



Superconnected (2014)

Growing Trend of Unregulated Electioneering Groups Serving Candidates and Parties Further Disproves Supreme Court's Assumption That Such Groups Are 'Independent'

Acknowledgments

This report was written by Taylor Lincoln, Research Director for Public Citizen’s Congress Watch and Congress Watch Researcher Adam Crowther. It was edited by Congress Watch Director Lisa Gilbert.

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Public Citizen’s Congress Watch
215 Pennsylvania Ave. S.E
Washington, D.C. 20003
P: 202-546-4996
F: 202-547-7392
<http://www.citizen.org>

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Methodology and Definitions

- The data used in this report was drawn from the Center for Responsive Politics (www.opensecrets.org).
- Unregulated outside groups are defined for purposes of this report as those permitted to accept unlimited contributions. These include super PACs, which are required to report their donors, and 501(c) groups, which are not. Unregulated groups exclude conventional political action committees (PACs) and the official committees of the national political parties.
- Calculations of expenditures by outside groups include independent expenditures and electioneering communication expenditures reported to the Federal Election Commission. Calculations do not include communications costs, which represent expenditures by an organization to disseminate messages to its members. Calculations also do not include expenditures that may serve electioneering purposes but are not required to be reported.
- This report analyzes data for groups that have reported spending a combined total of at least \$100,000 independent expenditures and electioneering communications during the 2014 election cycle. These groups account for 99 percent of total spending by unregulated outside groups.
- Filings on independent expenditures disclose amounts of money spent to “support” or “oppose” given candidates. For the data component of this report, these totals are summed to yield a cumulative total spent to assist a candidate, either by supporting a group’s favored candidate or opposing the candidate’s opponent or opponents.
- Many outside groups consist of informally affiliated entities. Calculations in this analysis treat each legal entity distinctly.
- This analysis characterized groups that spent 100 percent of their resources aiding one candidate as “single-candidate” groups.
- Determinations of which groups operated in service of a national party are based on the groups’ mission statements, analysis of their personnel and their spending practices. Groups that acted in service of both a single-candidate and a party are categorized as single-candidate entities.

Introduction

Thus far in the 2014 election cycle, 42 percent of unregulated groups that have spent at least \$100,000 this cycle have spent 100 percent of their money on behalf of a single candidate (data through October 8, 2014). Many of the groups that have devoted their resources to a single candidate are led by people who previously worked on the candidate's campaigns or had other close connections to the candidate. This information strongly suggests what many political observers already treat as an undisputed fact: that a significant percentage of unregulated outside groups are not truly independent of the candidates they seek to assist.

Meanwhile, of those outside electioneering groups that have spent their resources to aid more than one candidate, Public Citizen identified seven that have close ties to the official Democratic or Republican parties in that they are operated by former staffers of congressional leadership figures, former staffers of the national party campaign committees, or past leaders of the parties. Of these party-related groups, several have stated missions of aiding a party or a specific party committee, such as the Democratic Congressional Campaign Committee.

Cumulatively, single-candidate and party-connected groups accounted for more than 47 percent of the money that has been spent by unregulated outside groups in the 2014 elections. [See Table 1]

Most, but not all, single-candidate groups operate as super PACs, which can accept unlimited contributions but must disclose their donors. Use of super PACs has become “the norm this cycle” for congressional candidates, former Michigan Republican Party Chairman Saul Anuzis told the *Washington Post*. “Anybody giving advice to campaigns that did not recommend super PACs as part of the strategy mix would be committing political malpractice.”¹

¹ Matea Gold and Tom Hamburger, *Must-have Accessory for House Candidates in 2014: The Personalized Puper PAC*, THE WASHINGTON POST (July 18, 2014), <http://wapo.st/1qj6xPT>.

**Table 1: Electioneering Spending by Unregulated Groups
Spending More than \$100,000, 2014 Election Cycle**

Description of Group	Number of Groups	Percent of all Unregulated Groups	Spending by Unregulated Groups	Percent of Money Spent
Single-Candidate Super PACs	48	35%	\$36,517,910	13%
Single-Candidate 501(c) Groups	9	7%	\$12,461,856	5%
<i>Subtotal: All Single Candidate Groups</i>	<i>57</i>	<i>42%</i>	<i>\$48,979,766</i>	<i>18%</i>
Party-Aligned Multicandidate Groups	7	5%	\$79,869,521	29%
Non Party-Aligned Multicandidate Groups	73	53%	\$143,794,828	53%
<i>Subtotal: All Unregulated Multiple Candidate Groups</i>	<i>80</i>	<i>58%</i>	<i>\$223,664,349</i>	<i>82%</i>
<i>Total Single-Candidate and Party-Aligned Groups</i>	<i>64</i>	<i>47%</i>	<i>\$128,849,287</i>	<i>47%</i>
Total: Unregulated Groups	137	100%	\$272,644,115	100%

Source: Public Citizen analysis of Center for Responsive Politics (www.opensecrets.org) data.

