

Topic 5.10-5.11 Chpt. 19 Campaign Financing & Modern Camp

TOPIC 5.10 Modern Campaigns

Explain how campaign organizations and strategies affect the election process.

The benefits and drawbacks of modern campaigns are represented by:

- Dependence on professional consultants
- Rising campaign costs and intensive fundraising efforts
- Duration of election cycles
- Impact of and reliance on social media for campaign communication and fundraising

Why the increase costs?

1. Long election cycle- in some country's election cycles are 10 weeks or less. In USA 2 years out, Pres elections starts after midterms. The longer the cycle the more expensive campaigns become. Think Iowa and New Hampshire-caucus and primary start at beginning of the pres election year- Jan., Feb.
2. Complexity of campaigns- Require professional experts
 - campaign manager
 - public relations expert
 - dedicated fundraisers
 - social media consultants
3. Political Consultants- Professionals hired by a campaign to develop media strategy, fundraise, research and conduct polling. No longer dependent on the p_____ p_____ for this support. Leading to a d_____ in the influence of political parties.
4. Paid employees and volunteers- make calls, visit residences to get the vote out for their candidate & raise money- c_____
5. Increased reliance on s_____ media for campaign communication and fundraising. "Viral" Marketing

TOPIC 5.11 Campaign Finance

Explain how the organization, finance, and strategies of national political campaigns affect the election process.

EFFORTS TO REFORM

Strategies to prevent abuse in political contributions

- Imposing limitations on giving, receiving, and spending political m_____
- Requiring public disclosure of the sources and uses of political m_____
- Giving governmental s_____ to PRESIDENTIAL candidates, campaigns, and parties, including incentive arrangements

Post-Watergate reforms- The Federal Election Campaign Act (FECA)

- l_____ the amount that candidates for federal office can s_____ on media advertising
- established a fund for p_____ donations to presidential campaigns (not done for congressional campaigns)
- set up r_____ for the d_____ of all campaign financing and spending information
- established l_____ on personal c_____ to presidential and congressional candidates
- established the F_____ E_____ C_____ to regulate campaign financing
- 1974 amendments to FECA established realistic limits on contributions and spending, tightened disclosure, and provided for public financing of presidential campaigns; the amount of public subsidy rises with inflation
- The law had to be amended after the 1976 *Buckley v. Valeo* decision, but the basic outline of the act remained unchanged
- *Buckley v. Valeo* (1976)
 - SC case that challenged most of the provisions in the Federal Election Campaign Act, as amended in 1974.
 - SC upheld the law's requirements that candidates, parties, PACs and groups engaging in express advocacy disclose their fund-raising and spending.
 - SC also affirmed voluntary public financing and limits on individual contributions.
 - SC s_____ d_____, as infringements on f_____ speech, l_____ on campaign s_____ (unless the candidate accepts public financing), limits on contributions by candidates to their own campaigns (unless publicly financed) and limits on independent expenditures (election spending by outside interest groups not coordinated with candidates or their committees).

Bipartisan Campaign Reform Act

Enacted in 2002, the Bipartisan Campaign Reform Act, commonly called the M_____ -F_____ Act, is a major federal law r_____ f_____ for federal political candidates and campaigns. The law was designed to address two key campaign finance issues: s_____ money and i_____ advocacy.

- According to the Congressional Research Service, s_____ money is "a term of art referring to funds generally perceived to i_____ elections but not regulated by campaign finance l_____." Prior to the enactment of McCain-Feingold, this included "large contributions from otherwise prohibited sources, [which] went to party committees for 'p_____ -building' activities that indirectly supported elections." The law prohibited national political parties, federal candidates, and officeholders from soliciting soft money contributions in federal elections.
- In addition, McCain-Feingold b_____ c_____ and u_____ from using their treasury funds to finance issue advertisements (sometimes called electioneering communications), which are defined as "b_____ t ads referring to clearly identified federal candidates within 60 days of a general election or 30 days of a primary election or caucus." In 2010, the United States Supreme Court ruled in *Citizens United v. Federal Election Commission* that this provision was u_____.
- According to the Federal Election Commission, the Bipartisan Campaign Reform Act "includes several provisions designed to end the use" of soft money in federal elections. Soft money is defined as "money r_____ o_____ the l_____ and prohibitions of federal campaign finance l_____." Soft money is sometimes referred to as nonfederal money (meaning that the money is not subject to f_____ law). Specifically, the Bipartisan Campaign Reform Act does the following:
 - prohibits national political party committees from receiving or using soft money in federal elections
 - prohibits state, district and local political parties from receiving or using soft money for federal election activities; for specified activities, including voter registration drives and get-out-the- vote activities, these parties can use nonfederal funds
 - prohibits federal candidates and office holders from raising or using soft money for federal election activities

