



CENTER FOR
POLITICAL ACCOUNTABILITY

PRACTICAL STAKE

CORPORATIONS, POLITICAL SPENDING & DEMOCRACY



ANALYSIS BY
**The Center
For Political
Accountability**

**Practical
Stake**

CORPORATIONS,
POLITICAL SPENDING
AND DEMOCRACY

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Published April 27, 2022

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Methodology

THIS REPORT FOLLOWS THE MONEY TRAIL. IT IS BASED ON:

- A review of direct and indirect company political spending through political committees, trade associations and “social welfare” or 501(c)(4) organizations (in cases where companies disclose their contributions); and consequences, including legislative and/or policy outcomes. Chapter 1 documents the spending that enables assaults on democracy.
- Legislative, policy or administrative actions leveled or threatened against companies at the state and federal level. Chapter 2 documents a climate of intimidation against companies when democracy erodes.

The report sets out a framework for companies to evaluate their political spending and align it with core company values and core democracy values, mitigating risks to their self-interest and to democracy. Chapter 3 highlights the framework.

The Center for Political Accountability is a non-partisan public policy organization. Its mission is to bring transparency and accountability to

corporate political spending. This includes a framework for companies to approach and govern their spending. As part of its work, CPA has examined and documented the risks posed to companies by their political spending. This report examines more cases of political spending in support of Republicans than Democrats. This tracks patterns in company political spending in line with changes in party control at the congressional and state levels.

Similarly, the money trail in this report leads to more examples of enabling assaults on democracy with corporate political spending to Republican than Democratic groups because of stark differences between the two parties that transcend their policy positions and have grave implications for democracy; this difference has been thoroughly analyzed by eminent political scientists Norman J. Ornstein of the American Enterprise Institute and Thomas E. Mann of the Brookings Institution.¹

The report does not reflect any partisan preference on the part of the Center.

¹ Thomas E. Mann and Norman J. Ornstein, *Let's just say it: The Republicans are the problem.*—*The Washington Post*, April 27, 2012

Introduction & Overview

Vibrant capitalism depends on a healthy democracy. When democracy erodes, as experts note has been the ongoing case over years now,^{2 3} it impacts companies. While companies have historically been aligned with Republican efforts to lower taxes and decrease regulation, the political stakes have changed. The conditions that companies need today are more deeply rooted.

Indeed, they have a practical stake in a stable, well-functioning democracy. Short-term business interests need to be subordinated to a firm, unbending long-term commitment to the democratic processes that assure the rule of law, reflect the public's will and punish political shakedowns. Companies need an environment where they can grow, compete, thrive and pursue their interests on a level, fair playing field. They need predictability and certainty from government.

This report opens a new phase in the Center for Political Accountability's work that reflects the intertwining of capitalism, political spending and democracy. The Center was founded to bring transparency and accountability to corporate political spending. Over the past 19 years, it achieved that goal as political disclosure and accountability have become the norm.⁴ However, the environment in which companies have been engaging in political spending has changed dramatically – and the risks they face have grown concomitantly. This environment has become hyper partisan and vexatious. Part of this is due to the polarization of our politics. Part is due to the rising influence of social media and the 24/7 news

media reporting cycle. The Supreme Court's 2010 *Citizens United* decision allowing unlimited use of corporate treasury funds to influence the outcome of elections has brought scrutiny to how corporations are using that freedom.

Concurrent with these changes, CPA's mission has expanded to include the impact of company political spending and the risks associated with it. As we first examined in our *Collision Course* report, the consequences of political spending now pose a much greater risk to any company that puts corporate funds to political use. Building on *Collision Course*, this report goes further to look at the risks that unaccountable political spending poses to democracy—and thus to companies themselves, given their stake in democracy. It then proposes a practical framework for companies to follow in addressing the risks.

It's important to recognize that many companies have publicly affirmed their commitment to our democratic institutions and the importance those institutions play in creating an environment where companies can fairly compete and prosper. CEOs who have spoken out on the threats to our democracy are to be commended. The Business

2 <https://www.nytimes.com/interactive/2022/03/17/magazine/democracy.html>

3 See CPA's *Collision Course* report for data about corporations and trade associations contributing millions of dollars to a partisan political group behind a drive to win selected legislative races and take control of state legislatures and the redistricting process following the 2010 census. <https://politicalaccountability.net/hifi/files/Collision-Course-Report.pdf>

4 Robert Yablon, "Campaign Finance Reform Without Law," *Iowa Law Review* 185 (2017)

Roundtable, an association of CEOs of leading American companies, condemned in 2021 the Jan. 6th attack on the U.S. Capitol, and on the first anniversary of the siege, the group’s CEO, Joshua Bolten, excoriated the attack as an “assault on American democracy.”⁵ Hundreds of CEOs and companies spoke out in April 2021 in a joint statement declaring publicly, “For American democracy to work for any of us, we must ensure the right to vote for all of us” and “We all should feel a responsibility to defend the right to vote and to oppose any discriminatory legislation or measures that restrict or prevent any eligible voter from having an equal and fair opportunity to cast a ballot.”⁶

However, as the findings of this report show in Chapter 1, the political spending of companies too often does not fall in line with their public commitments. There are companies giving millions of dollars to a partisan political group closely tied to robocalls one day before Jan. 6, 2021, telling people “we will march to the Capitol building and call on Congress to stop the steal.” That same corporate-backed partisan group helped elect state attorneys general who went to court to get the 2020 election results from key states thrown out. At the state level, companies have given millions to groups supporting the election of officeholders who have worked for new laws to restrict or suppress voting.

These are several of the troubling case studies documented in this report of company political spending – contributions made by public companies directly and to third-party groups at the state and federal level – that enables assaults on American democracy. This poses an existential threat to the democratic institutions that companies rely upon to thrive.

As this report documents in Chapter 2, companies today are increasingly operating in a political climate filled with threats and intimidation coming from officeholders in Washington and state capitals. Yielding to these pressures comes at great cost to the long-term interests of companies.

How should companies respond to these risks? The answer must come from within. Companies must create an internal culture that resists the pressure and reinforces the company’s commitment to ethical and accountable participation in our politics. It is not just a question of abiding by the law, but a resolve to act with regard for the needs of a well-functioning democracy. The CPA-Wharton Zicklin Model Code of Conduct for Corporate Political Spending was developed to guide that effort. As detailed in Chapter 3, it provides a framework for companies participating in politics and for evaluating the goals and risks of their spending, and in doing so aligning it with both core company values and a commitment to democratic institutions.

The nation’s leading business research organization, The Conference Board, has recommended that companies consider the Model Code, saying it “offers best practices for responsible political spending and helps companies govern their political participation while adapting to a changing business, political and legal climate. It encourages transparency and accountability, and places corporate political spending in a broader societal context.”

By adopting the code, companies can affirm their stake in, and commitment to, democracy. CPA offers this report to spotlight both the gravity of the challenge facing companies and a measured, practical approach for addressing it.

5 <https://www.bloomberg.com/news/articles/2022-01-06/remembering-january-6-obama-romney-duckworth-rove-leaders-reflect>

6 https://www.washingtonpost.com/context/statement-signed-by-major-corporations-opposing-laws-that-restrict-voting-rights/dd5c9bdf-b441-47ea-98c5-07d6a2b8a223/?itid=lk_inline_manual_18

Graphic Color Key

Public corporations that made contributions to national-level 527s or state-level elected officials, 527s, political parties, and political committees.

National-level 527s making contributions to state-level elected officials, 527s, political parties, independent expenditure groups, and political committees.

Elected Officials who received money from public corporations

State-level 527s, political parties, and committees making contributions to elected officials at the state level

Lawsuits, Amici Curiae, and Intervenor Defender filings

Clarifications

Chapter 1

ENABLING ATTACKS ON DEMOCRACY

“American democracy,” Brookings scholars William A. Galston and Elaine Kamarck wrote recently, is “under assault from the ground up.” They cited a “systemic attack” on state and local election machinery including new laws “making it harder to vote and weakening the ability of elections officials to do their jobs,” supporters of ex-president Donald Trump’s electoral views running to take the place of incumbent officials who upheld 2020 election results with integrity, proposals to jettison long-established methods and let partisan state legislatures decide the Electoral College slates, and more.⁷

Democracy in America is indeed under attack, many experts agree. The deadly Jan. 6, attempted insurrection at the U.S. Capitol was the most visible assault so far. Others began in state capitals well in advance of Jan. 6, some of them years before, without violence or the threat of it. They have been gaining in number and momentum since.

Of concern, in one of the best-kept secrets of U.S. politics today, is that leading companies are enabling the attack. They are contributing with their treasury funds to the undermining of American democracy.

This is where the money trail leads.

Leading corporations are pouring millions of their dollars into political spending that ultimately bankrolls the attack on democracy from Washington D.C. to state capitals nationwide. The spending is both direct and indirect, through third-party groups including what are called 527 committees, including state-focused groups and super PACs;⁸ 501(c)(4) “social welfare” groups;⁹ and trade associations.

With democracy in danger, these donor companies face a new imperative, out of both self-interest and the national interest: They must halt business as usual and act to strengthen democracy, not to undermine it.

This chapter follows the corporate political money trail on six different fronts in Washington and in the states:

- A Republican group’s robocalls one day before Jan. 6 telling people that “we will march to the Capitol building and call on Congress to stop the steal;”¹⁰
- A lawsuit led by Texas’s attorney general and joined by others to contest President Joe Biden’s election in November;
- Campaign support for U.S. lawmakers who would vote against certifying 2020 Electoral College results from Arizona and Pennsylvania;
- A major battleground developing this year over efforts to politicize the traditionally independent operations of secretaries of state, with an eye to putting new state administrators in place for conducting the 2024 elections;

⁷ The New York Times reported recently that since January 2021, Republicans in “at least 25 state legislatures have tried, albeit mostly unsuccessfully, to pass legislation directly targeting the election system.” <https://www.nytimes.com/interactive/2022/03/17/magazine/democracy.html>

⁸ These groups are called 527s for the section of the U.S. tax code that governs their operations. Contributions to them are unlimited, as is their spending.

⁹ 501(c)(4) “social welfare” groups are often politically active and are not required to disclose their donors.

¹⁰ <https://www.theguardian.com/us-news/2021/nov/24/republican-attorneys-general-funding-6-january-rally-trump>

- A proposal in Arizona to allow the legislature to decertify popular election results for president; and
- Support for officeholders who sponsor or vote for voting restrictions or suppression laws in the states.

SUPPORT FOR ROBOCALLING TO 'SEDITION'

Regarding the storming of the U.S. Capitol by pro-Trump mobs on Jan. 6, temporarily halting the Congressional certification of Electoral College votes, a leader of U.S. industry and former top player in Republican politics¹¹ immediately denounced the “sedition.” Jay Timmons, National Association of Manufacturers president and CEO, said about the attack on the Capitol:

“This is not law and order. This is chaos. It is mob rule. It is dangerous. This is sedition and should be treated as such.”¹²

The Rule of Law Defense Fund (RLDF) is a branch of the Republican Attorneys General Association (RAGA), which provides extensive financial support to GOP attorney general candidates. RAGA is called a 527 organization for the section of the U.S. tax code that governs its operation. RLDF “helped organize” a protest that preceded the siege of the Capitol on Jan. 6, and it put out a robocall saying, “At 1:00 p.m., we will march to the Capitol building and call on Congress to stop the steal. We are hoping patriots like you will join us to continue to fight to protect the integrity of our elections.”¹³

CPA’s research shows that public companies and trade associations donated nearly \$17 million to RAGA in the 2020 election cycle, or 51.6 percent of the money it took in during that cycle. They were the dominant funders of RAGA.

Top corporate donors giving directly to RAGA included Anthem, \$336,025; Altria, \$334,154; Comcast, \$315,000; Walmart, \$270,100; AT&T, \$250,000; CVS, \$213,407; Home Depot, \$205,579; Anheuser-Busch InBev, \$200,525; Fresenius Medical Care, \$180,000; and Pfizer, \$161,050. Top trade association donors included the U.S. Chamber of Commerce, \$750,375; American Fuel and Petrochemical Manufacturers, \$220,725; Wine and Spirit Wholesalers of America, \$136,305; PhRMA, \$136,025; Entertainment Software Association, \$105,000; Association of Dental Support Organizations, \$100,550; and American Petroleum Institute, \$100,000.

Giving to 527 groups offers companies a means to maximize the impact of their political contributions. Jacob Hacker and Paul Pierson, political scientists at Yale University and University of California Berkeley respectively, wrote the following in CPA’s *Conflicted Consequences* report last year: “For corporations pursuing agendas they do not want scrutinized, this type of spending has three big advantages over traditional political spending: it is less likely to attract attention than PAC contributions that go directly from firms to candidates; it is effectively ‘laundered’ by running through the 527 organization so the donor can duck accountability for specific uses of the money; and it allows the resources of many companies to be pooled to achieve maximum impact.”¹⁴

11 Timmons served as executive director of the National Republican Senatorial Committee during the 2004 election cycle.

12 <https://www.nam.org/manufacturers-call-on-armed-thugs-to-cease-violence-at-capitol-11628/?stream=series-press-releases>

13 <https://documented.net/reporting/republican-attorneys-general-dark-money-group-organized-protest-preceding-capitol-mob-attack>

14 <https://www.politicalaccountability.net/wp-content/uploads/2021/08/Conflicted-Consequences.pdf>

Once a company has contributed to a 527 group, the corporate funds are pooled and then channeled to state and local PACs and candidates; to so-called “dark money groups,” dubbed that because they are not required to disclose their donors; and to other national 527 groups. When this happens, public companies lose control of their donations. They end up supporting any and every endeavor of the recipient 527 and its affiliates. The result is that company money can no longer be specifically tracked.

Regarding state attorneys general, they “are supposed to support adherence to the law,” Paul Pelletier, a former career prosecutor at the Department of Justice, told The Guardian. “By the time of the rally every court in the country had affirmed the lawfulness of the election results and had specifically rejected charges of fraud. At that stage, it seems Raga, by urging protesters to ‘stop the steal’, was simply promoting an unlawful attack on our democracy – the antithesis of their mission.”¹⁵

A select committee of the U.S. House is investigating the Jan. 6 attack on the Capitol. In February, the Republican National Committee adopted a resolution to censure two members of that committee, Republican Reps. Liz Cheney of Wyoming and Adam Kinzinger of Illinois, for “participating in a Democrat-led persecution of ordinary citizens engaged in legitimate political discourse.”¹⁶



¹⁵ <https://www.theguardian.com/us-news/2021/nov/24/republican-attorneys-general-funding-6-january-rally-tru>
¹⁶ <https://www.nytimes.com/2022/02/04/us/politics/republicans-jan-6-cheney-censure.html>

52 public companies and nine trade associations that gave to RAGA in the 2020 Election Cycle:

RAGA most likely aided**** the Rule of Law Defense Fund in sending robocalls that helped to foment the seditious activity at the US Capitol on Jan. 6, 2021.

SOURCES

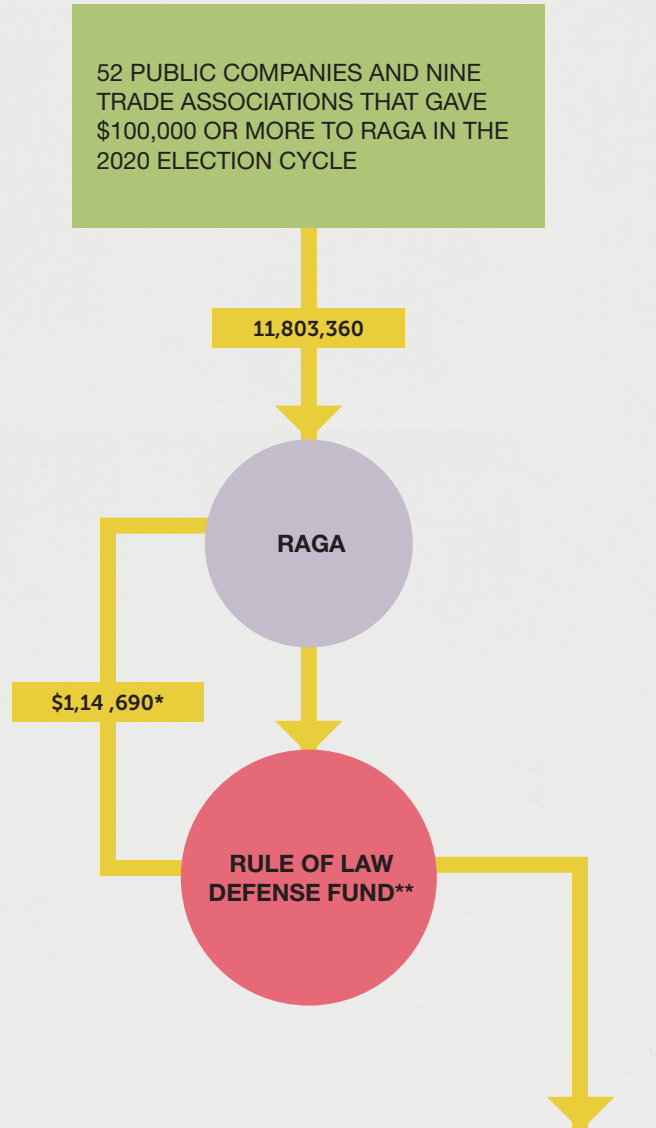
Contributions Totals to and from RAGA: Center For Political Accountability drawing on Get.Ante, RAGA contributions reported to IRS

*Reimbursement for work that employees of RAGA performed for the Rule of Law Defense Fund

**The Rule of Law Defense Fund is the 501(c)(4) arm of RAGA

***You can find the audio at the following link <https://documented.net/reporting/republican-attorneys-general-dark-money-group-organized-protest-preceding-capitol-mob-attack>

****"I am honored to lead RAGA's policy branch, the Rule of Law Defense Fund, and bring conservative attorneys general together in promotion of federalism, freedom, and the rule of law," said incoming RAGA Policy Chairman Alabama Attorney General Steve Marshall.