Super PACs and other unregulated outside groups are prohibited from coordinating their efforts with candidates. But the legal definition of coordination enables candidates to establish and strategize with super PACs without violating the law. For instance, in the earliest days of the 2012 presidential campaign, the campaign manager of eventual nominee Mitt Romney initiated a super PAC called “Restore Our Future,” which was run by staff from Romney’s 2008 presidential campaign. Members of the Romney campaign and the Restore Our Future staff reportedly strategized for much of the first half of 2011. Then, to avoid violating coordination rules, the two teams parted company 120 days before the first date on which the super PAC might have wished to air its first ad.²

Restore Our Future ended up spending more than \$142 million to assist Romney. Thirty-six donors gave the super PAC at least \$1 million each.³ Those donors were limited to giving no more than \$5,000 to Romney’s official campaign committee.

Regardless of whether they comply with coordination laws, the existence of unregulated outside groups working on behalf of individual candidates or in service of parties undercuts the key premise put forth by the Supreme Court in its 2010 *Citizens United v.*

² MARK HALPERIN, JOHN HEILEMANN, *DOUBLE DOWN: GAME CHANGE 2012* (Penguin Press: 2012).

³ Restore Our Future 2012 Donors, CENTER FOR RESPONSIVE POLITICS (viewed on Oct. 8, 2014), <http://bit.ly/1vOib1P>.

Federal Election Commission decision, which opened the door for outside groups to accept unlimited contributions to influence elections.⁴

In *Citizens United*, the court assumed that outside spending entities are independent of the candidates or parties they aim to assist and that spending by independent entities does not pose a significant risk of causing corruption. Because the risk of corruption is the basis on which the court has traditionally permitted campaign finance regulations, the court deemed regulating outside groups' activities to be an unjustified infringement of First Amendment rights.

"Limits on independent expenditures have a chilling effect extending well beyond the Government's interest in preventing *quid pro quo* corruption,"⁵ the court wrote in *Citizens United*. "We now conclude that independent expenditures, including those made by corporations, do not give rise to corruption or the appearance of corruption."⁶

Citizens United did not purport to undercut campaign finance laws except for those governing outside expenditures. For instance, the *Citizens United* decision left intact—and even appeared to endorse the thrust of—the court's precedents upholding laws that limit direct contributions to candidates and the national parties on the basis of their potential to cause corruption. The court even left the door open to revisiting whether electioneering expenditures by outside groups should be regulated if evidence were to show that they posed a risk of causing corruption.

"If elected officials succumb to improper influences from independent expenditures; if they surrender their best judgment; and if they put expediency before principle, then surely there is cause for concern," the court wrote in *Citizens United*.⁷ "We must give weight to

⁴ *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (2010), <http://1.usa.gov/9Hn7y5>. [Hereinafter *Citizens United*] *Citizens United* outlawed restrictions on the ability of outside entities, including corporations and unions, to spend money from their treasuries to make independent expenditures (expenditures expressly intended to influence the outcomes of elections). A subsequent decision by the U.S. Court of Appeals for the District of Columbia determined that limitations on the size of contributions to groups engaging in independent expenditures could not be justified in the wake of *Citizens United*. See *SpeechNow.org v. Federal Election Commission*, 599 F.3d 686 (D.C. Cir. 2010), <http://1.usa.gov/sPC9tl>. The Federal Election Commission then acquiesced by ruling that independent expenditure groups may accept unlimited contributions from corporations and unions, as well as individuals. See Federal Election Commission, Advisory Opinion 2010-11 (July 22, 2010), <http://bit.ly/1K6LUX>. The cumulative effect of these decisions was to permit outside entities to use unlimited contributions from corporations, unions and individuals to influence the outcomes of elections. Entities that acknowledge a primary purpose of using unlimited contributions to influence elections are known as independent expenditure-only committees, or super PACs.

⁵ *Citizens United v. Federal Election Commission*, 130 S.Ct. 876 (2010), at 908.

⁶ *Id.*, at 909.

⁷ *Id.*, at 911.

attempts by Congress to seek to dispel either the appearance or the reality of these influences.”⁸

This report illustrates that many of the groups that *Citizens United* has spawned are essentially extensions of the candidates and parties that they serve. As such, contributions to these groups are much like contributions directly to candidates and party committees, which remain limited at \$2,600 to a candidate per election and \$32,400 to a national party committee.

