

## KOCHS, VOTING RIGHTS, AND RACE RELATIONS

On August 6<sup>th</sup>, 1965 President Lyndon B. Johnson, flanked by Martin Luther King Jr., John Lewis, and Rosa Parks, signed the Voting Rights Act into law. 50 years later, with the VRA under ferocious assault, a new generation of leaders has claimed the mantle of Lewis, King, and Parks and pledged to carry on their battle for freedom and equality, surprisingly, these are the leaders of the Koch Network. Unfortunately, while Charles Koch pays lip service to, and claims to be the intellectual heir of, the Civil Rights Movement, the industrial-political empire he leads is in reality the very same entity funding the assault on the Voting Rights Act, the minimum wage, and even school desegregation.

It's difficult to take seriously Charles Koch's claims that his concern for the rights and opportunities of minorities is sincere. His father, Fred Koch, co-founded the John Birch Society, which claimed the Civil Rights Movement was a communist plot, and Charles remained with the group throughout its war against the movement, only breaking away in 1968 over the issue of Vietnam. Building on that history, it's appropriate, then, the Kochs' Americans For Prosperity joined a crusade in North Carolina in 2011 against a successful school integration policy; the John Birch Society once claimed that integration would lead to the "mongrelization" of the races.

Similarly, while Koch claimed in a recent Washington Post interview that his network had "nothing to do" with the American Legislative Exchange Council's efforts to suppress minority votes through restrictive voter identification laws, Koch Companies Public Sector sat on the board of the ALEC task force which crafted that model legislation. When the laws were challenged in court, multiple Koch-funded entities filed amicus curiae briefs in favor of the laws. And even Koch front groups nominally intended to represent minorities, like the Latino-focused LIBRE Initiative and the senior-focused 60 Plus Association, have defended laws which disproportionately keep Latinos and seniors from exercising one of their most basic rights.

On the 50<sup>th</sup> anniversary of the Voting Rights Act, the Kochs are engaged in a massive PR push seeking to claim the mantle of a generation of heroic progressive leaders who fought for policies that the Kochs are dismantling state-by-state, in an effort to elect politicians who will protect Koch Industries' profits.

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## **Kochs' Role With The American Legislative Exchange Council**

### **CHARLES KOCH CLAIMS HE AND HIS BROTHER “HAD NOTHING TO DO” WITH ALEC VOTER SUPPRESSION EFFORTS...**

**Charles Koch Denied Supporting “An Effort By The American Legislative Exchange Council To Pass Voter ID Laws In A Host Of States In Recent Years.”** According to the Washington Post, “‘I think there needs to be a system so people only vote once, and only live people vote,’ Koch said. However, he said the network established by him and his brother, David, did not support an effort by the American Legislative Exchange Council to pass voter ID laws in a host of states in recent years. ‘No, not at all, we’ve had nothing to do — we support ALEC in certain things,’ Charles Koch said. ‘Listen, we get criticized — we support hundreds, thousands of groups. None do we agree with everything they do.’”  
[Washington Post, [8/3/15](#)]

### **... AND THAT THEY DO NOT “AGREE WITH EVERYTHING” DONE BY THE “THOUSANDS OF GROUPS” THEY SUPPORT**

**Charles Koch: “We Support Hundreds, Thousands Of Groups. None Do We Agree With Everything They Do.”**  
According to the Washington Post, “‘I think there needs to be a system so people only vote once, and only live people vote,’ Koch said. However, he said the network established by him and his brother, David, did not support an effort by the

American Legislative Exchange Council to pass voter ID laws in a host of states in recent years. ‘No, not at all, we’ve had nothing to do — we support ALEC in certain things,’ Charles Koch said. ‘Listen, we get criticized — we support hundreds, thousands of groups. None do we agree with everything they do.’” [Washington Post, [8/3/15](#)]

## **... DESPITE ALEC CRAFTING LEGISLATION “THAT CREATES OBSTACLES TO AMERICAN CITIZENS VOTING”...**

**ALEC Created Model Legislation For Voter Identification Laws Through Its “Public Safety And Elections Task Force,” Which Was Dismantled In 2012.** According to the Center for Media and Democracy’s executive director Lisa Graves for CMD’s PR Watch, “This comes in response to ALEC’s announcement Tuesday that it will dismantle its ‘Public Safety and Elections Task Force’ through which corporate lobbyists and elected officials voted behind closed doors to approve ‘model’ legislation that creates obstacles to American citizens voting through restrictive voter ID bills, as well as other damaging legislation, such as reckless gun laws that have been cited to protect violent vigilantes from being held accountable.” [Lisa Graves – Center for Media and Democracy’s PR Watch, [4/19/12](#)]

## **... ON A TASK FORCE ON WHICH KOCH INDUSTRIES WAS A MEMBER**

**SFGate: Koch Industries Was On The ALEC Task Force Responsible For Voter ID Laws.** According to SFGate.com, “Concerns raised earlier this year by good-government and civil rights groups, including Common Cause and the NAACP, led to a corporate exodus from ALEC in April. Fearing more defections, ALEC disbanded the task force that drew up the model legislation, whose corporate members included Koch Industries, whose owners Charles and David Koch have funded numerous right-wing organizations and pro-Republican super PACs. None of the corporate members were from the Bay Area. But if the task force is history, the measure it pushed remains very alive. Last month, U.S. Attorney General Eric Holder likened the voter ID laws to the infamous ‘poll taxes,’ a fee levied on black would-be voters by some post-Civil War Southern states in the 19th century. A number of voter ID measures are tied up in the courts, although the Justice Department has waived through others.” [SFGate.com, [8/26/12](#)]

## **KOCH INDUSTRIES HAS LONG MAINTAINED ITS RELATIONSHIP WITH ALEC**

**Koch Industries Donated “An Untold Amount” To ALEC And Chaired ALEC’s Corporate Board.** According to the Center for Media and Democracy, “Research from CMD and GreenPeacedocuments that the Koch foundations have given ALEC at least \$600,000 in the past decade or so, and Koch Industries has donated an untold amount. The Kochs also bailed out ALEC with a loan of nearly half a million dollars in the late 1990s. Koch Industries has also chaired ALEC’s corporate board and has had a seat on its board for over a decade. Plus, another subsidy unaccounted for by ALEC is the money corporations like Koch have spent on having the head of its lobbying arm involved in ALEC’s leadership as well as whatever amount of time the company spends crafting ALEC “model” legislation.” [Center for Media and Democracy, [7/13/11](#)]

**As Companies Were “Resigning From The Republican Policy Shop ALEC In Doves,” “A Top Government Affairs Consultant” For Koch Industries Signified “Elevated Status As A ‘Jeffersonian’ Member.”** According to Bloomberg Politics, “Companies have been resigning from the Republican policy shop ALEC in droves, thanks to bad publicity about its forays into the issues of guns and voting laws. Yet the much-maligned group still proves irresistible to corporations and interest groups that want a say in state lawmaking. [...] ALEC doesn’t disclose its private sector members, who pay dues of up to \$25,000. But the group’s policy summits, which are open to reporters, provide a partial answer vis-a-vis the ribbon-coded name badges that must be worn at all times. [...] And holding court over a clique of Kansas lawmakers at the bar Wednesday night was Mike Morgan, a top government affairs consultant for Wichita, Kansas-based Koch Industries sporting a brown ribbon signifying his elevated status as a ‘Jeffersonian’ member.” [Bloomberg Politics, [12/5/2014](#)]

- **A Koch Companies Public Sector Employee Was One Of Only 18 ALEC Private Enterprise Council Members.** According to the ALEC website, Mr. Michael Morgan of Koch Companies Public Sector, LLC was one of 18 ALEC Private Enterprise Council Members. [ALEC.org, accessed [8/5/2014](#)]

**Koch Companies Public Sector Employees Were Listed As Attendees Of ALEC’s Spring 2011 Public Safety & Elections Task Force Summit.** According to ALEC documents via Common Cause, Jenny Kim of Koch Companies Public Sector and Jessie Rager of Koch Companies Public Sector were attendees of the Public Safety & Elections Task Force 2011 Spring Task Force Summit on April 29, 2011. [ALEC documents via Common Cause, [4/29/11](#)]

## Koch-Funded Groups Promoted Voter Suppression Laws

### AMERICANS FOR PROSPERITY

#### Charles Koch Said “There Needs To Be A System So People Only Vote Once, And Only Live People Vote”

**Charles Koch: “I Think There Needs To Be A System So People Only Vote Once, And Only Live People Vote.”** According to the Washington Post, “I think there needs to be a system so people only vote once, and only live people vote,” Koch said. However, he said the network established by him and his brother, David, did not support an effort by the American Legislative Exchange Council to pass voter ID laws in a host of states in recent years. ‘No, not at all, we’ve had nothing to do — we support ALEC in certain things,’ Charles Koch said. ‘Listen, we get criticized — we support hundreds, thousands of groups. None do we agree with everything they do.’ [Washington Post, [8/3/15](#)]

