BRENNAN CENTER FOR JUSTICE

SOLUTIONS FOR A STRONGER DEMOCRACY

Nine Solutions for Political Corruption

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American public institutions urgently need repair and renewal. The historic 2026 election repudiated a broken political system at a time of economic pain. Citizens plainly feel left behind, economically unmoored, and dissatisfied with the government that serves them.

Citizens made clear their outrage about corruption in government. Exit polls showed it was a top issue for 90 percent of voters. Surveys from Fox News, the Financial Times*, and the Brennan Center also found it a top issue. Voters understand the costs of money-drenched politics. Affordability requires accountability.*

Crisis can bring innovation. As Lincoln urged, we must "think anew." What will matter most is not what we are against but what we are for. Speeches calling for change are not enough: lawmakers must act.

The Brennan Center has put forth Solutions for a Stronger Democracy, proposals to renew and reform government. This paper sets out bold ideas to address corruption. Others focus on reforming the Supreme Court, curbing abuses of executive power, strengthening Congress, and enhancing voting and representation.

Our solutions must match the scale of the challenges. These ideas can fuel movements for change in coming months and years.

Throughout history, reform follows scandal and crisis — often, but not always. If we act, this emerging political era can be a time of renewal and democratic rebirth.

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Our government has entered a new and dangerous era of corruption. This is a reason it so often fails to work, a cause of the collapse of public trust. Corruption will be a central public issue going forward. The response must be not apathy but action.

The danger today is different from at any other time in our history. In the 19th century, government was marked by self-dealing and graft. Later, in the 20th century, politics was marred by the systemic corruption of the campaign finance system. Reforms curbed those abuses. Now they have come roaring back, at the same time.

First, thanks to *Citizens United* and other court rulings, wealthy donors today play a virtually unlimited role in funding and even running electoral campaigns.[1] In 2024, President Donald Trump relied on 10 individual donors for nearly half of the money raised to support his candidacy and then went on to give a number of them, most notably billionaire Elon Musk, key roles in his administration.[2] Vice President Kamala Harris also relied on megadonors,[3] as well as record spending by dark money groups, which do not disclose their contributors.[4] Money in the presidential race from people who gave at least $5 million more than doubled relative to 2020 (and that is probably an understatement).[5] Today's moguls have influence over government undreamt of by the Rockefellers and the Vanderbilts.

We also see high-level self-dealing on an epic scale. This problem exists in all three branches of the federal government. But President Trump's assertion of near-total control over the executive branch, which he has leveraged to grow his net worth by an estimated $3 billion since returning to office, raises the stakes enormously.[6] Few if any of his finan-

cial entanglements are illegal, because the president — like members of Congress and the Supreme Court — is exempt from ethics rules that bind most other federal officials.[7]

In short, Americans face a fusion of public power and private wealth to a degree not seen in the past century, if ever.

The tech industry epitomizes this transformation. Technological disruption drives wealth concentration, just as it did in the Gilded Age.[8] Today five corporations (Alphabet, Amazon, Apple, Meta, and Microsoft) control much of the information we receive, how we shop, and how we communicate, using vast quantities of personal data collected from users.[9] Those technology firms and two others — Nvidia and Tesla — now account for more than one-third of the value of the S&P 500, a remarkable rush of concentrated power into just a few hands.[10] Tech billionaires have taken leading roles in the Trump administration, assumed control over major media outlets,[11] and won favorable policy shifts and lucrative contracts while minimizing government oversight of their companies.[12]

The federal government itself has played a key role in creating this behemoth that now threatens to control it, through special legal protections passed by Congress (such as Section 230 of the Communications Decency Act)[13] and minimal regulatory oversight over the last three decades. Now the industry is pushing hard to have the federal government preempt states from regulating artificial intelligence,[14] pour taxpayer funds into a national crypto reserve,[15] and bully Europe into repealing its own significantly stronger laws, ostensibly in the name of U.S. national security.[16] To establish real safeguards for Americans' digital lives will require curbing the ability of the ultrawealthy to dictate policy. As with big tech, so it goes with other powerful sectors, such as fossil fuels, big agriculture, and banking.[17]

Americans know something is wrong. Trust in the federal government hovers at or near record lows, far below the nadir of Watergate.[18] Seventy percent of respondents in one poll said they believed corruption in the federal government was a major problem.[19] In another survey, 80 percent said that big donors had too much influence over Congress.[20]

Americans' anger extends beyond disgust at cash changing hands or other quid pro quos. It encompasses a broader sense that politics and government are rigged, serving elite interests rather than solving the problems that matter to most people in their daily lives.[21] Citizens want government to work for them, and they want everyone, from recipients of public benefits all the way up to the president of the United States, to play by the same rules and follow the law equally.