The existence of outside unregulated groups that serve individual candidates and parties has provided an easy end-around for those seeking to avoid the laws limiting contributions to candidates. Assuming that unlimited contributions to candidates and parties pose a risk of corruption, so, too, do unlimited contributions to unregulated groups that serve a single candidates or party.

Single Candidate Groups

Most single-candidate groups are registered as super PACs, meaning they can accept unlimited contributions and spend in unlimited amounts, but must disclose their donors. Nine groups identified in this report as single-candidate groups operate under Section 501(c)(4) or 501(c)(6) of the tax code, which are reserved for social welfare groups and business trade associations. These groups are not required to disclose their donors but are, under current IRS rules, prohibited from engaging primarily in electioneering activities.

Fifty-seven groups (48 super PACs and nine 501(c) groups) that have spent more than \$100,000 this cycle have devoted all of their spending to assisting single candidates (as of Oct. 8, 2014). These groups make up 42 percent of all unregulated outside spending groups that have spent more than \$100,000. In 2013, Public Citizen reported that 49 percent of unregulated outside spending groups that spent more than \$100,000 during the 2012 election cycle were dedicated to a single candidate.⁹ Although the percentage of single-candidate groups is slightly lower this cycle, the phenomenon might be stronger because these groups are solely focused on congressional candidates this time.

Many of the principals or donors of single-candidate groups active this cycle have obvious connections to the candidates themselves. Several of these groups are profiled below.

⁸ *Id.*

⁹ TAYLOR LINCOLN, PUBLIC CITIZEN, SUPERCONNECTED: OUTSIDE GROUPS’ DEVOTION TO INDIVIDUAL CANDIDATES AND POLITICAL PARTIES DISPROVES THE SUPREME COURT’S KEY ASSUMPTION IN *CITIZENS UNITED* THAT UNREGULATED OUTSIDE SPENDERS WOULD BE ‘INDEPENDENT’ 39-49 (March 2013), <http://bit.ly/1BBBYLH>.

Values are Vital

Values are Vital, which spent to aid Paige Kreegel in the April 22, 2014, Republican primary for the special election for Florida's 19th congressional district, was operated by Kreegel's former finance director.¹⁰ It spent more than \$1.4 million on the race.¹¹

Liberty and Leadership Fund

Liberty and Leadership Fund supported Lizbeth Benacquisto in the Republican primary in Florida's 19th district. It shares the same physical address as her leadership political action committee, the Alliance for a Strong Economy.¹² Liberty and Leadership Fund spent nearly \$700,000 supporting Benacquisto and attacking another candidate in the primary, Curt Clawson. Kreegel and Benacquisto lost the April 22, 2014, primary to Clawson.¹³

New Hampshire Priorities

New Hampshire Priorities supported Dan Innis' candidacy in New Hampshire's first congressional district. The group received almost all of its funding from Peter T. Paul, a prominent New Hampshire businessman. Additionally, Peter T. Paul served on Innis' finance team, but resigned after forming New Hampshire Priorities because the group needed to remain independent of the campaign.¹⁴ Innis lost to Frank Guinta in the September 9, 2014, Republican primary.¹⁵

Character Counts PAC

Character Counts is a super PAC that supported Weston Wamp's bid in Tennessee's 3rd congressional district Republican primary. It received all of its \$322,000 in contributions from Wamp's former boss, Gary Davis.¹⁶ On August 8, 2014, Wamp lost to Chuck Fleischmann.¹⁷

¹⁰ Ledyard King, *Curt Clawson Outspent Rivals in Florida District 19 Primary Race*, NEWSPRESS.COM (April 11, 2014), <http://newspr.es/1nWRTnb>.

¹¹ *Values are Vital Outside Spending Summary*, CENTER FOR RESPONSIVE POLITICS (viewed October 6, 2014), <http://bit.ly/1nWRYHz>.

¹² Jack Fitzpatrick, *Florida Special Election Pits Candidate's Personal Wealth Against the Power of Super PACs*, NATIONAL JOURNAL (April 20, 2014), <http://bit.ly/1pGvGEX>.

¹³ Sean Sullivan, *Curt Clawson Wins Republican Nomination in Florida Special Election*, WASHINGTON POST (April 22, 2014), <http://wapo.st/RPd3Vs>.

¹⁴ James Pindell, *Newly Formed Super PAC begins with Focus on NH Congressional Race*, WMUR (February 24, 2014), <http://bit.ly/1xgCwWA>.

¹⁵ *Full 2014 Primary Election Results in New Hampshire*, WMUR (September 9, 2014), <http://bit.ly/1nigB0r>.

¹⁶ Andy Sher, *Character Counts 'Super' PAC Pounces Again in 3rd Congressional District with Big TV Ad Buy Backing Weston Wamp*, TIMES FREE PRESS (July 29, 2014), <http://bit.ly/1yH2erZ>.