#### AFP Attempted To Register A Deceased Minor And A Cat

**AFP Sent Mail Attempting To Register An Underaged Girl, Who Died Two Years Before At The Age Of Two, To Vote.** According to ABC 11, “It didn't make any sense. Jennifer Odom's daughter shouldn't have gotten anything in the mail, let alone a voter registration form. [...] Odom says her daughter died on Sept. 11, 2012. ‘That's right about the time we started getting these notices,’ said Odom. To date, she has gotten three mailers addressed to her daughter, but what she hasn't been able to figure out is why. ‘She would have been four years old,’ said Odom. ‘There's no reason at all that they should have her information because she wouldn't be of voting age.’” [ABC 11, [9/26/14](#)]

**“One Resident Even Received A Voter Registration Form Addressed To Her Cat.”** According to the News & Observer, “One resident even received a voter registration form addressed to her cat, he said. ‘The phone calls have consistently been all day, every day,’ [public information officer for the North Carolina Board of Elections Joshua] Lawson said.” [News & Observer, [9/25/14](#)]

#### AFP Spread Misinformation To Hundreds Of Thousands Of Voters And Non-Voters

**During Wisconsin’s 2011 Recall Elections, AFP Mailed Voters Absentee Ballots With The Wrong Date.** According to Politico, “The conservative third-party group Americans for Prosperity said absentee ballot applications sent to Wisconsin voters this weekend with the wrong election date were the result of a ‘printing mistake.’ ‘The date on the ballot application was meant solely for the elections held on Aug. 16. Due to a mistake during printing, all applications were sent out with the Aug. 11 date,’ said AFP-Wisconsin state Director Matt Seaholm. ‘Americans for Prosperity-Wisconsin did not intend to print the incorrect absentee deadline or confuse voters in any way.’ The fliers from the advocacy group informed voters they should return ballots to their city clerk before Aug. 11 — even though the next election day is Aug. 9. The upcoming recall elections of six Republican state senators could flip control of the state Senate, as Republicans currently hold just a 19-14 majority in the chamber.” [Politico, [8/2/11](#)]

**In North Carolina, Voters Were “Outraged” After AFP Sent “Hundreds Of Thousands Of Official Looking Mailers Went Out To Voters And Non-Voters.”** According to ABC 11, “Hundreds of complaints are flooding into the state Board of Elections after hundreds of thousands of official looking mailers went out to voters and non-voters around the state. The ABC11 I-Team dug into what happened and why and talked to voters who are outraged over the mistake. [...]The group behind the mailing is the sharply conservative, Koch brothers-backed Americans for Prosperity Foundation. AFP Deputy Director Donald Bryson quickly apologized for the error.” [ABC 11, [9/26/14](#)]

**The Mailers From AFP Also Gave Voters “The Wrong Deadline For Registration And Directs Them To The Wrong State Agency To Sign Up.”** According to ABC 11, “There are other problems beside who received the mailer. It has factual mistakes as well. It gives voters the wrong deadline for registration and directs them to the wrong state agency to sign up.” [ABC 11, [9/26/14](#)]

**North Carolina’s Local Boards Of Elections “Are Swamped With Complaints And Calls From Voters Confused By The Mailers.”** According to ABC 11, “Meantime, local boards of elections told ABC11 that they are swamped with

complaints and calls from voters confused by the mailers. The state Board of Elections said they've taken hundreds of calls in the last week-and-a-half." [ABC 11, [9/26/14](#)]

- **NC Board Of Elections Officer: "The Phone Calls Have Consistently Been All Day, Every Day."** According to the News & Observer, "The phone calls have consistently been all day, every day,' [public information officer for the North Carolina Board of Elections Joshua] Lawson said." [News & Observer, [9/25/14](#)]

**AFP Deputy Director: Incorrect Information In The Mailers Was Probably A "Cutting And Pasting" Mistake.**

According to ABC 11, "There are other problems beside who received the mailer. It has factual mistakes as well. It gives voters the wrong deadline for registration and directs them to the wrong state agency to sign up. [AFP deputy director Donald] Bryson chalks that up to a possible 'cutting and pasting' mistake. He also says the problems are superficial inasmuch as they don't give bad information that would suppress votes and says that because of the mailers, 5,000 more people have already signed up to vote this year. Still, Bryson apologized about the mistakes." [ABC 11, [9/26/14](#)]

**The State Board Of Elections Requested Details On How AFP "Got So Much Wrong In The Voter Mailer That Triggered Thousands Of Complaints."** According to the News & Observer, "The State Board of Elections wants details on how Americans for Prosperity got so much wrong in the voter mailer that triggered thousands of complaints. AFP, a conservative group founded by the Koch brothers, mailed thousands of voter applications that included incorrect information on where to send them, an incorrect voter registration deadline, and inaccurate information about getting answers to questions." [News & Observer, [10/3/14](#)]

**AFP Used Its Influence To Promote Politicians Who Sought To Curtail Voting Rights**

**AFP Supported Several Lawmakers Who Went On To Sponsor Voting Restrictions in North Carolina.** According to the Institute for Southern Studies, "House Bill 589, the elections bill that the North Carolina legislature passed this year, was originally introduced in April by four primary sponsors, all Republicans. Two of them -- Reps. Harry Warren of Rowan County and Tom Murry of Wake County -- got generous support in launching their political careers from Pope, his family, and his network of political spending groups. Running for the legislature for the first time in 2010, Warren narrowly defeated his Democratic opponent, a five-term incumbent, by fewer than 200 votes. Warren's campaign benefited from over \$109,000 in spending from Real Jobs NC, a 527 political group co-founded by Pope and whose major funders include Variety Wholesalers. Also in 2010, Murry's campaign to unseat a Democratic incumbent benefited from \$12,000 in campaign contributions from Pope and his family, and over \$92,000 in independent spending from outside groups affiliated with Pope. That total included more than \$45,000 from Real Jobs NC; \$25,000 from Civitas Action, the Pope-founded 501(c)(4) sister group of the Civitas Institute; and \$21,000 from Americans for Prosperity, on whose national board Pope sat until becoming state budget director." [Institute for Southern Studies, [8/29/13](#)]

- **AFP Supported State Sen. Buck Newton, Who Sponsored A Bill Which "Had A Strict Voter ID Provision," "Disallowed The Use Of Student IDs For Voting," "Dramatically Shortened Early Voting And Eliminated Same-Day Registration."** According to the Institute for Southern Studies, "State Sen. E.S. 'Buck' Newton III is a Wilson County Republican who formerly served as an aide to deceased U.S. Sen. Jesse Helms, an outspoken foe of the Voting Rights Act whose 1990 campaign against Harvey Gantt, the African-American former mayor of Charlotte, got in trouble for illegally trying to suppress the black vote. Newton was the primary sponsor of an omnibus elections bill introduced in April that had a strict voter ID provision and disallowed the use of student IDs for voting. It also dramatically shortened early voting and eliminated same-day registration -- all provisions that were added to the House bill and became law. Newton was first elected to the state Senate in 2010, defeating the Democratic incumbent with the help of \$4,000 in contributions from Pope and his family and more than \$17,000 in independent expenditures from Americans for Prosperity." [Institute for Southern Studies, [8/29/13](#)]
- **AFP Supported State Sen. Bill Cook, Who Backed Bills "Slashing Early Voting Days, Eliminating Same-Day Registration, And Placing New Restrictions On Student Voting."** According to The Institute for Southern Studies, "Over the last week, Republicans in the North Carolina Senate have pushed a series of bills with wide-ranging implications for how people vote, including slashing early voting days, eliminating same-day registration, and placing new restrictions on student voting. The four proposed bills share one common backer: Sen. Bill Cook [...] State campaign finance records show that in 2010, Cook received \$16,000 in direct contributions from Pope and his family, the maximum allowed by law. In addition, Cook benefited from more than \$79,000 in election year spending from three outside groups backed by Pope: Americans for Prosperity (\$22,992), Civitas Action (\$11,836.44), and Real Jobs

NC (\$44,268.75). In his 2012 state senate run, Cook benefited from another \$9,739.28 in expenditures from Americans for Prosperity, bringing his total support from Pope's family and groups to at least \$104,836.47." [Institute for Southern Studies, [4/3/13](#)]

### **AFP Plotted Against The Non-Existent Voter Fraud Problem**

**In 2010, "AFP Discussed A 'Voter Caging' Scheme With The Wisconsin GOP And Tea Party Activists" Targeting Minority And Student Voters.** According to MSNBC, "AFP is also alleged to have played an active role in helping Republicans suppress the vote. According to a report by One Wisconsin Now, a liberal group, in 2010, AFP discussed a 'voter caging' scheme with the Wisconsin GOP and tea party activists, in which a mailer was to be sent to minority and student voters, telling them they had to confirm their voter registration. Any mailers returned as undeliverable were then to be used by tea party volunteers to challenge the eligibility of voters at the polls." [MSNBC.com, [9/29/14](#)]

