IJoC | Net Neutrality

Funding Net Neutrality Advocacy:
An Interview with the Founder and Director of the Media Democracy Fund

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In this interview, Helen Brunner, founder and director of the Media Democracy Fund (MDF) and the Media Democracy Action Fund (MDAF) in the U.S., reflects on the genesis and practice of her approach to structuring networks and coalition-based campaigns to support digital rights advocacy work. The conversation contributes to scholarship on the political economy of policy influence featuring the role of philanthropy.

Keywords: network neutrality, policy advocacy, money and politics, FCC, media justice, social justice philanthropy, policy influence

Background

One of the goals in producing this Special Section was to contextualize the net neutrality decision in a range of ways that foreground the work required to intervene on behalf of the public interest. To give us an insider's view of the philanthropic side of consumer- and citizen-oriented advocacy work, we turned to research that Becky Lentz was doing on genres of participation in net neutrality policy advocacy, part of which included four open-ended interviews with her former philanthropy colleague, seasoned public interest funder Helen Brunner, founder of the U.S.-based Media Democracy Fund (MDF). What follows is a synthesis of these conversations highlighting Brunner's bird's-eye view of the labors of policy advocacy based on decades of experience supporting activism and advocacy in the arts and culture as well as media governance fields.

Introduction by Becky Lentz

For better or worse, and mostly behind the scenes, grant makers underwrite much of the work involved in policy advocacy. This is the case for net neutrality even though the role of philanthropy has been largely absent from scholarship on this debate in the United States.[2] Exceptions are rare, and more

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[2] According to Hart (2011), donors in the media and technology policy field include telephone and cable companies (AT&T, Verizon, Comcast, etc.); software companies like Microsoft; online retailers and

often than not, anecdotal (Borgman-Arboleda, 2011; Downing, 2000; Karaganis, 2011; Mills, 2004; Mueller, 2004; Napoli, 2009; Perlman, 2016; Pooley, 2011; Regan Shade, 2011; Rodriguez, Kidd, & Stein, 2009).

The work that donors support includes various forms of research, impact litigation, direct action efforts, lobbying and public education, issue campaigns both on- and off-line, coalition building, leadership development, strategic communications, community organizing, and much more. While private foundations, individual donors, and corporations have been active participants, some public interest advocates have fared better than others in garnering support for their work. For example, the Ford Foundation, among the more visible donors in the pro-network neutrality struggle, on June 15, 2016, announced the following in its newsletter and blog: "A victory for net neutrality: Why the Internet is an essential public utility" (McGlinchey, 2016). The blogpost features the work of foundation grantees supporting network neutrality, for example, [ColorofChange](), [Center for Media Justice](), [National Hispanic Media Coalition](), [Public Knowledge](), and [Free Press](). Yet this work must be seen in the larger context of donor support over the past 15 or more years (including but not limited to the Ford Foundation; e.g., funding partners with the Media Democracy Fund), that has positioned these groups to be among the more established organizations within the U.S. ecosystem of pro-network neutrality advocates.[3]

The following synthesis of conversations with Helen Brunner foregrounds the significant role that the MDF has played in informing and shaping the net neutrality debate that resulted in the [2015 FCC Open Internet Order]() codifying net neutrality principles into regulatory practice. Moreover, the MDF's work, which is grounded in a social justice philanthropy approach, has provided an essential complement to what otherwise would have been a largely Washington, DC-based insider's game.

Briefly, a social justice *theory of philanthropy* (Patton, Foote, & Radner, 2015) works to shift power relations between marginalized groups and privileged individuals and institutions, including philanthropic actors themselves (Bezahler, 2013; Jagpal & Laskowski, 2013; Masters & Osborn, 2010; National Committee for Responsive Philanthropy, 2003, 2005; Ostrander, 2010; Ruesga & Puntenney, 2010; Shaw, 2002; Suárez, 2012). Referred to interchangeably as social change, social justice, social movement, community-based, alternative, or progressive philanthropy, social justice philanthropy approaches grantmaking as "change, not charity" (National Committee for Responsive Philanthropy, 2005, p. 12; Ostrander, 2010). What this means in practice is working as allies alongside underrepresented and marginalized populations and constituencies so that they can represent *themselves* in policy struggles (Themba & Rubin, 2003). Ideally, those most affected by social problems set social justice funding priorities and lead, or co-lead, the grant-making work; additionally, funders and their grantee partners *collaborate* to achieve policy outcomes despite the odds posed against what many perceive to be "wicked problems" that "defy easy definition, lack permanent solutions, and have multiple stakeholders" (Sherman & Peterson, 2009, p. 87).