¹⁷ *Tennessee-Summary Vote Results*, ASSOCIATED PRESS (viewed October 13, 2014), <http://apne.ws/1qjnf2C>.

Florida Conservatives United

In some cases, outside groups supporting a single candidate are funded entirely by members of the candidate's family. Florida Conservatives United, which supported Jake Rush in his race for the Republican nomination in Florida's 3rd congressional district primary, received all \$250,000 of its funding from Rush's father and sister.¹⁸ Rush lost the August 26, 2014, primary to incumbent Rep. Ted Yoho (R-Fla.).¹⁹

West Main Street Values

Sometimes, outside groups explicitly state that they exist for the purpose of supporting a single candidate. West Main Street value states on its website that it was created specifically to support the reelection of Sen. Lindsey Graham's (R-S.C.).²⁰ It has made more than \$270,000 worth of independent expenditures, all on behalf of Graham.²¹

Grow North Carolina Strong

Grow NC Strong was formed to support Thom Tillis's candidacy against Sen. Kay Hagan (D-N.C.) even before Tillis declared his candidacy.²² Grow North Carolina Strong's website even says that its mission is to elect Tillis.²³ North Carolina Strong has spent nearly \$200,000 supporting Tillis in his race against Hagan.²⁴

Single-Donor, Single Candidate Super PACs

Many single-candidate super PACs are funded entirely or nearly entirely by single donors. Americans for Common Sense, which supports George Demos's campaign to represent New York's first congressional district, raised more than \$1.3 million, or 99 percent, of its money from a single individual donor, Angelo Tsakopoulos.²⁵ American Heartland PAC, which supports U.S. Senate candidate Jodi Ernst (R-Iowa), received \$350,000 out of its \$355,000

¹⁸ Jeff Schweers, *Early Voting Begins as Yoho-Rush Attacks Escalate*, GAINESVILLE SUN (August 15, 2014), <http://bit.ly/1s2sn00>. See also *Florida Conservatives United Donors*, CENTER FOR RESPONSIVE POLITICS (viewed October 8, 2014), <http://bit.ly/ZdOunU>.

¹⁹ Katie Campbell and Erica A. Hernandez, *Yoho Takes GOP Primary Over Rush; Alachua Voting Results*, WUFT (August 26, 2014), <http://bit.ly/Zesvxn>.

²⁰ *Mission Statement*, WEST MAIN STREET VALUES PAC (viewed October 6, 2014), <http://bit.ly/1nWSnd3>.

²¹ *West Main Street Values Targeted Candidates*, CENTER FOR RESPONSIVE POLITICS (viewed October 6, 2014), <http://bit.ly/1rd3ysE>.

²² Michael Beckel, *Super PAC to Tout North Carolina House Speaker*, CENTER FOR PUBLIC INTEGRITY (May 28, 2013), <http://bit.ly/1s42AEz>.

²³ *Grow North Carolina Strong* (viewed October 6, 2014), <http://bit.ly/1vIF53C>.

²⁴ *Grow NC Strong Targeted Candidates*, CENTER FOR RESPONSIVE POLITICS (viewed October 8, 2014), <http://bit.ly/1uBk4c3>.

²⁵ *Americans for Common Sense Donors*, CENTER FOR RESPONSIVE POLITICS (viewed October 6, 2014), <http://bit.ly/1uQcThj>.

from a single source.²⁶ A Bright Future, a super PAC supporting Paige Kreegel (R-Fla.), received all of its \$109,980 from one donor.²⁷ CE Action Committee, a super PAC that supported now-Sen. Ed Markey (D-Mass.) in the 2013 special election to fill the seat left by John Kerry, received more than \$1.8 million, or 92 percent of its funds, from Tom Steyer, a California billionaire.²⁸ USA Jobs Council, which supports Lee Zeldin (R-N.Y.) in his congressional race against Rep. Tim Bishop (D-N.Y.), received \$200,000 of its \$215,000 from a single source.²⁹

The existence of outside groups that maintain such close ties to candidates and that receive such a large percentage of their contributions from a single source undermines the court's rationale that these groups and the candidates they support would operate independently from one another.

Tables 2 and 3 list the single-candidate super PACs and 501(c) groups that have spent at least \$100,000 in the 2014 election cycle.

