

# United States Senate

WASHINGTON, DC 20510

December 5, 2022

The President  
The White House  
1600 Pennsylvania Ave., N.W.  
Washington, D.C. 20500

Dear Mr. President:

We write to urge you to issue an executive order requiring federal contractors to disclose their political spending after they are awarded a federal government contract. American taxpayers have a right to know whether and how government contractors are spending money to elect lawmakers who can influence the procurement and awarding of government contracts.

*Citizens United* unleashed a flood of unlimited corporate money in our democracy based on the false assumption that the public would be able to see who was behind the spending. As we know, that disclosure regime never materialized, but the premise of the decision that anonymous political spending would be corrupting remained. Nevertheless, corrupting “dark money” expenditures exploded, from less than \$5 million in 2006, to more than \$1 billion in 2020.<sup>1</sup> This trend continues to grow.<sup>2</sup>

This torrent of dark money drowns out voters’ voices. Academic studies show that economic elites and business interests command huge influence on government policy, while regular people have little or none.<sup>3</sup> Politicians elected to federal office with the support of dark money are more likely to support legislation aligned with corporate interests.<sup>4</sup> And dark money forces just spent hundreds of millions of dollars for one party in the recent Senate elections.<sup>5</sup> Unsurprisingly, the American people’s trust in our government continues to erode.

The White House should not hesitate to cast a bright light on secret political spending and its corrupting effects wherever possible. Federal contractors spend substantial sums in elections—the top 10 federal contractors received \$213.8 billion in federal revenue in 2020, while just their

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<sup>1</sup> Tim Lau, *Citizens United Explained: The 2010 Supreme Court decision further tilted political influence toward wealthy donors and corporations*, Brennan Center (Dec. 12, 2019), <https://www.brennancenter.org/our-work/research-reports/citizens-united-explained>; *A look back at money-in-politics in 2021*, OpenSecrets (Dec. 23, 2021), <https://www.opensecrets.org/news/2021/12/a-look-back-at-money-in-politics-2021>.

<sup>2</sup> Domenico Montanaro, *Outside Groups Have Spent Nearly \$1 billion So Far to Boost GOP Senate Candidates*, NPR (Oct. 27, 2022), <https://www.npr.org/2022/10/22/1129976565/dark-money-groups-midterm-elections-republicans-democrats-senate>.

<sup>3</sup> Martin Gilens & Benjamin Page, *Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens*, PERSPECTIVES ON POLITICS (Sept. 2014), [https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens\\_and\\_page\\_2014\\_-\\_testing\\_theories\\_of\\_american\\_politics.doc.pdf](https://scholar.princeton.edu/sites/default/files/mgilens/files/gilens_and_page_2014_-_testing_theories_of_american_politics.doc.pdf).

<sup>4</sup> Matthew Denes et al., *Disclosure in Democracy* (July 4, 2022), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4154777](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4154777).

<sup>5</sup> See *supra* n. 2; Anna Massoglia, *‘Dark money’ groups aligned with party leadership steer hundreds of millions of dollars into 2022 federal elections*, OpenSecrets (Nov. 4, 2022), <https://www.opensecrets.org/news/2022/11/dark-money-groups-aligned-with-party-leadership-steer-hundreds-of-millions-of-dollars-2022-federal-elections>.

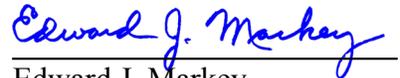
political action committees (PACs) spent \$24.8 million in that election cycle.<sup>6</sup> Corporate PACs as you know are minuscule spenders compared to the tsunami of dark money through SuperPACs and other devices that enable clandestine spending. Given this fact, it is paramount to shore up protections against dark money *quid pro quo* corruption and its appearance by requiring federal contractors to disclose whether and how much they have spent to support or oppose candidates who can influence the federal procurement process as lawmakers. Such a requirement would also increase transparency and accountability in our elections, empowering citizens to discharge their responsibilities with accurate information.

While such an executive order will not solve all the problems with secret political spending in our democracy, it would be a much-welcomed step in the right direction. Corruption has no place in our democracy, and dark money is corrupting. We urge that you expeditiously issue this executive order.

Sincerely,



Sheldon Whitehouse  
United States Senator



Edward J. Markey  
United States Senator



Ron Wyden  
United States Senator



Dianne Feinstein  
United States Senator



Bernard Sanders  
United States Senator



Cory A. Booker  
United States Senator

<sup>6</sup> Taylor Lincoln, *The Case for Requiring Federal Contractors to Disclose Their Secret Political Contributions*, Public Citizen (May 25, 2022), <https://www.citizen.org/article/contractor-political-expenditures/>.



Chris Van Hollen  
United States Senator



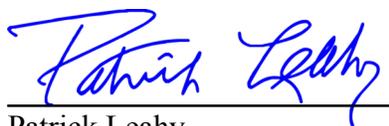
Elizabeth Warren  
United States Senator



Amy Klobuchar  
United States Senator



Sherrod Brown  
United States Senator



Patrick Leahy  
United States Senator



Robert Menendez  
United States Senator



Robert P. Casey, Jr.  
United States Senator



Richard Blumenthal  
United States Senator



Mazie K. Hirono  
United States Senator



Tammy Baldwin  
United States Senator



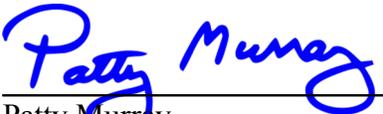
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Tina Smith  
United States Senator



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Jack Reed  
United States Senator



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Patty Murray  
United States Senator