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information intermediaries like Amazon, eBay, Google, and Yahoo; Internet-based companies like Etsy, Tumblr, or Netflix; and investment firms like Goldman Sachs.

[3] See the Foundation Center's 990 Finder: http://foundationcenter.org/find-funding/990-finder

A social-justice-oriented approach to philanthropy is clearly present in the work of the MDF, a donor collaborative based in Washington, DC, and a client of the New Venture Fund (NVF), which is a U.S.-based 501(c)(3) public charity. The Media Democracy Action Fund (MDAF) is a project of NVF's affiliated 501(c)(4) organization, The 1630 Fund, and both are administered by the B Corporation Arabella Advisors.[4] In formalized collaborations with other donors, MDF "works with foundations, companies, philanthropic advisors, and individual donors to award grants that protect the public's rights in the digital age" (para. 1).[5]

In what follows, the founding director of the 501(c)(3) Media Democracy Fund (MDF) and its 501(c)(4) sister organization, the Media Democracy Action Fund (MDAF), discusses the actual work of grant making to support net neutrality advocacy. As she mentions, one strategy in 2014 involved creating an Open Internet Defense Fund (OIDF) at the MDF as a way to support strategic fundraising and grant making to advance pro-net-neutrality advocates' influence in the more than decade-long national debate over the FCC's role in regulating broadband services (Gilroy, 2015).[6] We discussed the theory of philanthropy that guided Brunner in founding the MDF and how she and her staff figured out whom to fund and for what types of work, what she considers key challenges to funding advocacy on net neutrality, as well as what a "win" looks like from her perspective as a social-justice-oriented donor-advocate working on digital rights issues in the U.S. and internationally.

Interview with Helen Brunner

Lentz:
What inspired your founding of the MDF in 2006?

Brunner:
When the List Foundation decided to spend out its assets and close by 2004, the board members were fully aware of the outsized impact telecommunications, radio, and Internet policy could have on the populations and issues they cared about.[7] I invited the board to consider awarding a seed grant to use as

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[4] http://www.arabellaadvisors.com/

[5] http://mediademocracyfund.org/about-mdf/

[6] Initial grantees of the OIDF included Center for Media Justice, Center for Rural Strategies, Demand Progress, Fight for the Future, Free Press, National Hispanic Media Coalition, Open Technology Institute, Presente, Public Knowledge, and the Stanford Center for Internet and Society.

[7] A background in the visual arts led Brunner to Washington, DC, where she became Director of Programs at Washington Project for the Arts and, sometime after that, Executive Director of the National Association of Artists' Organizations (NAAO). Holding this position put Brunner in the crosshairs of the culture wars in the U.S. at the time, which included debates around freedom of expression and efforts to eliminate the National Endowment for the Arts (NEA). This experience, combined with lobbying on the Hill, defending and advocating for artist fellowships, and increasing the budget of the NEA, as well as lobbying for the other interests of NAAO's member groups, including a balanced copyright regime, put Brunner in contact with various heads of grasstops organizations and organizations likely to be directly affected by the Telecommunications Act being crafted in the mid-1990s. Attending these meetings made Brunner aware of

a matching fund incentive that could enable me to establish a donor collaborative as a way to continue working on media and technology policy issues.

My request resulted in an award of $250,000, to be matched 3:1. It took slightly over two years to match the grant with contributions from an initial pool of 11 funders. With a little over one million dollars, the Media Democracy Fund (MDF) was born. We made our first grants in December 2006 through an initial docket of $625,000.

Lentz:
What is the MDF's theory of philanthropy? What philosophy of grant-making guides your work?

Brunner:
Telecommunications policy issues have to compete with local advocacy efforts to improve public education and basic services, like clean water and electricity. I learned a lot in the early years of funding groups tasked with juggling these types of urgent yet conflicting priorities given the shortage of financial and human resources to work on them. I was trying to help social, economic, and racial justice-oriented grantees scale up and build networks to increase their existing power. In the early days, the groups with knowledge of telecommunication policy issues knew about media justice activism that primarily concentrated on ownership and representation; most had little experience in other policy areas affecting essential rights in the digital age when looked at through a technology lens. However, all could see the effect of lack of access on those struggling for opportunity through education, seeking employment or retraining, finding relevant information on civic participation, health care, and alternatives to the sensationalized and inaccurate local news.