THE RULE OF LAW DEFENSE FUND IS THE 501(C)(4) ARM OF THE RAGA 527 OPERATION. THE RULE OF LAW DEFENSE FUND REGULARLY REIMBURSES RAGA FOR WORK THAT RAGA EMPLOYEES DO FOR THE RULE OF LAW DEFENSE FUND. THE RULE OF LAW DEFENSE FUND SENT ROBOCALLS*** TO INDIVIDUALS TELLING THEM WHEN AND WHERE TO GO TO ATTEND THE MARCH TO SAVE AMERICA ON JANUARY 6TH, 2021. THE ACTIONS OF THE RULE OF LAW DEFENSE FUND TIE ITS PARENT ORGANIZATION RAGA TO THE SEDITIONARY ACTIVITY WHICH OCCURRED LATER THAT DAY. ALSO IT TIES THE PUBLIC COMPANIES ABOVE TO THE SEDITIONARY ACTIVITY WHICH THEIR DONATIONS HELPED TO FOMENT.

SUPPORT FOR LAWMAKERS VOTING TO OVERTURN THE 2020 PRESIDENTIAL ELECTION

On Jan. 6, eight senators and 139 representatives, all Republicans, voted to sustain objections to certifying the election vote outcome in Arizona, or Pennsylvania, or both. Effectively they were voting to overturn Biden’s election victory over Trump, accepting the falsehood that Trump actually had won. Many outsiders have viewed the votes as rejecting democracy. As the National Association of Manufacturers’ Timmons said on Jan. 6:

“The outgoing president incited violence in an attempt to retain power, and any elected leader defending him is violating their oath to the Constitution and rejecting democracy in favor of anarchy.”¹⁷

Leading U.S. companies can be associated with the Jan. 6 objectors because the companies and their trade associations gave millions of dollars in recent election cycles to two super PACs that supported many of the objectors in their own elections, the Senate Leadership Fund and the Congressional Leadership Fund.

Top givers, as CPA’s research below shows, to the Senate Leadership Fund in the 2018 and 2020 election cycles included National Association of Realtors, \$6,580,000; Chevron, \$5,550,000; British American Tobacco, \$2,050,000; ConocoPhillips, \$2,000,000; Marathon Petroleum, \$2,000,000; and NextEra Energy, \$1,000,000. Top givers to the Congressional Leadership Fund in the 2020 election cycle included Valero, \$1,750,000; Chevron, \$1,750,000; Marathon Petroleum, \$1 million; British American Tobacco, \$900,000; and Enterprise Products, \$500,000.

Two 501(c)(4) or so-called “dark money” groups, because they are not required to disclose their donors, received significant corporate donations and also gave to the Senate Leadership Fund and the Congressional Leadership Fund. One Nation gave the Senate Leadership Fund more than a combined \$75 million in the 2018 and 2020 election cycles. The American Action Network gave almost \$29 million to the Congressional Leadership Fund in the 2020 election cycle.

Several companies have voluntarily disclosed contributions to One Nation and the American Action Network. Those voluntarily disclosing donations to One Nation include Andeavor, which gave \$1 million in 2017 (the first half of the 2018 election cycle) and CVS Health, which gave \$700,000 in 2019. The American Action Network received \$250,000 from DuPont de Nemours and \$200,000 from Eli Lilly Co. in 2017; \$250,000 from Dow Inc. in 2018; and \$250,000 from Occidental Petroleum Co. in 2019.¹⁸

CPA’s research reveals that in the House, 23 Republicans who voted against certifying the presidential election results were supported in their own elections by almost \$36 million in independent expenditures by the Congressional Leadership Fund.



¹⁷ <https://www.nam.org/manufacturers-call-on-armed-thugs-to-cease-violence-at-capitol-11628/?stream=series-press-releases>
¹⁸ The voluntarily disclosed contributions are posted on CPA’s TrackYourCompany database at <https://www.trackyourcompany.org/>

Public companies, trade associations, and 501(c)(4) that gave to the Congressional Leadership Fund in the 2020 Election Cycle

THE CENTER FOR POLITICAL ACCOUNTABILITY RUNS A DATABASE CALLED TRACK YOUR COMPANY. TRACK YOUR COMPANY POSTS THE POLITICAL CONTRIBUTION DISCLOSURES FROM S&P 500 COMPANIES ON AN ANNUAL BASIS.

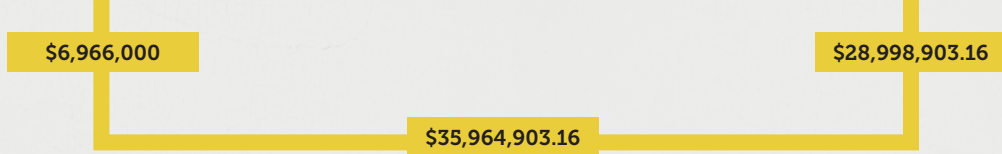
USING THE PUBLICLY AVAILABLE POLITICAL CONTRIBUTIONS DISCLOSURE SEARCH FUNCTION ON TRACK YOUR COMPANY, IT REVEALED ONE COMPANY HAS DISCLOSED CONTRIBUTIONS TO THE 501(C)(4) AMERICAN ACTION NETWORK IN THE 2020 ELECTION CYCLE.

IT IS:
2019: OCCIDENTAL PETROLEUM CORP: \$250,000

13 PUBLIC COMPANIES AND 3 TRADE ASSOCIATIONS THAT GAVE TO THE CONGRESSIONAL LEADERSHIP FUND IN THE 2020 ELECTION CYCLE:

PUBLIC COMPANIES: \$6,666,000
TRADE ASSOCIATIONS: \$300,000

501(C)(4) THAT GAVE TO THE CONGRESSIONAL LEADERSHIP FUND IN THE 2020 ELECTION CYCLE:
AMERICAN ACTION NETWORK: \$28,998,903.16



- INDEPENDENT EXPENDITURES BY THE CONGRESSIONAL LEADERSHIP FUND TO HELP ELECT MEMBERS OF THE US HOUSE OF REPRESENTATIVES. THESE REPRESENTATIVES VOTED AGAINST CERTIFYING THE ELECTION.
- DAVID SCHWEIKERT (AZ): \$168,120.60**
 - MIKE GARCIA (CA): \$2,791,171.72**
 - LAUREN BOEBERT (CO): \$629,556.88**
 - SCOTT FRANKLIN (FL): \$183,866.81**
 - CARLOS GIMENEZ (FL): \$2,100,045.85**
 - JACOB LATURNER (KS): \$54,266.19**
 - MICHELLE FISCHBACH (MN): \$2,521,548.47**
 - JIM HAGEDORN (MN): \$1,634,745.72**
 - MATT ROSENDALE (MT): \$247,662.54**
 - DAN BISHOP (NC): \$121,958.29**
 - MADISON CAWTHORN (NC): \$603,377.46**
 - RICHARD HUDSON (NC): \$1,947,075**
 - JEFF VAN DREW (NJ): \$1,121,870.82**
 - YVETTE HERRELL (NM): \$2,620,671.28**
 - NICOLE MALLIOTAKIS (NY): \$2,989,239.75**
 - LEE ZELDIN (NY): \$1,904,808.64**
 - STEVE CHABOT (OH): \$1,254,235.08**
 - STEPHANIE BICE (OK): \$2,614,640.33**
 - SCOTT PERRY (PA): \$852,979.05**
 - TROY NEHLS (TX): \$3,502,919.61**
 - BETH VAN DUYN (TX): \$2,526,118.31**
 - BURGESS OWENS (UT): \$2,567,988.95**
 - BOB GOOD (VA): \$1,006,027.80**

THESE 23 UNITED STATES REPRESENTATIVES VOTED AGAINST THE CERTIFICATION OF THE ELECTORAL COLLEGE RESULTS FROM ARIZONA AND PENNSYLVANIA.

13 PUBLIC COMPANIES, THREE TRADE ASSOCIATIONS, AND ONE 501(C)(4) CONTRIBUTED TO THE CONGRESSIONAL LEADERSHIP FUND WHICH IN TURN HELPED ELECT THE 23 REPRESENTATIVES THROUGH INDEPENDENT EXPENDITURES ON BEHALF OF THEIR CAMPAIGNS.

THIS PRESENTS A RISK TO THE 13 PUBLIC COMPANIES, THREE TRADE ASSOCIATIONS, AND THE 501(C)(4) AMERICAN ACTION NETWORK. THROUGH THEIR CONTRIBUTIONS THEY ASSOCIATED THEMSELVES WITH THE UNSUBSTANTIATED CLAIMS THAT THE 2020 ELECTION RESULTS WERE FRAUDULENT.

SOURCES

Congressional Leadership Funding Contribution and Independent Expenditure Data:
 Center for Political Accountability drawing on the FEC, Congressional Leadership Fund reports to the IRS.

Public Company Contributions to the American Action Network:
 Center for Political Accountability drawing on Track Your Company database containing annually updated public company political contribution disclosure figures.

Link to United States Senate vote on the objection to Arizona's Electoral College votes:
<https://clerk.house.gov/Notes/202110?Page=3>

Link to the United States Senate vote on the objection to Pennsylvania's Electoral College votes:
<https://clerk.house.gov/Notes/202111?Page=3>

Public companies, trade associations, and 501(c)(4) that gave to the Senate Leadership Fund in the 2018 and 2020 Election Cycles

THE CENTER FOR POLITICAL ACCOUNTABILITY RUNS A DATABASE CALLED TRACK YOUR COMPANY. TRACK YOUR COMPANY POSTS THE POLITICAL CONTRIBUTION DISCLOSURES FROM S&P 500 COMPANIES ON AN ANNUAL BASIS.

USING THE PUBLICLY AVAILABLE POLITICAL CONTRIBUTIONS DISCLOSURE SEARCH FUNCTION ON TRACK YOUR COMPANY, IT REVEALED TWO PUBLIC COMPANIES HAVE DISCLOSED CONTRIBUTIONS TO THE 501(C)(4) ONE NATION IN THE 2018 AND 2020 ELECTION CYCLES.

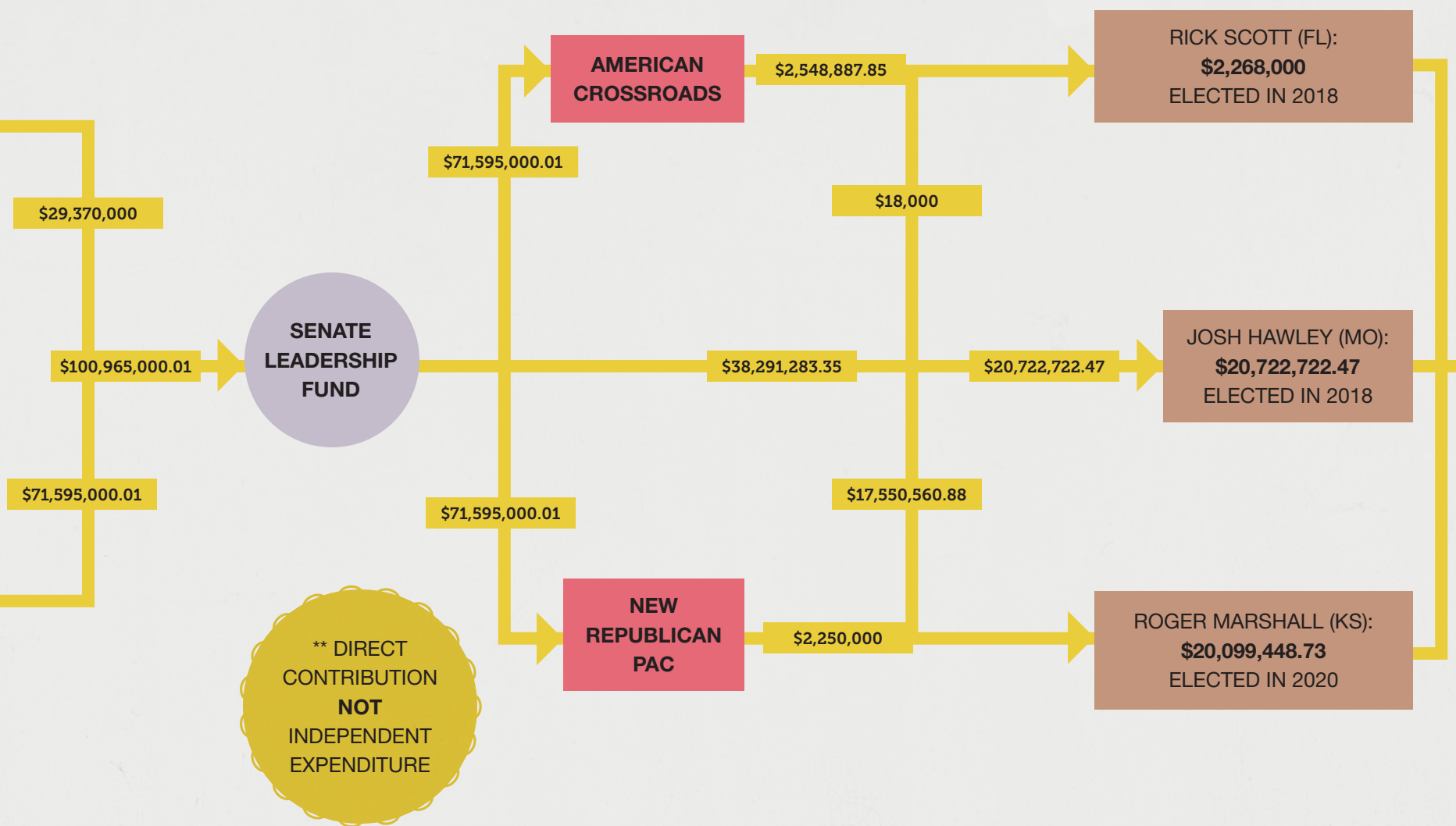
THEY ARE:
2017: ANDEAVOR: \$1,000,000 — DISCLOSED CONTRIBUTING AT LEAST THIS AMOUNT
2019: CVS HEALTH CORP: \$700,000

18 PUBLIC COMPANIES, FIVE TRADE ASSOCIATIONS, AND ONE 501(C)(4) THAT GAVE TO THE SENATE LEADERSHIP FUND IN THE 2018 ELECTION CYCLE

PUBLIC COMPANIES: \$8,835,000
TRADE ASSOCIATIONS: \$450,000
501(C)(4): \$20,050,000

18 PUBLIC COMPANIES, FOUR TRADE ASSOCIATIONS, AND ONE 501(C)(4) THAT GAVE TO THE SENATE LEADERSHIP FUND IN THE 2020 ELECTION CYCLE

PUBLIC COMPANIES: \$8,890,001.01
TRADE ASSOCIATIONS: \$6,955,000
501(C)(4): \$55,000,000



**** DIRECT CONTRIBUTION NOT INDEPENDENT EXPENDITURE**

SOURCES

Senate Leadership Fund Contribution and Independent Expenditure Data:
 Center for Political Accountability drawing on the FEC, Senate Leadership Fund reports to the IRS.

New Republican PAC Contribution and Independent Expenditure Data:
 Center for Political Accountability drawing on the FEC, New Republican PAC reports to the IRS.