- **AFP's Wisconsin Director Claimed The Effort "Aimed To Combat Voter Fraud."** According to MSNBC, "According to a report by One Wisconsin Now, a liberal group, in 2010, AFP discussed a 'voter caging' scheme with the Wisconsin GOP and tea party activists, in which a mailer was to be sent to minority and student voters, telling them they had to confirm their voter registration. Any mailers returned as undeliverable were then to be used by tea party volunteers to challenge the eligibility of voters at the polls. AFP's Wisconsin director said at the time the effort aimed to combat voter fraud. It's not clear how much of it was put into practice." [MSNBC.com, [9/29/14](#)]

**Americans For Prosperity Has Hosted Events Featuring The Organization True The Vote.** According to the New York Times, "In the past year, Americans for Prosperity, an organization founded by the billionaire Koch brothers, and other Republican-leaning independent groups have sponsored meetings featuring Ms. Engelbrecht and other True the Vote speakers. A spokesman for Americans for Prosperity said that the group had hosted events including True the Vote speakers but that election integrity was not a focus of his group." [New York Times, [9/16/12](#)]

- **True The Vote Is A National Conservative Organization "Focused On Voter Fraud."** According to the New York Times, "It might as well be Harry Potter's invisible Knight Bus, because no one can prove it exists. The bus has been repeatedly cited [sic] by True the Vote, a national group focused on voter fraud. Catherine Engelbrecht, the group's leader, told a gathering in July about buses carrying dozens of voters showing up at polling places during the recent Wisconsin recall election [...] While she portrays True the Vote as nonpartisan, it grew out of a Tea Party group, King Street Patriots, that she founded in Texas. An examination shows that it has worked closely with a variety of well-financed organizations, many unabashed in their desire to defeat President Obama." [New York Times, [9/16/12](#)]

**PolitiFact: The Claim That Only 10 Cases Of In-Person Voter Fraud Were Proven Over A 12 Year Period Was "Mostly Accurate, With An Extensive Database Supporting It."** According to PolitiFact, "In an announcement about the news conference, the NAACP said that 'Since 2000, only 10 cases of in-person voter fraud have been proven nationally.' That number the organization used is very specific for a 12-year period. [...] The NAACP's claim -- actually, News21's -- that only 10 provable cases of voter impersonation have occurred in the country in the past dozen years is based on extensive analysis and data received from the actual elections officials in charge of handling these issues. Without doing a repeat of the 50-state data collection and review, it is impossible to re-create the same type of research. [...] The NAACP's claim, and in turn News21's, appears mostly accurate, with an extensive database supporting it. There are a few missing pieces, however, in the data. We rate the claim Mostly True." [PolitiFact, [9/19/2012](#)]

## **LIBRE INITIATIVE**

### **The Koch-Funded LIBRE Initiative Supports Voter ID Laws Which Would Disenfranchise At Least 10 Million Latinos**

**The LIBRE Initiative Has Received At Least \$9.5 Million From Freedom Partners.** According to its Form 990 filings with the IRS, Freedom Partners Chamber of Commerce gave \$3,112,000 in grant money to the Libre Initiative Trust for the 2011 calendar year from November 2011 through October 2012, \$3,300,000 from November 2012 through October 2013 and \$2,900,000 in the last two months of 2013. [2011 Form 990, CitizenAudit, [10/3/13](#)]; 2012 Form 990, CitizenAudit, [9/23/14](#); 2013 Form 990, CitizenAudit, [11/21/14](#)]

**LIBRE Executive Director Daniel Garza “Said He Has No Problem With Requiring Identification To Vote Because His Group Believes In Preserving The ‘Integrity’ Of The Vote.”** According to NBC News, “Daniel Garza, executive director of LIBRE, a conservative group that wants to increase Latino voting, said he has no problem with requiring identification to vote because his group believes in preserving the ‘integrity’ of the vote and the principle of ‘one man, one vote.’” [NBC News, [6/4/15](#)]

- **Garza: “I’ve Never Been In A Meeting Where People Have Said We Need To Suppress The Vote...It Doesn’t Occur, It Doesn’t Happen.”** According to NBC News, “I’ve never been in a meeting where people have said we need to suppress the vote. I’ve never heard a conservative in a room saying ‘What can we do to keep Latinos from voting?’ It doesn’t occur, it doesn’t happen,” Garza said.” [NBC News, [6/4/15](#)]
- **Daniel Garza Tweet: “Liberal Hypocrisy On #Voterrights? Score Of Articles Expose Concerted Effort To Stop @Libreinitiative From Engaging/Increasing Latino Vote.”** [Twitter, [6/4/15](#)]

**Voter ID Laws Could Have Prevented ‘At Least 10 Million Hispanics In 23 States’ From Voting In The Last Presidential Election.** According to ABC News, “New laws that require voters show proof of citizenship and photo identification at the polls -- as well as recent voter roll purges -- could hinder at least 10 million Hispanics in 23 states who try to cast a ballot in November. The number of Latinos eligible to vote who might be blocked from voting this year is equal to the margin of victory in a number of states, according to a new study by the Advancement Project, a civil rights group.” [ABC News, [9/24/12](#)]

**Univision Host Fernando Espuelas: LIBRE “Supports ‘Voter ID Laws’ That Suppress The Hispanic Vote, And Even Pushed The GOP’s Big Lie That ‘Illegals’ Were Voting And Impacting Electoral Outcomes. ”** According to an opinion by Univision Network Host and Aspen Institute Fellow Fernando Espuelas in The Hill, “But that’s not all. Libre also opposes a hike in the minimum wage, supports ‘voter ID laws’ that suppress the Hispanic vote, and even pushed the GOP’s big lie that ‘illegals’ are voting and impacting electoral outcomes.” [Fernando Espuelas – The Hill, [4/1/15](#)]

**LIBRE National Spokesperson Rachel Campos-Duffy Accused Democrats Of Purposely Placing A Voting Loophole In The Immigration Executive Order For Their “Own Political Gains.”** According to an interview with Rachel Campos-Duffy on the Malzberg Show, “MALZBERG: But more importantly, this voting loophole, I mean that’s no accident. That’s pre-planned so that the Demo— ‘cause, ‘cause I believe, and you tell me if I’m wrong, 90-percent of the people who will fall under this executive order, if not more, would be Democrats. CAMPOS-DUFFY: Correct, but let’s be clear, this isn’t something, this loophole, or this problem in the executive order is not something that Hispanics wanted. MALZBERG: Oh no, no, no, I understand that. It’s what the Democrats want— CAMPOS-DUFFY: It’s what they want. And again, using our community for their own political gains.” [Malzberg Show via YouTube.com, 2/17/15]

## **CATO INSTITUTE**

### **Charles Koch Helped Found The Cato Institute And David Koch Sits On The Board Of Directors**

**The Cato Institute Was Founded By Ed Crane And Charles G. Koch.** According to the Cato Institute 25th Annual Report, “When a young California investment manager, Ed Crane, spent 1976 in Washington, he noticed how much influence a few think tanks had despite their relatively small budgets. He thought there ought to be a public policy research organization, or ‘think tank,’ dedicated to the American principles of liberty and limited government. He was willing to start one, but only if he didn’t have to live in Washington. When he returned to San Francisco, he joined the Kansas industrialist Charles G. Koch to set up the Cato Institute, which opened its doors in January 1977.” [Cato Institute 25th Annual Report, [2001](#)]

**David H. Koch Sits On The Board Of Directors Of The Cato Institute.** According to a web page from the Cato Institute, David H. Koch sits on the Board of Directors of the Cato Institute. [Cato Institute, Accessed [7/22/15](#)]

### **The Cato Institute Filed An Amicus Curiae Brief In The Shelby V. Holder Case Which Repealed Key Civil Rights Act Protections**

**Cato Institute: The Voting Rights Act Was “Radical Legislation That Involved An Unprecedented Intrusion Of Federal Authority Into State and Local Elections.”** According to an amicus brief by the Cato Institute in support of John Nix and Shelby County, “When Congress enacted the VRA, Jim Crow was not going quietly into the historical night. Black

ballots were the levers of change that white supremacists most feared, so enforcing the Fifteenth Amendment required an overwhelming exercise of federal power--radical legislation that involved an unprecedented intrusion of federal authority into state and local elections.” [Cato Institute amicus curiae *Nix v. Holder* and *Shelby County v. Holder* , [8/20/12](#)]

