

Super PACs and Trump's Wife: How a Photo Dispute Highlights Weakness in Campaign Finance Rules

by Robert Faturechi ProPublica, March 31, 2016, 8 a.m.

There's no evidence to support Donald Trump's claim that Ted Cruz played a role in a super PAC's attack on his wife.

But federal rules barring coordination between candidates and the super PACs that support them have been so rarely enforced that even if Trump were right, it's uncertain the Cruz campaign would be penalized.

The question arose last week, when a super PAC called "Make America Awesome" rolled out a digital ad targeting Utah voters that featured Trump's wife, Melania, posing nude for the British edition of GQ magazine more than 15 years ago.

"Meet Melania Trump. Your next first lady," the ad read. "Or, you could support Ted Cruz on Tuesday."

Trump accused Cruz, or his campaign, of buying the photo from the magazine and providing it to the PAC. Trump has offered nothing to back up the claim. The Cruz camp said it had no involvement in the ad. A representative for the PAC accused Trump of concocting a "weird conspiracy theory." And the original photographer [denied](#) giving approval for anyone but GQ to use the photo.

Suppose, though, that evidence does emerge to show a link. It would be up to the Federal Election Commission, which is

supposed to police the conduct of campaigns and political action committees, to determine if it is illegal for a candidate to buy or produce content that a super PAC then parlays into an ad. If history is any guide, it's not a sure bet the FEC would do anything about it.

Super PACs are committees that can accept donations of any dollar amount and can promote candidates as long as they don't coordinate with their campaigns. Candidates can't solicit large donations for super PACs, and, before an election, they're not allowed to strategize with the groups on what kind of ads to craft or where to run them. If they could coordinate, dollar caps on contributions to candidates would become virtually meaningless.

But the definition of illegal coordination is narrow. A super PAC, for example, can host a fundraiser, and invite its favored candidate to headline the event and solicit money from guests. Candidates can also publicly post information about their ad buys, allowing super PACs to determine where the campaign might need reinforcements. In recent years, both parties were found to be releasing granular data about ads or polls on obscure Twitter feeds in apparent attempts to get around coordination rules.

That line gets blurrier when it comes to super PACs that repurpose content from campaigns. A number of candidates have posted hours of polished video footage of themselves online, where super PACs can grab clips to use in ads.

Daniel Weiner, an attorney at the Brennan Center for Justice at New York University law school, said candidates "laundering this stuff" by putting the content online and into the public sphere is "not a get out of jail free card." But, he said, it does help campaigns dodge liability 2014 whereas "if it's something the campaign sent directly (to the super PAC), that could be an indication they really wanted you to use it."

While advocates for stronger regulation have argued that sort of repurposing is illegal, the FEC's three Republican appointees (the commission is evenly divided by party) have typically forced an impasse on the issue, [deeming](#) relatively short snippets to be fair game.

Paul S. Ryan, an attorney at the Campaign Legal Center, a nonprofit that advocates for stronger campaign finance regulation, could only remember one instance when the FEC did take action on this front. Restore Our Future, a super PAC supporting 2012 Republican presidential candidate Mitt Romney, ran an ad almost identical to one run by the Romney campaign itself. One of the sole differences was the closing credit that disclosed who paid for it.

"The penalty was \$50,000 and that came about four years later," Ryan said. "The fine was ridiculously small and it came too late."

While Ryan contends that it would be a clear violation if a candidate purchased a photo and provided it to a PAC as Trump alleges, he doubts that the FEC's Republicans, who advocate against the government encroaching on political speech, would see it that way. "They seem to bend over backwards to find no violations of law," Ryan said.

For one thing, Ryan said, the FEC could decide that even if the super PAC got the photo from the campaign, it operated within the law because it covered some portion of the original photo by adding embedded text and therefore showing less of the original content.

Weiner, a former attorney for a Democratic FEC commissioner, said he's also not confident the agency would take action.