American Crossroads Contribution and Independent Expenditure Data:
 Center for Political Accountability drawing on the FEC, American Crossroads reports to the IRS.

Public Company Contributions to the American Action Network:
 Center for Political Accountability drawing on Track Your Company database containing annually updated public company political contribution disclosure figures.

Link to United States Senate vote on the objection to Arizona's Electoral College votes:
https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=117&session=1&vote=00001

Link to the United States Senate vote on the objection to Pennsylvania's Electoral College votes:
https://www.senate.gov/legislative/LIS/roll_call_lists/roll_call_vote_cfm.cfm?congress=117&session=1&vote=00002

THESE THREE UNITED STATES SENATORS VOTED AGAINST THE CERTIFICATION OF THE ELECTORAL COLLEGE RESULTS FROM ARIZONA AND PENNSYLVANIA.

18 PUBLIC COMPANIES, FIVE TRADE ASSOCIATIONS, AND ONE 501(C)(4) CONTRIBUTED TO THE SENATE LEADERSHIP FUND IN THE 2018 ELECTION CYCLE WHICH IN TURN HELPED ELECT THE TWO SENATORS THROUGH INDEPENDENT EXPENDITURES ON BEHALF OF THEIR CAMPAIGNS.

18 PUBLIC COMPANIES, FOUR TRADE ASSOCIATIONS, AND ONE 501(C)(4) CONTRIBUTED TO THE SENATE LEADERSHIP FUND IN THE 2020 ELECTION CYCLE WHICH IN TURN HELPED ELECT ONE SENATOR THROUGH INDEPENDENT EXPENDITURES ON BEHALF OF THEIR CAMPAIGNS.

THIS PRESENTS A RISK TO THE PUBLIC COMPANIES, TRADE ASSOCIATIONS, AND THE 501(C)(4) ONE NATION. THROUGH THEIR CONTRIBUTIONS THEY ASSOCIATED THEMSELVES WITH THE UNSUBSTANTIATED CLAIMS THAT THE 2020 ELECTION RESULTS WERE FRAUDULENT.

SUPPORT FOR JUDICIAL ACTION TO OVERTURN THE 2020 ELECTION

The Republican Attorneys General Association, mentioned above (page 10 of report), also gave extensive financial support to the state Republicans who brought and joined a lawsuit in December 2020 seeking to postpone the certification of presidential electors in several key battleground states where Trump had lost. Texas Attorney General Ken Paxton brought the lawsuit, which was labeled “far fetched” by the New York Times,¹⁹ and he was joined in a brief by 17 attorneys general from other states.

Sen. Mitt Romney, R-Utah, said about the lawsuit, “This effort to subvert the vote of the people is dangerous and destructive of the cause of democracy.”²⁰

The Supreme Court quickly rejected the lawsuit, saying Texas did not have the legal standing to bring it.

As CPA research shows below, Paxton and 11 of the attorneys general who sided with his lawsuit had almost \$3 million in support from RAGA in the 2018 and 2020 election cycles. Public companies and their trade associations gave more than \$36 million to RAGA in those cycles and were its dominant donors, at just over 50 percent of the group’s donations. Furthermore, there were sizable direct contributions to attorneys general from public corporations.

¹⁹ <https://www.nytimes.com/2020/12/09/us/politics/trump-texas-supreme-court-lawsuit.html?searchResultPosition=2>
²⁰ <https://www.texastribune.org/2020/12/10/ken-paxton-donald-trump-election-lawsuit/>

SUPPORT FOR POLITICIZING TOP STATE ELECTION OVERSIGHT POSTS

The Republican State Leadership Committee (RSLC), a 527 organization that focuses on winning elections in states, is another recipient of millions of dollars in funding from public companies and their trade associations. It is expected to play a central role in the major battleground of high-stakes races for chief state election oversight officials this year.

The Republican effort to take over the election machinery in the states is so determined that Democrats and outside experts are quoted by the Associated Press as warning that the nation is witnessing a “slow-motion insurrection”²¹ with more favorable prospects for success than Trump’s effort to seize power after the 2020 election.

“Democrats and Republicans are preparing to pour millions of dollars into races for secretary of state in half the states ... amid a new recognition that those who oversee the electoral process can play pivotal roles in deciding an election’s outcome,”²² a Washington newspaper reported. The once-obscure state administrative post is becoming transformed in many states into a partisan grail, a command post for vote counting and conducting elections in 2024. The Washington Post said the office has “suddenly become one of the most vital elected roles in the nation.”²³ At least 21 Republican candidates who do not accept Biden’s win are seeking the powerful secretary of state position in 18 states.²⁴

“Their candidacies are alarming watchdog groups, Democrats and some fellow Republicans, who worry that these Trump supporters, if elected to posts that exist largely to safeguard and administer the democratic process, would weaponize those offices to undermine it — whether by subverting an election outright or by sowing doubts about any local, state or federal elections their party loses,”²⁵ according to the New York Times.

One notable candidate is U.S. Rep. Jody Hice, a Republican, among those challenging Georgia Secretary of State Brad Raffensperger (R) in a primary. Raffensperger refused to give in to then-President Trump’s effort to overturn the 2020 election results. Trump has called Raffensperger an “enemy of the people” and has endorsed Hice, who voted in the House against certifying the 2020 election results and who believes Trump won Georgia in 2020. No evidence of widespread fraud in the 2020 election has been found by state and federal officials, including Trump’s attorney general.

Another Trump-endorsed candidate is state Rep. Mark Finchem (R) in Arizona, who in 2014 identified himself as a member of the anti-government militia Oath Keepers and who recently introduced a measure to decertify the results of the 2020 elections from Arizona’s three largest counties.²⁶ Finchem has insisted that Trump won in 2020.



21 <https://apnews.com/article/donald-trump-united-states-elections-electoral-college-election-2020-809215812f4bc6e5907573ba98247c0c>

22 <https://thehill.com/homenews/state-watch/565657-new-spotlight-on-secretaries-of-state-as-electoral-battlegrounds>

23 <https://www.washingtonpost.com/magazine/2022/02/28/secretary-of-state/>

24 <https://www.nytimes.com/2022/01/30/us/politics/election-deniers-secretary-of-state.html>

25 <https://www.nytimes.com/2022/01/30/us/politics/election-deniers-secretary-of-state.html?searchResultPosition=1>

26 <https://www.theguardian.com/us-news/2022/feb/21/mark-finchem-trump-arizona-elections-secretary-of-state>

STATE OF TEXAS v. COMMONWEALTH OF PENNSYLVANIA, STATE OF GEORGIA, STATE OF MICHIGAN, AND STATE OF WISCONSIN

46 PUBLIC COMPANIES AND 10 TRADE ASSOCIATIONS THAT DONATED \$100,000 OR MORE TO RAGA IN THE 2018 ELECTION CYCLE

\$13,381,164

RAGA 2018

\$2,698,200

\$2,698,200

(SC) GOP

\$2,698,200

\$10,500

\$5,000

\$2,700

\$10,000

+\$50,000

\$10,000

\$100,000

+\$12,000

\$125,000

+\$188,150

\$150,000

+\$14,250

\$5,000

+\$151,709.93

ASHLEY MOODY (FL):
\$1,226,500

KEN PAXTON** (TX):
\$650,000

STEVE MARSHALL (AL):
\$850,000

ALAN WILSON (SC):
\$254,750

MIKE HUNTER (OK):
\$5,000

LESLIE RUTLEDGE (AR):
\$2,700

DEREK SCHMIDT (KS):
\$60,000

WAYNE STENEHJEM (ND):
\$10,000

JASON RAVNSBORG (SD):
\$112,000

*JEFF LANDRY (LA):
\$156,709.93

*LYNN FITCH (MS):
\$164,250

SEAN REYES (UT):
\$313,150

**FILED LAWSUIT

FILED AS PLAINTIFF, AND IN SUPPORT OF PLAINTIFF IN THE CASE:
STATE OF TEXAS
v.
COMMONWEALTH OF PENNSYLVANIA, STATE OF GEORGIA, STATE OF MICHIGAN, AND STATE OF WISCONSIN

** DENOTES AG WAS ELECTED IN 2019

SOURCES

Contributions Totals to and from RAGA:

Center For Political Accountability drawing on Get.Ante, RAGA contributions reported to IRS

Direct Contributions to State AGs:

Center for Political Accountability drawing on Get.Ante, contributions reported to 12 individual secretary of state offices.

Case Filing:

[https://www.supremecourt.gov/DocketPDF-F/22/220155/163215/20201209144840609_2020-12-09%20-%20Texas%20v.%20Pennsylvania%20-%20Amicus%20Brief%20of%20Missouri%20et%20al.%20-%20Final%20with%20Tables.pdf](https://www.supremecourt.gov/DocketPDF/F/22/220155/163215/20201209144840609_2020-12-09%20-%20Texas%20v.%20Pennsylvania%20-%20Amicus%20Brief%20of%20Missouri%20et%20al.%20-%20Final%20with%20Tables.pdf)

Case Status:

Supreme Court refused to hear the case as it deemed Texas to lack legal standing.

52 COMPANIES AND NINE TRADE ASSOCIATIONS THAT DONATED \$100,000 OR MORE TO RAGA IN THE 2020 ELECTION CYCLE

\$11,803,360

RAGA 2020

\$280,000

It is too early at the time of this report’s publication to document RSLC support for secretary of state candidates this year, but “Races that have in the past attracted little outside attention are now likely to be the targets of millions in outside spending,” according to The Hill newspaper.²⁷ The RSLC “and its strategic policy partner, the State Government Leadership Foundation, raised a record \$14.3 million in the fourth quarter of 2021, bringing the groups’ annual total to \$33.3 million in the off-election year.”²⁸ (Meanwhile the Democratic Association of Secretaries of State brought in a record \$4.5 million in donations last year and aims for \$15 million in this election cycle.²⁹)

According to CPA research, public companies and trade associations are the dominant donors to the RSLC in the 2022 election cycle so far, giving \$9,798,705, or 42 percent of the more than \$23 million in donations reported by the group. Leading corporate donors are Dominion Energy, \$615,000; AstraZeneca, \$550,000; British American Tobacco, \$365,000; Chevron, \$315,000; Berkshire Hathaway, \$250,000; FMC, \$250,000; General Motors, \$250,000; and Pfizer, \$250,000. Top trade association donors are PhRMA, \$355,000, and Associated Builders and Contractors, \$250,000.

Top public companies giving to the RSLC in the 2020 election cycle included Chevron, \$1,055,000; British American Tobacco, \$840,075; Dominion Energy, \$835,549; Altria, \$735,000; and Marathon, \$726,159.³⁰ Top trade association donors were U.S. Chamber of Commerce, \$2,654,000; PhRMA, \$651,544; Rent Stabilization Association of New York, \$500,000; Associated Builders and Contractors, \$366,673; and West Virginia Health Care Association, \$250,000.

The RSLC has acknowledged Biden’s victory in 2020. It supports with pride candidates focused on making it “easier to vote and harder to cheat for all Americans,” according to a spokesman.³¹



27 <https://thehill.com/homenews/campaign/589480-secretary-of-state-races-come-under-red-hot-focus>

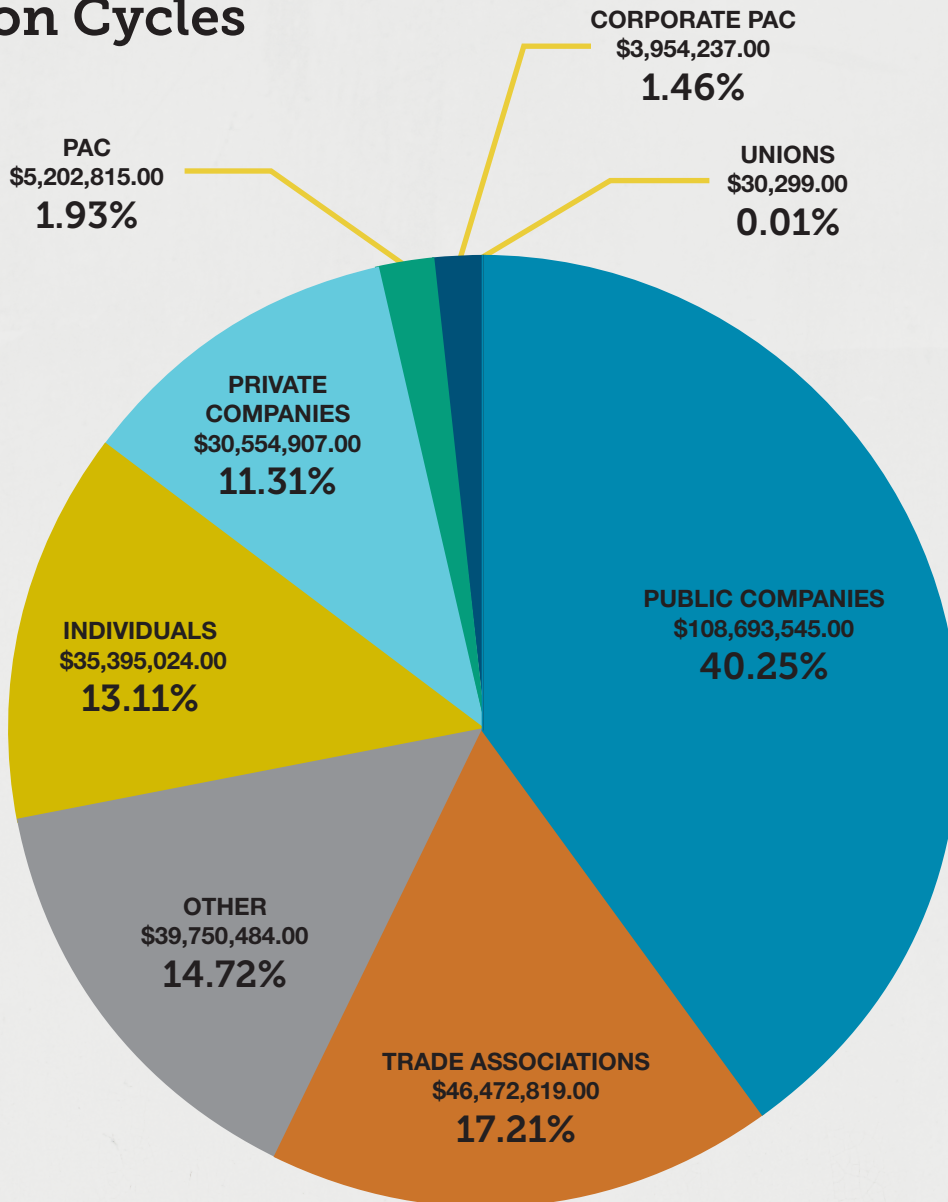
28 *Ibid.*

29 <https://www.washingtonpost.com/magazine/2022/02/28/secretary-of-state/>

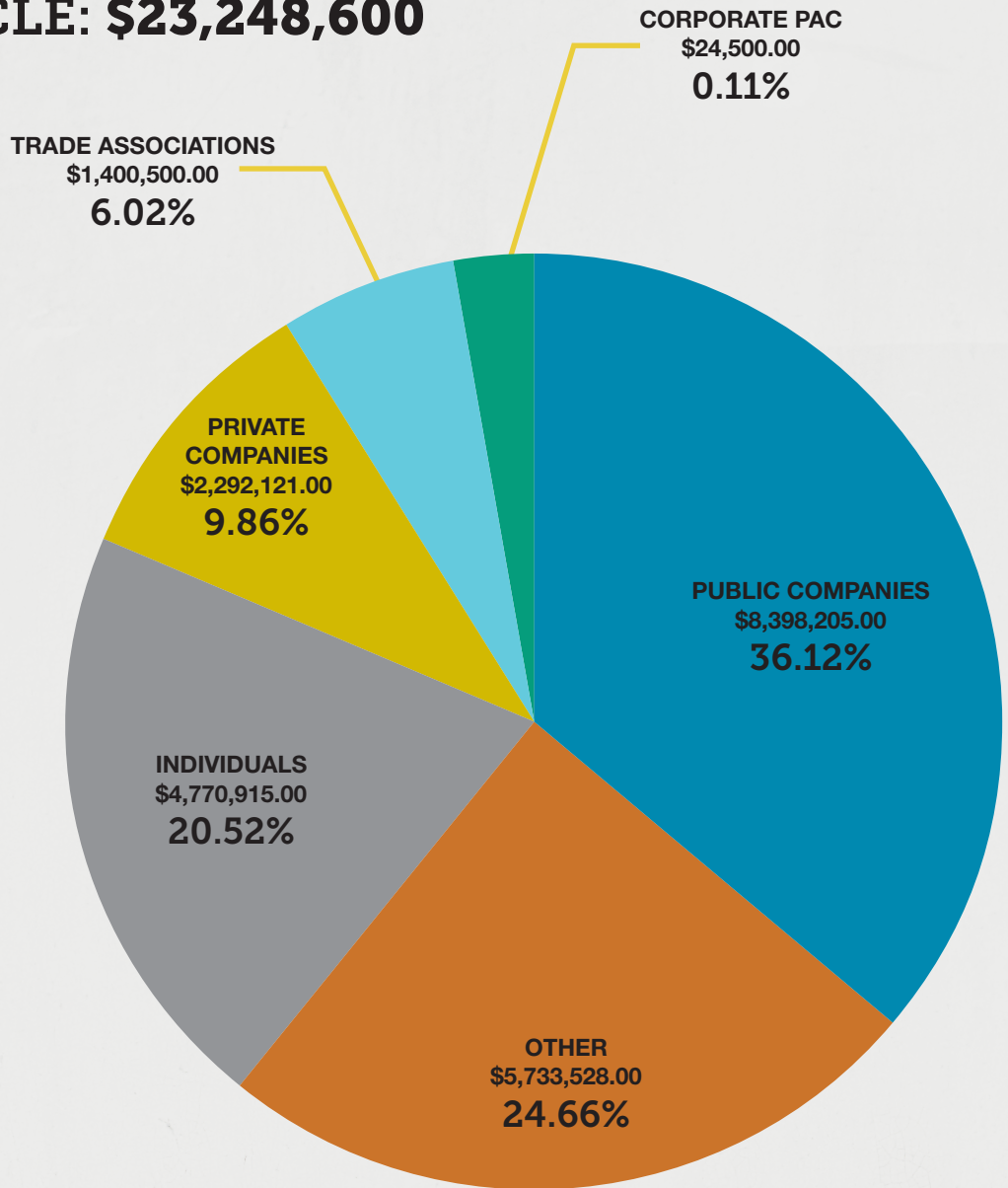
30 <https://www.politicalaccountability.net/wp-content/uploads/2021/08/Conflicted-Consequences.pdf>

