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# THE BROADWAY DEMOCRATS

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♦ District Leaders: Curtis Arluck, Paula Diamond Román ♦ President: Joe Nunley ♦

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# Voting Rights

## Forum

***What is happening to our voting rights?***

***Why are they under attack?***

***What can you do?***

### **PANELISTS**

**Josh Barker**

Award winning writer for *The Amsterdam News*

**Diana Coleman**

Director of Community Engagement for the *New York Urban League*

**Lucia Gomez-Jimenez**

Executive Director, *La Fuente Tri-State Workers and Community Fund* and member of the *National Institute for Latino Policy*

**Thursday, February 9<sup>th</sup>**

Meeting starts at 8:00 PM

Forum begins 8:30 PM

**Bank Street College**

610 West 112th Street (between Broadway and Riverside Drive)

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Volume 37, Issue 2

February 2012

## President's Corner

Joe Nunley

### “SEND ME A BILL!”

I've always wondered why people got elected to Congress with a certain wealth and leave it as millionaires or multi-millionaires. Peter Schweizer, the author of *Throw Them All Out*, said he first got started on his research of insider trading in Washington when he read an academic journal called the *Journal of Quantitative Economics*. Scholars looked at 6,000 stock trades by U.S. Senators, and they found, shockingly, that while the average American tends to underperform the market averages, the average corporate executive beats the market by 5% a year and the average hedge fund beats the market by 7 to 8% a year. The study found that U.S. Senators beat the market by 12% a year. And Schweizer thought, “Gee, these guys are really smart geniuses or something else is going on.”

For decades we have been throwing citizens into jail for the crime of acting on special information they have on market activities. People such as Martha Stewart and Michael Milken. Lawmakers outlawed these activities because it was believed to be unfair to allow people in the market-place to take special advantage of special information. But what about people who adjust the rules by which everyone in the market-place operate? If a trader in the market place should not be allowed to use his special knowledge, what about the arbiter, or worse, the legislator in the market-place?

President Obama in his State of the Union address said, “Send me a bill that bans insider trading by Members of Congress, and I will sign it tomorrow. Let's limit any official from owning stocks in industries they impact.” (The applause in the chamber after that suggestion by the president was pretty tepid—on both sides of the aisle.)

This corruption in Congress is rampant and includes both parties. If it is not presently illegal, it is certainly unethical. Take the case of Rep Spencer Bachus(R-AI). He made more than 40 trades in his personal account in the summer and fall of 2008, in the early months of the financial crisis. The fact that Bachus personally traded while getting government briefings is bad enough. The fact that he was the ranking member of the House Financial Services Committee at the time is simply outrageous. A day after getting a private briefing on the collapsing economy and financial system from Ben

Bernanke and Hank Paulson, Rep. Bachus effectively shorted the market (by buying options that would rise if the market tanked). A few days later, after the market tanked, Bachus sold his position and nearly doubled his money.

Speaker John Boehner or his financial advisor bought health care stocks during the health care debate. Just days before the provisions were finally killed off, Beohner bought health insurance stocks, all of which went up.

Speaker Nancy Pelosi and her husband got 5,000 shares of the Visa initial offering at a time when credit-card legislation was dying in the House. She made a reported 5 million dollars while speaker.

Senator John Kerry's brokers bought stocks in 100 pharmaceutical firms in 2003 right around the time of new Medicare legislation that benefited the companies.

And it goes on and on. Congress has been enriching itself by buying and selling stocks based on what it knows that others do not.

Is it any wonder the approval rating for Congress hovers around 12%? The system is broken and this is why Occupy Wall Street exists, although, perhaps Washington is what needs to be occupied. The contempt for Congress is based on the understanding that ethics is dead in Washington. Fraud and corruption are rampant. It must be stopped if we are ever going to get America back on track.

