

United States Senate

WASHINGTON, DC 20510

June 27, 2018

Senator Roy Blunt
Chairman
Senate Committee on Rules & Administration
SR-305
Washington, DC 20510

Dear Chairman Blunt,

Today we joined 49 of our colleagues to introduce the DISCLOSE Act of 2018. We respectfully write to request the Senate Committee on Rules and Administration hold a hearing on DISCLOSE.

The Supreme Court's 2010 *Citizens United* decision opened the floodgates to unlimited corporate spending in elections. Although the decision assumed that there would be a regime of "effective disclosure" that would "provide shareholders and citizens with the information needed to hold corporations and elected officials accountable for their positions and supporters," this has not happened. Instead, we have witnessed billionaires and special interest spending unlimited secret money flowing into elections, which has been harmful to public confidence in our democracy. So called "outside groups" have already spent \$140 million in the 2018 election cycle, nearly half of which from groups with no or only partial disclosure.¹

Americans feel that the sea of anonymous dark money drowns out their voices in Washington and moves them to the margins of our political arena. According to a 2014 poll, just 11% of Democratic voters and 15% of Republican voters believe constituents have the most influence on how a member of Congress votes. Instead, they believe special interest groups, lobbyists, and campaign contributors have the most say over Member priorities.² Their concerns may not be misplaced. A Princeton University study that analyzed Senate voting records on a host of economic and social issues confirmed that "[i]n every instance, senators appear to be much more responsive to the opinions of affluent constituents than to the opinions of constituents with modest incomes."³

The DISCLOSE Act would rein in what has been characterized as a "tsunami of slime." The bill would require organizations spending money in elections – including super PACS, unions, and tax-exempt 501(c)(4) groups – to promptly disclose donors who have given \$10,000 or more during an election cycle. The bill includes robust transfer provisions to prevent political operatives from using complex webs of entities to hide donor identities. It also strengthens the ban on election spending by foreign nationals, and requires people spending money on election advertising to "stand by your ad" and identify who is behind the advertising.

¹ <https://www.opensecrets.org/outsidespending/disclosure.php>

² <https://everyvoice.org/wp-content/uploads/2014/11/EveryVoicePostElectMemo.pdf>

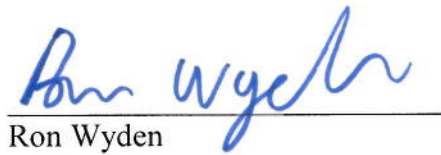
³ <https://www.russellsage.org/sites/all/files/u4/Bartels%20EIPR.pdf>

The Rules Committee last held a hearing on DISCLOSE in 2014. Since that time, the problem of dark money and undisclosed influence has only gotten worse. The DISCLOSE Act of 2018 offers a commonsense solution to restore transparency and accountability into our political system. With the Senate now in session through most of the summer, there is ample opportunity for the Rules Committee to examine the merits of this important legislation. The problem is too big to ignore.

Respectfully,



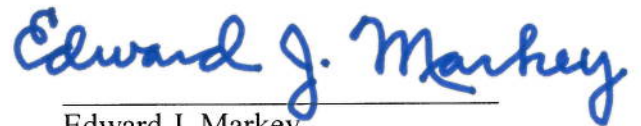
Sheldon Whitehouse
United States Senator



Ron Wyden
United States Senator



Tom Udall
United States Senator



Edward J. Markey
United States Senator