31 <https://www.reuters.com/world/us/backers-trumps-false-fraud-claims-seek-control-next-us-elections-2021-09-22/>

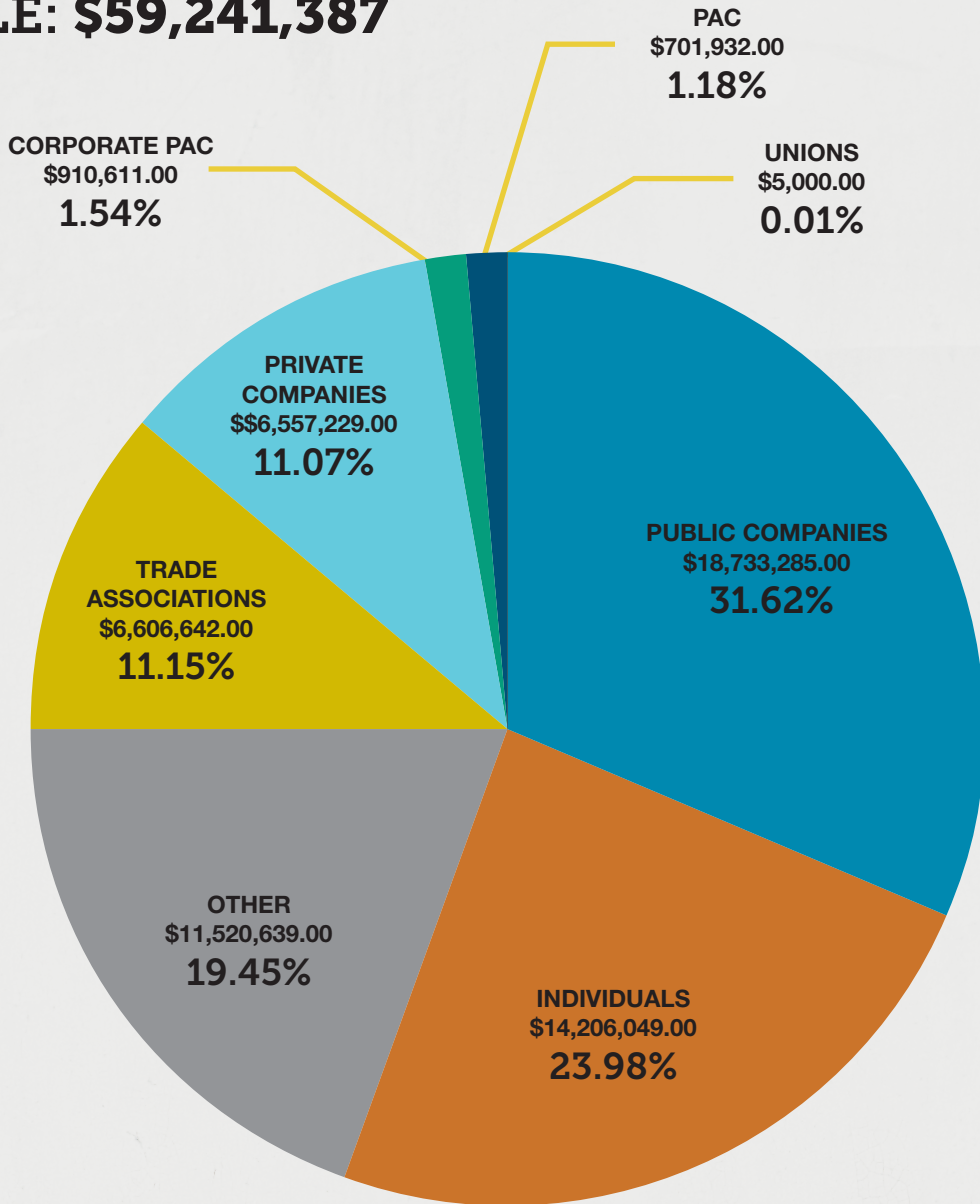
Distributions of Donations to the RSLC, 2010-2022 Election Cycles



TOTAL DONATED TO THE RSLC IN THE 2022 ELECTION CYCLE: **\$23,248,600**



TOTAL DONATED TO THE RSLC IN THE 2020 ELECTION CYCLE: **\$59,241,387**



SUPPORT FOR LEGISLATORS NULLIFYING PRESIDENTIAL ELECTION RESULTS

The burgeoning Republican campaign to take over state election machinery not only has taken aim at secretary of state posts but also at other means to change established election outcomes, including by giving partisan state legislatures the power to decide electoral college slates.

In Arizona, for example, a state legislator now running for secretary of state introduced legislation permitting lawmakers to veto presidential electors chosen through a popular vote. Public companies and trade associations gave generously to both the RSLC and to the Arizona Republican Legislative Victory Fund in the 2020 election cycle, and state Rep. Shawna Bolick, the bill sponsor, benefited from more than \$80,000 in independent expenditures in her race tied to these sources.

In effect, Bolick’s bill would have allowed the legislature to nullify “the legitimate results of a presidential election.”³² Her bill did not spell out how new presidential electors would be chosen, but an opinion piece she wrote provided an alternative route for the legislature.³³ An Arizona political commentator wrote, “Bolick’s biggest insult is her assault on democracy.”³⁴

Although Republicans have a majority in the Arizona legislature, the bill died in a committee.³⁵ Nonetheless, its introduction has had ramifications. According to analysis in *The New Yorker*, “...Simply by putting forth the idea as legislation, [Bolick] helped lend legitimacy to the audacious scheme that the Trump campaign desperately pursued in the final days before Biden’s Inauguration: to rely on Republican-led state legislatures to overturn Electoral College votes.”³⁶



³² <https://thehill.com/homenews/state-watch/565657-new-spotlight-on-secretaries-of-state-as-electoral-battlegrounds>

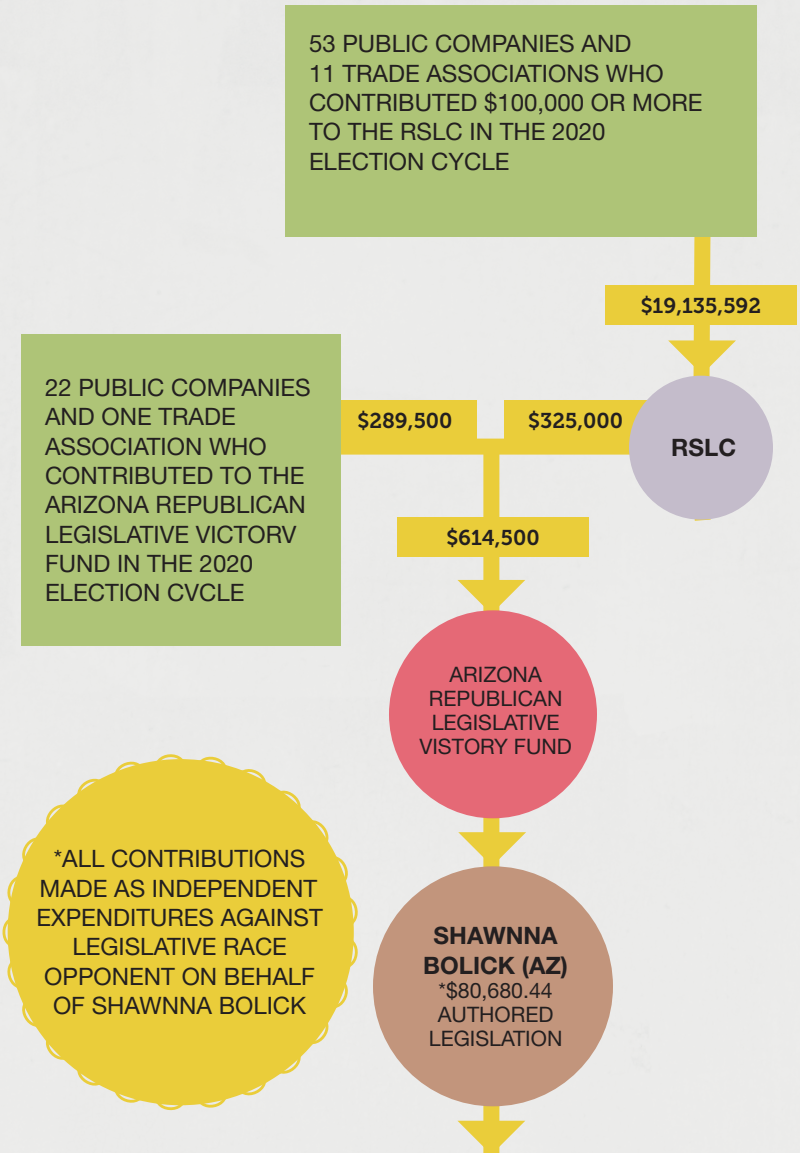
³³ <https://www.azmirror.com/2021/06/22/shawna-bolick-author-of-bill-to-reject-voters-presidential-choice-running-to-be-top-elections-official/>

³⁴ *Ibid.*

³⁵ <https://www.reuters.com/world/us/backers-trumps-false-fraud-claims-seek-control-next-us-elections-2021-09-22/>

³⁶ <https://www.newyorker.com/magazine/2021/08/09/the-big-money-behind-the-big-lie>

Public corporation and trade association donors to the Republican State Leadership Committee and Arizona Republican Legislative Victory Fund in the 2020 election cycle that helped elect Arizona State Legislator introducing legislation to overturn presidential popular vote



ARIZONA STATE REPRESENTATIVE SHAWNNA BOLICK INTRODUCED HB 2720 TO ALLOW THE STATE LEGISLATURE TO OVERTURN THE SECRETARY OF STATE’S ELECTORAL COLLEGE CERTIFICATION. THIS WOULD OCCUR WITH A “MAJORITY VOTE AT ANY TIME BEFORE THE PRESIDENTIAL INAUGURATION.” THE BILL WAS INTRODUCED JAN. 27, 2021.

THE CONTRIBUTIONS THROUGH THE THIRD-PARTY GROUPS POSE A RISK TO THE DONATING CORPORATIONS BY ASSOCIATING THEM WITH A STATE LEGISLATOR WHO WAS SEEKING TO OVERTURN THE POPULAR VOTE IN ELECTING THE PRESIDENT OF THE UNITED STATES.

SOURCES

Contribution Totals to and from RSLC:

Center For Political Accountability drawing on Political Money Line, RSLC contributions reported to IRS

Contribution Totals to and from Arizona Republican Legislative Victory Fund:

Center For Political Accountability drawing on the Arizona Election Funds Portal, Arizona Republican Legislative Victory Fund contributions reported to the Arizona Secretary of State

Arizona HB 2720: <https://www.politicalaccountability.net/Uploads/2022/04/HB2720P.pdf>

Status: Dead, bill not taken up

SUPPORT FOR ATTACKING VOTING RIGHTS

“Between January 1 and December 7 [2021], at least 19 states passed 34 laws restricting access to voting,” according to the Brennan Center, and it called “extraordinary” the tidal wave of more than 440 bills introduced in state legislatures in 49 states.³⁷ This year, scores more bills are awaiting action, and more of them would make it harder to vote; if enacted, they would “disproportionately impact voters of color,” the Brennan Center says.³⁸

CPA has examined the escalating battle over attacks on voting rights and found concrete, specific instances where corporations could be questioned or criticized over a conflict between their principled stands and their past political spending. Once again, corporate contributions to the RSLC can be used to associate companies with new voting restrictions.

“From the treasuries of corporations that have endorsed diversity efforts, millions of dollars have flowed to groups or campaigns supporting election of officeholders who sponsored, advanced or will be acting on voting restriction or nullification legislation in seven battleground states,”³⁹ CPA concluded in a report last year.

“The money trail reveals that 182 of these companies and 17 trade associations pumped at least \$79 million in the 2018 and 2020 election cycles into these groups and campaigns, and over \$21.5 million of that amount went to supporting election of these legislators and two governors in Georgia, Texas, Florida, Michigan, Pennsylvania, Arizona and Iowa. The donor companies include such well-known U.S. corporate leaders as NextEra Energy, Coca-Cola, Chevron, Altria, AT&T, Comcast, Walmart, Visa, Wells Fargo, T-Mobile and Delta.”

One of the early states to pass restrictive voting rights legislation was Georgia. After companies and trade groups that had endorsed racial diversity efforts made large donations in the 2020 election to the RSLC, more than \$137,000 went from the RSLC to help elect 46 state legislators who voted for Georgia’s SB 202 voting restrictions. They were signed into law in March 2021 by Gov. Brian Kemp.

In Texas, Gov. Greg Abbott signed in September 2021 SB 1, described by The Texas Tribune as “a far-reaching law that restricts how and when voters cast ballots.”⁴⁰ The law also “constrains local control of elections by limiting counties’ ability to expand voting options.”⁴¹

³⁷ <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-december-2021>

³⁸ <https://www.brennancenter.org/our-work/research-reports/voting-laws-roundup-february-2022>

³⁹ <https://www.politicalaccountability.net/wp-content/uploads/2021/07/Corporate-Enablers.pdf>

⁴⁰ <https://www.texastribune.org/2021/09/01/texas-voting-bill-greg-abbott/>

⁴¹ *Ibid.*

A similar political spending pattern in Texas, like that in Pennsylvania, occurred on a larger scale. Companies and trade associations that had endorsed racial diversity efforts contributed in the 2020 election to partisan groups including the RSLC, and the groups spent \$3.4 million helping to elect Texas legislators who introduced, or who voted for, legislation making it more difficult for Black, Latino and Asian citizens to vote.⁴²

Similar corporate spending and political dynamics unfolded in Michigan last year⁴³ – but a campaign to change voting laws prevailed only up to a point. Majority Republicans in the legislature passed voting restrictions that generally mirrored those passed in other GOP-led states. Then Democratic Gov. Gretchen Whitmer vetoed them. This year, Republicans are pushing a petition drive to circumvent Whitmer’s veto⁴⁴ and implement new voting restrictions under a little-used procedure allowed by state law.

⁴² *Corporate Enablers*, p. 16, and chart, page 17. Editor’s note: The chart contained an error, identifying Jim Griffin as a legislator. Griffin was defeated in a 2020 primary. *Corporate Enablers* – Center for Political Accountability

⁴³ <https://www.politicalaccountability.net/wp-content/uploads/2021/07/Corporate-Enablers.pdf>, <https://www.metrotimes.com/detroit/voter-suppression-legislation-in-michigan-boosted-by-company-donations-to-republicans-nonprofit-says/Content?oid=27394851>

⁴⁴ <https://www.cnn.com/2022/03/17/politics/michigan-republican-voting-restrictions-petition-whitmer-veto/index.html>

Chapter 2

A CLIMATE OF INTIMIDATION COMPANIES IN THE CROSSHAIRS

Many U.S. corporations, when taking a stand on hot-button issues, are facing an increasingly heated climate of intimidation from elected officials who disagree. As democracy backslides, this climate has become more and more widespread in both Washington and state capitals nationwide.