In addition to my own grants at that time, grants were being made by MacArthur and Public Domain for intellectual property policy work, and later, the Media Justice Fund, an intermediary funding entity

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how telecommunications policy issues implicated freedom of expression and voice, both central to arts and culture work.

In January 1996, the Albert A. List Foundation hired Brunner to consult on their First Amendment and arts grant-making work. Anticipating that the Telecommunications Act's deregulatory mandate would have a potentially devastating effect on people's ability to hear diverse viewpoints, engage in public debate using mainstream media, and have their voices heard, Brunner urged the Foundation to direct some funding toward building capacity to confront the challenges presented by the Telecommunications Act, which was signed into law in February of that same year.

The Foundation listened and authorized $500,000 toward freedom of expression and arts funding and $500,000 in telecommunications policy and advocacy funding. Brunner was eager to diversify and build the field to include rural and indigenous groups, as well as multi-issue organizing groups working for racial and economic justice, while also shoring up the capacity of the tiny number of groups already active on this set of issues. Supporting telecommunications policy and advocacy so early on put Brunner in good stead when championing these issues, raising their visibility and significance for her peers with assets, and, later, in seeking supporters for the Media Democracy Fund.

supported by the Ford Foundation that was situated within the Funding Exchange in New York City, a well-known social justice philanthropy approach based on the Haymarket Fund in Boston, Massachusetts.[8] The problem was that the grants were not coordinated into a larger strategy that could be scaled up into a national network of grassroots organizations seeking to speak for themselves in media and telecom policy debates.

The media justice activist groups were geographically dispersed and disconnected, and they didn't have the resources to form the coherent strategy needed to really build the base. Nor were they necessarily organizing groups, and they definitely weren't multi-issue organizing groups with large numbers of engaged members and field organizers.

That's where I wanted to head, but I was taught a lesson by my wise friends in those groups that you can't just have a grant for staff to begin working on an issue. There needed to be education, and that education couldn't be delivered by the large, mainstream groups: The messengers and the messages needed to reflect the community's identities and concerns. The organizing had to be done organically and with cultural awareness arising from within the community. I needed to devise something that would yield power at the local level, engage groups and build regional networks, and then bind those networks to each other to create a national network grounded in the needs of the impacted communities.

We needed to work together to accomplish two things. One was to build visibility, and enough power within the grassroots community that they would be on equal footing with the groups in the Beltway. Their collaborations needed to be fully relational rather than transactional, which meant the grassroots groups needed to be able to claim space and have attention be paid to their voice, presence, policy concerns, etc. The second goal was to have a network or networks that could act as a bridge to grow and diversify the field and work in specific yet connected ways alongside multi-issue social justice organizing. That would help ensure that the policies being advocated for would be informed by the lived experience and vision of the most impacted. Those were the two goals I was after.

So I worked closely with two talented activists, Malkia Cyril at the Youth Media Council in Oakland—an organization I had supported at List when it was called Unplugged—and Jeff Perlstein, who was then director of the Media Alliance, also in Oakland. Together, we designed and developed the structure for a network that would become the Media Action Grassroots Network (MAG-Net). It included regional anchors that could attract new members to the network through the local or regional work, and the regions could be coordinated through Media Alliance and Youth Media Council. Media Alliance offered to fiscally sponsor the work, and the first grant was made to them before coordination shifted to Youth Media Council, which later became the Center for Media Justice. We discovered that some of the anchors were stronger than others, and it took time to learn what made a successful anchor organization and what it took to fulfill their capacity needs. The grants were designed to simultaneously support the network hub and the regional anchors within the network.

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[8] Based on recommendations made by participants in a retreat at the Highlander Center in Tennessee, the Ford Foundation set up the Media Justice Fund in 2003 as a way to channel funds to social justice groups interested in media and telecommunications issues (Rubin, 2002).

amalia deloney[9] became hub coordinator after it became clear that MAG-Net needed to be a program of the Center for Media Justice. A human rights lawyer with deep community organizing experience, she developed essential network infrastructure such as processes that formalized the collaboration between regional hubs. Her work marked a major turning point for MDF, an early success that continues to inform our work: we seek to fund leaders like Malkia and amalia, who can work with others to establish governing structures that help facilitate the critical connecting, weaving, and educational work that enables dispersed community-based groups to collaborate.

amalia had a very strong grasp of how to establish networks that are accountable to what they have promised to do, and design processes for in-context needs finding and collaborative decision making about which issues mattered most and, subsequently, which campaigns the network would join and/or create. This work involves a great deal of culturally competent checking in on the balance of voices—for example, ensuring that a specific constituency felt respected and authentically part of the layer of regional grassroots or local groups that had a voice in informing the anchor responsible for representing them in the network, and adequately airing their concerns in larger network conversations about priorities. Now that she has joined MDF as our senior program officer, her perspective and abilities help define our grant strategy even more directly.