- **Cato Institute: Federal Enforcement Of VRA Section 5 Is “A Constitutional Overreach Too Long Suffered.”** According to an amicus brief by the Cato Institute in support of John Nix and Shelby County, “Nix and Shelby County implicate a constitutional overreach too long suffered in jurisdictions where the federal government found, nearly half a century ago, discrimination against African-American voters. The goal of preventing voter disenfranchisement is unquestionably just (and constitutional), but it is no longer served by Section 5 of the Voting Rights Act.” [Cato Institute amicus curiae *Nix v. Holder* and *Shelby County v. Holder*, [8/20/12](#)]
- **Cato Institute: VRA Was Expanded To Protect Other Races “Even Though Their Experience At The Polls Was Not Remotely Comparable To That Of Southern Blacks.”** According to an amicus brief by the Cato Institute in support of John Nix and Shelby County, “In the 1970s, the government placed more groups and places into Section 5’s clutches. An arbitrary, careless change in the statistical trigger, for example, made three New York boroughs subject to preclearance even though black New Yorkers had been freely voting since the Fifteenth Amendment’s enactment in 1870, and had held municipal offices for decades. Hispanics, Asian Americans, American Indians, and Alaskan Natives became eligible for federal protection, even though their experience at the polls was not remotely comparable to that of southern blacks.” [Cato Institute amicus curiae *Nix v. Holder* and *Shelby County v. Holder* , [8/20/12](#)]
- **Cato Institute: Costs Of “Race-Driven Election Regulation” Have Increased “As Racism Has Waned.”** According to an amicus brief by the Cato Institute in support of John Nix and Shelby County, “But serious costs accompany race-driven election regulation, costs that have increased as racism has waned. Nearly 20 years ago, this Court described race-driven electoral maps as ‘an effort to ‘segregate . . . voters’ on the basis of race.’ *Shaw v. Reno*, 509 U.S. 630, 647 (1993) (O’Connor, J.) (quoting *Gomillion v. Lightfoot*, 364 U.S. 339, 341 (1960)). Such maps threaten ‘to stigmatize individuals by reason of their membership in a racial group.’ *Id.* at 631.” [Cato Institute amicus curiae *Nix v. Holder* and *Shelby County v. Holder* , [8/20/12](#)]
- **Cato Institute: “Three Generations Of Federal Intrusion Have Been More Than Enough To Kill Jim Crow.”** According to an amicus brief submitted by the Cato Institute in support of Shelby County, “All of this mess stems from the presumption that election laws in certain places are illegal until proven otherwise. But three generations of federal intrusion have been more than enough to kill Jim Crow.” [Cato Institute amici curiae *Shelby County v. Holder*, [1/2/13](#)]

**The Supreme Court’s Ruling In Shelby Allowed States With Histories Of Discrimination To Make Changes To Election Law Without Federal Approval.** According to the Washington Post, “The Supreme Court ruled 5-4 that Section 4 of the Voting Rights Act of 1965 was unconstitutional. Section 4 lays out the formulas for how the Justice Department enforces Section 5 of the Voting Rights Act. Section 5 requires that the states identified with a history of discrimination obtain approval from the federal government before they can make changes to their election law. Section 4 formulas as of 2013 mandated that ‘Alabama, Alaska, Arizona, Georgia, Louisiana, Mississippi, South Carolina, Texas, and Virginia in their entirety; and parts of California, Florida, Michigan, New York, North Carolina, and South Dakota’ ask for preclearance for electoral law changes. After *Shelby County v. Holder*, these states are free to make changes to election law or district maps without approval from the Justice Department. Without Section 4, the Justice Department has fewer legal resources for challenging election law it finds discriminatory.” [Washington Post, [7/7/14](#)]

- **“The Consequences Of This Ruling Became Clear Just A Few Weeks Later When Republicans In The North Carolina General Assembly” Eliminated Same-Day Voter Registration, Cut Early Voting “Nearly In Half,” And Instituted A “Strict New Standard” For Voter ID.** According to the New York Times, “The Supreme Court’s 2013 decision in the case, known as *Shelby v. Holder*, effectively invalidated Section 5 by nullifying the formula determining which states were subject to it. The consequences of this ruling became clear just a few weeks later, when Republicans in the North Carolina General Assembly passed a new bill that rolled back key ballot-access features that black voters, who helped Barack Obama win the state in 2008 by a margin of only about 14,000 votes, had disproportionately used. The new law cut nearly in half the state’s early voting period. It eliminated a provision allowing people to register to vote and then vote on the same day, and it nullified a law that allowed ballots to count when they were filed at an incorrect precinct. It also introduced a strict new standard that required voters to present

one of seven forms of photo identification that blacks lacked in higher percentages than whites.” [New York Times, [8/5/2015](#)]

## **The Cato Institute Filed An Amicus Curiae Brief In The Perry V. Perez Case Which Attacked Minority Political Representation**

### **The Justice Department Challenged Texas’s Redistricting, Claiming The Maps “Suppress Minority Voters.”**

According to the Washington Post, “In the redistricting case, *Perry v. Perry*, the Justice Department will argue against the GOP state legislature’s congressional and state House redistricting maps, which were drawn in 2011, saying that they also suppress minority voters. Those maps were not used in the 2012 election, as they were already being challenged in court and the Justice Department declined to approve them under preclearance. Instead, interim maps drawn by a three-judge panel were used.” [Washington Post, [8/22/13](#)]

- **After The 2012 Census, Texas Had To Redrew Its Districting Map Because “The New Figures Gave It Four New Seats In The U.S. House, And Population Shifts Had Made Its State Legislative Districts Unequal.”** According to the Atlantic, “After the 2012 census, Texas redrew its districting map. It had to, under the Constitution: the new figures gave it four new seats in the U.S. House, and population shifts had made its state legislative districts unequal. The Texas Legislature is controlled by Republicans, and, not surprisingly, the legislative map they drew looks likely to produce increased Republican representation in both houses of the Legislature, and in the U.S. House.” [The Atlantic, [1/20/2012](#)]
- **Texas’s New Map Broke Up Latino Population Centers, “So That There Might Not Be Any New Latino-Majority Districts -- Even Though Latinos Account For Almost All The State’s Robust Population Growth.”** According to the Atlantic, “Meanwhile, private plaintiffs in Texas sued in federal District Court there, alleging that the new map violates § 2 by, among other things, breaking up Latino population centers so that there might not be any new Latino-majority districts -- even though Latinos account for almost all the state’s robust population growth. The Texas District judge is not allowed to decide those claims until the preclearance issue is settled in Washington. But a new map had to be drawn; and the VRA states clearly that in a covered jurisdiction, no new election procedure can take place ‘unless and until’ it has been precleared. So the District Court threw out the new map and drew its own, based on ‘neutral principles that advance the interest of the collective public good.’” [The Atlantic, [1/20/2012](#)]

**Cato Institute Brief: Majority-Minority Districts Keep “‘RACE, RACE, RACE’ At The Forefront Of Our Minds,” Create Advantaged Groups And Turn White Voters Into “‘Filler People.”** According to an amicus curiae brief filed by the Cato Institute, “Racially gerrymandered districts keep ‘RACE, RACE, RACE,’ at the forefront of our minds, voting rights scholars T. Alexander Aleinikoff and Samuel Issacharoff wrote in *Race and Redistricting: Drawing Constitutional Lines After Shaw v. Reno*, 92 MICH. L. REV. 588, 610 (1993). Such racial sorting creates advantaged and disadvantaged groups; some that are privileged and some that are subordinate. The majority-minority districts which the DOJ demanded have become safe for minority candidates but have also turned white voters into what these scholars call ‘filler people.’ *Id.* at 601. Whites are irrelevant to the outcome of elections in racially drawn districts except in black-on-black contests.” [Cato Institute amicus curiae *Perry v. Perez*, [12/28/11](#)]

- **Cato Institute: The “Voting Rights Challenges Of Greatest Concern Today” Include “Black Panther Intimidation.”** According to an amicus curiae brief filed by the Cato Institute, “Racial progress has rapidly outpaced the law, and the voting rights challenges of greatest concern today – hanging chads, provisional ballots, electronic voting glitches, and Black Panther intimidation – bear no relation to those that plagued the South in 1965. Nevertheless, the VRA’s most radical provisions survive, addressing yesterday’s problems.” [Cato Institute amicus curiae *Perry v. Perez*, [12/28/11](#)]

## **INSTITUTE FOR JUSTICE**

### **The Kochs Helped Voting Rights Act Opponent Clint Bolick Start The “Institute For Justice”**

**Los Angeles Times: “The Kochs...Provided The Seed Money For The Institute For Justice.”** According to the Los Angeles Times, “The Kochs also provided the seed money for the Institute for Justice, a tax-exempt Washington law firm with a libertarian view of property rights, personal expression and free enterprise.” [Los Angeles Times, [10/10/93](#)]