As president, Donald Trump chastised companies he disagreed with or disliked. Now out of office, he has criticized “woke” corporations and urged fans to boycott the national pastime. Senate Minority Leader Mitch McConnell told chief executives to “stay out of politics.” Rep. Kevin McCarthy of California, who eyes the perch of House Speaker if the GOP wins a majority this fall, has excoriated the U.S. Chamber of Commerce and threatened “crippling regulations on social media companies.”⁴⁵ House Financial Services Committee member Blaine Luetkemeyer of Missouri “recently told donors that if corporations were going to put him on an enemies list, he would create a list of his own,”⁴⁶ Bloomberg reported.

In the states, Florida’s Republican Gov. Ron DeSantis has cautioned corporations against “trying to genuflect to this wokeness.” Texas Lt. Gov. Dan Patrick condemned critics (including corporations) of restrictive voting rights legislation as a “nest of

liars.” Georgia House Speaker David Ralston warned critics of a similar voting measure, “You don’t feed a dog that bites your hand.”⁴⁷

Is it just vitriol and rhetoric, or more? Why does this matter?

When companies are in the crosshairs, threats can become reprisals or retribution. They can have costly impact. And even a threat that isn’t carried out can cause worry or defensive strategizing in the C-suite.

Many states and the nation are torn by division and upheaval. Where there is greater political uncertainty, the likelihood of a threat turning into action may be greater. Raging culture wars are entangling corporate brands;⁴⁸ in this climate, a politician’s threat to revoke a tax break, scuttle a favored program or even refuse a meeting,⁴⁹ can be executed. And in Washington, when Trump was on Twitter, his remarks one day in 2019 roiled the stock market and were associated with the erasure of \$500 billion in equity.⁵⁰

45 <https://www.axios.com/mccarthys-plot-to-build-the-house-of-trump-df47ba09-12d9-4f38-aaa9-610af268c488.html>

46 <https://www.bloomberg.com/news/articles/2021-03-17/wall-street-looking-to-quietly-reopen-wallets-for-politicians>

47 <https://www.nytimes.com/2021/04/05/business/voting-rights-ceos.html>

48 <https://www.nytimes.com/2021/11/23/business/dealbook/companies-politics-partisan.html>

49 It can cost companies to meet with an elected official or his or her staff. In 2018 Mick Mulvaney, a former Republican congressman and then-interim head of the Consumer Financial Protection Bureau, told banking industry executives, according to the *New York Times*, that contributions were needed in order for him to meet with lobbyists when he was a lawmaker. “If you’re a lobbyist who never gave us money, I didn’t talk to you. If you’re a lobbyist who gave us money, I might talk to you,” he said.

50 <https://www.forbes.com/sites/chuckjones/2019/08/24/unpacking-trumps-tweets-about-the-fed-and-china/?sh=375fbb9e8b6e>

Companies conduct threat assessments. Is a threat Code Yellow – or Code Red? When, and how, should it be countered? Is it coming from the president, an ally of the president, a governor, or a legislator? If a bill is introduced that threatens an industry directly, is it by a back-bencher or a committee chair, does it have cosponsors, and what does the governor or president say about it?

Whether under threat or attack, companies ignore a climate of intimidation at their own peril. This is a problem at both the federal and state level.

FEDERAL GOVERNMENT

From the campaign trail to the Oval Office, Donald Trump left a long record of criticizing and threatening major companies. There were suggestions his “animus,” whether over policy disagreement or personal pique, fueled intervention. This trend was seen as contrasting with Trump’s recent predecessors and with Republican thinking in general.

For example, the New York Times reported in 2016 about the president-elect’s criticism of Boeing and also targeting the appliance manufacturer Carrier, “Mr. Trump’s willingness to intervene at the individual corporate level is a stark departure from Republican orthodoxy, which has long objected to the government’s picking winners and losers.”⁵¹ It added a historical note: “For perhaps the first time since President John F. Kennedy took on the steel industry in the early 1960s, the heads of big American companies are being confronted by a leader willing to call them out directly and publicly for his policy and political aims.”⁵²

What is the impact for a company? The chief executive of United Technologies, Carrier’s then parent company, “seemed to imply ...that he felt pressured,” according to the Times. “I was born at night, but not last night,” said Greg Hayes. “I also know that about 10 percent of our revenue comes from the U.S. government.”⁵³

In another example, Trump condemned “fake news” CNN. As a candidate, he also took issue with the proposed merger of AT&T and CNN parent company Time Warner “because it’s too much concentration of power in the hands of too few.”⁵⁴ His remarks, according to The Wall Street Journal, “were unusual because recent presidents and candidates generally haven’t taken positions on specific mergers, and the Justice Department usually conducts merger reviews independent of political influence from the White House.”⁵⁵

51 <https://www.wsj.com/articles/u-s-weighs-suit-against-at-ts-deal-for-time-warner-1509633797>

52 *Ibid.*

53 *Ibid.*

54 U.S. *Weights Suit against AT&T’s Deal for Time Warner*, Wall Street Journal, Nov. 2, 2017

55 *Ibid.*

Under Trump's presidency, the Justice Department unsuccessfully sued to halt the deal for antitrust reasons. "When the Justice Department first brought the case against AT&T, many legal observers wondered if President Donald Trump's open animus toward CNN affected the case, partly because they found it unusual for a Republican administration to bring such a lawsuit,"⁵⁶ CNN Business reported. Among those questioning whether the Justice Department's motivation was political was William Barr,⁵⁷ who later became U.S. Attorney General under Trump.

FOR COMPANIES FACING CRITICISM, THREATS, OR ACTION, THERE ARE SIGNIFICANT COSTS.

BOEING: President-elect Trump wrote on Twitter about Boeing and a new government order for Air Force One, "Boeing is building a brand new 747 Air Force One for future presidents, but costs are out of control, more than \$4 billion." He added, "Cancel order!" He told reporters, "I think Boeing is doing a little bit of a number."⁵⁸ Trump's post came "just minutes after The Chicago Tribune had published comments from Boeing's chief executive, Dennis Muilenburg, suggesting that the president-elect's trade policies could hurt the company, which does substantial business in China,"⁵⁹ according to The New York Times.

A year later, a \$3.9 billion deal was reached with Boeing. By then, Muilenberg had talked to the president-elect by phone, Boeing had given \$1 million to the fundraising effort for Trump's inaugural, and Muilenberg had met with the newly installed president at Mar-a-Lago.^{60 61}

CARRIER: After Carrier planned to move jobs from Indiana to Mexico, candidate Trump made his opposition a regular feature of his campaign and threatened the company. "I'm going to tell the head of Carrier: 'I hope you enjoy your stay in Mexico folks. But every single unit that you make and send across our border, which now will be real, you're going to pay a 35 percent tax,'" he said at one campaign stop.⁶²

Shortly after Trump won election, he warned United Technologies chief executive Hayes "that he had to find a way to save a substantial share of the jobs it had vowed to move to Mexico, or he would face the wrath of the incoming administration."⁶³ Carrier was promised incentives. It ultimately kept about half of the jobs in Indiana.

AT&T: "Would the Trump administration block a merger just to punish CNN?" A Washington Post headline asked the question in July 2017.⁶⁴ Its analysis referenced an unnamed administration official, who had said that White House advisers discussed the proposed AT&T and Time Warner merger as a point of leverage over CNN. "There's a threat implicit in that comment,"

56 <https://www.cnn.com/2019/02/26/media/att-time-warner-merger-ruling/index.html>

57 <https://variety.com/2018/politics/news/trumps-attorney-general-pick-questioned-does-motivation-in-attempt-to-block-att-time-warner-merger-1203083969/>

58 <https://www.nytimes.com/2016/12/06/us/politics/trump-air-force-one-boeing.html>

59 *Ibid.*

60 <https://www.washingtonpost.com/news/checkpoint/wp/2018/02/27/a-year-after-trump-threatened-to-cancel-the-air-force-one-program-white-house-and-boeing-reach-deal/>

61 <https://www.chicagotribune.com/politics/ct-trump-inaugural-donors-illinois-met-0419-20170419-story.html>

62 <https://www.npr.org/2016/11/29/503797983/carrier-trump-reach-deal-to-keep-manufacturing-jobs-in-u-s>

63 <https://www.nytimes.com/2016/12/01/business/economy/trump-carrier-pence-jobs.html>

64 <https://www.washingtonpost.com/news/politics/wp/2017/07/06/would-the-trump-administration-block-a-merger-just-to-punish-cnn/>

The Post's analysis said.⁶⁵ Once the Justice Department under Trump sued to block the merger, the department denied suggestions the White House had improperly influenced the decision.⁶⁶

As a player in Washington, AT&T has faced costs and repercussions. It gave more than \$2 million to Trump's inaugural committee.⁶⁷ In 2017, AT&T paid Michael Cohen, Trump's personal lawyer, \$600,000 for what AT&T later called "insights into understanding the new administration"⁶⁸ including about the merger. When scandal erupted around Cohen, AT&T was embarrassed. The company's association with Cohen showed a "serious misjudgment," AT&T's top executive said. Added Randall Stephenson, "Our company has been in the headlines for all the wrong reasons these last few days and our reputation has been damaged."⁶⁹ Cohen pleaded guilty in 2018 to campaign finance and other charges. He was sentenced to three years in prison.⁷⁰

When the Justice Department under Biden sued recently to block a \$13 billion deal for acquisition of a health technology company, the news coverage did not feature outcries about political motivations behind the action.^{71 72}

TECH AND TELECOM COMPANIES: The lead of The Washington Post story captured the new level of pressures confronting companies post Jan. 6 on Capitol Hill.⁷³ "House Minority Leader Kevin McCarthy (R-Calif.)," it read, "is threatening

telecommunications and social media companies that comply with a request by the committee investigating the Jan. 6 attack on the Capitol by a pro-Trump mob, declaring that Republicans 'will not forget' their actions."

As the article made clear, the threat of retribution by Republicans hung over 35 telecom and tech companies if they honored the subpoena. They were asked to retain phone records and other information related to the Capitol attack. "If these companies comply with the Democrat order to turn over private information, they are in violation of federal law and subject to losing their ability to operate in the United States," McCarthy was quoted as saying. "If companies still choose to violate federal law, a Republican majority will not forget and will stand with Americans to hold them fully accountable under the law."

AMAZON: Trump has disparaged The Washington Post, which often published negative coverage of him. Jeff Bezos owns the newspaper and Amazon. He has criticized Trump,⁷⁴ too. On the campaign trail, Trump threatened Bezos with antitrust action; he tweeted, "If I become president, oh do they have problems."⁷⁵

65 *Ibid.*

66 <https://www.cnn.com/2019/02/26/media/att-time-warner-merger-ruling/index.html>

67 <https://thehill.com/policy/technology/329484-att-gave-2-million-to-trumps-inaugural-committee>

68 <https://www.usatoday.com/story/news/politics/2018/05/11/t-leader-calls-decision-hire-cohen-serious-misjudgment/601525002/>

69 <https://www.theguardian.com/business/2018/may/11/michael-cohen-trump-lawyer-att-big-mistak>

70 <https://apnews.com/article/donald-trump-crime-new-york-manchattan-campaigns-3a0413202e80ab99c9f6377f97d07c04>

71 <https://www.nytimes.com/2022/02/24/business/doj-antitrust-lawsuit-unitedhealth.html>,

72 <https://www.ft.com/content/42c2999b-fc2e-4023-8444-30fbad2e14e1>

73 Rep. McCarthy threatens tech and telecom firms that comply with Jan. 6 committee's request - *The Washington Post*, September 1, 2021

74 <https://www.newsweek.com/donald-trump-vs-amazon-jeff-bezos-641506>

75 Steven Levitsky and Daniel Ziblatt, "How Democracies Die", Broadway Books, 2018. P. 182.

A \$10 billion government contract for cloud computing, awarded by the Pentagon in 2019 to Microsoft at a time Amazon was expected to win it, stirred controversy.⁷⁶ Amazon sued. It alleged the Pentagon made “egregious errors” and there was “improper pressure from Trump” over the contract for Joint Enterprise Defense Infrastructure Cloud, or JEDI.⁷⁷ In 2021, the Pentagon reversed the Trump-era decision, and officials in the Biden administration said they likely would divide up the contract among multiple companies, not contract with just one.⁷⁸

President Trump also derided the U.S. Postal Service and demanded it hike rates it charged Amazon, its biggest corporate client. Trump’s “antipathy toward the post office appears rooted, in part, in his animus toward Bezos and his ownership of The Post,” that newspaper suggested.⁷⁹

HARLEY-DAVIDSON: After the Trump administration placed tariffs on European steel and aluminum in 2018, the manufacturer said it would shift to international facilities its making of motorcycles shipped to the European Union from the U.S. Trump rebuked Harley, saying, “If they move, watch, it will be the beginning of the end — they surrendered, they quit!”⁸⁰ If the production shift occurred, he threatened, the company “will be taxed like never before!”⁸¹ He voiced support for a boycott of Harley.⁸²

The following year, Trump made a U-turn after Harley said that due to European imports on tariffs, its profits had tanked 27 percent in the first quarter.⁸³ “So unfair to US. We will reciprocate!” he wrote on Twitter.

AND MORE: In mid-2019, Business Insider reported, “Trump has targeted at least 21 companies with calls for boycotts, threats of taxes, and other ominous warnings.” The publication’s list of targets included “Apple, Amazon, AT&T, Boeing, Facebook, GM, Google, Macy’s, Merck, Nordstrom, T-Mobile, Toyota, and Twitter.”⁸⁴

S.E.C. SCRUTINY: A scholarly paper concludes that “democratic backsliding – the gradual erosion of political institutions in advanced democracies as a result of rising populism – generates regulatory risks for firms.” According to its authors, “Using a sample of all publicly traded U.S. multinationals over the 2009-2019 period, we find that, after the shock election of Donald Trump to the American presidency, firms with more business ties in China – a clear subject of Trump’s populist rhetoric – faced greater regulatory scrutiny from the U.S. Securities and Exchange Commission. This effect was even more pronounced for firms operating in technologically intensive industries, which were also targeted by Trump, and for firms that were politically positioned closer to the Democratic Party.”⁸⁵

76 <https://www.reuters.com/technology/pentagon-scraps-jedi-award-microsoft-will-rebid-2021-07-06/>

77 *Ibid.*

78 *Ibid.*

79 <https://www.washingtonpost.com/technology/2020/09/18/trump-amazon-postal-service/>

80 <https://www.nytimes.com/2018/08/11/business/us-bikers-harley-davidson.html>

81 <https://www.cnn.com/2018/06/26/trump-says-harley-davidson-using-trade-tensions-as-an-excuse.html>

82 <https://www.reuters.com/article/us-harley-davidson-tariffs-trump/trump-backs-boycott-of-harley-davidson-in-steel-tariff-dispute-idUSKBN1KX0J9>

83 <https://www.theguardian.com/us-news/2019/apr/23/trump-harley-davidson-eu-tariffs-trade>

84 <https://www.businessinsider.com/trump-targets-companies-apple-nordstrom-google-2019-7>

85 “Strategic Consequences of Democratic Backsliding: An Examination of the Trump Effect on Firm Regulatory Risk,” a working paper from the McCombs School of Business, University of Texas at Austin, Jan. 14, 2022, authors Yifan Wei, I.H. Asper School of Business, University of Manitoba; Jinyuan Song, School of Business, George Mason University; Timothy Werner, McCombs School of Business, University of Texas at Austin; and Nan Jia, Marshall School of Business University of Southern California.

STATE GOVERNMENT

GEORGIA: One of the first cases of state government retaliation against a company over a controversial stance occurred in Georgia in 2018. After a shooting massacre at a Florida high school, Georgia-based Delta Air Lines decided to end an airfare discount for NRA members. Georgia Lt. Gov. Casey Cagle responded that he would “kill” any tax legislation benefiting Delta. “Corporations cannot attack conservatives and expect us not to fight back,”⁸⁶ vowed Cagle, a Republican. The legislature passed a tax bill removing a jet-fuel exemption that would have saved Delta about \$38 million to \$50 million a year, according to estimates in news accounts. In July, however, Gov. Nathan Deal suspended collection of the tax, noting the economic activity generated by Georgia’s airports.⁸⁷

Georgia saw elected leaders’ harsh criticism of certain companies break out again in 2021. Republican Gov. Brian Kemp signed into effect a major law restricting voting rights in the state, part of a national backlash in Republican-controlled state legislatures following the turbulence around the 2020 presidential election.

