



A Practical Guide for Fixing Our Democracy



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Introduction

We've defeated Trump. We've defeated his cronies. We won in Georgia and took the Senate. We've celebrated. Now, we have a short window to save our democracy. Getting it done depends on all of us, and this new Indivisible guide provides a blueprint.

Four years ago, we wrote a guide to resisting Donald Trump. Our message was simple: even in a dark and frightening moment, when Trump and his minions controlled every branch of the federal government, we still had power. We could use our power to resist—and ultimately, to win.

We could never have predicted what would come next: that thousands of people would bring together their neighbors, their friends, their communities, to do just that. That we would become part of a grassroots movement that would help save the Affordable Care Act, build a Blue Wave in 2018, stand in fierce solidarity with communities under threat, and ultimately, kick Donald Trump out of office.

If you're reading this, you're part of that movement. Maybe you formed an Indivisible group. Maybe you showed up at a town hall, or a protest, or a congressional office. Maybe you knocked doors, raised money, or ran for office yourself. Whatever you did, you're a part of history.

Together, we've defeated Trump. Now, it's time for us to defeat the forces that allowed him to rise—and that continue to threaten our democracy.

We must recognize that Republicans have been working to rig our democracy for decades. They know the country is getting more diverse and more unequal. They know a truly representative democracy will reject their radical social and economic agenda. And so they suppress voters, flood the system with corporate money, gerrymander districts, pack the courts with right-wing hacks. Their enemy is representative democracy, and they attack it at every turn. They've been playing a long game, and they've come very, very close to winning for good. Our only chance of stopping them is to use this precious window of time to save our democracy—to enact the kind of structural reforms that will put power in the hands of the people.

We have this opportunity now because Democrats won a trifecta. We've been in a similar place before. We were congressional staffers during the last

Democratic trifecta in 2009. We witnessed the rise of the Tea Party and the GOP's campaign to undermine President Obama. That experience inspired the original Indivisible Guide. Now, as President-Elect Biden and the Democrats return to power, we offer the flip side of that experience: what we can learn from the last time Democrats held a trifecta.

The parallels between 2009 and 2021 are impossible to ignore: a Democrat follows a catastrophic Republican incumbent, inheriting an economy in shambles. The incoming President has a mandate for bold action, but faces an opposition determined to delay, obstruct, and undermine.

In 2009, President Obama and Democratic leadership did everything they could to win over Republicans and build buy-in for their policies. It cost them precious time, and forced them to scale back crucial elements of their agenda—from the size of the stimulus package to key elements of the Affordable Care Act. It meant there wasn't time or political appetite for other desperately needed priorities, like immigration reform, D.C. statehood, labor rights, and climate change legislation. Just two years later, despite Obama's electoral mandate, and the popularity of his proposals, Democrats suffered an electoral "shellacking" that lost them the House and ended any hope for their legislative agenda.

Now, as we head into a new Democratic trifecta, history is poised to repeat itself. Mitch McConnell has declared himself the "Grim Reaper" of all legislation in the Biden era, and his threat is even more grave because Democrats hold this trifecta through a slim 50/50 split with Vice President Harris as the deciding vote. But that's not a reason to give up; it's a reason to fight harder. McConnell knows that the surest way to win back the Senate for Republicans is to kneecap the Biden presidency. If we fail to use this Democratic trifecta now, we may not get another chance. We must learn from the past if we are to secure our democracy for the future.

Whose responsibility is this? Yes, President Biden has a role to play here. As do congressional leaders like Nancy Pelosi and Chuck Schumer. But they will not solve our democracy's problems on their own. No, the task of saving our democracy is ours. If our leaders succeed, it will be because we supported, cajoled, and pushed them towards that success. A representative democracy is within our reach—but we must demand it.

There's another historical parallel that guides us. In 1932, Franklin Roosevelt won a landslide electoral victory against a discredited Republican opponent. FDR's win delivered a Democratic trifecta for the first time in more than a decade. The economy was in shambles and fascism was on the rise globally. Shortly after his election, a labor leader visited with him to ask for a big policy reform. FDR replied, "I agree with you, I want to do it, now make me do it."

FDR's landslide did not by itself save America. Resisting his agenda, his opponents cried "socialism"! Members of his own party urged caution. The Supreme Court fought back. But grassroots advocates pushed, prodded, cajoled, incentivized, welcomed, and willed FDR's agenda into existence. Social Security, unemployment insurance, labor rights, the Fair Employment Practice Committee, rural electrification, and defeat of the fascists are not just FDR's legacy—they are the legacy of the people-powered movements that shaped that era.

What our legacy will be depends on what we do right now in this very moment. Together, we can demand and win the era-defining reforms that save our democracy, lift a nation out of economic turmoil, secure our country against the current and future pandemics, and turn back a rising tide of fascism. Ours could be an era that future generations write practical guides about.

If there's one takeaway from this new guide, we hope it's this: **we have the power, we have the opportunity, it's up to us, and the time is now.**

Good luck! We will win.