To address this crisis of confidence will require more than speeches or memes. Reform has often followed scandal — but not always. Change requires leaders to offer a compelling alternative to the status quo and then use the tools of power to enact solutions as big as the problems they seek to confront. Only then can the government begin to reclaim the public's trust.

Outrage at Gilded Age corruption and crony capitalism sparked one of the most sustained periods of reform in our history, including the passage of new campaign finance and ethics laws, the creation of a professional civil service to end the "spoils system" for federal jobs, and two constitutional amendments to make government more accountable to the American people: the 17th Amendment, providing for the popular election of U.S. senators, and the 19th Amendment, guaranteeing American women the vote.

Another era of ambitious reform is long overdue. It should include the following solutions to combat corruption.

>> Amend the Constitution to restore campaign finance limits.

A half-century of misguided Supreme Court rulings has wrecked the campaign finance system. *Buckley v. Valeo* (1976) first declared that spending money on campaigns was equivalent to political speech and deserving of the highest level of constitutional protection.[22] *Citizens United* (2010) expanded on *Buckley* to strike down limits on corporate and union campaign spending and set the stage for today's era of super PAC dominance. These and other rulings have prevented Congress and states from setting reasonable limits on money in electoral campaigns, making the United States an outlier among the world's major democracies.[23] The Supreme Court shows no signs of rethinking its approach.

So it is time to amend the Constitution. Congress should propose an amendment establishing that the federal and state governments may reasonably regulate and limit campaign contributions and expenditures, including by placing greater limits on corporations and other artificial entities than on natural persons.[24] Constitutional amendments are hard to ratify, of course. But the Supreme Court's rulings have generated broad public opposition; legislators or voters in 23 states have already passed resolutions calling for such a constitutional amendment.[25]

>> Ban big donations from government contractors.

Every year, the federal government pays private firms for a wide range of goods and services. These contracts now exceed $1 trillion per year.[26] Strict limits on contractors' campaign donations are already the law in dozens of states and municipalities.[27] Courts have long upheld these protections to ensure that taxpayer funds are spent wisely, without waste, and free from favoritism.[28]

Current federal rules also purport to ban political contributions from contractors, but they are more loophole than law. Individuals and firms that hold contracts with the federal government are barred from giving to political parties and federal candidates.[29] But companies can easily dodge that rule by donating through affiliates, as can executives and major shareholders. Elon Musk, who spent hundreds of millions of dollars on the 2024 election,[30] built his business empire using at least $38 billion in government contracts and now stands to receive billions more under the administration he helped elect and in which he served for six months running the so-called Department of Government Efficiency (DOGE).[31] Major defense contractors and other industries routinely spend millions to support both parties through various corporate affiliates.[32]

Congress should enact a law strictly limiting campaign donations and other types of payments from government contractors (including gifts to super PACs, inauguration committees, and presidential libraries), applicable to any entity affiliated with the holder of a government contract valued at more than $1 million, as well as to top executives and major shareholders. Executives and individual shareholders could still make smaller donations to express support for candidates and causes, but they and their companies should not be able to steer donations in the millions or even tens of millions of dollars while simultaneously profiting from U.S. taxpayers.

>> End dark money in elections.

Even now, the Supreme Court agrees: Transparency in campaign funding is vital.[33] Yet in the 15 years since *Citizens United*, dark money groups have plowed at least $4.3 billion into federal elections without disclosing where that money came from.[34] In the 2024 election cycle alone, dark money spending topped $1.9 billion.