Chief executives for Delta and Coca-Cola, among Georgia’s largest employers, ultimately blasted the law as “unacceptable.”

There were immediate repercussions. Kemp accused Delta’s chief executive, Ed Bastian, of spreading “the same false attacks being repeated by partisan activists.” The House Speaker issued his “dog-that-bites-your-hand” warning. The state House agreed to strip Delta of its jet-fuel tax break, but the Senate adjourned before acting. A group of legislators pledged to no longer stock Coca-Cola products in their statehouse offices.

Criticism of the companies echoed nationwide. Trump has called for a boycott of “woke companies” taking a stand against the voting restrictions. In a video posted by Sen. Marco Rubio, R-Fla., Rubio called Delta and Coca-Cola “woke corporate hypocrites.” Senate Minority Leader Mitch McConnell warned, “Corporations will invite serious consequences if they become a vehicle for far-left mobs to hijack our country from outside the constitutional order.”⁸⁸

When Major League Baseball announced it would move the annual All-Star game away from Atlanta in protest of the voting law, Texas’s Gov. Abbott declined to throw out the starting pitch at the new game field in Texas. Republican Sens. Ted Cruz of Texas, Rubio, Marsha Blackburn of Tennessee, Mike Lee of Utah, and Josh Hawley of Missouri, and Rep. Jeff Duncan of South Carolina introduced legislation to remove MLB’s federal antitrust exemption.⁸⁹

⁸⁶ <https://www.cnn.com/2018/03/01/georgia-lawmakers-pull-airline-break-after-delta-killed-nra-discounts.html>

⁸⁷ <https://www.usatoday.com/story/travel/flights/todayinthesky/2018/07/30/georgia-governor-suspends-fuel-tax-avoid-penalizing-delta-air-lines/866002002/>

⁸⁸ https://www.washingtonpost.com/politics/georgia-voting-mlb-trump-mcconnell/2021/04/05/5aa65090-9622-11eb-962b-78c1d8228819_story.html

⁸⁹ <https://www.cruz.senate.gov/newsroom/press-releases/sens-cruz-lee-hawley-rubio-blackburn-introduce-bill-to-subject-mlb-to-antitrust-laws>

TEXAS: Republicans in Texas similarly spearheaded in 2021 a legislative effort widely seen as restricting voting access. It met backlash from some leading companies. They, in turn, drew scathing criticism and threats from some political leaders.

Businesses including American Airlines, Microsoft, HP, Salesforce, Etsy, and Patagonia joined a coalition letter urging elected officials to “oppose any changes that would restrict eligible voters’ access to the ballot.” Dell Technologies separately accused state legislators of trying to muzzle citizens’ voices, and American Airlines “strongly opposed” restrictive voting legislation.⁹⁰

Companies in Texas “need to stay out of politics, especially when they have no clue what they’re talking about,” Abbott said in response. Another leading Republican, Lt. Governor Patrick, offered a threat. “They might come down the street next

session, have a bill they want us to pass for them. Good luck!”⁹¹ Patrick also condemned opponents of voting legislation as a “nest of liars.”^{92 93}

On a different front, Abbott signed into law in September 2021 a measure directed at social media giants. It reflected the escalation of conservative attacks on Silicon Valley over the prior year, when the Jan. 6 attack on the U.S. Capitol had occurred and a number of companies had barred then-President Trump from their platforms. The Texas law prohibits large social media companies from blocking users based on their viewpoints.⁹⁴

FLORIDA: A similar effort culminated in May 2021 when Florida Gov. DeSantis signed into law permitting fines of up to \$250,000 a day against social media companies that ban a candidate for political office. It was the first law of its kind passed. DeSantis warned, “What we’ve been seeing across the U.S. is an effort to silence, intimidate and wipe out dissenting voices by the leftist media and big corporations.”⁹⁵ In June, however, a federal judge blocked the law from taking effect. DeSantis vowed an appeal.⁹⁶

Regarding Major League Baseball’s decision to move its All-Star game from Atlanta, DeSantis hinted retaliation. “I guess they have the right to do what they want, but if you’re gonna stick your beak into issues that don’t directly concern you, then I think elected officials are then gonna stick their beak into issues that may not concern them,” he said.⁹⁷

The Republican who preceded DeSantis as governor, U.S. Sen. Rick Scott, also gave a blistering opinion of “woke” corporations speaking out against the Georgia voting law. “Your latest attempts to hurt Georgia’s economy will help us do something that is long overdue – make corporate welfare a thing of the past. There will be no number of well-connected lobbyists you can hire to save you. There will be no amount of donations you can make that will save you. There will be nowhere for you to hide,” Scott wrote.⁹⁸

⁹⁰ <https://www.theguardian.com/us-news/2021/jun/11/texas-voting-rights-bills-business-leaders>

⁹¹ *Ibid.*

⁹² <https://www.dallasnews.com/news/politics/2021/04/06/texas-lt-gov-dan-patrick-says-opponents-of-voter-fraud-bill-are-nest-of-liars/>

⁹³ Abbott signed a new voting law bill into law in September 2021. A summary is available from <https://www.texastribune.org/2021/09/01/texas-voting-bill-greg-abbott/>

⁹⁴ <https://www.washingtonpost.com/technology/2021/09/09/govgregabbott-social-media-censorship-bill>

⁹⁵ <https://www.nbcnews.com/tech/social-media/florida-governor-signs-ban-deplatforming-tech-companies-rcna1018>

⁹⁶ <https://www.washingtonpost.com/technology/2021/06/30/florida-social-media-law-trump/>

⁹⁷ <https://www.nationalreview.com/news/desantis-hints-at-political-consequences-for-companies-that-genuelect-to-wokeness/>

⁹⁸ <https://www.foxbusiness.com/politics/sen-rick-scott-work-corporate-america-backlash>

Republicans bashed “woke” corporations when there was debate about legislation barring transgender girls or women from competing in female sports teams in public secondary schools or colleges. DeSantis signed a ban in June. “You can’t be cowed by these organizations, particularly

by woke corporations, from doing the right thing,” DeSantis said.⁹⁹ “The state of Florida is not going to be bullied by any corporate actor,” said House Speaker Chris Sprowls, another Republican.¹⁰⁰

NORTH CAROLINA: In the wake of the U.S. Supreme Court’s legalizing same-sex marriage in 2015, legislators in a number of states pushed back. North Carolina’s legislature passed HB2 in March 2016. It prohibited transgender individuals from using bathrooms in publicly owned buildings that corresponded to their gender identity, and it blocked local governments from enacting their own anti-discrimination and minimum wage laws.

As an outcry built over the law, the CEO of American Airlines was among those asking Gov. Pat McCrory to repeal a law they considered bad for employees and bad for business. In May, it was reported that American was on “high alert” amid rumors that an amendment would be introduced to cut tax breaks on jet fuel.¹⁰¹ American had its second largest hub in Charlotte at the time.

This came at an intense period when “Lobbyists say they’ve been told – either directly by legislative leaders or by lawmakers’ staff – that, if they or the businesses they represent speak out publicly against [the controversial bill], they can expect retribution from House and Senate leaders,” according to local radio station WRAL.¹⁰² This time, the legislature did not retaliate.

LATE-BREAKING RETRIBUTION: FLORIDA: In the most blatant, forceful instance of political retribution against a company amid the culture wars, the Florida legislature voted in April (on the eve of this report’s publication) to repeal the Walt Disney Company’s special tax district status for its Orlando-area theme park. Gov. DeSantis orchestrated the timing and delivery of the bill during a special session.

The governor took aim at Disney after the company went public with condemnation of a controversial parental rights law he had signed to bar discussion in public schools from kindergarten through third grade of sexual orientation and gender identity issues. Disney also said it was pausing its political contributions in Florida.

Some experts said ending the special district status would not be unreasonable if done with deliberation and phased in over years. Yet the governor’s sudden action was regarded as political retaliation. “This is the stuff of Richard Nixon and his enemies list,” editorialized The Miami Herald. “DeSantis is using the levers of government to crush his enemy.”^{103*}

99 <https://floridapolitics.com/archives/433049-desantis-ncaa/>

100 <https://www.orlandosentinel.com/politics/os-ne-florida-gop-corporations-legislature-20210420-mytxlvdhsjgbzokejb2p34o34y-story.html>

101 <https://www.dailykos.com/stories/2016/5/18/1528143/-American-Airlines-on-high-alert-that-North-Carolina-lawmakers-will-retaliate-over-its-HB2-stan>

102 <https://www.wral.com/lobbyists-lawmakers-seek-to-quiet-hb2-opponents/15698344/>

103* <https://www.miamiherald.com/opinion/editorials/article260561817.html>

Chapter 3

WHAT SHOULD BUSINESSES DO?

WHEN DEMOCRACY IS UNDER ASSAULT, WHAT SHOULD BUSINESSES DO?

First, this chapter will examine the practical stake that businesses have in a healthy, well-functioning democracy. Then, a framework will be provided for corporate leaders to consider, in order to both protect their companies and democracy and navigate the heightened risks posed by corporate political spending. The framework is the Model Code of Conduct produced by CPA and the Wharton School's Zicklin Center for Business Ethics Research, with the input of corporate governance experts, investors and corporate counsels and directors.

At the very least, for democracy to survive, corporations must not contribute to attacks against it. Ideally, they should actively support democracy. It is in their own self-interest to do so.

THE STAKES ARE HIGH AND FUNDAMENTAL

Business has a fundamental and practical stake in democracy.¹⁰³ To thrive, companies need:

- stability, predictability and certainty
- free markets
- accountability in government
- an intimidation-free political environment
- rule of law
- integrity and justice in regulation, enforcement and dispute settlement
- unbiased public investment

HERE ARE CONCERNS OF SOME LEADING ACADEMIC EXPERTS:

Harvard Business School Professor Rebecca Henderson wrote, "American business needs American democracy. Free markets cannot survive without the support of the kind of capable, accountable government that can set the rules of the game that keep markets genuinely free and fair. And only democracy can ensure that governments are held accountable, that they are viewed as legitimate, and that they don't devolve into the rule of the many by the few and the kind of crony capitalism that we see emerging in so many parts of the world."¹⁰⁴

"Democratic government protects and strengthens free markets by providing (at least!) four of the essential pillars of genuinely free and fair capitalism,"¹⁰⁵ according to Henderson. They are impartial justice systems; prices that reflect true costs; real competition; and freedom of opportunity.

¹⁰³ <https://freedomhouse.org/article/democracy-good-business>; <https://www.uschamberfoundation.org/blog/post/democracy-needs-business-business-needs-democracy>; <https://www.ceotodaymagazine.com/2021/08/the-relationship-between-democracy-and-business/>

¹⁰⁴ <https://hbr.org/2021/01/business-cant-take-democracy-for-granted>

¹⁰⁵ <https://hbr.org/2020/03/the-business-case-for-saving-democracy>

“Strengthening democracy is the only way to ensure the widespread survival of free-market capitalism, and with it the prosperity and opportunity that has changed the lives of billions of people,” Henderson says.¹⁰⁶

In their recent Brookings paper, scholars William Galston and Elaine Kamarck wrote, “The rule of law and democracy are crucial to capital markets. A free market balanced by a democratically elected, transparent and capable government, and a strong civil society ... yield stable growth rates and greater social welfare. Conversely, threats to democracy are threats to the private sector, which is why business leaders and institutional investors cannot afford to remain on the sidelines when such threats emerge.”¹⁰⁷

“[W]e believe that the fate of democracy constitutes a systemic risk to markets. The fate of democracy and that of the private sector are inextricably linked, and private sector leaders have reasons of self-interest as well as principle to do what they can to strengthen democracy,” Galston and Kamarck argued.

A Chatham House report declared, “Business should recognize its own stake in the shared space of the rule of law, accountable governance, and civic freedoms... Business has a responsibility—in its own interest and that of society—to support the pillars of profitable and sustainable operating environments.”¹⁰⁸

Looking at the impact of corporate political spending on democracy, **Elizabeth Doty, Director of the Corporate Political Responsibility Taskforce at The Erb Institute at University of Michigan**, wrote, “Clearly, it’s time for business to say, ‘enough is enough.’ As companies review their political spending policies, they should heed the instinct to say, ‘This has to stop.’ No one should have to spend to be heard by their elected representatives; that is a constitutional right. Companies should not have to thread the needle between spending to stay alive in Washington and being able to hold their heads up with employees, customers shareholders, or activists.”¹⁰⁹

“And, honestly,” she continued, “asset owners are less concerned about the advantages of a single company’s tax exemption, than they are about the whole of their portfolio and the quality of life for their beneficiaries, which are driven by long-term investment and solutions to issues such as inequality, climate, infrastructure, healthcare and education. Those companies that do challenge the prevailing business model, will need to be clear about the principles driving them to act. Today, they are likely to withdraw funding from Republicans; but that is not the point. Instead, they should refuse to support actions that undermine civic institutions, whoever is in power.”

From another vantage point, **political scientist Michael Cornfield of George Washington University** asserted, “Under a rigged election regime, some corporations still would win tax breaks, spending subsidies and favored treatment.

106 <https://hbr.org/2021/01/business-cant-take-democracy-for-granted>

107 <https://www.brookings.edu/research/is-democracy-failing-and-putting-our-economic-system-at-risk/>

108 <https://www.chathamhouse.org/2020/12/corporate-big-beasts-stick-their-necks-out-democracy>

109 <https://www.linkedin.com/pulse/business-leaders-political-spending-enough-elizabeth-doty/>

But medium-to-long range prospects for growth would be haphazard. Uncertainty and arbitrariness would replace adaptability and accountability. Corporate backers of ‘losers’ could be deemed disloyal and frozen out of favor by election ‘winners,’ from the president to politicians at the Congressional, state, and local levels.”¹¹⁰

Cornfield added, “As economist Mariana Mazzucato has shown, in sector after sector from energy to digital to medicine, public investments have driven innovation prior to private capitalization and development. No government, state or federal, has been free of errors and responding to special interests; but without trusted officials directing public investments, this would become the default instead of the exception. The state creates markets, vouchsafes currency, and charters corporations. If its legal foundation cracks, they rot.”

HOW COMPANIES CAN HELP PROTECT DEMOCRACY, AND NAVIGATE HEIGHTENED RISKS

Because companies have such an important stake in democracy, and it is under assault, it is urgent that they heed the wake-up call to act in helping to protect democracy.

“Whether or not companies are comfortable with it, we are witnessing the dawn of the era of corporate political responsibility (CPR),”¹¹¹

Professor Thomas P. Lyon of the University of Michigan’s Ross School of Business wrote after Jan. 6.

“Much as companies would like to avoid sticking their necks out in the overheated and polarized American political environment, they simply cannot do so any longer. In the U.S., and increasingly abroad, corporate leaders are criticized if they take a stand on political issues and criticized if they remain silent. Over time, companies have accepted expectations of corporate social responsibility (CSR), including accountability for their supply chains. More recently, they have recognized the need to create value for all stakeholders, and many are committing to a corporate purpose that goes beyond simply maximizing their payouts to shareholders. The logical next step is that companies are expected to integrate that purpose into any political activities, as well as within their operations.”

In no small part, this involves aligning corporate values with political pending, because those who scrutinize companies are wary of hypocrisy. According to Lyon, “This wariness can lead to a backlash when people see companies giving money to politicians and interest groups who support policies that run counter to the vision corporate leaders espouse. This is a particular risk for companies that have not yet devised governance practices ensuring that their political activities are fully disclosed to the Board of Directors, and that government relations officers coordinate with officers in charge of sustainability and diversity, equity and inclusion efforts.”¹¹²

¹¹⁰ *Spotlight on CPA, December 2021, op-ed by Michael Cornfield* [https://mailchi.mp/aec5ebd09f69/december2021-5603726?e=\[UNIQID\]](https://mailchi.mp/aec5ebd09f69/december2021-5603726?e=[UNIQID])

¹¹¹ <https://thehill.com/opinion/civil-rights/547491-ready-or-not-the-era-of-corporate-political-responsibility-is-upon-us?rnd=1618050318&rl=1>

¹¹² <https://www.politicalaccountability.net/wp-content/uploads/2021/07/Corporate-Enablers.pdf>

Lyon called on companies to articulate principles guiding their political activity. “Having a clear set of principles guiding political engagement will prepare companies to recognize when they need to step up to protect foundational institutions and individual rights, and when they need to step back and allow civil society to deliberate without due influence.”

