stein Tom and Susan Stepp Margrete and Michael Stevens Warren Strand David Sullivan Sustainable **Grantmaking Partners** Michael Switzenbaum Rita Tamerius The Taniwha Fund Tantilla Fund Nicholas Tenev **Scott Thomas** Brian and Claire Thompson The Thornburg Foundation The Three Sisters Foundation James Tilley and Deborah Schneider Joan Tobin Anna Totdahl C. Bowdoin Train Robert Tuschman

**UBS** The Unite America Institute Catherine Vaughan Venturous Counsel A Professional Corporation David and Janet Villadsen Christopher Volk Mallory and Diana Walker Lekan Wang Alden Warner and Peter Reed Jeffrey Warner Viviane Warren Michael Washburn and Nancy Carmichael The Wasserman Fund of the Essex County Community Foundation Nicole Watson Tracy Weber Virginia Weil Liza Weisberg Jim and Marianne Welch Wellspring Philanthropic A.W. White Family Fund Flo Wiener and Richard Hobish Selma Williams and Leah Peicott Leon Wilson Timothy Wirth Katherine Wise Roger and Jill Witten Sook-Bin Woo Fredric Woocher and Wendy Dozoretz Richard and Robin Woods Michael Zamore Zegar Family Fund Zickler Family Foundation Joanne and Peter Ziesing Daniel Zilkha Michael and Nina Zilkha Linda Zonana

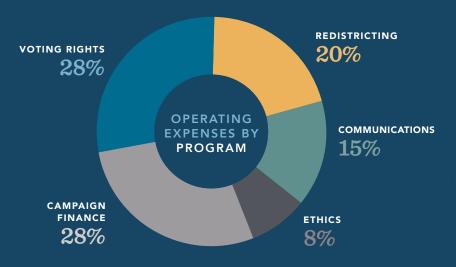
### Financials



### **OPERATING REVENUE\***

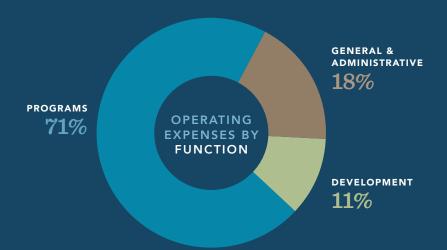
Individual Contributions	\$9,710,691
Foundation Support	\$7,008,142
Court Awards	\$150,406
Miscellaneous Revenue	\$1,067,041
TOTAL	\$17,936,280

<sup>\*</sup>much of this was designated for future years



### **OPERATING EXPENSES BY PROGRAM**

\$2,228,105
\$2,209,176
\$1,607,120
\$1,155,031
\$645,086
\$7,844,518



### **OPERATING EXPENSES BY FUNCTION**

Programs	\$7,844,518
General & Administrative	\$1,927,359
Development	\$1,251,631
TOTAL	\$11,023,508



# CAMPAIGN LEGAL CENTER BOARD OF TRUSTEES\*

\*as of January 1, 2022

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Chai Feldblum

Faith Gav

Patrick Geddes

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CLC's commitment is to democracy, not to any political party or to any particular electoral result. We think about systemic impact when we choose which work to pursue, but we work at all levels of government to introduce innovative ideas that will drive significant change or set an important legal precedent. Our priority is engaging and driving action—whether in the courtroom, newsroom or statehouse.



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