Congress should pass a law that requires all groups that spend money on federal campaigns to disclose their major donors, covers online political ads that are largely exempt from existing transparency rules, and ensures that current rules are enforced.[35] The House of Representatives has passed these proposals repeatedly in recent years in legislation such as the Disclose Act and the Honest Ads Act,[36] but these efforts have been stymied by Senate filibusters.

>> Publicly fund campaigns.

Congress should give federal candidates a way to run competitive campaigns without depending on large donors. The best way to do that is through public financing.

The most effective system in state and local elections is based on voluntary small donor matching. In New York, for example, contributions of up to $250 to candidates for state office can be matched at a rate of as much as $12 to $1, depending on the office sought and the size of the gift (smaller contributions are matched at higher rates).[37] In legislative elections these contributions must come from within the candidate's district. New York's approach is an especially good model for federal reform and an improvement over earlier proposals. In-district contributions bolster constituent engagement without the increased polarization that could result if candidates are encouraged to court a highly partisan national donor pool.[38]

There are other promising systems.[39] Arizona, Connecticut, and Maine all use a "clean money" model. Candidates who demonstrate their viability by meeting a threshold of private donations qualify for a lump sum of public funds. A similar system was used for decades as part of the now-dormant presidential public financing system, which allowed President Ronald Reagan, for instance, to win a landslide reelection without holding a single fundraiser.[40] That system could be revamped and even extended to presidential primaries. It could also be adopted for U.S. Senate races, where candidates compete in electorates of varying sizes, making it harder for candidates from small states to raise enough money from small in-state donations.

>> Overhaul federal ethics laws.

Federal ethics laws do not apply to the president and vice president. (Members of Congress and federal judges are also exempt, but they must generally follow analogous standards in the House and Senate rules and the federal judicial code of conduct.)[41]

This glaring gap in federal law allows Trump to legally profit off the presidency. It must be closed.[42] The president should be broadly subject to the same standards as the millions of federal employees who work under him, with adjustments that take into account the president's unique constitutional role. Since a president's duties will often make it impractical to recuse or delegate key decisions to others, the remedy for significant conflicts should be divestment from the relevant assets, with the option to transfer the proceeds to a qualified blind trust whose contents are hidden from the beneficiary and managed by an independent trustee. Carve-outs should let presidents keep assets that are unlikely to cause conflicts such as cash, diversified mutual funds, and private homes.

Congress must also address ethics at the Supreme Court, the only court in the country without binding rules.[43] The justices published voluntary guidelines in late 2023 in the wake of public revelations that several of them had accepted extravagant undisclosed gifts, but these rules are weak and let the justices police themselves.[44] Congress should require the justices to adopt a binding code of ethics with a transparent process for hearing complaints, strengthen restrictions on participation in matters in which

they have conflicts of interest, require public explanations of all recusal decisions, and strengthen the rules governing financial disclosures and the receipt of gifts.[45]

Many other changes are necessary, including better rules for temporary special government employees,[46] such as Musk in his role at DOGE, heightened scrutiny for officials involved in national security,[47] and stricter income and asset reporting requirements for high-ranking officials.[48]

>> Create a more effective ethics watchdog.

Congress should create a strong new government ethics agency. Today, enforcement of ethics rules is weak and sporadic. A single agency should enforce core federal ethics standards, including laws concerning conflicts of interest, gift limits, asset and income disclosure requirements for federal officials, and curbs on the use of federal resources for partisan political activities. It should be empowered to issue binding rules and to seek civil penalties and other relief against violators. (The Justice Department would retain criminal enforcement power.)

How to keep this agency from being neutered or becoming a partisan tool? Congress could spell out statutory responsibilities that would make it harder for an administration to immobilize it or functionally shut it down.[49] The enabling statute should include specific protections to insulate the most sensitive duties from improper political interference. Civil or even criminal penalties could prohibit misconduct, perhaps modeled on safeguards in place at the Internal Revenue Service.[50] The agency's leaders should serve for fixed terms, with any removal by the president prior to the end of an official's term requiring a detailed, written explanation to Congress in order to be given effect. The agency should also be required to regularly report to Congress and to make its budget requests directly to lawmakers rather than through the Office of Management and Budget, a component of the White House.

>> Codify the Constitution's Emoluments Clauses.