In solidarity,

Leah Greenberg & Ezra Levin, Co-Founders of Indivisible

Summary

Chapter 1: Making the most of a Democratic trifecta: four lessons from 2009. Defeating Trump is an incredible victory but we need to keep up the pressure on members of Congress (MoCs) in order to fix our democracy and deliver on progressive priorities. We know, because we've been here before. In this chapter, we outline lessons we learned as Democratic congressional staffers during President Obama's 2009-2010 trifecta:

1. Expect the GOP to obstruct, delay, and engage in bad faith BS
2. Prepare to counter a grassroots conservative backlash
3. Expect congressional Democrats to get cold feet
4. Go big, go fast, get it right

Chapter 2: First, fix our democracy. Trump was a symptom of a serious disease afflicting our democracy. The most urgent thing we must do is unrig it and put power back in the hands of the people. Progress on all of our other priorities depends on unrigging the system with structural reforms. In addition to the For the People Act and John Lewis Voting Rights Act that means:

1. Fix the Senate: Make D.C. a state and give self-determination to other territories.
2. Fix the Courts: Unpack the Supreme Court, expand it, and make reforms to depoliticize it.
3. Take away McConnell's Veto: Eliminate the filibuster so the senate majority can legislate in response to the will of the people.

Finally, we lay out a 2021 legislative timeline to give you a sense of what saving democracy could look like next year if we're wildly successful.

Chapter 3: Understand your Member of Congress, understand our power.

We're in a whole new world. A Democratic trifecta is brand new political reality, which means your Member of Congress (MoC) will act differently now than they have in the past. The key to using your power to effectively pressure your MoCs is understanding how they think and what their goals are. It's different depending on what types of MoCs you have:

- Democratic Leadership: Will be focused on keeping their majority, and will be responsive to the pressures from other Democratic members.
- Average Democrats: Will avoid rocking the boat, and will go along with Leadership assuming nobody back home gets mad at them.
- Progressive Democrats: Will aim to push Leadership to go bolder, but will need support from the grassroots to push forward confidently.
- Conservative Democrats: Will aim to push Leadership to go slower and smaller, but will be worried about grassroots pressure locally.
- Republicans: Will aim to appear reasonable while attempting to block everything, but may be cowed by substantial grassroots pressure.

No matter who your MoC is, your organized, constituent power is crucial right now. Here we discuss what advocacy success looks like for each type of MoC, as well as tried and true Indivisible tactics for applying your constituent power.

Chapter 1

Making the most of a Democratic trifecta: four lessons from 2009

For the first time in more than a decade, Democrats will control both chambers of Congress and the White House—a “trifecta.” We know it’s close, a 50/50 split governed by a [power sharing agreement](#) that will have to be hammered out early on, but this still means we’ll have a real opportunity to pass and enact the type of bold legislation that we need to save our democracy and help our communities. With a trifecta, we can finally go on the offensive and push for the progressive changes we need to live in a thriving, functioning democracy. But let’s be clear: a trifecta offers an *opportunity* for transformative change—not a guarantee. We know, because we’ve been here before. In this chapter, we review four lessons we learned from our experience as Democratic staffers on Capitol Hill during the last Democratic trifecta.

What happened in the 111th Congress, the last time Democrats had a trifecta?

Barack Obama was (and is) an incredibly skilled leader and communicator who built an historic blue wave on his way to the White House in 2008. For the first time since 1993, Democrats returned to Washington, D.C. with a governing trifecta promising hope and change. As young congressional staffers, we were there to see some of those promises delivered; and, unfortunately, we were also there to witness in frustration so many that were not.

Democrats inherited a mess from the outgoing GOP president and a mandate from voters. Sound familiar? When Democrats took power in 2009, the economy was in freefall. There was a global recession brought on by Wall Street abuses, millions of Americans were losing their homes and their life savings, and millions more remained without health insurance. With control of the White House and large congressional majorities, Democrats kicked off the 111th Congress with an ambitious agenda, starting with the urgent need to deal with the economic crisis. Additionally, they promised to take action to

reform the healthcare system, combat climate change, and pass immigration reform. The political opportunity was there, and expectations were high.

Democrats made progress—but they were stymied by backlash and bad-faith BS from Republicans. Democrats kicked off with a stimulus package, the American Recovery and Reinvestment Act (ARRA), which they tailored to attract Republican support. They spent over a year consumed in fruitless bipartisan negotiations over a healthcare reform package. By the time they finally passed the Affordable Care Act (ACA) on a party-line vote in March 2010, internal infighting had weakened the bill and a wave of grassroots backlash and Republican bad-faith arguments had severely damaged its popularity. Climate change legislation died in the Senate. Priorities like immigration reform, labor law reform, D.C. statehood, and more stimulus—which was still desperately needed—had fallen off the table.

In 2010, voters punished Democrats for their inaction and rewarded Republicans for their obstruction. The result was unfortunate but unsurprising: Democrats lost big in 2010. The economy was improving but still terrible. In tempering their ambition, Democrats had failed to deliver quickly enough to convince voters to stick with them. President Obama described the 2010 midterms as a “shellacking” for himself and the Democrats—and indeed they were. The 2010 midterm defeat effectively killed President Obama’s legislative agenda for the rest of his presidency, well before McConnell took over in the Senate in 2015.

Our job now is to make sure Democrats don’t repeat the same mistakes they made then. The remainder of this chapter lays out four lessons to learn from.

Lessons from former congressional staffers

Lesson 1: Expect the GOP to obstruct, delay, and engage in bad faith BS

What Democrats thought would happen. Democrats thought that if they negotiated with Republicans to pass their agenda, they could reach a deal and pass bipartisan legislation. They thought that compromising with Republicans would increase their chance of success and add legitimacy and permanence to their legislation. They believed by doing so, they would

inoculate themselves against the charge that they had rammed their agenda through Congress.