Bipartisan Campaign Reform Act

- Issue advocacy refers to political advertising focused on "b_____ political issues rather than specific c_____." It does n_____ a_____ to persuade the public of particular electoral outcomes, but rather seeks to h_____ broader political or social issues. Issue advocacy is distinguished from express advocacy, which expressly and clearly supports or opposes a particular e_____ outcome. Express advocacy advertisements include "f_____" or "a_____" statements. Candidate-supported advertisements, for instance, which expressly state whether to vote for or against a candidate, are by definition express advocacy. Advertisements focused on broader issues, which do not use express statements of support or opposition, are by definition issue advocacy. Issue advertisements may make specific mention of a candidate or official, but such advertisements not explicitly call for the election or defeat of that candidate or official (instead, such ads may urge viewers to contact the named candidate or official).
- The Bipartisan Campaign Reform Act defined issue advertisements as e_____ communications. Electioneering communications are distributed within 30 days of a primary election or 60 days of a general election. The law p_____ corporations and labor unions from f_____ i_____ advertisements. This prohibition was s_____ down by the United States Supreme Court in 2010.

<u>Citizens United v. Federal Election Commission (2010)</u>	
Facts:	
Holding(s)	Constitutional Principle:

MONEY AND POLITICS

Why It matters:

EXPLOSIVE GROWTH OF PACs-P_____ A_____ C_____

- Interest groups use PACs to r_____ and s_____ money on election campaigns
- A PAC is a registered organization that donates money to campaigns and causes
 - In 1974, only 600 PACs existed. Now: more than 4600.
 - Reason: Congressional legislation that had the intent of preventing a few wealthy campaign contributors from helping candidates “buy” elections. Instead, Cong. wanted to “open up” campaign contributions to the masses, as represented by PACs.
 - PACs even donate to candidates facing no opposition. **Why?**
 - Important to keep things in perspective: most congressional campaign money comes from i_____ contributions.

What are PACs (Political Action Committees)?

Political Action Committees, commonly called "PACs," are organizations dedicated to raising and spending money to either elect or defeat political candidates.

Most PACs are directly connected to specific c_____, l_____ groups, or recognized p_____ parties.

PACs solicit contributions from e_____ or members and make contributions in the PACs name to candidates or political parties.

Non-c_____ or i_____ PACs raise and spend money to elect candidates -- from any political party -- who s_____ their ideals or agendas

Under federal election laws, PACs can legally contribute only \$_____ to a candidate committee per election (primary, general or special). They can also give up to \$_____ annually to any national party committee, and \$_____ annually to any other PAC.

THE ROLE OF POLITICAL ACTION COMMITTEES (PACs)

- PACs link two techniques of influence

- Giving m_____ and other political aid to politicians
- P_____ officeholders to act or vote "the right way" on issues

THE GROWTH OF PACs

- The 1970s brought a near revolution in the role and influence of PACs, as the result of post-Watergate reforms, increasing the number of PACs from 150 to more than 4,000 today
- C_____ make up the majority of all PACs

HOW PACs INVEST THEIR MONEY

- **Campaign Contributions – Factors influencing who gets PAC money:**
 - I_____ (Political party affiliation is of little importance.)
 - Incumbents usually w_____ and as a result receive the l_____ contributions
 - Incumbents have shown to support the PAC's p_____
 - Incumbents hold committee s_____ = more p_____
 - W_____
 - Those who share a similar philosophy
 - Those who are likely to grant access
 - Tightness of a race, and the likelihood that the money will help make a difference in the outcome
 - Whether or not a candidate holds a committee s_____ of special i_____ to the PAC
 - PAC money makes up a higher % of congressional campaign funds than presidential campaign funds
- Voter education projects (mailings, fliers, commercials), voter registration, and get-out-the-vote efforts = g_____ -r_____ activities
- Independent expenditures
- Through "bundling" contributions, PACs increase their clout with elected officials