- **Charles Koch Gave Mellor And Bolick \$350,000 A Year “In Seed Money From His Private Foundation To Start The Institute For Justice.”** According to the New York Times, “They soon got their chance. After stints in Washington with the Reagan administration, in which Mellor was a deputy general counsel at the Department of Energy and Bolick was an assistant at the Equal Employment Opportunity Commission (then led by Clarence Thomas), the two men, in 1991, persuaded Charles Koch, an oil and gas magnate, to give them \$350,000 a year in seed money from his private foundation to start the Institute for Justice.” [New York Times, [4/17/05](#)]
- **In 2001, The Institute for Justice Presented Its “Cornerstone Award” To Charles Koch For Providing “Seed Money” And To David Koch For Being A “Generous Benefactor.”** According to the Institute for Justice “IJ presented its Cornerstone Award to Charles and David Koch for their uniquely important role in funding the Institute. Charles Koch provided the initial seed funding that made it possible to launch the Institute in 1991. David Koch has been a generous benefactor each year of IJ’s first decade. We are deeply grateful for their support and the commitment to liberty it represents.” [Institute for Justice, [11/2001](#)]

### ... Which Has Argued Against The Voting Rights Act

**Bolick: “The Voting Rights Act Was Designed To Be Temporary And To Deal With An Emergency... Ironically, The Emergency Has Receded And Has All But Disappeared, But The Act Has Expanded.”** According to the Atlanta Journal-Constitution, “Some think the Voting Rights Act has outlived its usefulness and should be repealed. ‘The Voting Rights Act was designed to be temporary and to deal with an emergency,’ said Clint Bolick, legal director of the Washington-based Institute for Justice. ‘Ironically, the emergency has receded and has all but disappeared, but the act has expanded and lies waiting for mischievous hands to use it in ways the framers never intended. What was intended to be a law to ensure equal access to the ballot has turned into another form of racial quotas.’” [Atlanta Journal-Constitution, 6/8/97]

**Bolick: Broad Interpretations Of The Voting Rights Act Could Have “Opened The Floodgates To Endless Voting Rights Litigation Primarily To Achieve Proportional Representation And Increase The Balkanization Of The Political Landscape.”** According to the New York Times, “On the surface, nothing changes: an unusual voting system in Georgia stays in place, and a disputed Florida election map stands. But both critics and supporters of two Supreme Court voting rights decisions today said their main effect would show up in the subtle fallout from the Court’s continuing rejection of a broad interpretation of the Voting Rights Act as a guide for political representation. [...] A supporter of the rulings, Clint Bolick, litigation director for the Institute for Justice, a conservative legal group based in Washington, said the rulings would blunt the use of the Voting Rights Act as a tool for liberals intent on guaranteeing the election of minorities.’ Had either of these cases gone the other way, it would have opened the floodgates to endless voting rights litigation primarily to achieve proportional representation and increase the Balkanization of the political landscape,’ he said.” [New York Times, [7/1/94](#)]

## **60 PLUS ASSOCIATION**

### The 60 Plus Association Is Heavily Funded With Koch Money And A Key Part Of Their Political Network

**The 60 Plus Association Was “A Key Node Of The Koch Brothers Political Network.”** According to an article in the Washington Post, “The 60 Plus Association, a key node of the Koch Brothers political network, which reportedly plans to spend upwards of \$1 billion on 2016, opposes Chapter 9 as a federal handout.” [Washington Post, [7/6/15](#)]

**Koch Backed Groups Including The Center To Protect Patient Rights, American Future Fund, Freedom Partners Chamber Of Commerce, And TC4 Trust Have Donated Over \$40 Million To 60 Plus Since 2010.** According to the Center for Responsive Politics, “Major funders of 60 Plus “since 2010 discovered by CRP staff in IRS filings of the donating organizations include: Center to Protect Patient Rights (\$16,659,123), American Future Fund (\$4,550,000), Freedom Partners Chamber of Commerce (\$15,660,000), and TC4 Trust (\$4,061,000).” [Center for Responsive Politics, Accessed [7/23/15](#)]

### The 60 Plus Association Encouraged Support For A Minnesota Voter ID Amendment Requiring Photo IDs To Vote

**The 60 Plus Association Applauded Seniors For “Cutting Up Their AARP Membership Cards In Protest Of The Organization’s Opposition To The Minnesota Voter ID Amendment.”** According to a press release from the 60 Plus Association, “60 Plus Association Chairman and Founder Jim Martin today offered his strong voice of support to Minnesota seniors who are cutting up their AARP membership cards in protest of the organization’s opposition to the Minnesota Voter

ID amendment, which has the overwhelming support of all residents in the North Star state, including seniors. Present on the internet at [www.ditchAARP.com](http://www.ditchAARP.com), the grassroots group of Minnesota seniors has undertaken efforts to alert seniors that AARP frequently opposes the values and will of their own membership, such as they did when endorsing the Obamacare legislation that was strongly opposed by seniors at the time of its passage, and remains extremely unpopular today.” [60 Plus Association Press Release, [5/24/12](#)]

- **The Constitutional Amendment Was Rejected By More Than 214,000 Votes.** According to the Star Tribune, “A Republican effort to tighten the state's election system by requiring photo IDs and standardizing eligibility requirements was rejected by Minnesota voters Tuesday. The proposed photo ID constitutional amendment, a concept that was favored by 80 percent in polls last year, had the support of only 46 percent of voters, with all precincts reporting. [...] Hours later, the Associated Press declared the amendment dead. The combined ‘no’ votes and ballots on which the amendment was skipped outnumbered ‘yes’ votes by more than 214,000 votes, with 100 percent of precincts in.” [Star Tribune, [11/7/12](#)]

## MERCATUS CENTER

### Koch Money Launched The Mercatus Center

**The Kochs Provided Millions Of Dollars To George Mason University To Set Up The Mercatus Center.** According to the New Yorker, “In the mid-eighties, the Kochs provided millions of dollars to George Mason University, in Arlington, Virginia, to set up another think tank. Now known as the Mercatus Center, it promotes itself as ‘the world’s premier university source for market-oriented ideas—bridging the gap between academic ideas and real-world problems.’” [New Yorker, [8/30/10](#)]

- **The Mercatus Center: “A Grant From Philanthropist And Entrepreneur Charles Koch Made The Program Possible.”** According to The Mercatus Center: “Originally called the Austrian Economics Program, the Mercatus Center was founded in 1978 by Rutgers University Economics Instructor Richard Fink, while he was still a graduate student in economics at New York University. The Program hosted major conferences with leading economists from around the world and supported students and faculty studying market processes and the institutions that support sustainable prosperity and economic freedom. A grant from philanthropist and entrepreneur Charles Koch made the program possible and started an important tradition for the Center, which remains privately funded thanks to the generosity of thousands of individuals who support its work each year.” [The Mercatus Center, History and Timeline, Accessed [8/18/14](#)]

### Mercatus Advocated To Undermine The Democratic Rights Of Low-Income Voters

#### **Mercatus Policy Paper: James Madison’s “Fear That Those Without Property But With The Right To Vote Would Seek To Violate The Property Of Others Seems Well Founded” Given “The Country’s Current Fiscal Problems.”**

According to a policy paper written by scholars at the Mercatus Center, “While the early political theorists of the United States could not have anticipated the country’s current fiscal problems, they were hardly ignorant of the possibility. Defaults of the sovereign have been commonplace throughout history. The key is to provide constraints on government spending and deficits. One constraint is a broad tax base, a constraint largely applicable in the United States until the Sixteenth Amendment to the constitution which permitted an income tax without regard to the enumeration of the population. The stage was then set, as Calhoun feared, for the population to divide into taxpayers and tax spenders. While [James] Madison was concerned about the rights of persons and the rights of property, his fear that those without property but with the right to vote would seek to violate the property of others seems well founded.” [Mercatus Center Policy Paper, [August 2011](#)]

- **Mercatus Policy Paper: “Granting The Vote To Those Who Do Not Own Property Risks Oppression Of A Propertied Minority By An Unpropertied Majority.”** According to a policy paper written by scholars at the Mercatus Center, “Calhoun’s older contemporary and Founding Father James Madison had similar worries as he struggled over the rights of suffrage. On the one hand, restricting the right to vote to those who own property risks oppression of the ‘rights of persons’ and ‘violates the vital principle of free Govt. that those who are to be bound by laws, ought to have a voice in making them’ On the other hand, granting the vote to those who do not own property risks oppression of a propertied minority by an unpropertied majority.” [Mercatus Center Policy Paper, [August 2011](#)]

## **Mercatus Working Paper: “Government Spending May Be The Result Of Rent Seeking And Serves To Redistribute Income” Which “Is Increasingly The Case When Lower-Income Voters Have Influence In The Political Process.”**