What actually happened? Reaching compromise with Republicans turned out to be a Sisyphean task. Democrats spent months going around in circles with Republicans which slowed down their legislative agenda. Democrats repeatedly sacrificed key priorities in the process without any Republican support to show for it. Despite these self-imposed delays by Democrats, Republicans still accused them of ramming through a radical agenda.

Congressional Republicans, led by Mitch McConnell in the Senate, used every tool available to delay and obstruct Obama's agenda. Some of the common tactics they used included:

- **Delay:** The GOP engaged in bad-faith negotiations for the sole purpose of delaying legislation;
- **Obstruction:** The GOP used procedural tools to obstruct the process. McConnell was particularly adept at weaponizing the filibuster in the Senate;
- **Bogus arguments:** The GOP spread misinformation about provisions in Democratic bills (e.g., "death panels!" and "the deficit!"), and manipulated the press into giving their claims legitimacy.

Recalling how Republicans engaged, Speaker Nancy Pelosi put it best:

The Republicans were very clever in what they did. They pretended that they were interested...It was all an illusion.

-Speaker Nancy Pelosi

Lesson for today: Republicans know that the only way that Democrats will succeed is if they move quickly, so Republicans will do everything they can to obstruct and delay. They will try to weaponize President Biden's understandable desire for unity to tempt him into wasting time and political capital on negotiations that aren't real. Mitch McConnell has called democracy reforms "socialism" and a "power grab," and he's pledged to be the "Grim Reaper" of all progressive legislation. Instead of foolishly looking for Republican votes that will never materialize, Democrats should focus on keeping their caucus together and passing bills with Democratic votes. This focus on caucus unity will be especially critical given the 50/50 split in the

Senate, and the need for every single Democrat to vote with the party in order to accomplish anything on our agenda.

Lesson 2: Prepare to counter a far-right extremist backlash

What Democrats thought would happen. President Obama entered the White House with a landslide and what looked like a clear mandate for his agenda. What's more, Obama had built a massive grassroots base of 13 million supporters through Obama for America (OFA), which he hoped to mobilize in support of his legislative agenda. With broad public support behind them, Democrats hoped they could move quickly through their legislative priorities without negative repercussions.

What actually happened? Democrats were unprepared for the grassroots, conservative backlash that grew as congressional debates stretched on. The Tea Party, which began to pick up steam in early 2009, was locally-focused, well organized, and hell-bent on stopping as much of the Obama agenda as possible. We saw it up close—in fact our experiences with the Tea Party served as inspiration for the original Indivisible Guide (minus their racism and violence). This reactionary grassroots force pressured Republicans to reject compromise with Democrats, and made it as politically painful as possible for Democrats to support Obama's agenda. Meanwhile, the brilliant organizing effort by Obama for America that had built a Blue Wave in 2008 failed to translate into any sizable grassroots movement in support of Obama's agenda in 2009.

The result was entirely predictable: The public narrative became one of one-sided, massive opposition to Obama and his legislative priorities. This was most evident in the August recess town halls of 2009 when Democrats nationwide were captured on video being yelled at by angry constituents who opposed “Obamacare,” without any grassroots support to counter their message.

Lesson for today: The victory isn't the election, it's the legislation. To win on legislation, we have to stay engaged well after an electoral victory like the one we had in November 2020. This is harder than it sounds - the truth is that it's just easier to mobilize people who are angry, and so we should expect more grassroots energy in opposition to the Biden agenda to increase, like we saw in 2009 with the rise of the Tea Party. But the hard truth is that we'll need to brace for something far worse than the Tea Party, because armed white

supremacists have been further emboldened and organized under Trumpism and have vowed to be ungovernable. These white supremacist forces will be a prominent feature of our political landscape in the months ahead. It will be our job, together, to build a political and organizing strategy that takes them into account, and wins anyway. Our side needs to disarm their political pressure at opposition with our own bigger and braver grassroots movement, and make sure Biden's agenda isn't blocked or severely weakened the way Obama's was. That's where Indivisibles come in.

Lesson 3: Expect congressional Democrats to get cold feet

What Democrats thought would happen. Worried that legislative overreach would cost them their majority in the next election, Democrats sought to moderate both in terms of the ambition of their bills and the strategies they undertook. They narrowed the scope and scale of their major agenda items, including their recovery package, health reform, Wall Street reform, and their climate bill. They took their time publicly debating their major bills, hoping to avoid accusations that they rammed their agenda through Congress. They put limits on how much they were willing to spend on their agenda, including a \$1 trillion cap on the ACA. They thought that by doing so, they could enact *enough* of their campaign promises but spare themselves an electoral backlash in 2010.

What actually happened? Instead of passing bills that matched the scale of the problems they were trying to solve, Democrats chose to pass scaled down bills in hopes of maintaining a sheen of bipartisanship. They weakened their own legislation and self-imposed arbitrary caps on the price tag of their key agenda items. For example, they passed a stimulus package that was too small to pull our economy out of recession. They passed a health care bill whose most popular benefits were scheduled to phase in years later (because it kept the price tag lower).

At the end of the day, this political strategy failed. Republicans called them anti-American socialists all the way up to the 2010 midterms anyway. Democrats ultimately lost control of the House in 2010, and empowered obstructionist Republicans refused to move on Obama's agenda for the remainder of his presidency.