Over the years, the network became increasingly grounded in the voices of the people, which, of course, was the intent; the intent originally was for it to be that, as opposed to just dictating, "We all need to work on X."

Investing in Net Neutrality Advocacy

Lentz:
How has MDF's funding structure benefited the field of organizations supporting network neutrality?

Brunner:
We are focused on building trust across race, across differences in points of view, differences in geography, differences in economic capacity, differences in skill sets, differences in ways of working, differences in organizational or personal cultures. The point is not to make everyone the same and walk lockstep. Rather, the reason why the funded organizations are successful in generating policy change is that there are various nodes in every campaign where people can work according to their organizational culture, their own personal culture, their own point of view and working methodology.

Lentz:
How much money would you say MDF has invested in net-neutrality-related work since the inception of the fund in 2006?

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[9] deloney prefers this spelling.

Brunner:
In some ways I would say our entire budget because, since the Fund's inception, we've been building capacity for constituency-based work in rural areas, indigenous areas, among African American and Latino communities, and, more recently, Pan Asian communities and migrant communities. All of that consistent funding and targeted work accrues.

I also think the work we've done to build and sustain the groups that do the heavy legal regulatory work and also the groups that do online organizing and some policy . . . all of that accrues too. Our grantees' policy victories have gotten bigger over the last decade in part because the field adds more capacity and sophistication with each new campaign.

We intend to win, and do, but we always build as we win. It's never just about winning.

But to answer the question more specifically, since the District Court's decision in January 2014 to void former FCC Chairman Genachowski's open Internet rules,[10] we've put approximately $5 million into contracts, rapid response grants, core grants, and other investments.

Net neutrality advocates wanted MDF to aggregate funding for the campaign because our structure allows us to get grants out fast and because we also have flexibility in how we spend. From a communications perspective, we needed to name that pot of money as a subfund to attract that money targeted for this effort. Other than MDF funding, which we had received from MDF's long-term funding partners like the Open Society Foundations and the Ford Foundation, among many others, the only other entity giving direct grants for this specific campaign was Voqal. They directly funded mobilization and collaborations between beltway and mobilizing groups, I believe with $765,000 initially, and then a second tranche of about $265,000; they were looking at whether or not they could invest another tranche.

But you know, all of that doesn't add up to very much money. Most campaigns of this effect would have cost many times that amount.

The Title II Battle

Lentz:
Can you describe "the Title II battle" from a funding perspective?

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[10] The DC Circuit Appeals Court's decision in *Verizon v. FCC*, Case No. 11-1355 (D.C. Cir. January 14, 2014) overturned the FCC's 2010 Open Internet Order, which attempted to protect net neutrality with legally weak rules and without reclassification. In response, the FCC created a new regulatory proceeding on February 19, 2014 (GN Docket No. 14-28) to address the court's concerns while also determining how best to "promote and protect and Open Internet" (see the FCC's May 15, 2014 NPRM, FCC 14-61 available at https://apps.fcc.gov/edocs_public/attachmatch/FCC-14-61A1.pdf).

Brunner:

When the court overturned Genachowski's net neutrality rules, which we were sure it was going to because the rules were built on a legal house of cards, it was a decision where the court was very clear in the options that it gave. Both options were based on the language of the Telecommunications Act of 1996.

It gave one path, which I'm just going to call Section 706 for shorthand purposes, that kept Internet service providers under the weaker regulatory regime they already enjoyed. If it had used Section 706 alone, the FCC would have had to write much weaker net neutrality rules or risk having the rules overturned again.

The other path was Title II, which was a reclassification of the Internet that would mean Internet service providers could be regulated as "common carriers," like telephone and other utilities. For instance, in water delivery the provider is simply running the water through pipes to the house and isn't permitted to slow down water delivery for poorer neighborhoods. They are simply delivering water.