Table 2: Spending by Single Candidate Super PACs, 2014 Election Cycle

Group	Total Spent	Candidate Supported
Put Alaska First PAC	\$7,317,459	Mark Begich
Kentuckians for Strong Leadership	\$3,570,451	Mitch McConnell
Virginia Progress PAC	\$1,827,248	Mark Warner
Mississippi Conservatives	\$1,810,867	Thad Cochran
Fair Share Action	\$1,442,693	Mark Udall
Values Are Vital	\$1,416,772	Paige Kreegel
Americans For Common Sense	\$1,342,574	George Demos
Americans for Progressive Action	\$1,326,826	Gabriel Gomez
Texans for a Conservative Majority	\$1,117,834	John Cornyn
CE Action Committee	\$1,077,013	Ed Markey
Government Integrity Fund Action Network	\$1,047,880	Tom Cotton
Priorities for Iowa	\$1,014,209	Jodi Ernst
Alaska Salmon PAC	\$972,750	Mark Begich
B-PAC	\$891,675	Terri Lynn Land
Southern Conservatives Fund	\$823,725	Jack Kingston
Alaska's Energy / America's Values	\$728,482	Dan Sullivan
Liberty & Leadership Fund ³⁰	\$692,196	Lizbeth Benacquisto

²⁶ *American Heartland PAC Donors*, CENTER FOR RESPONSIVE POLITICS (viewed October 6, 2014), <http://bit.ly/1s42LzE>.

²⁷ Ian Vandewalker, *Florida Race Glimpse into Campaign Finance Future*, BRENNAN CENTER FOR JUSTICE (May 2, 2014), <http://bit.ly/1s42LzE>.

²⁸ *CE Action Committee Donors*, CENTER FOR RESPONSIVE POLITICS (viewed October 7, 2014), <http://bit.ly/1s5Ig9u>.

²⁹ *USA Jobs Council Donors*, CENTER FOR RESPONSIVE POLITICS (viewed October 7, 2014), <http://bit.ly/1nbGyPs>.

³⁰ Liberty and Leadership Fund reported spending \$9,547 in support of Michael Dreikorn. This expenditure was likely reported in error, as Dreikorn was Benacquisto's opponent in both the special election for Florida's 19th U.S. Congressional district and to be the Republican nominee for the 30th district of the Florida state

Group	Total Spent	Candidate Supported
Mobilization Project	\$532,445	Cory Booker
New Republican PAC	\$507,076	Monica Wehby
New York 2014	\$482,262	Elise Stefanik
New Hampshire Priorities	\$424,664	Dan Innis
Georgians Together	\$409,856	Michelle Nunn
Character Counts PAC	\$389,484	Weston Wamp
Campaign for Jobs & Accountability	\$369,685	Joe Moolenaar
Patriot Prosperity PAC	\$353,972	Richard Hanna
Building a Better PA	\$353,568	Brendan Boyle
Freedom Pioneers Action Network	\$345,289	Shane Osborn
Our America Fund	\$286,879	James D. Oberweis
West Main Street Values	\$272,381	Lindsey Graham
Keep Conservatives United	\$269,719	Philip Berger
Kansans for Responsible Government	\$266,154	Todd Tiahrt
American Heartland PAC	\$246,502	Joni Ernst
Florida Conservatives United	\$218,743	Jake Rush
US Jobs Council	\$215,500	Lee Zeldin
A Bright Future	\$213,500	Paige Kreegel
Grow NC Strong	\$199,408	Thom Tillis
Independent Leadership For New Hampshire	\$196,000	Scott Brown
American Commitment SuperPAC	\$191,087	Steve Lonegan
Pure PAC	\$151,503	Terri Lynn Land
Ninety Nine Percent	\$149,855	Stephen F. Lynch
Center Forward Committee	\$130,273	John Barrow
New Hampshire PAC to Save America	\$127,529	Jim Rubens
Working for Us PAC	\$123,354	Vanila Singn
Democracy Values Fund	\$121,834	Mike Turner
CounterPAC	\$121,550	Andrew Romanoff
Working Families for Hawaii	\$111,619	Colleen Hanabusa
Citizens for Conservative Leadership	\$108,931	Bill Cassidy
Responsible Leadership For America	\$106,634	Kirk Jorgensen

Source: Public Citizen analysis of data provided by the Center for Responsive Politics (www.opensecrets.org).

Table 3: Spending by Single Candidate 501(c) Groups, 2014 Cycle

Group	Tax Status	Total Spent	Candidate Supported
Kentucky Opportunity Coalition	501(c)(4)	\$6,915,903	Mitch McConnell
Carolina Rising	501(c)(4)	\$3,279,626	Thom Tillis
Oklahomans for a Conservative Future	501(c)(4)	\$1,296,459	TW Shannon
Legacy Foundation Action Fund	501(c)(4)	\$351,278	Ben Sasse
Center Forward	501(c)(4)	\$165,464	Ron Barber
American Commitment	501(c)(4)	\$136,204	Steve Lonegan
Illinois Chamber of Commerce	501(c)(6)	\$108,750	Rodney Davis
Tea Party Express	501(c)(4)	\$106,137	Curt Clawson
Americans for a Conservative Direction	501(c)(4)	\$102,035	Renee Ellmers

Source: Public Citizen analysis of data provided by the Center for Responsive Politics (www.opensecrets.org).

senate. The remainder of the fund's spending has been to aid Benacquisto. See *Michael Dreikorn*, BALLOTOPEDIA (viewed October 9, 2014), <http://bit.ly/1v7OqUN>.