Lesson for today: Expect Democrats to get cold feet. Democrats will fear losing their majority and there will be calls—some from within the

Democratic caucus—to weaken their own legislative agenda. This won't guarantee that Democrats keep their majority, but it will guarantee that we fail to adequately address the crises our country faces. That's why outside grassroots pressure will be crucial for stiffening their spines and holding the caucus together against bad faith calls to compromise.

Lesson 4: Go big, go fast, get it right

What Democrats thought would happen. With a popular mandate and Republicans ostensibly ready to work with them, Democrats believed that time was on their side and they didn't need to rush to enact their agenda. Obama and congressional Democrats believed they could start with a smaller stimulus and come back to pass additional bills if they needed to. For the rest of their agenda, they thought they could take their time, have lengthy public debates, get buy-in from Republicans and the public, and move through the items on their legislative agenda one-by-one relatively easily.

What actually happened? President Obama and congressional Democrats wasted precious time debating and courting Republicans, and burned through much of their political capital in the process. They settled on a lower price tag for their economic recovery package in exchange for a few Republican votes, then quickly learned that Republicans and conservative Democrats had no appetite to give them more. The result was a bill that was [too small to pull our economy out of the recession](#)—and extended hardship for millions of American families.

On health care, Democrats also spent more than a year painfully debating what would eventually become the Affordable Care Act (ACA). Not only did the protracted debate in Congress fail to yield a single Republican vote in support, but the extended, public sausage-making process left the final product widely unpopular. By the summer of 2010, with the midterms just a few months away and Democrats already feeling the heat back at home from angry constituents, Obama's agenda had stalled.

Lesson for today: Democrats will have a small window to pass major legislation. We've spent the last two years in the House having the policy debates in preparation for this moment. Democrats must enter the 117th Congress with a sense of urgency and move quickly to pass bold solutions that match the severity of the crises we face. This is where we'll need successful national Indivisible coordination to make sure our message

(prioritizing bold structural democracy reform!) comes through loud and clear.

What about pressuring President Biden?

Indivisible believes in pressuring all electeds, including President Biden. We should expect and demand bold action from the Biden administration, beginning with immediately rolling back Trump's most harmful policies. But undoing what Trump did isn't nearly enough. We need proactive, affirmative progress across the board.

It's also important to remember that we're not the only people attempting to influence the Biden administration. President Biden ran on the promise of moderate change, *not* the ambitious proposals we need to meet this moment. *We will need to work hard to push him to be accountable to us.* Your voice is more important than ever.

Pressuring your MoC to pressure Biden

A president is accountable to 330 million people every four years; your Representative is accountable to 750,000 constituents every two years. The math is simple, and your MoCs wake up every day worried about convincing those constituents to reelect them. That makes them more accessible—and receptive to outside pressure—than a president, which means you're more likely to get your message across if you focus on your MoCs. Those same MoCs have tools like committee hearings, sending letters, and agenda-setting power to pressure the administration and shape outcomes. It's up to all of us to make sure they use those tools.

[For more information on how to influence the Biden administration and some specific tips on administrative advocacy, see here.](#)

Chapter 2

First, fix our democracy

Indivisible got started as a movement to resist Trump. But we all know that a healthy democratic society that valued the lives and equality of all its people would have rejected Trump, the same way that a healthy body rejects a virus. Our democracy is deeply sick. We've defeated Trump, and now it's time to defeat the forces that allowed him to rise.

For decades, Republicans have rigged our democracy to capture and hold power for a small group of rich, white, (mostly) men. This takes many forms: voter suppression, gerrymandering, buying elections, packing the courts, attacking the press, suppression of unions, protests and civil society, the list goes on. They're aided by systemic imbalances in our system, like a wildly unrepresentative Senate, that advantage white and conservative areas of the country. The result is what we can see today: a coalition dedicated to preserving white and corporate power has largely succeeded in shaping the structures and rules of American democracy in its favor. They've been playing this game for a long time—and they're very close to winning for good.

We can't keep playing a rigged game and expect a different result. The answer to the basic question, "Why can't we enact wildly popular health care, climate, labor, tax, immigration, or gun violence policy?" is that our system does not respond to the will of the people. Under the current Republican rigged system, we're limited to paltry social and economic reforms that can squeak through a disproportionately white, male, conservative, unrepresentative Senate with 60 votes. Any gains we make will be continually under threat by a Supreme Court packed with right-wing hacks. Our progress will always be short-term, our aspirations will always be limited, and the gap between our promises and our ability to deliver meaningful change will continue to undermine faith in government. In the worst-case scenario, Republicans will successfully subvert enough of our democracy to entrench their long-term, minority-rule power permanently.

That's why we have to fix our democracy to make it more responsive to the people. In order to pass health care, environmental, immigration,

economic, and social policies that we want to see, we need a democracy that actually reflects the will of all its people. Our job now is twofold:

1. We have to ensure democracy reform is at the top of the priority list.
2. We have to ensure that democracy reform is *structural* to rebalance power towards the people. That means fixing the senate, fixing the courts, and taking away McConnell's veto so legislating is possible.

All of this can be done with simple legislation passed by congress on a majority vote and signed into law by President Biden. This chapter explains how we get there—not in some far-off future, but *right now*. As described in the previous chapter, Congress has a very limited window of opportunity to actually pass legislation. To kick off this historic period of legislating, first, fix our democracy.

What about constitutional amendments?

Unfortunately, some of the structural democracy reforms we need, like overturning the Citizens United decision and eliminating the electoral college, require a constitutional amendment. We're focusing on the structural reforms that can be accomplished through simple legislation because that's where we have an immediate opportunity. We will continue to fight for constitutional reforms in the future.

