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SENATE CLOTURE VOTE ON JULY 16 ON DISCLOSE ACT

SENATORS FACE CLEAR CHOICE: FOR DISCLOSURE TO INFORM CITIZENS OR FOR SECRET MONEY IN ELECTIONS

The Senate is scheduled to vote on July 16th on cloture on S.3369, the DISCLOSE Act of 2012 sponsored by Senator Sheldon Whitehouse (D-RI).

The DISCLOSE Act would close gaping disclosure loopholes that have resulted in massive amounts of secret contributions being injected into the presidential and congressional elections.

For example, Crossroads GPS, a group claiming tax-exempt status as a 501(c)(4) “social welfare” organization and whose overriding purpose is to influence elections, received during the period June 1, 2010 through December 31, 2011, a total of \$67 million in contributions of \$1 million or more each from 24 unidentified donors. Two of the unidentified donors each gave \$10 million.

There is no way to know what any of these hidden seven- and eight-figure donors may be seeking or may receive in government favors and benefits.

According to Democracy 21 President Fred Wertheimer:

The vote on the DISCLOSE Act presents each Senator with a clear choice: vote for disclosure to provide citizens with information they have a right to know or vote for secret money to influence the outcome of federal elections.

Senate Republican Leader Mitch McConnell once again is proposing a “Republican Iron Curtain of Secrecy” by asking all Republican Senators to join him in a filibuster to block the DISCLOSE Act. Senator McConnell’s proposed “Republican Iron Curtain of Secrecy” comes at the great expense of the American people and provides opportunities for the same kind of government corruption that occurred in the Watergate scandals.

Following the Watergate scandals, from 1976 until 2010 there was a consensus among Republicans and Democrats that disclosure is the cornerstone of campaign finance laws.

This was the one issue in the campaign finance arena upon which Democratic and Republican members of Congress agreed.

Following the *Citizens United* decision in 2010, however, congressional Republicans abruptly walked away from campaign finance disclosure. The cloture vote on Monday on the DISCLOSE Act provides Republican Senators with the opportunity to again support campaign finance disclosure and the right of citizens to know what is going on in their elections.

The Supreme Court in the *Citizens United* case by an overwhelming 8 to 1 vote made crystal clear that campaign finance disclosure by outside spending groups is constitutional. The Court stated disclosure is necessary to inform citizens about who is trying to influence elections, and to hold officeholders publicly accountable. According to the Court:

With the advent of the Internet, prompt disclosure of expenditures can provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters. Shareholders can determine whether their corporation's political speech advances the corporation's interest in making profits, and citizens can see whether elected officials are "in the pocket" of so-called moneyed interests."

S.3369 is the same bill as S.2219, the disclosure legislation introduced earlier in the year by Senator Whitehouse, with the exception that the disclaimer provisions in the earlier version of the bill have been dropped. The legislation now contains only straightforward disclosure provisions to inform citizens about who is providing the money for campaign expenditures to influence their votes.

To read a summary of the DISCLOSE Act: [click here](#).

To read a Q and A of the DISCLOSE Act: [click here](#).

To read Fred Wertheimer's response to Senator McConnell: [click here](#).

To read a letter to all senators from Democracy 21: [click here](#).

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