The Bad- DANGERS OF PACs

- Ethical concerns: does a contribution "b_____" anything?
- Special a_____ of PACs that the average person l_____
- Drives up the cost of campaigning
- Over r_____ of those wealthy enough to have PAC representation
- Under r_____ of those who lack such representation
- Further i_____ a_____ in elections

The Good- IN DEFENSE OF PACs

- PACs provide a means of participation and representation for the average person = linkage institution
- Without PACs, only the wealthy could afford to run for office
- _____ Amendment's right to p_____ the government
- Contributions are nonpartisan
- No conclusive evidence that PACs change congressional votes. Contributions likely to make a difference in arcane, obscure issues with little public awareness more than in issues of major importance with much public awareness.
- PACs provide p_____ education
- PACs d_____ political funding. W/over 4600 PACs, many interests are represented.

THE EFFECTIVENESS OF PACs

- Depends on the context in which money is given and received

- Significant relationship exists between PACs giving money and receiving favorable treatment in congressional committees; still debatable on impact of contributions upon election outcomes
- PACs can help friendly incumbents with s_____ money contributions (unlimited contributions that presumably go for "party-building" activities)

SUPER PACS

- Officially known as "independent-expenditure only committees"
 - May n_____ make contributions to candidate campaigns or parties, but may engage in u_____ political spending independently of the campaigns
- Unlike traditional PACs, they can raise funds from corporations, unions and other groups, and from individuals, without legal l_____
 - *Citizens United v. FEC* (2010)
- 501(c) group
 - Non_____, tax-e_____ i_____ groups that can engage in varying levels of political activity
 - N_____ subject to F__ _ disclosure rules

SUPER PACS

Super PACs came into existence in 2010 when federal court decisions found that limitations on both corporate and individual contributions is an unconstitutional violation of the _____ Amendment.

- The most important difference between a PAC and a Super PAC is in w_____ can contribute and in how m_____ they can give
- Candidates can accept up to 5K per election from a PAC; they cannot accept money from corporations, unions and associations
- For Super PACs there is no l_____ on who contributes or how much they can contribute but they cannot work in c_____ with the candidate they are supporting

RESISTING REFORM

Issue Advocacy

- Definition – Promoting a particular position or an issue paid for by interest groups or individuals but not c_____
- SC ruled that groups were free to run ads during the campaign season as long as the ads did not use words such as “vote for” or “vote against” a specific candidate, “defeat” or “elect”
- Interest groups found ways to avoid disclosure or to communicate an electioneering message

Independent expenditures

- Definition – Money spent by individuals or groups not associated with c_____ to elect or defeat candidates for office
- Current finance laws do not constrain independent expenditures by groups or individuals who are separate from political candidates due to f_____ speech
- Political parties have the same rights to make independent expenditures afforded to groups and individuals

EFFORTS TO REFORM

Soft money

- Definition – Funds given to state and local parties by political parties, individuals, or PACs for voter registration drives and party mailings
- Federal law does not require disclosure of its source or use
- Although soft money is supposed to benefit only state and local parties, it influences federal elections
- Mostly illegal now; Soft money >> purchased access to elected officials >> influence and the possibility or appearance of corruption

CONTINUING PROBLEMS WITH CAMPAIGN FINANCE

Rising costs of campaigns

- Since the FECA became law in 1972, total expenditures by candidates for the House have more than d_____ after controlling for inflation, and they have r_____ even more in Senate elections

Declining competition

- The high c_____ of campaigns d_____ competition by d_____ individuals from running for office (challengers in both parties are u_____)

Dependence on PACs for congressional incumbents

- PACs do not want to offend politicians in power, and politicians in power want to stay in office
- Politicians turn to individual donors who can contribute \$500 or \$1,000 to their campaigns
- Donors want a_____ and politicians to r_____ to their concerns and/or p_____ certain policies
- PAC defenders argue there is no proven link between contributions and legislators' votes
- Candidates' personal wealth
- Growth in individual contributions and use of the i_____ to fund campaigns