What Congress has done so far on democracy reform

The good news is that we're not starting from square one: Democrats have been passing democracy reforms in the House since they took the majority in 2018. With their House majority in the last Congress (116th), they passed the [For the People Act](#) (H.R. 1), legislation that would get money out of politics, expand voting rights, combat corruption, secure our elections, and more. Democrats also passed [The John Lewis Voting Rights Act](#) (H.R. 4), which would restore full protections of the 1965 Voting Rights act, parts of which were invalidated by the U.S. Supreme Court in 2013. And, for the first time ever, the House passed the Washington, D.C. Admission Act (H.R. 51), which would admit D.C. into the union as the 51st state.

Each of these would help to unrig our democracy and put power back in the hands of Americans. However, they are neither guaranteed to pass again, nor is any one of these alone enough to fix our broken democracy.

Democracy reform in the next Congress isn't a given. House Democrats deserve credit for passing these democracy reforms in the last Congress, but we can't assume that they'll pass now that we have a trifecta. The truth is that *everyone knew* that McConnell would block each of these bills in the Senate and that none would become law. In Congress, it's one thing to vote for a messaging bill; it's a whole different ball game when a bill has a chance of becoming law. In order to get these democracy reforms passed—or prevent Democrats from getting cold feet and severely weakening the reforms—it's going to take a significant amount of outside pressure, a movement, led by Indivisibles.

Structural reforms: Fix the Senate, Fix the Courts

The starting point for the democracy reform debate will be the For the People Act of 2019 (H.R. 1), since it's already passed once in the House and contains some of the most important and necessary democracy reforms we need. Indivisible groups should feel proud of what's in the For the People Act—Indivisible was a founding member of the coalition that got it past the finish line. But let's be honest about something: the For the People Act of 2019, as important as it is, won't be enough. It still won't address the structural biases that favor Republicans and that, if ignored, will soon leave Democrats permanently out of political power, and without any ability to change the system.

That's why it's important that Democrats use their trifecta to pass key structural reforms. And the two biggest barriers to enacting and holding on to popular reforms right now are the Senate and the Courts. So here's a wild idea: let's try to fix them. Here's how.

Make D.C. a state to bring balance to the Senate.

The Senate was designed from the beginning to give disproportionate power to land-owning white men; however, we've gotten to the point where Republicans can *permanently* maintain control of the Senate while representing a shrinking minority of the U.S. population. As more and more Americans concentrate in fewer and fewer states, this problem

(disproportionate political power to a shrinking ideological minority) will only become worse. Here's a shocking figure: [in 20 years, half the U.S. population will live in just 8 states](#). That means half the population will have 16 Senators, and the other half will have 84 senators. That overrepresented half? It's whiter, more rural, and more conservative—and much more Republican. That's our democracy's future. That is, unless we start adding states, beginning with making D.C. the 51st state. There [are ton of reasons to make D.C. state](#), and here are a few:

- 1) D.C. has 700,000 residents—that's more residents than 2 other states (Wyoming and Vermont)
- 2) D.C. was originally disenfranchised after Reconstruction because white political leaders were unwilling to allow an increasingly Black city to govern itself. If made a state, it would be the only state in the nation to have a plurality of Black residents—which is one of reasons Republicans actively oppose statehood.
- 3) D.C. residents pay more in taxes than 22 other states. (There's a reason D.C. license plates say "End Taxation Without Representation.")
- 4) D.C. residents WANT statehood—they've been fighting for it for decades, and most recently voted for statehood in 2019.
- 5) House Democrats passed a D.C. statehood bill in 2020 and it has overwhelming support among Senate Democrats.

Statehood would be great for D.C. residents, but it would also be great for the country as a whole. Making D.C. a state is also about fixing our Senate at large—the Senate as designed hands disproportionate power to a very small and very white conservative minority. That minority has sent Senators to Congress who are well outside of the mainstream, and who have blocked broadly popular legislation dealing with healthcare, climate change, and other serious issues, all while supporting extremists to serve for life in our federal courts.

The way to make the Senate more representative of this country is to add more states. Statehood is a democracy issue but it's also a racial justice issue. If admitted to the union, D.C. would be the only plurality-Black state in the country. This would go a long way towards making Congress more responsive to the needs of a diversifying electorate.

What about Puerto Rico?

We support self-determination for Puerto Rico and the other U.S. territories (U.S. Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa). They should decide if they wish to become states, gain independence, or the status quo. Whatever their people decide through a fair and inclusive process, we will support their decision.

Reform and bring balance to the federal courts.

For decades, a core part of the conservative political strategy has been to remake our federal judiciary into an arm of the Republican Party. They've been extraordinarily successful at installing right-wing ideologues throughout our federal courts, including the Supreme Court. Amy Coney Barrett's political hack job of an appointment process was just the tip of the iceberg. Republicans have now appointed 16 of the last 20 Supreme Court Justices, including 6 of the 9 sitting justices. With Mitch McConnell's help, Donald Trump, a man who *lost* the popular vote four years ago, has appointed a quarter of the entire federal judiciary to lifetime appointments.

These reactionary judges, many of whom were rated "[unqualified](#)" to serve as judges, act as a backstop undoing any meaningful policy changes that challenge conservative power. It's simple: if reactionaries control our courts, then they can strike down anything from health care and abortion rights to any of the democracy reforms in For the People Act.