Conventional wisdom told us we would never get Internet access reclassified under Title II, because the big corporate incumbents like Comcast, Time Warner, AT&T, Verizon, the Telecom Association were never going to let us because it will interfere with their business model to such a degree that they will stop it.

Then FCC Chairman Wheeler was opposed to reclassification at first and was determined to follow the Section 706 path. Internet luminaries and scholars Tim Wu and Susan Crawford had previously authored a "third way," which was a hybrid approach. It attracted attention and had some weight, given the authors' policy expertise and profiles.

As time passed during the debate and it became crystal clear that the coalition was not going to support a pure Section 706 approach, Mozilla built on the "third way" and put forward another hybrid proposal at a moment when the administration was seeking an alternative to 706 that did not require reclassification. These hybrid models got a lot of traction at the White House, and they started to get some uptake at the FCC. In fact, Mozilla created a full-court press, launching a lobbying effort and hiring Spitfire Strategies to help them push their position. The hybrid option was very aggressively pushed by people and institutions that have a lot more money and influence than we or the entire coalition do.

There was a moment when most of the proreclassification and net neutrality groups were ready to cave to a hybrid option. But I felt that there was no reason for us to cave—we had all the cards because we had the people. We had 4 million comments going into an obscure federal agency that many had never heard of before. We had the President on our side. We didn't have his advisors on our side, but we had the President.

So instead of lying down, we started a full-court press for the regulatory regime the Court pointed to, the only approach that could deliver the full promise of an equitable digital age. And we won. The FCC gave us Title II reclassification and strong open Internet rules that have the best possible chance to survive court challenges.

Lentz:

So what course of action did you take to achieve this win? What kinds of grants build and support the type of advocacy infrastructure originally envisioned by MDF?

Brunner:

We did an analysis of where the gaps, strengths, and weaknesses were, that is, who had capacity to just do the work and who didn't, but with an extra 50K could do a really bang up job on *x, y,* or *z.* We also assessed who didn't have any capacity at all but who would bring a lot to the campaign and thus needed to be funded quite substantially to play a role. An example of the latter is 18 Million Rising, which hadn't been previously funded to engage in Internet policy issues, but is a strong, relatively new group organizing and providing tools to Pan Asian communities, primarily on civic engagement and voting. Previously we didn't have a partner with a culturally sensitive online organizing vehicle for this important constituency.

We then aggregated funding and designed a campaign with interconnected nodes. There was a netroots node. There was a civil rights and organizing node, a legal/advocacy node, an academic node, a main street and Internet business node, and campaign coordination and communications. We had Spitfire Strategies on retainer to take notes that could be shared across the different nodes, and we convened a weekly meeting so that the different campaign nodes could share information and strategies. We had strategies and contractors for both conservative and progressive communications and of course some of the groups have their own strong communications staff who coordinated with the coalition's talking points and other communication activities.

We also started the Internet Freedom Business Association and incubated it until it became its own 501(c)(4) organization. After the FCC advocacy portion of the campaign was over, we produced a video series about the campaign that graphically explains the nodes why this structure was so important.[11]

All of that was coordinated and matched to available funding. We had a bunch of writers on contract—policy writers and legal writers—to support the groups that didn't have their own legal SWAT teams capable of writing comments and policy briefs that would appeal to Conservatives on the Hill or something like that. That required a very different framing than how we would, for instance, to convince the Progressive Caucus.

Strategic Investments in Field Building

Lentz:

How does this node-oriented kind of grant making build sustainable advocacy capacity for digital rights advocacy?

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[11] http://mediademocracyfund.org/netneutrality/

Brunner:

The reason we won is that within the campaign nodes, everybody can work according to their organizational culture, their own personal culture, their own point of view, their own working methodology. They're working in all these different nodes, and then what we provide is the light connective networking infrastructure underneath it, so that the work is coordinated, efficient, and effective.

This node structure also allows funds to be deployed as strategically as possible, saving the funds until they are needed rather than overestimating what might be needed and then not having the funds to support response to a critical new development. It's also amazing how big a difference it makes for the left hand to know what the right hand is doing, or better yet, *thinking* of doing. It becomes a form of choreography.

At the beginning, the leaders of our DC groups in particular told us they didn't need coordinating. They could use some extra funding for the campaign, of course, but they didn't want us to convene them regularly or coordinate anything with the grass- or netroots other than what they might do on their own. The basic message was, "We see each other all the time, we meet with each other all the time, we pick up the phone, we're on the Hill, at the FCC, you know."

