



Executive Actions to Protect and Strengthen Our Democracy

We have reached a pivotal juncture in our country's long journey toward a fully inclusive democracy. Congress's failure to pass the transformational reforms in the Freedom to Vote: John R. Lewis Act ("FTV Act") in January of 2022 left our elections vulnerable to threats on multiple fronts. It remains essential that Congress pass vital pro-democracy measures, and explore new ways to bring bipartisan support to that effort. But because we cannot overstate the importance of democratic protections to every issue that we care about, we cannot stand still. **President Biden must now take the lead with immediate, decisive actions to bolster our democracy's defenses and proactively strengthen our country's commitment to civil rights.** This memorandum recommends a series of bold, but practical, actions. We encourage the administration to review and implement them promptly.

I. Create a White House Office of Democracy

Create an office within the White House focused on advancing the administration's efforts to protect and strengthen democratic systems and civic participation. The office would coordinate across the federal government, and with state and local governments, to identify opportunities to increase civic participation among the American people through executive authority, legislation, budgets, strategic communications, and community partnerships.

II. Direct the Justice Department to determine the extent to which foreign entities influence our elections via U.S. corporations (including shell corporations) and political nonprofit organizations, and make recommendations to stop this inappropriate influence

The president should direct the Justice Department to work with the Federal Election Commission and other relevant agencies to:

- (1) determine the frequency and amount of foreign money being spent directly or indirectly in connection with U.S. elections, and
- (2) issue recommendations to help prevent political spending by U.S. corporations (including shell corporations) that are controlled by foreign entities or have an appreciable amount of foreign ownership.

III. Establish baselines and require disclosures for public companies' internal decision making regarding political spending

Given the massive increase in such spending since the Citizens United decision, the president should advise the Securities and Exchange Commission to take steps to protect shareholders and the broader financial system from these risks by establishing baseline procedures and requiring disclosure of how public companies make decisions about political expenditures, how much they are giving, and how much they are spending on lobbying activities.

IV. Direct the DOJ to develop capabilities to use the new corporate beneficial ownership registry to combat the influence of corrupt or illegal money on our democracy.

The president should direct the Department of Justice to expand its capabilities to track and prosecute the beneficial owners of corporations that try to illegally influence our democracy. The new beneficial ownership registry, created by the Corporate Transparency Act, was primarily designed as a mechanism to fight money laundering, but it can also be used to support any other law enforcement priority. With that in mind, the president should ensure that the DOJ focuses on preparing its public integrity section and all other relevant departments to use the new database to prevent attacks on our democracy.