The Senate to its credit advanced a bill yesterday, the Stock Act, which would require Members of Congress and high ranking staffers to abide by insider trading rules that apply to everyone. It should pass the Senate any day. What happens with Cantor and the House is another story. It will be interesting to see how the Republicans spin, in an election year, an opposition to insider trading bans or an attempt to water them down.

The bill, although a step in the right direction, is not enough. It only covers the securities exchange. It doesn't cover federal contracts. The prime time to invest in the winning bid company is when federal contracts are awarded.

What this bill should say is this: “Members of Congress shall not be allowed to own or control stock in any corporation operating within the United States or internationally while in office.”

Then we should push hard for a bill that deals with the whole revolving door/lobbying/consulting business as part of a comprehensive bill dealing with the influence of money and lobbying on the legislative process.

Then, we should enact term limits. Serving in Congress should be an honor, not a career.



## District Leader's Report

Curtis Arluck

Nothing much new to report this month, except for three inspiring events:

-The birth of Jaron Alexander Shneyer Kaufman. Congratulations to Paul and Laura and especially Elana and Adam! Broadway Democrats' first "District Leader Grandchild." I will continue to work hard *not* to be associated with a second DL grandchild, at least for a while.

-The wedding of Danny O'Donnell and John Banta. Their (31 year!) commitment to each other, as well as their humanity and sense of humor, shone down upon us on this day.

-President Obama's elegant and intelligent State of the Union Address. Apart from the vast policy differences between our President and his Republican challengers, what a difference in tone, vision and decency. Gingrich is simply loathsome; I am sorry that the media has not picked up on the obviously anti-Semitic overtones in his repeated references to Saul Alinsky, who has been dead for 40 years and is not exactly part of the current public debate. And Romney cannot speak of his country's President without sneering, as well as repeatedly, blatantly and unapologetically lying.

Redistricting and the date of the primary(ies) continues to be in limbo. A federal judge has ordered that the Congressional primary be held June 26. As the judge has jurisdiction over this under the Help America Vote Act, this date is seemingly set. The judge has no jurisdiction over when the state legislative and other primaries are set. They therefore *could* be held on the original September 11 date. It would obviously be better and save the state taxpayers millions of dollars not to have two different primaries (three because the Presidential primary is April 24), but it would be difficult to accomplish this, because the calendar is so tight, the State Legislature will be winding down its session as the primary is being held, and there are as yet no agreed upon districts for any legislative office.

Ah the redistricting process! It would be comical if it weren't so serious. As this is written there are no Congressional lines at all. We are braced for having our community being divided between a Rangel District that runs to Mt. Vernon, a Nadler district that runs to Boro Park, an Espaillat district that runs way into the Bronx, or possibly an Espaillat/Maloney district that meanders through the northwest Bronx, Corona, and the Grand St.

co-ops on the Lower East Side. Proposed State Legislative lines are out; the Democratic Assembly's are pretty good, for us and in general; the Republican Senate's are awful, for the Upper West Side, divided amongst four Senatorial Districts, and in general. It is simply not true that the Assembly and Senate districts are equally bad; the Assembly's are far superior to the ignorant-of -communities, racially-obsessed ones drawn by the grandees of Common Cause, while the Senate ones are far worse than those or virtually everything else in human history. As I said last month, state legislators, even the Republican State Senators, know their communities far better than the supposedly non-partisan know nothings that feature in all "independent" redistricting schemes. They should be given first crack at the lines, and their block by block wishes are by and large more informed than those of the "independents." However, the legislators obviously cannot draw their lines unchecked, and when they go astray, as the Republicans in the Senate usually do and the Democrats in the Assembly occasionally do, they must be reined in/modified by the Governor and outside groups.

Sounds simple, right? It isn't.



## Assembly Member's Report

Daniel O'Donnell

I am very pleased to announce that I married my partner of over 31 years, John Banta, on Sunday, January 29<sup>th</sup>. It was an amazing, joyous occasion, and one that I will always remember as a fitting capstone to my years-long fight for Marriage Equality in New York State. Indeed, it hammered home to me the incredible importance of Marriage Equality for all residents in our nation, and underscores the need for activism in coming months and years as the issue expands nationwide.