At that point the groups had been meeting to death by the core funders of this work (i.e., Ford, MDF, and Open Society Foundations). The many meetings, polling/focus group projects and trainings were super important, but at that point I really needed them to see that this was our last bite at the apple on net neutrality; that we could only win it with highly coordinated work together. I don't blame them for not wanting MDF to start a funder-driven effort, as they had legitimate fatigue around it.

The challenge was that while each node knew how to strategically coordinate with their own allies on campaigns, we needed a broad-based and large coalition with on-ramps built in for individual activists, groups we might not know well, and the kind of smart, efficient, powerful strategy that only comes with working together while allowing everyone to work with their own strengths and constituencies in an autonomous way. I knew that if we did this together, and we really worked on timing, and together on an inside-outside strategy, using regulatory and congressional lobbying along with online and off-line organizing, mobilization, and effective communications, we could win this just like we won SOPA/PIPA, which created the phrase "Don't get SOPA-ed!" on the Hill.

Lentz:

So you were working to defeat the Stop Online Piracy Act (SOPA) and the PROTECT IP Act (PIPA) at the same time you were working on net neutrality?

Brunner:

Yes, and privacy issues as well. For example, in 2011, we launched the Copyright Initiative as a way to support the fight against the Stop Online Piracy Act (SOPA) and Protect IP Act (PIPA).[12] That initiative

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[12] http://mediademocracyfund.org/copyright-initiative/

continues to support groups working on copyright policy. And in 2013, in response to increasing threats to principles of privacy and personal security, we created the Surveillance Fund to organize a coordinated response to the National Security Agency's (NSA) and U.S. law enforcement's mass surveillance programs.[13]

Then in 2014, we created the Open Internet Defense Fund (OIDF) as a way to set aside funds for work that supports the future of an affordable, secure, open Internet. We aggregated funds for the net neutrality campaign through OIDF and are currently pivoting the coalition that won that fight into a longer term campaign for affordable broadband Internet access.[14] This has really been the big focus in recent months, mostly surrounding the FCC's Lifeline vote, and will arguably be the main focus of OIDF in the future.

We created our Global Initiative to support public education and policy advocacy work related to international Internet governance processes and other issues, such as the impact of big data and quantified societies in other areas of the world. Through this fund, for example we fund research, and work to connect networks through travel grants and events that enable civil society delegations to participate in governance processes that take place in multiple international fora.[15]

Lentz:
It sounds like you have a funding structure that allows you to be very nimble in supporting advocacy.

Brunner:
Indeed. Sometimes we need to be immediately responsive, so we created a Rapid Response Fund that allows us to make grants that address subfund needs and unanticipated policy threats and opportunities so they are not constrained by the timeline of our annual grant docket cycle.[16] MDF/MDAF's Rapid Response Funds move money quickly, usually in a two-week turn-around time, but we can move funds in as little as 24 to 48 hours if necessary.

Because a 501(c)(3) tax-exempt organization like the New Venture Fund "cannot substantially engage" in lobbying activities that directly seek to influence legislation, we created the Media Democracy Action Fund (MDAF) as our public interest lobbying affiliate to enable us to support grassroots or direct lobbying, when needed,[17]
MDF grantees can and sometimes do engage in limited lobbying, within the legal limits set by the IRS.[18] But the MDAF allows direct support for lobbying under the more permissive 501(c)(4) framework while maintaining a distinct separation from the (c)(3) funds.[19]

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[13] http://mediademocracyfund.org/surveillance-subfund/

[14] http://mediademocracyfund.org/oidf-subfund/

[15] http://mediademocracyfund.org/global-initiatives/

[16] http://mediademocracyfund.org/rapid-response-fund-2/

[17] http://mediademocracyfund.org/media-democracy-action-fund/

[18] The IRS (https://www.irs.gov/charities-non-profits/lobbying) maintains that 501(c)(3) groups cannot lobby, but can be involved in issues of policy advocacy.

Lentz:
So, on net neutrality, what was your field building strategy?

Brunner:
For me, my long-term interest was in Title II and in building a field ecology that's sustainable, has strong relationships, and has worked out ways to solve differences among themselves. Then we actually have the beginnings of an infrastructure that can protect the public interest and can also be made up of the engaged public in some cases. I want the structure to be healthy and not have to be told what to do by some sort of political mastermind.