In fact, Republicans are counting on it. The GOP now understands just how unpopular their anti-healthcare, anti-abortion, anti-worker, and anti-racial justice platform is. That's why they're counting on unelected judges to implement their agenda for them.

If we don't restore balance to the judiciary, the Supreme Court will quickly strike down all the legislation we've fought for. The courts will act to keep power in the hands of Republicans, even when they lose, and to further erode protections for everyone else.

To bring balance back to the courts, Congress should:

- 1) Unpack the Supreme Court by expanding its size by at least 4 justices.

- 2) Expand the lower courts to depoliticize them, diversify them, and reduce caseloads
- 3) Impose term limits for Supreme Court justices.
- 4) Bolster ethics and transparency requirements for all federal judges, including Supreme Court justices.

We need to take away McConnell's veto to succeed

Make no mistake, Mitch McConnell will do everything in his power, and use every procedural tool available to him, to block as much of the Biden agenda as possible. That means that even with a trifecta, Democrats will be unable to pass democracy reforms unless they disarm McConnell by taking away his veto in the Senate—the legislative filibuster.

McConnell will use the filibuster to kill all legislation.

The [filibuster](#) is an arcane—but not sacred—Senate rule that allows the minority party to block legislation by requiring 60 votes instead of a simple majority. If it remains, Mitch McConnell will be able to use it to block Democrats from passing democracy reforms, or any of the other things on their agenda for that matter. If there's any doubt about Mitch McConnell's intentions, this is how he said he'd deal with Democratic bills in 2021:

["They won't even be voted on. So think of me as the Grim Reaper: the guy who is going to make sure that socialism doesn't land on the president's desk."](#)

[—Mitch “The Grim Reaper” McConnell](#)

Democrats can get rid of the filibuster with a simple majority vote.

Just as Mitch McConnell got rid of the filibuster for Supreme Court nominees in order to confirm Neil Gorsuch, Democrats can get rid of the legislative filibuster with a simple majority. When McConnell attempts to block Biden's agenda, and we expect he will, Democrats must get rid of the filibuster in order to deliver on their promises to American voters.

There is no better alternative to eliminating the filibuster, and we're not the only ones who think so. Former Senate Majority Leader Harry Reid, who

witnessed firsthand how Republicans abused the filibuster, has called for its elimination. Our progressive champions in the Senate, like Elizabeth Warren and Bernie Sanders, have also argued for the end of the filibuster. Recently, even former president Barack Obama spoke out about the damage the filibuster has done to our country, calling the rule a “Jim Crow relic” whose time had come.

We know that more moderate Democratic Senators, whose votes would be required to reach that majority threshold, have said they oppose eliminating the filibuster. But we’re not giving up; the very survival of our democracy is at stake! So every time Mitch McConnell uses the filibuster to block something good, it’ll be another chance for us to make the case against the filibuster until we’ve built up enough momentum to eliminate it.

We can do it, and we can do it this year, but it’s going to take all of you pushing and demanding and insisting that Democrats must not voluntarily hand over their power to McConnell.

Reconciliation is too limited a tool.

It is possible to pass some limited legislation with 50 votes using [budget reconciliation](#), and some Democrats think this is a safer strategy than getting rid of the filibuster. However, there are severe limitations to using reconciliation that would prevent us from enacting the transformative policy changes we need, including on democracy. For one, reconciliation is tied to the budget and so there are a limited number of reconciliation bills that can be passed (one per budget, essentially meaning one or two per year). Plus reconciliation can only be used for policy changes that directly impact government taxing and spending, severely narrowing what’s possible—and leaving out many of the things we critically need, likely including the most impactful pieces of structural democracy reforms.

So unless Democrats only plan to pass a couple of budget-related bills, they’ll have to contend with the filibuster no matter what.

Roadmap to success: the first 100 days

If we’re successful in 2021, we should expect to see Democrats rapidly pass a series of bold progressive pieces of legislation, beginning with a recovery package that matches the scale of the crisis, followed by structural

democracy reforms. And the filibuster would be eliminated at McConnell's first attempt to block these bills.

Below is a sample timeline of what a good use of a Democratic trifecta would look like in the first 100 days:

- **January 3, 2021.** The new Congress is sworn in
- **January 11-15, 2021.** Indivisibles across the country hold The People Lead actions targeting their members of Congress demanding democracy reforms.
- **January 20, 2021.** Joe Biden is sworn in.
- **January 20-late February.** Congress passes a bold recovery package that provides immediate relief for American families:
 - The process begins in the House where Republicans attempt to slow it down, attack it as socialism or for being too radical, or raise dubious concerns about the deficit. They disingenuously claim that they could support a smaller-scale bill, which we know will be insufficient to deal with the economic crisis.
 - Having learned their lessons from 2009 and from Republicans' unwillingness to pass meaningful COVID relief throughout 2020, House Democrats stay united and pass their bold recovery package on a party-line vote, sending it to the Senate for action.
 - McConnell refuses to cooperate, using the filibuster to block Democrats from proceeding to a vote on the bill.
 - Democrats in the Senate stay united and use their majority to eliminate the filibuster in order to pass a recovery bill that matches the scale of the problem we face
- **February/March-April 2021.** Democrats introduce an updated *For the People Act*, which includes both DC statehood and at least the first steps on court reform.
 - House Democrats move the bill quickly through committees and onto the floor where they stay united against Republican attempts to weaken the bill.