Groups With Close Ties to the National Political Parties

In 2012, Public Citizen profiled a number of outside groups that appeared by the makeup of their personnel, statements of their purpose, and other factors to be working in the service of the official national party committees.³¹ Many, but not all, of the committees identified in 2012 remain active in 2014. Table 4 lists the groups with close ties to the parties that were active in both 2012 and 2014.

The determination that any given group is working in service of a party, as opposed to merely supporting candidates from the same party, is subjective. For the purposes of this report, we have chosen groups that are led by people who have close historical connections to the national parties or to leadership figures in the parties and/or have conveyed mission statements of aiding a party.

Table 4: Spending by Party-Aligned Outside Groups, 2014

Group	Tax Status	Total
Senate Majority PAC	SuperPAC	\$34,450,198
Crossroads GPS	501(c)(4)	\$15,000,431
American Crossroads	SuperPAC	\$12,378,197
House Majority PAC	SuperPAC	\$8,555,136
Patriot Majority USA	501(c)(4)	\$7,196,398
American Action Network	501(c)(4)	\$1,659,905
YG Network	501(c)(4)	\$629,256

Source: Public Citizen analysis of data provided by the Center for Responsive Politics (www.opensecrets.org).

The existence of unregulated committees with close ties to the parties undermines the soft-money ban that was implemented by the Bipartisan Campaign Reform Act (BCRA) of 2002. BCRA closed a loophole that was opened by a 1995 Federal Election Commission ruling that permitted national parties to accept unlimited funds from corporations, unions and individuals as long as the funds were not used to finance direct advocacy for a candidate.³² Prior to *Citizens United*, outside spenders that spent under the auspices of regulated political action committees were typically motivated by a goal of furthering distinct interests and ideologies instead of parties.³³

³¹ TAYLOR LINCOLN, PUBLIC CITIZEN, SUPERCONNECTED: OUTSIDE GROUPS' DEVOTION TO INDIVIDUAL CANDIDATES AND POLITICAL PARTIES DISPROVES THE SUPREME COURT'S KEY ASSUMPTION IN *CITIZENS UNITED* THAT UNREGULATED OUTSIDE SPENDERS WOULD BE 'INDEPENDENT' 39-49 (March 2013), <http://bit.ly/1BBBYLH>.

³² TAYLOR LINCOLN, PUBLIC CITIZEN, SUPERCONNECTED: OUTSIDE GROUPS' DEVOTION TO INDIVIDUAL CANDIDATES AND POLITICAL PARTIES DISPROVES THE SUPREME COURT'S KEY ASSUMPTION IN *CITIZENS UNITED* THAT UNREGULATED OUTSIDE SPENDERS WOULD BE 'INDEPENDENT' 39-49 (March 2013), <http://bit.ly/1BBBYLH>.

³³ *Outside Spending by Group, 2008 Election*, CENTER FOR RESPONSIVE POLITICS (viewed October 10, 2014), <http://bit.ly/1o3NtLx>.

Several of the groups identified as having close ties to the parties in 2014 are profiled below.

Senate Majority PAC

Senate Majority PAC, which states a commitment to protecting and expanding the Democratic majority in the Senate, maintains close connections to Senate Majority Leader Harry Reid (D-Nev.) and the official Democratic Party committees.³⁴ Its founder, Jim Jordan, is a former executive director of the Democratic Senatorial Campaign Committee (DSCC), the official party committee that supports Democratic candidates for the U.S. Senate. Several staff members, including Susan McCue and Rebecca Lambe, have close ties to Reid (McCue was formerly his chief of staff; Lambe was his chief political strategist).³⁵ J.B. Poersch, who was on the staff of the DSCC for three election cycles, helps guide strategy for Senate Majority PAC.³⁶

Many prominent Democratic officials have headlined fundraisers for Senate Majority PAC. In July 2014, President Obama appeared at a fundraiser for the group.³⁷ Reid and Sen. Barbara Boxer (D-Calif.) also have attended fundraisers for the group.³⁸

House Majority PAC

House Majority PAC is committed to “holding Republicans accountable and helping Democrats win seats in the House.”³⁹ Its founder and executive director, Alixandria Lapp, worked for the Democratic Congressional Campaign Committee (DCCC), the official party committee that supports Democratic candidates for the U.S. House of Representatives.⁴⁰ In 2012, Lapp connected the efforts of House Majority PAC to the DCCC. “I do see House Majority PAC as a great complement to the DCCC,” Lapp said. “We have set up House Majority PAC to become a permanent part of the Democratic infrastructure. It is not going away anytime soon.”⁴¹ Nicole Runge D’Ercole, current head of fundraising for House Majority PAC, previously served as Director of Finance and Marketing at the DCCC. “During [her time with the DCCC], D’Ercole developed strong relationships with members of the

³⁴ Matea Gold, *Top Harry Reid Advisers Build Big-Money Firewall to Protect Senate Democrats*, WASHINGTON POST (September 16, 2014), <http://wapo.st/1t2Uaze>.

