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**Vote YES on CLOTURE and YES on PASSAGE
of the DISCLOSE Act, S. 3295
Allow Voters to Learn Who Funds Election Ads**

United States Senate
Washington, DC 20510

September 22, 2010

Dear Senator:

On behalf of over 150,000 Public Citizen members and activists, we urge you to support full disclosure of money in politics and **vote YES on cloture and YES on passage of the DISCLOSE Act, S. 3295.**

The measure appears to be just one vote shy of the 60 needed to bring the bill to the floor for a vote. The filibuster has been engineered by Senate Minority Leader Mitch McConnell (R-Ky.) and previously commanded a straight party line vote, with not a single Republican senator voting to allow consideration of the bill.

Several Republican senators justified their vote on the grounds that the legislation would change the rules of the game in the middle of the 2010 elections. That is no longer a consideration. This version of the DISCLOSE Act applies only to the 2012 elections and beyond, allowing ample time for candidates and the Federal Election Commission (FEC) to adjust to a comprehensive disclosure system so Americans will know who is funding campaign ads.

In *Citizens United v. FEC*, the Supreme Court acknowledged that its decision to allow unlimited corporate and union spending on elections likely would result in more election spending by those entities. But the Court reasoned that disclosure laws would mitigate the potential for perceived or actual corruption resulting from this new spending. Disclosure requirements, Justice Kennedy wrote for the majority, would ensure that “citizens can see whether elected officials are ‘in the pocket of so-called moneyed interests.’”

But the disclosure law on which the Court relied was severely weakened by a 2007 FEC regulation. Public Citizen has documented that, although, nearly 100 percent of independent groups revealed the donors funding their electioneering communications in the 2004 and 2006 election cycles, fewer than 50 percent did so in 2008. And in the primary season of the 2010 election cycle, fewer than one-third of groups disclosed their funders. See Public Citizen, *Fading Disclosure*, Sept. 15, 2010, available at <http://www.citizen.org/documents/Disclosure-report-final.pdf>.

Several Republican senators have a long history of supporting transparency when it comes to money in politics. The issue is not whether there is a Republican senator who supports disclosure—there are plenty—but whether one or more is willing to stand for this principle against the wishes of the party leadership.

Public Citizen appeals to all senators to show independence and leadership. We urge you to end the filibuster and provide the type of full disclosure of independent electioneering that the Supreme Court envisioned and that all Americans deserve for the 2012 elections and beyond.

Respectfully Submitted,



David Arkush
Director
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Craig Holman
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