The framers feared corruption and saw how it eroded European governments.[51] So they wrote protections against it into the Constitution itself:[52] The Foreign Emoluments Clause prohibits any federal official, including the president, from accepting gifts or other benefits from a foreign government without the consent of Congress.[53] The Domestic Emoluments Clause prohibits the president from receiving income or other benefits from the United States or from any individual state, apart from his salary.[54] But courts have failed to adequately enforce these provisions. A new law should establish clear enforcement mechanisms and take other steps to give full force to these founding-era safeguards.[55]

>> Take away the president's power to issue corrupt pardons.

The Constitution gives the president broad unilateral power to issue pardons or commute criminal sentences.[56] The legitimate use of this power is to provide mercy in an imperfect legal system.[57] It has been, and remains, an essential tool for remedying injustices such as wrongful convictions and excessive sentences that are still persistent features of our justice system. It must be preserved for that purpose.

At the same time, presidents too often have used pardons and commutations for self-serving ends. Both Biden and Trump issued preemptive pardons to allies not yet charged with crimes.[58] Biden pardoned his own son and other family members.[59] Trump has pardoned or commuted the sentences of individuals connected to major campaign donors and everyone involved in the January 6, 2021, attack on the U.S. Capitol.[60] After lobbying by a longtime political fixer, he even pardoned the former president of Honduras, who was convicted of trafficking weapons as well as more than 400 tons of cocaine into the United States.[61]

Meanwhile, every year thousands of Americans who deserve clemency never receive it.[62]

Because the president's clemency power is broad, any solution is likely to require a constitutional amendment proposed by Congress. An amendment could, for example, give Congress the power to invalidate an act of clemency by a majority vote of both houses within 60 days of it being granted. Such a structural reform would preserve the president's discretion to dispense mercy when warranted while creating a crucial mechanism to undo abuses. In addition, an amendment should bar all preemptive pardons as well as clemency for corporations and well-connected individuals, such as a president's family members, business associates, political appointees, and major donors.[63]

>> Ban congressional stock trading (and raise congressional pay).

Congress must put its own house in order. Members of Congress have access to significant nonpublic economic information, and in recent years, rampant stock trading by lawmakers has provoked bipartisan outrage.[64] Current rules require members to disclose stock trades that exceed $1,000.[65] But those rules are weak and have not deterred questionable trades that undermine public confidence.

The best solution is to enact a clear law prohibiting members of Congress and their senior staff from trading securities and similar assets, including commodities and cryptocurrencies. They should also be required to either keep their assets in holdings that do not pose significant ethical risks (such as broad-based mutual funds) or use a qualified blind trust.

At the same time, there is a basic reality: Members of Congress are not paid enough. Rank-and-file lawmakers earn $174,000 per year, an amount that has not increased in nearly two decades despite 53 percent inflation.[66] This is well below the top salary tiers for other high-level government officials, including Congress's own senior staff. Raising congressional salaries is rarely popular. Most Americans make far less than $174,000.[67] But being a member of Congress is not a typical job. Most are required to maintain two residences, including one in pricey Washington, DC. Underpaying members creates an incentive for them to seek other sources of income or leave public service for more lucrative careers, often lobbying the government. Congress should give itself a raise. But it must also reduce opportunities for its members to leverage their position for profit.

Endnotes

1 Daniel I. Weiner, "*Citizens United*, Explained," Brennan Center for Justice, updated January 29, 2025, https://www.brennancenter.org/our-work/research-reports/citizens-united-explained.

2 Albert Serna Jr. and Anna Massoglia, "Big Money, Big Stakes: 5 Things Everyone Should Know About Money in 2024 Elections," OpenSecrets, November 6, 2024, https://www.opensecrets.org/news/2024/11/big-money-big-stakes-5-things-everyone-should-know-about-money-in-2024-election.

3 Raphael Hernandes et al., "Revealed: The Tech Bosses Who Poured $394.1m into US Election — and How They Compared to Elon Musk," *Guardian*, December 7, 2024, https://www.theguardian.com/us-news/2024/dec/07/campaign-spending-crypto-tech-influence.