³⁵ *Players Guide 2014: Senate Majority PAC*, Factcheck.org (viewed October 6, 2014), <http://bit.ly/1vly0jl>.

³⁶ Matea Gold, *Top Harry Reid Advisers Build Big-Money Firewall to Protect Senate Democrats*, WASHINGTON POST (September 16, 2014), <http://wapo.st/1t2Uaze>.

³⁷ David Firestone, *President Obama’s Fundraising Scandal*, NEW YORK TIMES (July 23, 2014), <http://nyti.ms/1rRkg4B>.

³⁸ Burgess Everett and Tarini Parti, *Dems Give Big to Senate Majority PAC*, POLITICO (June 2, 2014), <http://politi.co/1xVsMV1>.

³⁹ *House Majority PAC: About*, HOUSE MAJORITY PAC (viewed October 6, 2014), <http://bit.ly/1sZ7Tal>.

⁴⁰ *50 Politicos to Watch, Political Operatives*, POLITICO (July 12, 2012), <http://politi.co/NkXZJa>.

⁴¹ *50 Politicos to Watch, Political Operatives*, POLITICO (July 12, 2012), <http://politi.co/NkXZJa>.

House Democratic leadership and members of the Democratic Caucus, including Leader Nancy Pelosi,” House Majority PAC’s website says.⁴²

House Majority PAC has received fundraising help from many of the Democratic Party’s biggest contributors. In 2014, President Obama headlined two fundraisers for the group.⁴³

American Crossroads/Crossroads GPS

In 2010, American Crossroads was founded by Karl Rove and Ed Gillespie., Rove served as an advisor to President George W. Bush from 2000 to 2007 and was the architect of his 2000 and 2004 presidential campaigns,⁴⁴ while Gillespie is a longtime Republican operative and lobbyist who served as chairman of the Republican National Committee from 2003 to 2005 and as a White House strategist during the second term of George W. Bush’s presidency.⁴⁵ Crossroads GPS, a 501(c)(4) nonprofit group, was formed later in 2010 to enable people to contribute without being publicly identified.⁴⁶

The groups’ president is Steven Law, a former executive director of the National Republican Senatorial Committee, the official party committee supporting Republican candidates for the Senate.⁴⁷ Carl Forti, American Crossroads’ political director, has extensive ties to the Republican Party establishment. In 2006, Forti managed the \$82 million independent expenditure campaign of the National Republican Congressional Committee, the official party committee backing Republican House candidates.⁴⁸ During the 2012 election cycle, Forti co-founded Restore Our Future,⁴⁹ the super PAC that supported Mitt Romney’s 2012 campaign for president.

⁴² House Majority PAC: Staff, House Majority PAC (viewed October 6, 2014), <http://bit.ly/1nWTOOrP>.

⁴³ Colleen McCain Nelson, *Obama Ramps Up Fundraising Even on Vacation*, WALL STREET JOURNAL (August 8, 2014), <http://on.wsj.com/10Eupso>.

⁴⁴ *Karl Rove Biography*, ROVE.COM (viewed October 8, 2014), <http://bit.ly/1sf1EgF>.

⁴⁵ Michael A. Fletcher, *As Rove Departs, President Again Turns to Gillespie*, THE WASHINGTON POST (Aug. 16, 2007), <http://wapo.st/UgrblW>. See also *RNC Chairman: Democrats Increasingly ‘Liberal, Elitist, Angry,’* CNN (Dec. 4, 2003), <http://bit.ly/SckINl> and Shane Goldmacher, *Ed Gillespie, Co-Founder of Crossroads, Gets His Own Super PAC*, NATIONAL JOURNAL (February 12, 2014), <http://bit.ly/1oQU9r4>.

⁴⁶ *American Crossroads/Crossroads GPS*, FACTCHECK.ORG (viewed October 8, 2014), <http://bit.ly/1qhY8wc>.

⁴⁷ *American Crossroads: Leadership Team*, AMERICAN CROSSROADS (viewed October 6, 2014), <http://bit.ly/1s45cC4>. *Crossroads GPS: Leadership Team*, CROSSROADS GPS (viewed October 6, 2014), <http://bit.ly/1s2xDS5>.