The Conference Board, the nation’s leading business research organization, similarly has underscored the risks that can arise from corporate political spending. “Corporate participation in the political process can be a complicated undertaking,” its *Under a Microscope* report noted, “and there is always the potential that companies that choose to become politically active will find themselves involved in unforeseen and undesired situations. Especially in today’s environment, companies are vulnerable to reputational risk if their political activity is perceived to be in contrast with their core values.”¹¹³ The Conference Board suggested that companies consider the Model Code of Conduct. It “offers best practices for responsible political spending and helps companies govern their political participation while adapting to a changing business, political and legal climate. It encourages transparency and accountability, and places corporate political spending in a broader societal context,” The Board wrote. The Model Code provides a practical framework for companies to follow not only in their political spending — including provisions for transparency and accountability — but also in assessing its impact and related ethical and societal considerations.

The Code’s preamble states: “The heightened risk posed by engaging in political activity makes it paramount that companies adopt a code of conduct to govern their political participation. Whether a company is directly contributing to or spending in elections or indirectly participating through payments to political or advocacy organizations, a code commits senior management and directors to responsible participation in our nation’s politics. The code is a public commitment to employees, shareholders and the public to transparency and accountability. It not only mitigates risk but also demonstrates the company’s understanding that its participation in politics must reflect its core values, its respect for the law and its responsibilities as a member of the body politic.”¹¹⁴

The Code is printed here. Originally written in 2007,¹¹⁵ it was updated in 2020 to reflect a sea change in corporate political activity since the Supreme Court’s *Citizens United* ruling in 2010. That decision opened the spigot on corporate spending to influence elections, and the flow of this spending has increased substantially, although its exact dimensions are difficult to measure because so much of the spending is opaque.¹¹⁶ In turn, the extent and type of risk that companies face has grown exponentially. And the expectations of employees, investors, stakeholders and the public of a company’s obligations and responsibilities as a member of society and the body politic have grown dramatically.¹¹⁷

113 *Under a Microscope: A New Era of Scrutiny for Corporate Political Activity* (conference-board.org)

114 CPA-Wharton-Zicklin-model-code-of-conduct-for-corporate-political-spending-10-13-20-1.pdf (politicalaccountability.net)

115 The original Code committed companies to disclosure and board oversight of direct and indirect election-related spending with corporate funds; to ensuring that spending reflected a company’s interests, not those of its officers and directors; to obtaining prior written approval by a senior official of company spending; and to making contributions directly rather than through third-party groups. These principles remain intact.

116 <https://www.ft.com/content/5ceffa36-899a-4457-919f-b70902162f64>

117 *Ibid.*

CPA-WHARTON ZICKLIN MODEL CODE OF CONDUCT FOR CORPORATE POLITICAL SPENDING

1. Political spending shall reflect the company's interests, as an entity, and not those of its individual officers, directors and agents.
2. In general, the company will follow a preferred policy of making its political contributions to a candidate directly.
3. No contribution will be given in anticipation of, in recognition of, or in return for an official act or anything that has appearance of a gratuity, bribe, trade or quid pro quo of any kind.
4. Employees will not be reimbursed directly or through compensation increases for personal political contributions or expenses.
5. The company will not pressure or coerce employees to make personal political expenditures.
6. All corporate political expenditures must receive prior written approval from the appropriate corporate officer.
7. The company will disclose publicly all direct contributions and expenditures with corporate funds on behalf of candidates, political parties and political organizations.
8. The company will disclose dues and other payments made to trade associations and contributions to other tax-exempt organizations that are or that it anticipates will be used for political expenditures. The disclosures shall describe the specific political activities undertaken.
9. The board shall require a report from trade associations or other third-party groups receiving company money on how it is being used and the candidates whom the spending promotes.
10. The board of directors or an independent committee of the board shall receive regular reports, establish and supervise policies and procedures, and assess the risks and impacts related to the company's political spending.
11. The company shall review the positions of the candidates or organizations to which it contributes to determine whether those positions conflict with the company's core values and policies. This review should be considered by senior management and the full board of directors annually.
12. The board of directors shall, independent of this review, consider the broader societal and economic harm and risks posed by the company's political spending.

The new Code includes a principle that boards of directors shall “consider the broader societal and economic harm and risks posed by the company’s political spending.” The principle is especially timely given current threats to democracy. Directors may wish to consider where a company’s interest in a healthy democracy fits with the company’s purpose, values, or other commitments. They may ask how a company’s actions might affect democracy, regardless of intent. They may consider what constitutes a company’s obligation to support democracy overall, beyond the needs of an industry or business.

As CPA advised companies in a recent Directors and Boards essay, “using the framework will help align a company’s political spending with its core values and positions, along with its responsibilities and obligations as a member of society and participant in democracy. It will protect the company from ill-considered political spending by establishing policies requiring it to know where its money ends up and what the spending associates the company with. And lastly, the framework will give a company much greater control over its spending by informing policies on when and how to spend politically.”¹¹⁸

WHAT LEADING COMPANIES HAVE DONE

Some leading U.S. companies already have adopted policies regarding their political spending that adhere to one or more suggestions in the Model Code.

Edison International, for example, has a contribution policy stating that “Consistency with the Company’s values, business strategy, and alignment in the following key policy areas will be considered: healthy democracy, pro-business, and energy and sustainability.”

It also acknowledges at the outset that “Political developments at the federal, state, and local level can have a significant impact on Edison International ... and its consolidated subsidiaries ... and our stakeholders.”¹¹⁹ In addition to posting its contributions with corporate funds, the company has gone a step further beginning with its 2021 political contribution report and provided links to the trade associations that disclose the recipients of the associations’ contributions made, in part, with Edison International funds. This follows the Model Code provision calling on companies to disclose how third-party groups use the company’s political money.^{120*}

Intel, the California-based semiconductor company, has articulated a specific policy for monitoring whether its political activity aligns with its core values:

“We regularly evaluate our political spending for effectiveness and alignment as part of our contributions process. We recognize that it is impractical and unrealistic to expect that our company, stockholders, and stakeholders will agree with every issue that a politician or trade association may support, particularly given our strategy of bipartisan giving.”¹²⁰

“We assess recipients’ overall voting records related to our key policy issues and make funding decisions that we believe in aggregate will have the greatest benefit for our stockholders and key stakeholders. Decisions are also made based on states and districts with a significant Intel presence and leadership on committees of jurisdiction on important Intel priorities. In response to stakeholder feedback, we have further enhanced our review process by adding reviews of public statements to our existing reviews of voting records to better

118 <https://www.directorsandboards.com/articles/singlenavigating-risks-corporate-political-spending>

119 <https://www.edison.com/content/dam/eix/documents/investors/corporate-governance/eix-political-contribution-policy.pdf>

120* [2021-political-contributions-and-expenditures.pdf](https://www.edison.com/content/dam/eix/documents/investors/corporate-governance/eix-political-contribution-policy.pdf) (edison.com).

120 <https://www.politicalaccountability.net/wp-content/uploads/2021/11/2021-CPA-Zicklin-Index.pdf>

assess alignment with our values. When we identify some degree of misalignment, we communicate directly with contribution recipients. In cases of significant misalignment across our multiple key public policy issues, we take action to realign future funding decisions. For example, following the events at the US Capitol on January 6, 2021, we decided to cease contributions to members of Congress who voted against certification of the 2020 presidential election.

In another example, Coca-Cola states, “A candidate must align with our values and with a majority of the following criteria in order to be considered for a contribution: Business priorities; Representation of System Facilities and Large Employee Bases; Leadership; Equality & Inclusion; and Environmental Sustainability.”¹²¹

Separately, another corporate decision might be to halt making political contributions, period. “We suspended our political giving well before the last election,” said Franz Paasche, PayPal’s chief corporate affairs officer “We felt that this was a particularly divisive period in American politics and that we could better serve the company and employees through working across the aisle.”¹²²

¹²¹ <https://www.coca-colacompany.com/policies-and-practices/political-engagement-in-the-united-states>

¹²² <https://www.ft.com/content/5ceffa36-899a-4457-919f-b70902162f64>

Appendix A

PUBLIC CORPORATIONS
AND TRADE ASSOCIATIONS THAT
DONATED \$100,000 OR MORE TO
RAGA IN AT LEAST ONE OF THE
LAST TWO ELECTION CYCLES

Appendix A

PUBLIC CORPORATIONS AND TRADE ASSOCIATIONS THAT CONTRIBUTED \$100,000 OR MORE TO RAGA IN THE 2018 ELECTION CYCLE

PUBLIC CORPORATIONS:

ANADARKO PETROLEUM:	\$1,500,000
NOBLE ENERGY:	\$1,020,000
ALTRIA:	\$665,000
NEXTERA ENERGY:	\$525,855
PDC ENERGY:	\$350,000
ANTHEM:	\$285,350
THE STARS GROUP:	\$275,000
COMCAST:	\$250,250
BRITISH AMERICAN TOBACCO:	\$250,000
EXTRACTION OIL AND GAS:	\$250,000
SOUTHERN CO.:	\$240,250
TRINITY INDUSTRIES:	\$228,710
BERKSHIRE HATHAWAY:	\$201,425
RANGE RESOURCES:	\$200,000
SRC ENERGY:	\$200,000
MALLINCKRODT:	\$195,000
WALMART:	\$182,750
FACEBOOK:	\$176,625
CIGNA:	\$175,650
APOLLO GLOBAL MANAGEMENT:	\$172,500
CVS HEALTH:	\$157,910
PINNACLE WEST CAPITAL CORP.:	\$150,350
FRESENIUS MEDICAL CARE:	\$150,000
ENERGY:	\$140,000
EXXON MOBIL:	\$125,375
AT&T:	\$125,000
THE HOME DEPOT:	\$113,449
INTUIT:	\$110,000
VISA:	\$110,000
PFIZER:	\$106,555
FOX CORPORATION:	\$106,155
CAESARS ENTERTAINMENT:	\$102,680
RENT-A-CENTER:	\$102,455
LHC GROUP:	\$102,080

JOHNSON & JOHNSON:	\$100,905
WELLCARE:	\$100,850
PEABODY ENERGY CORPORATION:	\$100,525
HORIZON THERAPEUTICS:	\$100,500
ALPHABET:	\$100,400
AARON'S:	\$100,375
AMÉRICA MÓVIL:	\$100,000
CONTINENTAL RESOURCES:	\$100,000
CAPITAL ONE FINANCIAL CORP:	\$100,000
DISH NETWORK:	\$100,000
NEWFIELD EXPLORATION COMPANY:	\$100,000

TRADE ASSOCIATIONS:

US CHAMBER OF COMMERCE:	\$1,705,125
PHRMA:	\$305,500
WINE & SPIRITS WHOLESALERS OF AMERICA:	\$257,283
AMERICAN FUEL AND PETROCHEMICAL MANUFACTURERS:	\$151,000
AMERICAN CHEMISTRY COUNCIL:	\$130,000
METROPOLITAN MILWAUKEE ASSOCIATION OF COMMERCE:	\$125,000
ENTERTAINMENT SOFTWARE ASSOCIATION:	\$100,400
AMERICAN PETROLEUM INSTITUTE:	\$100,375
PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA:	\$100,100
EDISON ELECTRIC INSTITUTE:	\$100,000

PUBLIC CORPORATIONS AND TRADE ASSOCIATIONS THAT CONTRIBUTED \$100,000 OR MORE TO RAGA IN THE 2020 ELECTION CYCLE

PUBLIC COMPANIES

ALTRIA:	\$859,529	3M:	\$107,375
COMCAST:	\$390,315	COCA-COLA:	\$105,250
MALLINCKRODT:	\$325,000	HORIZON THERAPEUTICS:.....	\$101,865
BRITISH AMERICAN TOBACCO:.....	\$295,000	JOHNSON & JOHNSON:	\$101,600
WALMART:	\$270,100	NEWS CORP:.....	\$101,050
ANTHEM:.....	\$260,000	UNITEDHEALTH GROUP:	\$100,525
LHC GROUP:	\$250,525	VISA:	\$100,475
AT&T:	\$250,000	VALERO:.....	\$100,450
CENTENE:	\$250,000	RENT-A-CENTER:	\$100,200
BERKSHIRE HATHAWAY:.....	\$225,000	PAYPAL:.....	\$100,100
CITIGROUP:	\$225,000	AMÉRICA MÓVIL:.....	\$100,000
ENERGY:	\$225,000	ASTELLAS PHARMA:.....	\$100,000
CVS HEALTH:	\$213,407	ELI LILLY & CO.:.....	\$100,000
PFIZER:	\$211,980	THE TRAVELERS COMPANIES:.....	\$100,000
THE HOME DEPOT:.....	\$205,579	FOX CORPORATION:.....	\$100,000
ANHEUSER-BUSCH INBEV SA/NV:	\$200,525		
MATCH GROUP:	\$200,000	TRADE ASSOCIATIONS:	
CIGNA:	\$195,350	US CHAMBER OF COMMERCE:.....	\$1,250,375
FRESENIUS MEDICAL CARE:.....	\$180,800	PHRMA:.....	\$311,425
CAPITAL ONE FINANCIAL CORP:.....	\$175,900	AMERICAN FUEL AND PETROCHEMICAL MANUFACTURERS:.....	\$220,725
UBER:	\$175,500	WINE AND SPIRIT WHOLESALERS OF AMERICA:	\$136,305
IAC:	\$175,000	ENTERTAINMENT SOFTWARE ASSOCIATION:.....	\$105,000
NEXTERA ENERGY:	\$175,000	AMERICAN BAIL COALITION	\$101,115
BAYER AG:	\$170,425	AMERICAN CHEMISTRY COUNCIL:	\$100,900
TRINITY INDUSTRIES:	\$155,750	ASSOCIATION OF DENTAL SUPPORT ORGANIZATIONS:	\$100,850
LOWE'S:.....	\$150,775	AMERICAN PETROLEUM INSTITUTE:.....	\$100,000
APOLLO GLOBAL MANAGEMENT:	\$150,600		
CAESARS ENTERTAINMENT:	\$150,350		
AMAZON:	\$150,000		
SOUTHERN CO.:.....	\$143,815		
AARON'S:.....	\$127,875		
CHEVRON:	\$125,850		
EXXON MOBIL:	\$125,000		
GENERAL MOTORS:.....	\$125,000		
T-MOBILE:	\$122,475		
FACEBOOK:	\$115,350		
INTUIT:	\$110,000		

Appendix B

COMPANIES THAT DONATED
DIRECTLY TO REPUBLICAN ATTORNEYS
GENERAL CANDIDATES SINCE
THE 2018 ELECTION CYCLE

Appendix B

PUBLIC COMPANIES THAT DONATED DIRECTLY TO REPUBLICAN ATTORNEYS GENERAL CANDIDATES IN THE 2018 ELECTIONS

STEVE MARSHALL – ALABAMA:

REGIONS FINANCIAL CORP.:	\$21,000
PFIZER:	\$18,000
COMCAST:	\$17,500
ALTRIA:	\$15,000
FACEBOOK:	\$12,000
ELI LILLY & CO.:	\$5,000
AT&T:	\$3,000
AFLAC:	\$2,500
ALKERMES PLC:	\$2,500
ELEVATE CREDIT:	\$2,500
WALMART:	\$2,500
AARON'S:	\$2,000
BAYER AG:	\$2,000
CENTURYLINK:	\$1,500
21ST CENTURY FOX:	\$1,000
ADTALEM:	\$1,000
BERKSHIRE HATHAWAY:	\$1,000
BRITISH AMERICAN TOBACCO:	\$1,000
DISH:	\$1,000
EXPEDIA:	\$1,000
MCDONALD'S:	\$1,000
3M:	\$500
HOMESERVE:	\$500

ASHLEY MOODY – FLORIDA:

THE GEO GROUP:	\$45,000
EMERA:	\$30,000
ALTRIA:	\$25,000
HILTON HOTELS:	\$15,000
PEPSICO:	\$12,000
ANTHEM:	\$10,000
COMCAST:	\$10,000
INTERNATIONAL GAME TECHNOLOGY:	\$10,000

THE WALT DISNEY COMPANY:	\$10,000
ANHEUSER-BUSCH INBEV SA/NV:	\$7,500
NEXTERA ENERGY:	\$7,500
ALLSTATE:	\$7,000
VISA:	\$5,000
WALGREENS BOOTS ALLIANCE:	\$5,000
FRONTIER COMMUNICATIONS:	\$2,500

DEREK SCHMIDT – KANSAS:

CENTENE:	\$4,000
SPRINT:	\$4,000
WALMART:	\$4,000
CENTURYLINK:	\$3,000
CHARTER COMMUNICATIONS:	\$3,000
COMCAST:	\$3,000
EXXON MOBIL:	\$3,000
UNION PACIFIC RAILROAD:	\$3,000
VISA:	\$3,000
ANHEUSER-BUSCH INBEV SA/NV:	\$2,000
ALPHABET:	\$2,000
AT&T:	\$2,000
BERKSHIRE HATHAWAY:	\$2,000
CAPITAL ONE FINANCIAL CORP.:	\$2,000
ELEVATE CREDIT:	\$2,000
FACEBOOK:	\$2,000
21ST CENTURY FOX:	\$1,000
AARON'S:	\$1,000
ACCENTURE:	\$1,000
BAYER AG:	\$1,000
MCDONALD'S:	\$1,000
COCA-COLA:	\$500
QC HOLDINGS:	\$500

**PUBLIC COMPANIES THAT DONATED DIRECTLY TO REPUBLICAN ATTORNEYS
GENERAL CANDIDATES IN THE 2018 ELECTIONS**

ALAN WILSON – SOUTH CAROLINA:

COMCAST:	\$10,500
ANHEUSER-BUSCH INBEV SA/NV:	\$8,000
ALTRIA:	\$7,000
CHARTER COMMUNICATIONS:	\$7,000
LAS VEGAS SANDS CORP.:	\$7,000
PFIZER:	\$7,000
AFLAC:	\$4,500
BRITISH AMERICAN TOBACCO:.....	\$4,500
AARON’S:.....	\$3,500
AT&T:	\$3,500
DUKE ENERGY:.....	\$3,500
ELEVATE CREDIT:	\$3,500
FACEBOOK:	\$3,500
NORTONLIFELOCK:	\$3,500
TRUIST FINANCIAL:.....	\$3,500
CIGNA:	\$2,000
FOX CORPORATION:.....	\$2,000
THE HOME DEPOT:.....	\$2,000
COCA-COLA:	\$1,500
HOMESERVE:.....	\$1,500
ALLSTATE:.....	\$1,000
CENTENE:	\$1,000
WALMART:	\$1,000
UNUM GROUP:.....	\$750
NORFOLK SOUTHERN:.....	\$500
PITNEY BOWES:	\$500
T-MOBILE:	\$500

JASON RAVNSBORG – SOUTH DAKOTA:

LAS VEGAS SANDS CORP.:	\$4,000
FACEBOOK:	\$4,000
BERKSHIRE HATHAWAY:.....	\$2,500
BAYER AG:	\$1,500

PUBLIC COMPANIES THAT DONATED DIRECTLY TO REPUBLICAN ATTORNEYS GENERAL CANDIDATES IN THE 2019 ELECTIONS

JEFF LANDRY – LOUISIANA:

TELLURIAN:	\$7,500
AMAZON:	\$5,000
ANTHEM:.....	\$5,000
AT&T:	\$5,000
BRITISH AMERICAN TOBACCO:.....	\$5,000
CENTURYLINK:	\$5,000
CHEVRON:	\$5,000
CIGNA:	\$5,000
COMCAST:	\$5,000
COPART:.....	\$5,000
ENOVA:	\$5,000
FACEBOOK:	\$5,000
LAS VEGAS SANDS CORP:	\$5,000
MARATHON PETROLEUM:.....	\$5,000
PFIZER:	\$5,000
QEP RESOURCES:	\$5,000
RANGE RESOURCES:	\$5,000
BRITISH AMERICAN TOBACCO:.....	\$5,000
YELP:	\$5,000
BAYER AG:	\$4,500
UNION PACIFIC RAILROAD:.....	\$4,500
AMERICAN ELECTRIC POWER:.....	\$4,000
MALLINCKRODT:	\$4,000
PHILLIPS 66:	\$3,501.32
CITIGROUP:	\$3,500
OCCIDENTAL PETROLEUM:.....	\$3,500
SQUARE:.....	\$3,208.61
GENERAL ELECTRIC:	\$3,000
SPRINT:	\$3,000
ALPHABET:.....	\$2,500
CONOCOPHILLIPS:	\$2,500
ELEVATE CREDIT:	\$2,500
ENBRIDGE:	\$2,500
FLUOR:	\$2,500

21ST CENTURY FOX:	\$2,000
AARON'S:.....	\$2,000
AMEDISYS:	\$2,000
ALTRIA:	\$1,000
CAPITAL ONE FINANCIAL CORP:.....	\$1,000
CHENIERE ENERGY:.....	\$1,000
CHUBB LIMITED:	\$1,000

LYNN FITCH – MISSISSIPPI:

REGIONAL FINANCIAL:	\$3,000
BERKSHIRE HATHAWAY:.....	\$2,000
HUNTINGTON INGALLS INDUSTRIES:	\$2,000
BAYER AG:	\$1,000
CENTENE:	\$1,000
COMCAST:	\$1,000
DENBURY:.....	\$1,000
PENN NATIONAL GAMING:	\$1,000
TYSON FOODS:	\$1,000
WEYERHAEUSER:	\$1,000
NORFOLK SOUTHERN:.....	\$250

**PUBLIC COMPANIES THAT DONATED DIRECTLY TO A REPUBLICAN ATTORNEY
GENERAL CANDIDATE IN THE 2020 ELECTIONS**

SEAN REYES – UTAH:

ALTRIA:	\$20,000	LAS VEGAS SANDS CORP:	\$5,000
AARON'S:.....	\$18,500	THE HOME DEPOT:.....	\$5,000
ORION ENERGY SYSTEMS:.....	\$17,000	YELP:	\$5,000
COMCAST:	\$16,500	LUMEN TECHNOLOGIES:	\$3,500
WALMART:	\$12,500	ELEVATE CREDIT:	\$2,500
USANA HEALTH SCIENCES:	\$11,000	NEWS CORP.:.....	\$2,500
AMAZON:	\$10,000	ELI LILLY & CO.:.....	\$2,000
SMITHS GROUP ADR:	\$10,000	NORTONLIFELOCK:	\$2,000
MALLINCKRODT:	\$8,500	CITIGROUP:	\$1,500
PFIZER:	\$8,500	CHEVRON:	\$1,000
FOX CORPORATION:.....	\$7,000	UNION PACIFIC RAILROAD:.....	\$1,000
WALGREENS BOOTS ALLIANCE:	\$7,000	WH GROUP:.....	\$500
AFLAC:	\$5,000	EVENTBRITE:	\$150
DISH:	\$5,000		

Appendix C

PUBLIC COMPANIES AND TRADE
ASSOCIATIONS THAT DONATED
DIRECTLY TO THE CONGRESSIONAL
LEADERSHIP FUND AND THE
SENATE LEADERSHIP FUND IN THE
2018 AND 2020
ELECTION CYCLES

Appendix C

PUBLIC COMPANIES AND TRADE ASSOCIATIONS THAT MADE CONTRIBUTIONS TO THE CONGRESSIONAL LEADERSHIP FUND IN THE 2020 ELECTION CYCLE

PUBLIC CORPORATIONS:

CHEVRON:	\$1,750,000
VALERO:	\$1,750,000
MARATHON PETROLEUM:	\$1,000,000
BRITISH AMERICAN TOBACCO:	\$900,000
ENTERPRISE PRODUCTS:	\$500,000
CONOCOPHILLIPS:	\$250,000
THE GEO GROUP:	\$225,000
ENERGY TRANSFER PARTNERS:	\$125,000
ALTRIA:	\$75,000
CONTINENTAL RESOURCES:	\$50,000
AZZ INC:	\$5,000
API GROUP:	\$1,000

TRADE ASSOCIATIONS:

ENTERTAINMENT SOFTWARE ASSOCIATION:	\$125,000
AMERICAN FUEL AND PETROCHEMICAL MANUFACTURERS:	\$100,000
AMERICAN PROPERTY AND CASUALTY INSURANCE ASSOCIATION:	\$75,000

PUBLIC COMPANIES AND TRADE ASSOCIATIONS THAT MADE CONTRIBUTIONS TO THE SENATE LEADERSHIP FUND IN THE 2018 ELECTION CYCLE

PUBLIC COMPANIES:

CHEVRON:	\$1,900,000
MARATHON PETROLEUM:	\$1,500,000
CONOCO PHILLIPS:	\$1,000,000
NEXTERA ENERGY:	\$1,000,000
DEVON ENERGY:	\$600,000
PEABODY ENERGY:	\$500,000
BRITISH AMERICAN TOBACCO:	\$450,000
OCCIDENTAL PETROLEUM:	\$400,000
ALTRIA:	\$325,000
MGM:	\$250,000
VALERO:	\$250,000
THE GEO GROUP:	\$150,000
ENCANA OIL & GAS:	\$110,000
ANADARKO PETROLEUM:	\$100,000
PRUDENTIAL PLC:	\$100,000
SCOTTSMIRACLE-GRO:	\$100,000
PINNACLE WEST FINANCIAL CORP:	\$50,000
TREEHOUSE FOODS:	\$50,000

TRADE ASSOCIATIONS:

ENTERTAINMENT SOFTWARE ASSOCIATION:	\$175,000
PROPERTY CASUALTY INSURERS ASSOCIATION OF AMERICA:	\$155,000
AMERICAN FUEL & PETROCHEMICAL MANUFACTURERS	\$100,000
AMERICAN SOCIETY OF ANESTHESIOLOGISTS:	\$25,000
MASTER LIMITED PARTNERSHIP ASSOCIATION:	\$25,000
NATIONAL RURAL WATER ASSOCIATION:	\$5,000

PUBLIC COMPANIES AND TRADE ASSOCIATIONS THAT MADE CONTRIBUTIONS TO THE SENATE LEADERSHIP FUND IN THE 2020 ELECTION CYCLE

PUBLIC CORPORATIONS:

CHEVRON:	\$3,650,000
BRITISH AMERICAN TOBACCO:.....	\$1,600,000
CONOCO PHILLIPS:	\$1,000,000
ALTRIA:	\$600,000
MARATHON PETROLEUM:.....	\$500,000
THE GEO GROUP:	\$500,000
OVINTIV:	\$250,000
VALERO:.....	\$250,000
CHURCHILL DOWNS:.....	\$100,000
OLD NATIONAL BANCORP:.....	\$100,000
TENET HEALTH:	\$100,000
HECLA MINING:	\$60,000
PINNACLE WEST FINANCIAL CORP:.....	\$50,000
CARNIVAL PLC:	\$30,000
RAFAEL HOLDINGS:.....	\$25,000.01
AMEDISYS:	\$25,000
GENIE ENERGY INTERNATIONAL:.....	\$25,000
IDT CORPORATION:	\$25,000

TRADE ASSOCIATIONS:

NATIONAL ASSOCIATION OF REALTORS:	\$6,580,000
AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION:	\$150,000
ENTERTAINMENT SOFTWARE ASSOCIATION:	\$125,000
AMERICAN FUEL AND PETROCHEMICAL MANUFACTURERS:	\$100,000

Appendix D

PUBLIC COMPANIES AND
TRADE ASSOCIATIONS THAT
DONATED \$100,000 OR MORE
TO THE RSLC
IN THE 2020
ELECTION CYCLE

Appendix D

PUBLIC CORPORATIONS AND TRADE ASSOCIATIONS THAT CONTRIBUTED \$100,000 OR MORE TO RSLC IN THE 2020 ELECTION CYCLE

PUBLIC CORPORATIONS:

CHEVRON:	\$1,055,000	EXXON MOBIL:	\$200,250
BRITISH AMERICAN TOBACCO.....	\$840,075	MARATHON OIL:	\$200,000
DOMINION ENERGY:	\$835,549	WALMART:	\$186,368
ALTRIA:	\$735,000	GENERAL MOTORS:.....	\$185,598
MARATHON PETROLEUM CORP:.....	\$726,159	VERTEX PHARMACEUTICALS:	\$166,661
BERKSHIRE HATHAWAY:.....	\$546,550	ALLIANT ENERGY:	\$155,924
ANTHEM:.....	\$450,798	TAKEDA PHARMACEUTICAL:.....	\$151,754
CENTENE:	\$430,512	BRISTOL-MYERS SQUIBB:	\$150,000
ASTRAZENECA:.....	\$425,109	ENERGY TRANSFER:.....	\$150,000
PFIZER:	\$372,008	MALLINCKRODT PHARMACEUTICALS:	\$150,000
CHARTER COMMUNICATIONS:.....	\$368,099	CAESARS ENTERTAINMENT:	\$146,542
CHURCHILL DOWNS:.....	\$351,088	WELLS FARGO:.....	\$126,835
NEXTERA ENERGY:	\$325,745	GILEAD SCIENCES:	\$125,000
NOVO NORDISK:	\$310,783	TRACFONE WIRELESS INC:.....	\$121,120
ROCHE HOLDINGS:	\$258,395	SUMITOMO DAINIPPON PHARMA:	\$115,983
FMC CORP:.....	\$250,000	MAXIMUS:.....	\$111,868
ELI LILLY:.....	\$230,875	GLAXOSMITHKLINE:	\$106,850
COMCAST:	\$228,739	HORIZON THERAPEUTICS:.....	\$106,006
CITI:	\$226,906	ABBVIE:	\$101,394
ZURICH INSURANCE GROUP:.....	\$225,670	LKQ CORPORATION:.....	\$101,050
INTUIT:	\$225,065	UNITEDHEALTH GROUP:	\$100,879
KKR & CO:.....	\$218,196	K12:	\$100,404
BAYER AG:.....	\$214,072	VISA:	\$100,065
LOEWS CORPORATION:	\$207,815	CONOCO PHILLIPS:	\$100,000
		LIBERTY BROADBAND:.....	\$100,000
		OVINTIV:	\$100,000
		SWITCH TELECOMMUNICATIONS:	\$100,000

PUBLIC CORPORATIONS AND TRADE ASSOCIATIONS THAT HAVE CONTRIBUTED \$100,000 OR MORE TO RSLC IN THE 2022 ELECTION CYCLE

TRADE ASSOCIATIONS:

US CHAMBER OF COMMERCE:..... \$2,654,000
 PhRMA : \$651,444
 RENT STABILIZATION
 ASSOCIATION OF NEW YORK: \$500,000
 AMERICAN BUILDERS &
 CONTRACTORS:..... \$366,673
 WEST VIRGINIA
 HEALTHCARE ASSOCIATION:..... \$250,000
 AMERICAN FUEL & PETROCHEMICAL
 MANUFACTURERS: \$151,715

ASSOCIATION OF DENTAL
 SUPPORT ORGANIZATIONS: \$125,369
 WINE & SPIRITS WHOLESALERS
 OF AMERICA:..... \$116,635
 NUCLEAR ENERGY INSTITUTE: \$110,593
 AMERICAN CHEMISTRY COUNCIL: \$102,386
 METROPOLITAN MILWAUKEE
 ASSOCIATION OF COMMERCE: \$100,000

Appendix E

PUBLIC CORPORATIONS
AND TRADE ASSOCIATION
THAT CONTRIBUTED TO THE
ARIZONA REPUBLICAN LEGISLATIVE
VICTORY FUND IN THE 2020
ELECTION CYCLE

Appendix E

PUBLIC CORPORATIONS AND TRADE ASSOCIATION THAT CONTRIBUTED TO THE ARIZONA REPUBLICAN LEGISLATIVE VICTORY FUND IN THE 2020 ELECTION CYCLE

PUBLIC CORPORATIONS:

DOMINION ENERGY:	\$615,000
ASTRAZENECA:	\$550,000
BRITISH AMERICAN TOBACCO:	\$365,000
CHEVRON:	\$315,000
BERKSHIRE HATHAWAY:	\$250,000
FMC CORP:	\$250,000
GENERAL MOTORS:	\$250,000
PFIZER :	\$250,000
ANTHEM:	\$205,000
CHARTER COMMUNICATIONS:	\$200,000
ELI LILLY:	\$200,000
MARATHON OIL	\$200,000
ALTRIA:	\$190,350
ROCHE HOLDINGS:	\$190,000
MAXIMUS:	\$176,500
GLAXOSMITHKLINE:	\$175,000
NEXTERA ENERGY:	\$150,000
COMCAST:	\$145,000

ASTELLAS PHARMA:	\$135,000
ALLIANT ENERGY:	\$125,000
VISTRA CORP:	\$125,000
AT&T:	\$100,000
BAYER AG:	\$100,000
EXXON MOBIL:	\$100,000
NOVARTIS:	\$100,000

TRADE ASSOCIATIONS:

PHRMA:	\$355,000
ASSOCIATED BUILDERS AND CONTRACTORS:	\$250,000



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