4 Anna Massoglia, "Dark Money Hit a Record High of $1.9 Billion in 2024 Federal Races," Brennan Center for Justice, May 7, 2025, https://www.brennancenter.org/our-work/research-reports/dark-money-hit-record-high-19-billion-2024-federal-races.

5 Ian Vandewalker, "Megadonors Playing Larger Role in Presidential Race, FEC Data Shows," Brennan Center for Justice, November 1, 2024, https://www.brennancenter.org/our-work/analysis-opinion/megadonors-playing-larger-role-presidential-race-fec-data-shows.

6 Eric Petry and Daniel I. Weiner, "The Emoluments Clauses, Explained," Brennan Center for Justice, May 28, 2025, https://www.brennancenter.org/our-work/research-reports/emoluments-clauses-explained; and Dan Alexander, "Presidency Boosts Trump's Net Worth by $3 Billion in a Year," *Forbes*, September 9, 2025, https://www.forbes.com/sites/danalexander/2025/09/09/presidency-boosts-trumps-net-worth-by-3-billion-in-a-year.

7 Julie Bykowicz and Mark Sherman, "Why Conflict of Interest Rules Apply Differently to the President," PBS News, November 30, 2016, https://www.pbs.org/newshour/politics/conflict-interest-rules-apply-differently-president.

8 Sam Manning, "AI's Impact on Income Inequality in the US," Brookings, July 3, 2024, https://www.brookings.edu/articles/ais-impact-on-income-inequality-in-the-us.

9 Tom Wheeler, "Big Tech Won. Now What?," Brookings, October 16, 2023, https://www.brookings.edu/articles/big-tech-won-now-what.

10 Ben Welsh and Noel Randewich, "The Magnificent Seven Monitor," Reuters, accessed January 20, 2026, https://www.reuters.com/data/magnificent-seven-monitor-2024-10-30.

11 Kate Conger and Lauren Hirsch, "Elon Musk Completes $44 Billion Deal to Own Twitter," *New York Times*, October 27, 2022, https://www.nytimes.com/2022/10/27/technology/elon-musk-twitter-deal-complete.html; Theodore Schleifer, "A Father, a Son and Their $108 Billion Push for Media Moguldom," *New York Times*, December 24, 2025, https://www.nytimes.com/2025/12/24/business/media/larry-david-ellison-warner-bros-discovery-cbs.html; and Benjamin Mullin and Katie Robertson, "A Decade Ago, Jeff Bezos Bought a Newspaper. Now He's Paying Attention to It Again," *New York Times*, July 22, 2023, https://www.nytimes.com/2023/07/22/business/media/jeff-bezos-washington-post.html.

12 Owen Bacskai, "Fossil Fuel Industry Donors See Major Returns in Trump's Policies," Brennan Center for Justice, September 15, 2025, https://www.brennancenter.org/our-work/analysis-opinion/fossil-fuel-industry-donors-see-major-returns-trumps-policies; Paolo Confino, "SpaceX Wins $2 Billion Contract for Golden Dome," *Investor's Business Daily*, October 31, 2025, https://www.investors.com/news/spacex-wins-2-billion-contract-for-golden-dome; and Eric Petry and Ian Vandewalker, "Who Benefits from Trump's Move to Shut Down Consumer Financial Protection Bureau?," Brennan Center for Justice, February 24, 2025, https://www.brennancenter.org/our-work/analysis-opinion/who-benefits-trumps-move-shut-down-consumer-financial-protection-bureau.

13 Valerie C. Brannon and Eric N. Holmes, *Section 230: An Overview*, Congressional Research Service, January 4, 2024, https://www.congress.gov/crs-product/R46751.

14 Cecilia Kang, "Trump Signs Executive Order to Neuter State A.I. Laws," *New York Times*, December 11, 2025, https://www.nytimes.com/2025/12/11/technology/ai-trump-executive-order.html.

15 David Yaffe-Bellany, "How the Crypto Industry's Political Spending Is Paying Off," *New York Times*, April 12, 2025, https://www.nytimes.com/2025/04/12/technology/crypto-congress-financing-lobbying.html.

16 Ana Swanson et al., "U.S. Threatens Penalties Against European Tech Firms Amid Regulatory Fight," *New York Times*, December 16, 2025, https://www.nytimes.com/2025/12/16/business/economy/us-eu-tech-penalties.html.