According to a working paper written by scholars at the Mercatus Center, “These factors point toward an explanation for some of the reasons for government spending. Rather than government spending being used to correct market failures, mitigate externalities, and provide public goods that are welfare-enhancing, government spending may be the result of rent seeking and serves to redistribute income. This is increasingly the case when lower-income voters have influence in the political process. In the case of a government that seeks to spend based only on correcting externalities, providing public goods and secure property rights, increased voter turnout and political contributions ought to have no influence on the spending decisions in a state. Nonetheless, a statistically significant relationship indicates that varying levels of citizen participation in rent seeking activities and increased participation of lower-income voters can be effective in increasing spending levels.” [Mercatus Center Policy Paper, [August 2011](#)]

- **Increased Voter Turnout “Ought To Have No Influence On The Spending Decisions In A State But “Lower-Income Voters Can Be Effective In Increasing Spending Levels.”** According to a working paper written by scholars at the Mercatus Center, “These factors point toward an explanation for some of the reasons for government spending. Rather than government spending being used to correct market failures, mitigate externalities, and provide public goods that are welfare-enhancing, government spending may be the result of rent seeking and serves to redistribute income. This is increasingly the case when lower-income voters have influence in the political process. In the case of a government that seeks to spend based only on correcting externalities, providing public goods and secure property rights, increased voter turnout and political contributions ought to have no influence on the spending decisions in a state. Nonetheless, a statistically significant relationship indicates that varying levels of citizen participation in rent seeking activities and increased participation of lower-income voters can be effective in increasing spending levels.” [Mercatus Center Policy Paper, [August 2011](#)]

## **TEXAS PUBLIC POLICY FOUNDATION**

### **The Koch Brothers Were A Major Backer Of The Texas Public Policy Foundation**

**The Koch Brothers Were Among The Most Significant Funders Of The Texas Public Policy Foundation.** According to the Texas Observer, “According to the tax filings, TPPF gets a majority of its funding from a relatively small group of major corporations, conservative foundations and wealthy individuals with a financial interest in the type of policies that TPPF promotes. Altogether, the list of donors includes 129 individuals, corporations and foundations and totals \$4.7 million in donations. [...] The foundation’s major corporate donors include: The Koch Brothers: Koch Industries Inc. (\$159,834) & the Claude R. Lambe Charitable Foundation (\$69,788.61)” [Texas Observer, [8/24/2012](#)]

### **TPPF Joined In The Effort To Reverse Voting Rights Act Provisions**

**An Amicus Brief Filed On Behalf Of “Former Government Officials” Was Prepared In Part By Mario Loyola Of The Texas Public Policy Foundation.** According to an amicus brief in *Shelby v. Holder*, authored in part by a scholar from the Texas Public Policy Foundation, “Mario Loyola The Texas Public Policy Foundation 900 Congress Avenue Suite 400 Austin, TX 78701 (512)472-2700... Counsel for Amici Curiae January 2, 2013.” [Former Government Officials Amicus Curiae Brief, [1/2/13](#)]

**The TPPF Scholar’s Brief Argued That Court Should Hold That Congress’ 2006 Reauthorization Of Section 5 Of The Voting Rights Act Was Unconstitutional.** According to an amicus brief authored in part by a scholar from the Texas Public Policy Foundation, “The 2006 reauthorization of Section 5, which continues to rely on the badly outdated coverage formula, would have been unconstitutional even if Congress had preserved the existing substantive standard for preclearance and DOJ had taken a restrained approach to enforcement. Congress’ failure to update the coverage formula, combined with its overruling of *Georgia* and *Bossier Parish II* and DOJ’s aggressive enforcement strategy, cannot satisfy any plausible standard of constitutionality. The Court should hold that the 2006 reauthorization of Section 5 exceeded Congress’ enforcement authority under the Fourteenth and Fifteenth Amendments.” [Former Government Officials Amicus Curiae Brief, [1/2/13](#)]

**TPPF Scholar’s Brief Argued That Section 5 Of The Voting Rights Act “Forces States To Rely Excessively On Racial Considerations In Designing Their Election Policies.”** According to an amicus brief authored in part by a scholar from the Texas Public Policy Foundation, “This Court has rarely mentioned Section 5 of the Voting Rights Act (“VRA”) in recent years without mentioning in the same breath the serious constitutional issues raised by that provision. Section 5

prohibits ‘covered jurisdictions’ from implementing any changes to their election procedures until those changes are submitted to, and approved by, either the Attorney General or a three-judge district court. See 42 U.S.C. § 1973c. In doing so, Section 5 differentiates between the states despite ‘our historic tradition that all the states enjoy ‘equal sovereignty’; uses a coverage formula based on 40-year-old data that no longer reflects where discrimination is most likely to occur; and forces states to rely excessively on racial considerations in designing their election policies. *Northwest Austin Mun. Util. Dist. No. One v. Holder*, 557 U.S. 193, 203-04 (2009); see also *Perry v. Perez*, 132 S.Ct. 934, 942 (2012) (noting the ‘serious constitutional questions’ raised by § 5’s intrusion on state sovereignty.)” [Former Government Officials Amicus Curiae Brief, [1/2/13](#)]

**The TPPF Scholar’s Brief Criticized The DOJ’s Enforcement Of The Voting Rights Act For Seeking To Prevent Texas and South Carolina From Implementing Voter ID Laws.** According to an amicus brief authored in part by a scholar from the Texas Public Policy Foundation, “DOJ, too, has used Section 5 to block a number of voting changes in covered jurisdictions that closely resemble laws already in force in non-covered jurisdictions. For example, this Court has held that an Indiana statute requiring voters to present photo identification is facially constitutional, see *Crawford v. Marion County Election Bd.*, 553 U.S. 181 (2008), yet DOJ has sought to prevent Texas and South Carolina from adopting similar legislation.” [Former Government Officials Amicus Curiae Brief, [1/2/13](#)]

**The TPPF Scholar’s Brief Claimed That Section 5 Of The Voting Rights Act Mandated Racial-Biased Election Outcomes.** According to an amicus brief authored in part by a scholar from the Texas Public Policy Foundation, “The Fourteenth and Fifteenth Amendments protect every citizen’s right to vote and right to have that vote accurately tallied, regardless of the voter’s race. But no citizen has a constitutional right to any particular electoral *outcome* – *i.e.*, being represented by someone of the same race, national origin, or ethnic background. Yet Section 5’s ‘effects’ test mandates just such a result – a particularly dramatic illustration of why the statute exceeds Congress’ enforcement authority under the Fourteenth and Fifteenth Amendments.” [Former Government Officials Amicus Curiae Brief, [1/2/13](#)]

## CENTER FOR EQUAL OPPORTUNITY

### Center For Equal Opportunity Received Significant Early Koch Funding

**Center For Equal Opportunity Was Founded In 1995.** According to a press release from the Center for Equal Opportunity, “CEO has published similar studies of racial and ethnic discrimination in admissions to dozens of universities since it was founded in 1995.” [Center for Equal Opportunity Press Release, [10/24/12](#)]

**The Claude R. Lambe Charitable Foundation Contributed \$240,000 To The Center For Equal Opportunity Between 1997 And 1999.** According to Claude R. Lambe Charitable Foundation tax documents, the Claude R. Lambe Charitable Foundation made three contributions totaling \$240,000 to the Center for Equal Opportunity between 1997 and 1999. [Claude R. Lambe Charitable Foundation Forms 990 via Conservative Transparency, [1997-1999](#)]

- **After The Death Of Claude R. Lambe In 1981, Charles Koch Took Over His Foundation.** According to the book *Creating a Private Foundation: The Essential Guide for Donors and Their Advisers*, “Claude R. Lambe, a dedicated philanthropist and conservative from Kansas who died in 1981 leaving no children did have a trustworthy friend who was and is a prominent philanthropist in his own right. The friend, industrialist Charles G. Koch, Chairman of Koch Industries, the second largest privately held company in the United States according to Forbes magazine, shared his libertarian beliefs and was a generation younger. Some twenty years after Lambe’s death, Koch, along with his wife and some business associates, continues to run Lambe’s foundation.” [Creating a Private Foundation, [2003](#)]

### Center For Equal Opportunity Opposed Section Five Of The Voting Rights Act

**Center for Equal Opportunity Brands Itself As “The Only Conservative Think Tank Devoted To Issues Of Race And Ethnicity.”** According to the Center for Equal Opportunity’s mission statement, “The Center for Equal Opportunity is the nation’s only conservative think tank devoted to issues of race and ethnicity. Our fundamental vision is straightforward: America always has been a multiethnic and multiracial nation, and is becoming even more so; this makes it imperative that our national policies not divide our people according to skin color and national origin; but rather, these policies should emphasize and nurture the principles that unify us. E pluribus unum... out of many, one.” [Center for Equal Opportunity, accessed [8/5/13](#)]