We're always looking for ways to build capacity and broaden/deepen the field as we win. We try to retain coalition support consultants that can subtly increase skills or provide tools that larger fields or movements might use. Advocacy institutes and conventional trainings won't work now in the same way they used to, given the way in which the culture has shifted and self-taught actors have matured. Having the groups learn new approaches, tool up, and increase their sophistication around coalition lobbying was attained just by having a skilled consultant organize intelligence gathering and information-sharing platforms, and ask the right questions at the right time without making a big deal about what it should look like. Just having the groups working in that context exposed them to how to effectively coordinate and run a multiorganization lobbying campaign.

Now they have all this internalized. It's just the way the field does campaigns now. And it's great. I see all these things as subwins for the field, as part and parcel of how you have to build the infrastructure for *future* battles.

But the barriers to winning are huge; take money in politics, for instance. After the Supreme Court ruled in the Citizens United case that corporation should receive the protections of the First Amendment, financial contributions are considered a form of speech and have increased astronomically. The telecom and cable industries are among the largest of those contributors.

Big corporations will always win if you're *not* building power from the ground up because you'll never be able to fight against that kind of money and that kind of insider power unless you have an outside game coordinated with an inside one.

In the digital age, you also need to have creative folks developing new approaches and all kinds of digital tools that make the campaign faster, smarter, bigger, but leaner and meaner. The netroots built amazing tools and sites that enabled the campaign to go viral and still target with extraordinary precision. We tracked which policy makers read their own Twitter feeds and recorded how many tweets it took to turn them or solidify their support. We literally shut down switchboards on the Hill from the volume of calls. We slowed down the Internet traffic going into the FCC.[20] Those tactics were incredibly effective.

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[19] MDAF is administered by the 1630 Fund, a 501(c)(4) organization affiliated with New Venture Fund.
[20] https://twitter.com/haroldfeld/status/647179515140145153

A few months after the net neutrality vote, FCC Chairman Tom Wheeler said, "You changed the dynamic of how we look at things and hear about things."

Closing Remarks

Lentz:
If you could send any message to scholars working on advocacy-related research and teaching in this field, what would it be?

Brunner:
If there's one lesson from MDF's first 10 years, it's that policy wins don't happen overnight. When I started MDF, my goal was to tackle the Telecommunications Act of 1996, and I naïvely thought I'd be able to devote a few years toward winning a more positive rewrite and then move back into arts funding. But deep, lasting policy change—the type that affects millions of people—takes years of sustained investment in the core infrastructure of a field. And that infrastructure consists of strong relationships. The most well-funded, sophisticated organizations in the world can't win a major campaign by themselves: Everyone has to work with others and build a base that's larger than their direct supporters. It takes a long time, and facing multiple challenges together, to build real trust.

But there are also times when organizations, or even the field as a whole, need an outside reminder of the reasons they're fighting so hard. I put my foot down about continuing the fight for Title II, when the compromises were starting to seem like the only possible way forward. It was exactly the wrong thing to do from a traditional funder protocol perspective, but it turned out to be what the field needed to hear at that moment. We're not giving up, we're going to unleash the dogs. We're going to fight twice as hard. I knew the compromise proposals weren't a real answer to the problems we needed to solve, and I also knew the field would regret caving once they started having to deal with the inevitable failure of the hybrid in a few months or years. The field needs to make its own decisions about its goals and strategies, as a rule, but that was one moment where my voice as a funder helped keep us on track at a critical moment.

Without net neutrality, structural racism and economic discrimination would have been baked into the very structure of the Internet. The Internet could have increasingly become a force for economic and cultural division rather than inclusion and growth. We had to create strong net neutrality protections to stop this from happening, but it's just the foundation of the larger fight for access. Roughly 100 million Americans don't have home broadband access, even as most of the country becomes increasingly dependent on the Internet for many of their most basic needs.[21] We've already secured a significant win on this front with expansion of the Lifeline program, but this is going to be our biggest challenge to date— a challenge that can't be won without the support of the world's biggest leaders.

Perhaps because I started my career in the arts, and then moved to freedom of expression funding, I like to view MDF's grant making as an artwork. The net neutrality campaign itself was certainly an artwork, a

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[21] http://www.pewinternet.org/2015/12/21/home-broadband-2015/

collaborative performance piece with millions of people coming together in a choreographed dance that helped policy makers understand the importance of protecting the open Internet.

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