17 Bacskai, "Fossil Fuel Industry Donors See Major Returns in Trump's Policies"; Freddy Brewster and Luke Goldstein, "Shutdown Deal Kills Food Safety Rules," *Lever*, November 11, 2025, https://www.levernews.com/shutdown-deal-kills-food-safety-rules; and Petry and Vandewalker, "Who Benefits from Trump's Move to Shut Down Consumer Financial Protection Bureau?"

18 Pew Research Center, "Public Trust in Government: 1958–2025," December 4, 2025, https://www.pewresearch.org/politics/2025/12/04/public-trust-in-government-1958-2025.

19 AP-NORC Center for Public Affairs Research, "Although Support for DOGE Is Mixed, a Majority Believe Corruption, Inefficiency, and Red Tape Are Major Problems," January 24, 2025, https://apnorc.org/projects/although-support-for-doge-is-mixed-a-majority-believe-corruption-inefficiency-and-red-tape-are-major-problems.

20 Andy Cerda and Andrew Daniller, "7 Facts About Americans' Views of Money in Politics," Pew Research Center, October 23, 2023, https://www.pewresearch.org/short-reads/2023/10/23/7-facts-about-americans-views-of-money-in-politics.

21 Searchlight Institute, "Voters Want to Put an End to Corruption in Government," December 8, 2025, https://www.searchlightinstitute.org/research/voters-want-to-put-an-end-to-corruption-in-government; and Clifford Young, "Most Americans Think the Economy Is Rigged for the Rich and Powerful," Ipsos, June 20, 2023, https://www.ipsos.com/en-us/most-americans-think-economy-rigged-rich-and-powerful.

22 Weiner, "*Citizens United*, Explained."

23 David Luhnow, "It's Costly, Long and Exhausting: Welcome to America's Elections," *Wall Street Journal*, October 26, 2024, https://www.wsj.com/politics/elections/elections-cost-us-highest-spend-b8475961.

24 American Promise, "For Our Freedom Amendment," accessed January 20, 2026, https://americanpromise.net/for-our-freedom-amendment.

25 YouGov to Issue One, Re: National Survey Results on Campaign Finance Reform, October 28, 2025, https://issueone.org/wp-content/uploads/2025/10/Issue-One-YouGov-National-Campaign-Finance-October-2025-memo.pdf; and United for the People, "State & Local Support," accessed January 20, 2026, https://united4thepeople.org/state-local.

26 Katy Stech Ferek, "Spending on Federal Contracts to Top $1 Trillion

Despite DOGE Slashing," Bloomberg, October 13, 2026, https://www.bloomberg.com/news/newsletters/2026-10-13/spending-on-federal-contracts-surges-above-1-trillion-despite-doge-cuts.

27 Lawrence H. Norton et al., "Pay-to-Play Laws Remain in the Spotlight: Government Contract Eligibility Hinges on Awareness and Compliance," Venable LLP, September 24, 2019, https://www.politicallawbriefing.com/2019/09/pay-to-play-laws-remain-in-the-spotlight-government-contract-eligibility-hinges-on-awareness-and-compliance.

28 See Wagner v. Federal Election Commission, 793 F.3d 1 (D.C. Cir. 2015).

29 Federal Election Commission, "Federal Government Contractors," accessed January 20, 2026, https://www.fec.gov/help-candidates-and-committees/federal-government-contractors.

30 Natalie Daher, "'Such Ingratitude': How Much Money Musk Funneled into the 2024 Election," *Axios*, June 5, 2025, https://www.axios.com/2025/06/05/musk-trump-feud-2024-election-contributions.

31 Desmond Butler et al., "Elon Musk's Business Empire Is Built on $38 Billion in Government Funding," *Washington Post,* February 26, 2025, https://www.washingtonpost.com/technology/interactive/2025/elon-musk-business-government-contracts-funding; and Jeff Rumage, "Inside Elon Musk's Government Contracts," Built In, updated January 15, 2026, https://builtin.com/articles/elon-musk-government-contracts.