- House Democrats pass it with another party-line vote and send it to the Senate.
- McConnell attacks the bill as a Democratic power grab and attempts to strip out the biggest pieces of it.
- Reactionary Tea Party 2.0 protestors target Democrats during the February and March recesses, but they are outmatched by progressive activists, led by Indivisible Groups, who show up in support of democracy reforms
- Senate Democrats stay united and pass a bold democracy bill and send it to President Joe Biden for signature.
- **May-July 2021.** Democrats continue to move quickly through the biggest pieces of their agenda, including further action on climate, immigration, health care, etc.

What about my top priority policy issues?

As we've said, democracy reform is the solution to a variety of problems. Until we fix our democracy, we can't win permanent, legislative solutions for everything else we care about. But we know the unraveling of our democracy is not the only threat we face, and our governing agenda does not stop once we've won broad democracy reforms. [See here to learn more about our other policy priorities.](#)

Chapter 3

Understand your Member of Congress, Understand our power

The only way we're going to save our democracy is by using our collective constituent power to pressure our elected leaders to act quickly and boldly.

But what is constituent power? To answer that question, you have to understand one basic thing about how Congress works. Every member of Congress (MoC) wakes up every morning with one question on their mind: "How do I get reelected?" To get reelected, MoCs have to convince their constituents (that's you) that they are one of the good ones in congress. That's the source of your constituent power.

Constituent power means making your voices heard. You exercise your constituent power by organizing with fellow constituents to make your voices heard—directly to your MoCs, to the local media, and to other constituents. You don't move MoCs by asking pretty please; you move them by making clear demands, publicly celebrating them when they follow through, and publicly holding them accountable when they don't.

And no matter your elected official's party affiliation or ideological orientation, you have a role to play. Specifically, there are two overriding strategies for nationwide, coordinated Indivisible grassroots power in 2021:

1. **Pressure Democrats to be bolder.** We'll have Democrats' backs when they pursue progressive priorities—and call them out when they don't. (Yes, including Biden!)
2. **Neutralize the opposition.** We will face opposition from Republicans and conservative Democrats, which means Indivisibles will need to work to neutralize them.

In other words, Indivisible groups need to continue to show up. The remainder of this chapter describes what motivates your particular MoCs and the tactics Indivisibles can use to effectively pressure them.

Understanding your *specific* members of Congress

Take it from us as former congressional staffers: there is always more that your members of Congress (MoCs) can be doing for you, but they won't unless they feel pressure from their constituents back at home. That's true of every MoC regardless of their party. The key is understanding what motivates your members of Congress. (For a refresher on how a member of Congress thinks, [see Chapter 2](#) from the original Indivisible Guide.)

What Democratic congressional Leadership will prioritize

Democratic congressional “Leadership” includes the House Speaker, House Majority Leader, House Majority Whip and the Senate Majority Leader and Senate Majority Whip (as well as some lower level positions). Party leaders have a variety of carrots and sticks that they'll use to influence your MoCs, including financial contributions, committee assignments, and floor time for their legislative pet projects.

While normal MoCs wake up thinking “How do I get reelected?”, Democratic Leadership wakes up thinking “How do I keep this majority through the next election?” That means that while each of these members have constituencies back home in their states, their actual constituents are the other Democratic MoCs. They listen to them and their concerns more than anybody else.

Now in the majority, Democratic congressional Leadership will face constant pressure from MoCs representing more conservative districts. In general, these MoCs will beg Leadership to play it safe, not be too bold, and not go too fast. At the same time, Leadership will be facing pressure from more progressive MoCs to meet the needs of the moment boldly.

Let us be blunt: in the past, conservative Democratic pressure has often been better organized and more convincing to congressional leadership than progressive Democratic pressure. But this need not be the case. Success requires us to use our own constituent power to apply pressure to our own MoCs—that in turn will affect decision making all the way up to leadership.

To apply that pressure effectively, you've got to understand how your own MoC thinks. While every MoC is different, they generally fall into one of four buckets: average Democrats, progressive Democrats, conservative Democrats, and Republicans. The remainder of this chapter explains how

they are thinking in this moment, and what it looks like to change their minds.

How a Democratic Member of Congress thinks.

Unless pressured, the average Democratic MoC will think that the best approach is to choose the path of least resistance. He/she will otherwise defer to Leadership's priorities, will try to extract as many carrots and avoid as many sticks as they can. They'll rely on talking points provided to them by Leadership, and will feel safe if they can go back home and point to a few major pieces of legislation for which they voted. They'll otherwise be on autopilot.

What successful pressure looks like. You want your Democratic member to prioritize your interests over those of Democratic leadership or powerful lobbyists. You want them to understand that there is a political upside to joining with progressives on pushing for bold legislation quickly. You want them to wonder if staying passive will produce angry calls or office visits from Indivisibles.

How a progressive Member of Congress thinks.

There's some subset of Democrats who both value progressive policies and are prepared to push for them, even when that creates conflict in the caucus. [This Congress, progressives in the House are planning to step up their game and operate as a voting bloc to secure progressive victories or block dangerous provisions.](#) But make no mistake: they face costs for standing up for progressive policies, especially when it comes to using their most powerful tool—their vote. That's why it's crucial that they feel like they've got support from the outside and a plausible path to make change.