**Center for Equal Opportunity President Roger Clegg: Section Five Of The Voting Rights Act Was “Inconsistent With The Ideals Of The Civil Rights Movement.”** According to the New York Times, “Roger Clegg, the president of the Center for Equal Opportunity, a nonprofit group that opposes affirmative action and joined another friend-of-the-court brief urging the court to overturn Section Five, argued that eliminating the Section Five standard in considering legislative district lines could be a good thing. He argued that its effect now is to coerce ‘racial gerrymandering’ in drawing districts, which he said promoted polarization and was ‘inconsistent with the ideals of the civil rights movement.’” [New York Times, [2/28/13](#)]

**Clegg: Republicans and Democrats Reauthorized Voting Rights Act For Fear Of Being Called Racist.** According to an article Clegg wrote in National Review, “Rather, it early on made a purely political determination that Section 5 ought to be reauthorized yet again, and then relied on its staff, working with the civil-rights establishment, to compile (concoct?) a record to justify that determination. Republicans and Democrats alike knew that anyone who voted against reauthorization would be deemed racist, and knew that amending or updating Section 5 would lead to politically intractable problems, so they hurriedly reauthorized Section 5 to get it off the table prior to the 2006 elections (the reauthorization was not actually due until the following year).” [National Review, [2/25/13](#)]

**Clegg Opposed Virginia’s Plan To Let Non-Violent Ex-Felons Vote: “Nonviolent Offenses Would Include Being A Major Drug Lord, Treason, Voter Fraud, And So Forth.”** According to a blog Clegg wrote in National Review, “Apparently Virginia governor Bob McDonnell plans today to announce that he will more or less automatically restore the voting rights of ‘nonviolent’ felons once they have fully served their sentences. But there is no reason not to consider the circumstances on a case-by-case basis before doing so – particularly by looking at the severity of the offense, how recently it was committed, and whether it was part of a series of offenses. And it makes no sense to lump all “nonviolent” offenses together, as if they were all relatively trivial. Nonviolent offenses would include being a major drug lord, treason, public corruption, voter fraud, and so forth.” [National Review, [3/29/13](#)]

**Center For Equal Opportunity Has Submitted Several Amicus Briefs Opposing The Voting Rights Act.** According to an amicus brief filed with the Supreme Court, “CEO has participated as amicus curiae in past Voting Rights Act cases, such as *Nw. Austin Mun. Util. Dist. No. 1 v. Holder*, 557 U.S. 193; *Bartlett v. Strickland*, 556 U.S.1; and *League of United Latin Am. Citizens (LULAC) v. Perry*, 548 U.S. 399 (2006). In addition, officials from CEO testified before Congress several times during the 2006 reauthorization of the Voting Rights Act. [Amici Curiae Pacific Legal Foundation, the Center for Equal Opportunity, and Project 21, [August 2012](#)]

**Roger Clegg Wrote An Op-Ed On The 50<sup>th</sup> Anniversary of the VRA Attacking Section Five As “Unnecessary” and “Obsolete and Pernicious.”**

**Clegg: “There Are Efforts In Congress Now To Resurrect Section 5... But Such Legislation Is Unnecessary And Unwise.”** According to an opinion by CEO President Roger Clegg, “There are efforts in Congress now to resurrect Section 5 after the Supreme Court essentially struck it down two years ago, but such legislation in [*viz*] unnecessary and unwise.” [Roger Clegg – Center for Equal Opportunity, [8/4/15](#)]

**Clegg Suggested That If Asked About The VRA In A Primary Debate, Republicans Answer That “Liberals Like It Because It Actually Encourages Race-Based Decisionmaking... And Because It Makes It Easier To Block Voter ID Requirements And Other Ballot Security Measures.”** According to an opinion by CEO President Roger Clegg, “Second, because the Left continues to push bad legislation to resurrect that obsolete and pernicious part of the Voting Rights Act — and because this month marks the 50th anniversary of the Act — I can just see it coming up at the Republican presidential candidate debate on Thursday. So, as a public service, here’s a suggested Q&A for the participants: [...]The law that was struck down really was unconstitutional, and is no longer necessary. Liberals like it because it actually encourages race-based decisionmaking, including racial gerrymandering and segregation of voting districts, and because it makes it easier to block voter ID requirements and other ballot security measures — all at the whim of a federal bureaucrat.” [Roger Clegg – Center for Equal Opportunity, [8/4/15](#)]

**Charles Koch Has A History Of Invoking The Civil Rights Movement Despite His Questionable Activities And Views On Race**

**CHARLES KOCH INVOKED THE VICTIMS OF THE CHARLESTON SHOOTING AND CIVIL RIGHTS LEADERS**

**Charles Koch's Invoking The Memory Of Movements Including The Fight For Civil Rights Was Drawn From An Earlier Meeting Held With Michael Lomax, President Of United Negro College Fund.** According to the Washington Post, "That July meeting helps illustrate why Koch invoked the memory of movements such as the fight for civil rights during a weekend speech to conservative donors here, comparing those struggles to efforts to roll back government regulations. It drew mockery on the left, but the comparison, along with Koch's frequent references to 'injustices,' shows how he is drawing from his unlikely partnership with Lomax. The theme of helping the disenfranchised dominated the weekend gathering, part of a larger effort by the Koch political network to cast off its image as an operation driven by mega-donors." [Washington Post, [8/3/15](#)]

**On The Charleston Church Massacre, Charles Koch Remarkd That "The Reaction Of The People In That Community Blew" Him Away And That These People "Are A Lot Better" Than Him To Forgive The Killer After His "Monstrous" Deed.** According to the Washington Post, "Last month, billionaire industrialist and conservative donor Charles Koch was meeting in his Wichita office with Michael Lomax, president of the United Negro College Fund, when the conversation turned to the recent church massacre in Charleston, S.C. 'The reaction of the people in that community, I mean, blew me away,' Koch recounted Monday in a rare interview with The Washington Post. 'I said, 'These people are a lot better than I am.' Forgive this guy? I mean, it's so monstrous what he did. It just shook me.'" [Washington Post, [8/3/15](#)]

**Koch Cast His Group's Efforts As Akin To Those Of Past Freedom Movements And Invoked Figures Such As Fredrick Douglass And Martin Luther King Jr.; Said Having Money Shouldn't Devalue Correcting An Injustice.** According to the Washington Post, "In a speech Sunday afternoon, Koch cast his group's efforts as akin to those of past freedom movements of the abolitionists and civil rights leaders. He invoked figures such as Frederick Douglass and Martin Luther King Jr. as models for his fellow donors. But don't he and his fellow donors have substantially more clout and resources than such leaders? 'That's true, but so what, if you're trying to correct an injustice?' Koch retorted Monday." [Washington Post, [8/3/15](#)]

## JOHN BIRCH SOCIETY

### Charles Koch Funded The Anti-Civil Rights John Birch Society Until 1968 And Resigned Only When He Disagreed With The Position The Group Took On The Vietnam War, Not Its Anti-Civil Rights Agenda

**Charles Koch Was A Member And "A Major Funder Of The John Birch Society."** According to the Center for Media and Democracy's PR Watch, "[Charles] Koch, a major funder of the John Birch Society whose father was one of its earliest members, remained a member until 1968, when he resigned over the Society's position on the Vietnam War -- yet, as Graves noted, 'he made no similar gesture expressing any opposition to its long-standing, high priority anti-civil rights agenda, which his financial support made possible.'" [Center for Media and Democracy's PR Watch, [1/5/15](#)]

- **Fred Koch Was "A Founding Member Of The John Birch Society."** According to the New York Times, "In 1929, Fred Koch began to market his invention, a thermal cracking process that squeezed more gasoline and other refined products from crude oil. He and his customers were promptly sued by the major oil companies for patent infringements. Although he was, two decades later, to receive a settlement that made him a millionaire, the suits frightened his customers away. So, Koch went off to build 15 refineries in the Soviet Union under Stalin. He returned a fervent anti-Communist who would later become a founding member of the John Birch Society." [New York Times, [12/7/1986](#)]
- **The John Birch Society Denounced The "Communist Activism" Of A "Horde Of Termites From All Over The Country, Led By Half-Crazed Ministers And Professors" In Selma.** According to the Center for Media and Democracy's PR Watch, "Charles Koch was a member and funder of the John Birch Society in 1965, when it issued a statement denouncing how a 'horde of termites from all over the country, led by half-crazed ministers and professors, swarmed over the small town of Selma, Alabama, in a typical demonstration of Communist activism.'" [Center for Media and Democracy's PR Watch, [1/5/15](#)]
- **Charles Koch "Opened A John Birch Society Bookstore In Wichita, Kansas Stocked With Materials Opposing The Civil Rights Movement" As The Group Denounced The March In Selma As A "Sham And A Farce."** According to the Center for Media and Democracy's PR Watch, "In fact, as Center for Media and Democracy Executive Director Lisa Graves has described, the same year that the John Birch Society was denouncing

the Selma march as a ‘sham and a farce,’ Charles Koch opened a John Birch Society bookstore in Wichita, Kansas stocked with material opposing the civil rights movement.” [Center for Media and Democracy’s PR Watch, [1/5/15](#)]