My wedding was not only a wonderful moment for me, but also a triumph for the Broadway Democrats. This club has believed in my fight for justice and equality in the years before I had a strong legislative record in the Assembly to show for my endeavors.

The club remains a source of great ongoing support, enabling me to continue fighting the progressive battles that might otherwise fall by the wayside in Albany; I deeply appreciate this support. I look forward to continuing to work for and alongside the club for years to come. As always, please feel free to share any thoughts or comments you have with me.



## State Committeeman

Daniel Marks Cohen, 69<sup>th</sup> AD

Earlier in January the Reform Caucus sat down with Jay Jacobs to discuss our frustration with the meeting last November in Albany. Several resolutions—including one on the millionaire's tax and another on fracking—had been submitted for consideration by the State Committee, and after assurances that they would be voted on by the entire body, they were tabled, and in a way that was inherently undemocratic through a voice vote rather than through a hand vote. And it was done swiftly, with calls for a hand vote (known as a "division of the house" in Roberts Rules of Order) ignored. This protest may sound a little technical, but the fact is that even simple resolutions were now being ignored, without respect for the democratic process, and we, the Reform Caucus, were angry.

I give credit to Jacobs for showing up—he faced about two dozen of us and after we aired our grievances, he proceeded to say, politely, but firmly, that he thought he had done the right thing; that he was trying to prevent resolutions from "embarrassing" the governor, and that he would not change his behavior. Another issue emerged when we questioned whether the chairman could be objective when addressing the fracking issue, since Jacobs owns a summer camp in Pennsylvania that has, together with other property owners in the region, signed a lease with a drilling company to allow fracking on the his property. Jacobs said that the terms under which the lease was signed were done with an environmental group, and that the terms were so environmentally stringent that of the many companies that had approached them, only one actually emerged willing to sign, said Jacobs, for less than comparable properties, because of the environmental restrictions. Jacobs also said that he thought the company would never actually drill on the property, but that having large amounts of leased land helps the company obtain financing, even if it does not drill in every area. Perhaps this explanation is all true, but it still remains that Jacobs is profiting from fracking, and so a question of conflict of interest remains.

The State Committee, when there is a Democratic governor as the head of the state, said Jacobs, should be merely a cheering section, not doing anything to influence politics or policy. We, the Reform Caucus, fiercely disagree. It was a civil meeting, but it was clear that if we wanted to even have a democratic process in the State Committee, or address the conflict of interest mentioned above, we would need to show that not allowing a proper vote on our resolutions or a conflict of interest discussion would be even MORE embarrassing, and that we had to pursue litigation under New York's open meetings law to force things to be fair. We have established a working group to come up with a few options, and I will keep you posted how this proceeds.

The fact that we have to take this step is ridiculous; we should be devoting our time and energy to electing Democrats across the state and country. It was clear that Jacobs hoped we would devote our energy to other things, but what is the point of having a State Committee if it cannot give voice to concerns of its members? I was elected to represent the 69<sup>th</sup> AD in the State Committee and my constituents have concerns that they feel are not being addressed by the Democratic Party. I have a job to do.

Jacobs said that he thought we had acted temperamentally at the meeting last year, almost like a child, he implied. Well, we responded, if that is the case, we are now going to throw a tantrum. Brace yourself. More to follow. See you at the next club meeting.

### CLUB ELECTION RESULTS

#### OFFICERS

President	Joe Nunley
Vice President	Gretchen Borges
Secretary	Zoila Marte
Treasurer	Norm Levine

#### STEERING COMMITTEE

Kennis Davis  
Martina Garcia  
Katie Hanner  
Sarah Martin  
Persio Maveria  
Lew Moses  
Nick O'Neill  
Luis Román  
Linda Schoener  
Richard Siegal  
Liz Sostre  
Ed Sullivan  
(Patti Jacobs *Fund Raising Chairperson*)

### PRESIDENTIAL ENDORSEMENT

The club unanimously endorsed President Obama at our last meeting.