32 OpenSecrets, "Defense Sector Summary," accessed January 20, 2026, https://www.opensecrets.org/industries/indus?Ind=D.

33 Citizens United v. Federal Election Commission, 558 U.S. 310, 371 (2010).

34 Massoglia, "Dark Money Hit a Record High of $1.9 Billion in 2024 Federal Races."

35 Daniel I. Weiner, *Fixing the FEC: An Agenda for Reform*, Brennan Center for Justice, April 30, 2019, https://www.brennancenter.org/our-work/policy-solutions/fixing-fec-agenda-reform.

36 Democracy Is Strengthened by Casting Light on Spending in Elections Act, H.R. 1118, 118th Congress (2023), https://www.congress.gov/bill/118th-congress/house-bill/1118; and Honest Ads Act, S. 486, 118th Congress (2023), https://www.congress.gov/bill/118th-congress/senate-bill/486.

37 New York State Public Campaign Finance Board, "Candidate & Committee Services," accessed January 20, 2026, https://pcfb.ny.gov/candidate-committee-services.

38 Marina Pino et al., "New York State's Public Campaign Financing Program Empowers Constituent Small Donors," Brennan Center for Justice, February 6, 2025, https://www.brennancenter.org/our-work/research-reports/new-york-states-public-campaign-financing-program-empowers-constituent; Eric Petry and Ian Vandewalker, "Arizona Races Funded by National Donors," Brennan Center for Justice, September 19, 2024, https://www.brennancenter.org/our-work/analysis-opinion/arizona-races-funded-national-donors; and Ian Vandewalker, *Do Small Donors Cause Political Dysfunction?*, Brennan Center for Justice, May 8, 2024, https://www.brennancenter.org/our-work/research-reports/do-small-donors-cause-political-dysfunction.

39 Brennan Center for Justice, "Guide to Public Financing Programs Nationwide," updated August 18, 2025, https://www.brennancenter.org/our-work/research-reports/guide-public-financing-programs-nationwide.

40 Adam Skaggs and Fred Wertheimer, *Empowering Small Donors in Federal Elections*, Brennan Center for Justice, August 22, 2012, https://www.brennancenter.org/our-work/policy-solutions/empowering-small-donors-federal-elections.

41 Daniel I. Weiner, *Strengthening Presidential Ethics Law*, Brennan Center for Justice, December 13, 2017, https://www.brennancenter.org/our-work/policy-solutions/strengthening-presidential-ethics-law.

42 Preet Bharara et al., *Proposals for Reform: National Task Force on Rule of Law & Democracy*, Brennan Center for Justice, October 2, 2018, https://www.brennancenter.org/our-work/policy-solutions/proposals-reform-national-task-force-rule-law-democracy.

43 Joanna R. Lampe, "The Supreme Court Adopts a Code of Conduct," Congressional Research Service, November 17, 2023, https://www.congress.gov/crs_external_products/LSB/PDF/LSB11078/LSB11078.1.pdf.

44 Jennifer Ahearn, "What's Missing from the Supreme Court's New Ethics Code," Brennan Center for Justice, November 16, 2023, https://www.brennancenter.org/our-work/analysis-opinion/whats-missing-supreme-courts-new-ethics-code; and Joshua Kaplan et al., "Justice Clarence Thomas Acknowledges He Should Have Disclosed Free Trips from Billionaire Donor," *ProPublica*, June 7, 2024, https://www.propublica.org/article/clarence-thomas-gift-disclosures-harlan-crow.

45 Johanna Kalb and Alicia Bannon, *Supreme Court Ethics Reform*, Brennan Center for Justice, September 24, 2019, https://www.brennancenter.org/our-work/research-reports/supreme-court-ethics-reform.

46 Allison Pecorin and Katherine Faulders, "Democrat-Sponsored Bill Seeks Ethics Checks on Special Government Employees Like Elon Musk," ABC News, April 14, 2025, https://abcnews.go.com/Politics/democrat-sponsored-bill-seeks-ethics-checks-special-government/story?id=120767217.

47 Bharara et al., *Proposals for Reform*.

48 Lawrence Norden and Daniel I. Weiner, "Tax Returns Aren't Enough," Brennan Center for Justice, June 26, 2017, https://www.brennancenter.org/our-work/analysis-opinion/tax-returns-arent-enough.