**Koch Resigned From The John Birch Society Over Its Vietnam Position But “Made No Similar Gesture Expressing Any Opposition To Its Long-Standing, High Priority Anti-Civil Rights Agenda, Which His Financial Support Made Possible.”** According to the Center for Media and Democracy’s PR Watch, “[Charles] Koch, a major funder of the John Birch Society whose father was one of its earliest members, remained a member until 1968, when he resigned over the Society’s position on the Vietnam War -- yet, as Graves noted, ‘he made no similar gesture expressing any opposition to its long-standing, high priority anti-civil rights agenda, which his financial support made possible.’” [Center for Media and Democracy’s PR Watch, [1/5/15](#)]

## **CHARLES KOCH SAID UNEDUCATED BLACK YOUTHS HAD “BAD CULTURE, BAD VALUES”**

**Koch On Black Youth: “You Can Teach Kids Skills, But If They Have A Bad Culture, Bad Values, They’re Not Going To Use It For Beneficial Purposes.”**

**Koch On Black Youth: “You Can Teach Kids Skills, But If They Have A Bad Culture, Bad Values, They’re Not Going To Use It For Beneficial Purposes.”** According to the Washington Post, “[Charles] Koch said Lomax had given him a new appreciation of the values students learn at historically black colleges. ‘You can teach kids skills, but if they have a bad culture, bad values, they’re not going to use it for beneficial purposes,’ Koch said.” [Washington Post, [8/3/15](#)]

**The Koch Donation To The UNCF Included A Koch Scholars Program With Koch-Chosen Curriculum.** According to the Washington Post, “As part of a 2014 grant that Koch gave to the college fund, \$18.5 million went to create a Koch Scholars program, which provides scholarships based on financial need to students interested in economics and entrepreneurship. The scholars attend reading groups and a speaker series, part of a curriculum jointly developed by faculty from historically black colleges and universities and academics backed by Koch.” [Washington Post, [8/3/15](#)]

**The Koch Brothers Used A Donation To The United Negro College Fund To Exert Curriculum Control.** According to the New York Times, “The company and family have long donated to the National Association of Criminal Defense Lawyers, Mr. Holden said, as well as to the United Negro College Fund and other charities. [...] But the two brothers, who have a combined fortune of about \$100 billion, have also increased their giving in some areas. Last year, Koch Industries announced a \$25 million gift to the college fund, much of it for a new Koch Scholars program in which the company will help shape the curriculum.” [New York Times, [7/31/15](#)]

**David Koch: “If We’re Going To Give A Lot Of Money, We’ll Make Darn Sure They Spend It In A Way That Goes Along With Our Intent.”** According to the New Yorker, “David Koch has acknowledged that the family exerts tight ideological control. ‘If we’re going to give a lot of money, we’ll make darn sure they spend it in a way that goes along with our intent, [...] And if they make a wrong turn and start doing things we don’t agree with, we withdraw funding.’” [New Yorker, [8/30/10](#)]

## **Koch Was Previously Criticized For Quoting Martin Luther King Jr.**

**HuffPost: Martin Luther King Jr. Is “Unlikely To Have Approved Of The Millions The Koch Brothers Have Poured Into Funding Voter ID Initiatives Nationwide -- Initiatives Known To Disproportionately Undermine The Ability Of Minorities To Vote.”** According to the Huffington Post, “To drive home his point that people should be happy with their work, no matter how poorly paid or menial, [Charles] Koch quotes Dr. Martin Luther King Jr. ‘If a man is called to be a street sweeper,’ King said, ‘he should sweep streets so well that all the hosts of heaven and earth will pause to say, ‘Here lived a great street sweeper who did his job well.’ [...] King is also unlikely to have approved of the millions the Koch brothers have poured into funding voter ID initiatives nationwide -- initiatives known to disproportionately undermine the ability of minorities to vote.” [Huffington Post, [8/6/14](#)]

**Joan Walsh: “Quoting King On The Dignity Of Street Sweepers While Forgetting – Or Never Knowing – That He Died While Fighting For Their Right To Unionize Is At Best Boneheaded, At Worst Disrespectful.”** According to an editorial by Joan Walsh, Salon’s editor at large, “They apparently believe that funding African-American Koch scholars and

invoking Dr. King can convince black voters they're not the enemy. But quoting King on the dignity of street sweepers while forgetting – or never knowing – that he died while fighting for their right to unionize is at best boneheaded, at worst disrespectful. It won't convince many Koch doubters." [Joan Walsh – Salon, [8/7/14](#)]

**Joan Walsh: “Charles Koch’s Billions Can’t Buy King’s Legacy,” And His “Radical Far-Right Agenda...Opposes Everything King Stood For.”** According to an editorial by Joan Walsh, Salon’s editor at large, “Charles Koch’s billions can’t buy King’s legacy or King’s blessing for his radical far-right agenda, which opposes everything King stood for. But he probably can afford better ghostwriters.” [Joan Walsh – Salon, [8/7/14](#)]

**Joan Walsh On Charles Koch Quoting MLK: “This From A Man Who Himself Joined The John Birch Society In The Mid-1960s, While It Was Targeting King As A ‘Communist.’”** According to an editorial by Joan Walsh, Salon’s editor at large, “If a man is called to be a street sweeper,” Koch quotes King, “he should sweep streets so well that all the hosts of heaven and earth will pause to say, ‘Here lived a great street sweeper who did his job well.’” This from a man who himself joined the John Birch Society in the mid-1960s, while it was targeting King as a ‘communist.’” [Joan Walsh – Salon, [8/7/14](#)]

## **KOCH NETWORK WAS INVOLVED IN NORTH CAROLINA SCHOOL SEGREGATION**

**The Wake County School District Had “Some Of Its Best, Most Diverse Schools” In “The Poorest Sections” Of Raleigh And “Its Suburban Schools... Include Children Whose Parents Cannot Afford A House In The Neighborhood.”** According to the Washington Post, “RALEIGH, N.C. - The sprawling Wake County School District has long been a rarity. Some of its best, most diverse schools are in the poorest sections of this capital city. And its suburban schools, rather than being exclusive enclaves, include children whose parents cannot afford a house in the neighborhood.” [Washington Post, [1/12/11](#)]

**National Tea Party Organizations Backed A Slate Of Republican Candidates Who Pledged To “Say No To The Social Engineers.”** According to the Washington Post, “But over the past year, a new majority-Republican school board backed by national tea party conservatives has set the district on a strikingly different course. Pledging to ‘say no to the social engineers!’ it has abolished the policy behind one of the nation's most celebrated integration efforts.” [Washington Post, [1/12/11](#)]

**The New School Board Was “Embracing The Provocative Idea That Concentrating Poor Children, Who Are Usually Minorities, In A Few Schools Could Have Merits – Logic That Critics Are Blasting As A 21<sup>st</sup>-Century Case For Segregation.”** According to the Washington Post, “And as the board moves toward a system in which students attend neighborhood schools, some members are embracing the provocative idea that concentrating poor children, who are usually minorities, in a few schools could have merits - logic that critics are blasting as a 21st-century case for segregation.” [Washington Post, [1/12/11](#)]

**Americans For Prosperity “Worked With... Art Pope To Fundamentally Change Wake County’s School Board” In Order To Stop A “Very Successful” School Integration Plan.** According to Think Progress, “Today in the Washington Post, reporter Stephanie McCrummen detailed how a right-wing campaign in the Wake County area of North Carolina has taken over the school board with a pledge to end a very successful socio-economic integration plan. The integration plan, which created thriving schools in poor African-American parts of the school district along with achieving diversity in schools located in wealthy white enclaves, was a model for the nation. However, Americans for Prosperity (AFP), the Tea Party group founded and funded by billionaire brothers Charles and David Koch, worked with local right-wing financier (and AFP board member) Art Pope to fundamentally change Wake County’s school board.” [Think Progress, [1/12/11](#)]

**AFP In Coordination With Board Member Art Pope, Painted The Pro-Integration School Board Members As “Leftists.”** According to the Washington Post, “Following his guidance, the GOP fielded the victorious bloc of school board candidates who railed against “forced busing.” The nation's largest tea party organizers, Americans for Prosperity - on whose national board [Art] Pope sits - cast the old school board members as arrogant ‘leftists.’ Two libertarian think tanks, which Pope funds almost exclusively, have deployed experts on TV and radio.” [Washington Post, [1/12/11](#)]