What successful pressure looks like. You want your progressive MoC to go beyond *saying* they want bolder legislation. You want them to commit to voting *against* legislation that fails to meet their demands. You want them to join with other progressive MoCs to form a progressive voting bloc that forces Leadership to grant concessions to progressives in order to pass legislation. You want them to know that if they fight, you'll have their backs.

How a conservative Democrat thinks.

Your average conservative Democrat will typically represent a purple or even red district. (That's not always true; if they're in a solid blue district, a conservative Democrat is ripe for a good primary challenge! The reverse is sometimes true too - Rep. Katie Porter is a bold MoC representing a "red" district in California.) They'll be constantly worried that if Democrats go big or bold, it'll cost them their seat. They'll make this argument to push Leadership and to ignore progressives back home. They'll encourage Democrats to cut deals with Republicans (even pretty bad deals), to focus on incremental change, and to avoid issues they'd rather not vote on.

Look, we disagree with this political analysis. We know that Republicans will paint every single Democrat as an extremist liberal no matter what they say or do.

What successful pressure looks like. You want your conservative Democrat to feel the greatest amount of pressure from the grassroots—that's you. You want them to shy away from weakening legislation, to disrupt their ability to organize with other conservatives, and to make them worry about the backlash they'll face back at home if they cut bad deals. As with other Democratic MoCs, you want them to know that if they fight on your side, you'll have their backs. In short, you want them to understand that there are political upsides to standing with you, and political costs for standing against big, bold action in this moment.

How a Republican MoC thinks.

Republicans will say they want the same things that you want—affordable health care, freedom, and democracy, etc.—but they just have different ideas for what those should look like. They're lying. They know that blocking popular legislation is a big liability back at home, so they'll try to convince you that the Democratic agenda is a radical, extreme, and socialist agenda. They want you to think that while *they're* just trying to be reasonable, it's Democrats who are the hyper-partisan hacks who refuse to compromise. But remember, they have one simple goal: delay and obstruct.

What successful pressure looks like. Your goal is to ensure that their delay-and-obstruct act creates costs for them back at home. Show them that you're watching and angry each time they try to delay and obstruct. They

should worry about bad local press and visible local resistance to their obstruction. They should worry that if they don't change their behavior, they might lose their seat in 2022 to a Democratic challenger.

Tried and True Indivisible Tactics

For four years now, Indivisible has been organizing locally to change what's possibly nationally. The good news is that the tactics that we'll need to use under a Democratic trifecta are tried and true. We know they work because Indivisibles have been using them for four years to resist Trump. Now we get to use them to save our democracy. Here are some key principles to remember:

- **Always try to show up in person.** Generally, the most effective tactics are ones that get you closest to your MoC or their staff. An in-person meeting at a district office is better than a phone call; a phone call is better than a personalized letter; a personalized letter is better than a form letter or a petition. It's also harder for a MoC to ignore you if you show up as a group rather than alone. (Remember to prioritize your safety, which in a world with social distancing could mean virtual events. And, you should prioritize your safety when doing counterprotesting or engaging with right-wing actors.)
- **Only reach out to YOUR MoC.** If you're not a constituent, a member of Congress simply doesn't care what you think. What's worse, you might be doing more harm than good by reaching out to an MoC who isn't your own. You might be clogging the phone lines or giving them cover to blame opposition on outsiders. In other words, ONLY target your own two Senators and one representative. (The loophole to this rule is if you're a rich donor or a famous person. If that applies to you, you probably can effectively pressure whichever MoC you want.)
- **The more coordination the better!** When we use our collective power, we make even more of an impact. On the small scale, this can mean coordinating a day when everyone in your group makes calls or combining efforts with other groups in your district. On a bigger scale, we can make a huge difference on issues at the federal level if we coordinate nationally.

- **If you didn't record it, it didn't happen.** Your impact is magnified when you share video of your interaction with your MoC or their staff, especially if you catch them squirming as they attempt to defend an unpopular position, or if you can break news by getting them to take a new position.
- **MoCs pay attention to local press coverage.** Every congressional office tracks local press coverage, since that's what voters are reading and watching. That means getting your actions covered by local press can quickly get your MoC's attention.

The original Indivisible Guide outlines the most impactful tactics and has some helpful tips that are still applicable. [See here for a refresher.](#) And remember, these are helpful guidelines, but Indivisible is a locally led movement fueled by the energy and creativity of local leaders. By all means use these guidelines, but you're in control here—think through what will work best in your own community.

Here are a few concrete things you can do to start

If You're Already Involved with an Indivisible Group

Join the National Campaigns Network (NCN). If your group is enthusiastic about working with other Indivisibles across the country to make an impact at the federal level, you should consider joining the National Campaigns Network (NCN). The National Campaigns Networks is a collection of local Indivisible groups that are determined to use our collective national power to win the campaign to save our democracy. [To join, see here.](#)

Connect with your Indivisible Organizer. There's a lot to think about in this new world! How do you want to restructure your group? Do you have any leadership transitions to think about? If you're already in touch with your Indivisible Organizer, send them a message to set up some time to plan. If you're not in touch, [use this form to introduce yourself](#) and start building a relationship.

If You're Not Involved with an Indivisible Group

Find an Indivisible group near you. There are thousands of Indivisible groups all across the country. You can find a local group in your community by searching [on our group map](#) or you can start by [finding an event near you](#).

Start an Indivisible group. Thousands of Indivisible groups were started by people who just raised their hand. If there's no Indivisible group near you, there can be! Reach out to our team by emailing supportteam@indivisible.org to let us know you want to start and group and we can help you begin.