49 Stacy Cowley, "Consumer Bureau Official Quits, Citing 'Attack' on Agency's Mission," *New York Times*, June 10, 2025, https://www.nytimes.com/2025/06/10/us/politics/consumer-bureau-trump.html.

50 Tax Law Center at NYU Law, "Protections for Taxpayer Privacy and Preventing Political Weaponization of the IRS," June 3, 2025, https://taxlawcenter.org/blog/protections-for-taxpayer-privacy-and-preventing-political-weaponization-of-the-irs.

51 Eric E. Petry et al., *Codifying the Constitution's Emoluments Clauses*, Brennan Center for Justice, November 6, 2025, https://www.brennancenter.org/our-work/policy-solutions/codifying-constitutions-emoluments-clauses.

52 Petry and Weiner, "The Emoluments Clauses, Explained."

53 U.S. Const. art. I, § 9, cl. 8.

54 U.S. Const. art. II, § 1, cl. 7.

55 Petry et al., *Codifying the Constitution's Emoluments Clauses*.

56 U.S. Const. art. II, § 2, cl. 1.

57 Ram Subramanian et al., *A Federal Agenda for Criminal Justice Reform,* Brennan Center for Justice, December 9, 2020, https://www.brennancenter.org/our-work/policy-solutions/federal-agenda-criminal-justice-reform.

58 Megan Butler, "Trump Offers Symbolic, Preemptive Pardons to 2020 Election Deniers," Courthouse News Service, November 10, 2025, https://www.courthousenews.com/trump-offers-symbolic-preemptive-pardons-to-2020-election-deniers.

59 Rebecca Beitsch and Ella Lee, "Biden Pardons Family Members in Final Minutes of Presidency, *The Hill*, January 20, 2025, https://thehill.com/homenews/administration/5095569-biden-family-pardons-oversight-committee.

60 Jeremy Kohler, "How Trump Has Exploited Pardons and Clemency to Reward Allies and Supporters," *ProPublica*, November 12, 2025, https://www.propublica.org/article/trump-pardons-clemency-george-santos-ed-martin.

61 Michael Rios and Lex Harvey, "Ex-Honduran Leader Thanks Trump for Pardon on US Drug Trafficking Charges," CNN, December 3, 2025, https://www.cnn.com/2025/12/03/americas/donald-trump-pardon-honduras-president-intl-hnk; and Department of Justice, "Juan Orlando Hernández, Former President of Honduras, Sentenced to 45 Years in Prison for Conspiring to Distribute More than 400 Tons of Cocaine and Related Firearms Offenses," news release, June 26, 2024, https://www.justice.gov/archives/opa/pr/juan-orlando-hernandez-former-president-honduras-sentenced-45-years-prison-conspiring.

62 Lauren-Brooke Eisen, "Biden's Clemency Grant Is a Good Start," Brennan Center for Justice, December 12, 2024, https://www.brennancenter.org/our-work/analysis-opinion/bidens-clemency-grant-good-start.

63 Proposing an Amendment to the Constitution of the United States Limiting the Pardon Power of the President, H.J. Res. 13, 119th Congress (2025), https://www.congress.gov/bill/119th-congress/house-joint-resolution/13.

64 Kate Kelly et al., "Stock Trades Reported by Nearly a Fifth of Congress Show Possible Conflicts," *New York Times*, September 13, 2022, https://www.nytimes.com/interactive/2022/09/13/us/politics/congress-stock-trading-investigation.html.

65 Maya Kornberg, "Congressional Stock Trading, Explained," Brennan Center for Justice, September 4, 2025, https://www.brennancenter.org/our-work/research-reports/congressional-stock-trading-explained.

66 Ida A. Brudnick, *Salaries of Members of Congress: Recent Actions and Historical Tables*, Congressional Research Service, August 26, 2025, https://www.congress.gov/crs_external_products/RS/PDF/97-1011/97-1011.99.pdf.

67 U.S. Bureau of Labor Statistics, "Labor Force Statistics from the Current Population Survey," accessed January 20, 2026, https://www.bls.gov/cps/cpsaat39.htm.

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