⁴⁸ Andy Kroll, *Mitt Romney’s \$12 Million Mystery Man: Meet Carl Forti, The Super-PAC Whiz Helping the GOP Front-Runner and Conservative Groups Rake in Piles of Dark Money*, MOTHER JONES (January-February 2012), <http://bit.ly/zLZNjc>.

⁴⁹ Andy Kroll, *Mitt Romney’s \$12 Million Mystery Man: Meet Carl Forti, The Super-PAC Whiz Helping the GOP Front-Runner and Conservative Groups Rake in Piles of Dark Money*, MOTHER JONES (January-February 2012), <http://bit.ly/zLZNjc>.

YG Network

The YG Network and the YG Action Fund were created in 2011 to “build off the Young Guns movement” of then-House Majority Leader Eric Cantor (R-Va.), then-House Majority Whip Kevin McCarthy (R-Calif.) and House Budget Committee Chairman (and eventual vice presidential nominee) Paul Ryan (R-Wis.).⁵⁰

The YG Network is a 501(c)(4) group that has been closely connected to Cantor.⁵¹ YG Network’s senior advisor John Murray is a former deputy chief of staff for Cantor.⁵² April Ponnuru, who serves as the group’s policy director, is a former deputy chief to Senate Republican Conference Vice Chairman Roy Blunt (R-Mo). She also served as a senior policy advisor to Blunt when he served as the House Majority Whip.⁵³ Other staffers for YG Network have ties to the Republican National Committee and the National Republican Senatorial Committee.⁵⁴

Although Cantor lost his 2014 reelection bid, the group continues to make independent expenditures, but at a far lower rate than in 2012. As of October 18, 2014, the YG Network has spent \$629,256 on independent expenditures, compared to a total of \$4.7 million in 2012.⁵⁵ As of October 8, YG Action Fund has spent no money on independent expenditures.

American Action Network

American Action Network is a 501(c)(4) group that has extensive ties to the Republican establishment. The group was founded in 2010 by former Sen. Norm Coleman (R-Minn.) and Fred Malek, a former official in the Nixon administration and longtime Republican fundraiser.⁵⁶ Its president, Brian Walsh, is a former political director for the National Republican Congressional Committee.⁵⁷ Walsh succeeded Rob Collins, a former top aide to Cantor. Its board includes former Rep. and National Republican Congressional Committee Chairman Tom Reynolds (R-N.Y.) and former Rep. Vin Weber (R-Minn.).⁵⁸ The American Action Network has spent \$1,659,905 thus far in 2014.

⁵⁰ YG Action, *About YG* (Timeline) (viewed on Nov. 20, 2012), <http://bit.ly/SPgFQI>.

⁵¹ Brandon Conrads, *YG Network has a Big Haul, and Pays a Big Salary*, CENTER FOR RESPONSIVE POLITICS (November 21, 2013), <http://bit.ly/1qikn55>.

⁵² YG Action, *About YG* (Timeline) (viewed on Nov. 20, 2012), <http://bit.ly/SPgFQI>.

⁵³ *YG Network About Us*, YG NETWORK (viewed October 8, 2014), <http://bit.ly/1vVFHlj>.

⁵⁴ *YG Network About Us*, YG NETWORK (viewed October 8, 2014), <http://bit.ly/1vVFHlj>.

⁵⁵ *YG Action Fund Targeted Candidates*, CENTER FOR RESPONSIVE POLITICS (viewed October 8, 2014),

⁵⁶ *American Action Network / American Action Forum*, FACT CHECK.ORG (Sept. 18, 2011), <http://bit.ly/LzvjcI>

⁵⁷ American Action Network President, American Action Network (viewed October 8, 2014), <http://bit.ly/10QpVir>.

⁵⁸ *American Action Network Board*, AMERICAN ACTION NETWORK (viewed October 8, 2014), <http://bit.ly/1vQUCiV>.

Conclusion

The Supreme Court presumed that the outside spenders availing themselves of new permissions granted by its *Citizens United* decision would be independent of candidates. Therefore, the court assumed, large contributions to them would not pose a significant risk of causing corruption. The previous two election cycles, however, suggest an entirely different reality. In 2012, the independence of unregulated groups made possible by *Citizens United* was highly dubious, with dozens of them focusing on single candidates and, often, having close ties to the candidates. Moreover, 2012 witnessed the emergence of groups that are also closely tied to the national political parties, subverting the ban on soft money put into place by BCRA. These two trends have continued in 2014, adding yet more evidence that the Supreme Court's assumption that the outside spender enabled by *Citizens United* would be independent was wrong.