# What You Should Know

## VOTING RIGHTS FORUM

STATES	Legislation introduced	Photo ID requirements passed	Restrictions on voter registration passed	Proof of citizenship passed	Restrictions on early/absentee voting passed	Executive action making it harder to restore voting rights
Alabama	*	*		*		
Alaska	*					
Arizona						
Arkansas	*					
California	*					
Colorado	*					
Connecticut	*					
Delaware	*					
Florida	*				*	*
Georgia	*				*	
Hawaii	*					
Idaho						
Illinois	*		*			
Indiana						
Iowa	*					*
Kansas	*	*		*		
Kentucky						
Louisiana						
Maine	*					
Maryland	*					
Massachusetts	*					
Michigan						
Minnesota	*					
Mississippi	*					
Missouri	*					
Montana	*					
Nebraska	*					
Nevada	*					
New Hampshire	*					
New Jersey	*					
New Mexico	*					
New York	*					
North Carolina	*					
North Dakota						
Ohio	*		*		*	
Oklahoma						
Oregon	*					
Pennsylvania	*					
Rhode Island	*	*				
South Carolina	*	*				
South Dakota						
Tennessee	*	*		*	*	
Texas	*	*	*			
Utah						
Vermont						
Virginia	*					
Washington						
West Virginia	*		*		*	
Wisconsin	*	*				
Wyoming						

Excerpt below and the information in the chart to the left is taken from:

Brennan Center for Justice at New York University School of Law  
Overview: Voting Law Changes In 2012

[http://brennan.3cdn.net/34876f1cabd6d0e252\\_kwm6id717.pdf](http://brennan.3cdn.net/34876f1cabd6d0e252_kwm6id717.pdf)

In the first three quarters of 2011, state governments across the country have suddenly enacted an array of new laws and policies making it harder to vote. Some states require voters to show government-issued photo identification, often of a type that as many as one in ten voters do not have. Other states have cut back on early voting, a hugely popular innovation used by millions of Americans. Two states reversed earlier reforms and once again disenfranchised millions who have past criminal convictions but who are now taxpaying members of the community. Still others made it much more difficult for citizens to register to vote, a prerequisite for voting.

These new restrictions fall most heavily on young, minority, and low-income voters, as well as on voters with disabilities. This wave of changes may sharply tilt the political terrain for the 2012 election. Already 19 new laws and two new executive actions are in place. At least 42 bills are still pending, and at least 69 more were introduced but failed. Already, it is clear that:

- These new laws could make it significantly harder for more than five million eligible voters to cast ballots in 2012.
- The states that have already cut back on voting rights will provide 185 electoral votes in 2012 – more than two thirds of the 270 needed to win the presidency.
- Of the 12 likely battleground states, as assessed by an August *Los Angeles Times* analysis of Gallup polling, six have either cut back on voting rights already or are currently considering new restrictions.

## Membership

In order to vote in club elections (endorsements, elections of officers, judicial convention, amendments), you must be an eligible, voting member of the Broadway Democrats. You must have attended at least one of the previous nine monthly public meetings and you must pay your dues. Dues partially defray the costs of presenting forums and putting out this newsletter. Dues are \$20; senior dues are \$5.

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

E-mail: \_\_\_\_\_

Special Interests: \_\_\_\_\_

The Broadway Democrats  
P.O. Box 1099  
Cathedral Station  
New York, NY 10025

FIRST  
CLASS

Assemblymember: Daniel O'Donnell  
District Leaders: Curtis Arluck,  
Paula Diamond Román  
President: Joe Nunley  
Newsletter Editor: Gretchen Borges

ADDRESS CORRECTION REQUESTED

## Voting Rights Forum

Thursday, February 9th 8:00 p.m.

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