

[Securities Regulation Daily Wrap Up, TOP STORY—Corporations stand against Georgia voting law; McConnell fires back, \(Apr. 5, 2021\)](#)

Securities Regulation Daily Wrap Up

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By [Anne Sherry, J.D.](#)

As Atlanta-based Delta Airlines spoke out against Georgia's elections law and Major League Baseball withdrew the All-Star Game from the state, Mitch McConnell lashed out at private companies for "behaving like a woke parallel government."

Recent statements and action from corporations in response to the passage of Georgia's elections law represent an ongoing trend towards corporate leadership in environmental, governance, and social (ESG) issues—one that Republican leaders are resisting. After Major League Baseball announced that it would pull the All-Star Game and MLB draft out of Atlanta and the CEO of Delta Airlines spoke out against the new law, Senate Minority Leader Mitch McConnell and Georgia Governor Brian Kemp issued statements intended to dispel what they see as disinformation about the bill.

After the killing of George Floyd last year, many corporations, including Atlanta-headquartered Coca-Cola, [spoke up](#) in support of the Black Lives Matter movement. Following the January 2021 riots at the U.S. Capitol, corporations reexamined their political spending. These moves coincide with a growing emphasis by shareholders on ESG issues, one that the SEC is echoing under the leadership of Acting Chair Allison Herren Lee. As Georgia [SB 202](#) made its way through the legislature and to the governor, activists urged companies to take a stand against the law as they had done or promised to do for police brutality.

Delta and MLB. Ed Bastian, the CEO of Delta Airlines, which is based in Atlanta, [said](#) that the airline along with other Atlanta corporations had worked with lawmakers and had succeeded in removing some of the provisions that would have suppressed the right to vote. "However," he continued, "I need to make it crystal clear that the final bill is unacceptable and does not match Delta's values. The bill includes provisions that will make it harder for many underrepresented voters, particularly Black voters, to exercise their constitutional right to elect their representatives." Bastian said the airline is "closely monitoring" the John Lewis Voting Rights Advancement Act pending in Congress.

MLB Commissioner Rob Manfred [announced](#) the league's decision to relocate the All-Star Game and MLB draft, which had been slated to take place in Atlanta. "Major League Baseball fundamentally supports voting rights for all Americans and opposes restrictions to the ballot box," Manfred said. For several decades MLB has partnered with All-Star Game host cities to support local communities, and Manfred said that this project will move forward in Atlanta even though the game will not take place there.

Politicians respond. Stacey Abrams said that she was [disappointed](#) in MLB's decision to move the All-Star Game but commended the league for speaking out and urged other leaders to do the same. "Our corporate community must get off the sidelines as full partners in this fight," Abrams said, which includes publicly supporting the voting rights provisions in the For the People Act ([H.R. 1](#)) and the John Lewis Voting Rights Advancement Act. (While it mostly pertains to voting rights, H.R. 1 also would repeal a prohibition on the SEC's use of funds to ensure shareholders have knowledge of corporate political activity and would require public companies to assess shareholder preferences before making political contributions.)

However, Georgia Governor Brian Kemp [defended](#) SB 202, saying that it "expands voting access, streamlines vote-counting procedures, and ensures election integrity. There is nothing 'Jim Crow' about requiring a photo or state-issued ID to vote by absentee ballot." Senate Minority Leader Mitch McConnell also defended the law and went further to decry corporate statements and boycotts in response to legislation. "Our private sector must stop

taking cues from the Outrage-Industrial Complex," McConnell [said](#). "From election law to environmentalism to radical social agendas to the Second Amendment, parts of the private sector keep dabbling in behaving like a woke parallel government."

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