It's been difficult for the commissioners to find common ground on many enforcement measures, Weiner said, because of partisan gridlock. While the three Republican appointees tend to want a narrow interpretation of what constitutes a

violation of the rules, the three Democratic appointees have also hardened their positions. “If they make a small exception, allow a small loophole, they’re worried a truck will be driven through it,” Weiner said.

Eric Wang, a campaign finance attorney who formerly worked for a Republican FEC commissioner, said Congress designed the agency to be evenly split as a check on the over-regulation of political speech.

“I shy away from using the term gridlock,” he said. “Gridlock suggests the agency is not functioning in a smooth manner or in the way it’s supposed to function.”

The FEC, Wang said, is operating just as it should.

“They’re regulating core First Amendment issues. They’re regulating issues that directly impact our elections,” he said. “You don’t want an agency that’s regulating our elections that’s tilted toward one party.”

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Democratic Primary Makes Clear: A Populist Revolution is Coming

Published on Tuesday, February 16, 2016 by [Common Dreams](#)
by [Lauren McCauley, staff writer](#)

The influential economist Thomas Piketty is the most recent trans-Atlantic observer to note that the “incredible success of the ‘socialist’ Bernie Sanders” is indicative of a deeper,

populist movement that's brewing across the United States.

In a column published in the French newspaper *Le Monde* on Monday and [translated](#) on his website, Piketty argues that regardless of whether Sanders wins the Democratic nomination, "we are witnessing the end of the politico-ideological cycle opened by the victory of Ronald Reagan at the November 1980 elections."

Putting Sanders' rise within historical context, Piketty revisits the period between 1930 and 1980 when the U.S. "pursued an ambitious policy of reduction in social inequalities," with economic policies that included progressive income and estate taxes, as well as the implementation of a federal minimum wage (which reached above 10 dollars per hour, in 2016 dollars, by the end of the 1960s).

"Half a century of steady fiscal progressivity" came to an abrupt end in 1980, when Ronald Reagan "surfing" into the presidency "on a program designed to reinstate a mythical capitalism said to have existed in the past," propelled largely by the frustrations of "the financial elites."

Piketty said this culminated with the 1986 fiscal reform, which lowered the top tax rates to 28 percent (compared to an average rate of 82 percent for the richest Americans during the previous era), as well as the freezing of the federal minimum wage.

Neither effort, he notes, was "genuinely challenged by the Democrats of the Clinton years and the Obama era" leading to an "explosion of inequalities and huge salaries...and stagnation of the incomes of the majority." Indeed, the French economist [rose](#) to global prominence in 2014 when he argued in his book *Capital in the Twenty-First Century* that the world had entered another Gilded Age.

Piketty concedes, "Faced with the Clinton electoral machine

and the conservatism of the major media, Bernie will perhaps not win the primary.” But he adds, “it has been demonstrated that another Sanders, possibly younger and less white, could one day soon win the American presidential elections and change the face of the country.”

“Today, Sanders’ success demonstrates that a substantial proportion of America is tired of the rise in inequality and these pseudo-alternatives and intends to return to a progressive agenda and the American tradition of egalitarianism,” he concludes.

Bernie Sanders’ elder brother, Larry, who lives in the United Kingdom and is a local leader in the Green Party, made a similar argument last week. Larry Sanders attributed his brother’s popularity to his focus on economic inequality, [telling BBC](#): “The distribution of money from the bulk of the population to the very rich is true and when somebody says it they resonate to that.”

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Reasons to Celebrate: Key Progressive Gains in 2015

Published on Thursday, December 31, 2015 by [Common Dreams](#) by [Andrea Germanos, staff writer](#)

As the year draws to a close, it’s worth noting a handful of progressive gains that people-power made possible:

Feelin’ the Bern

Despite the [lack of coverage](#) in corporate media about the Vermont Independent and his presidential bit, Sen. [Bernie](#)

[Sanders](#) and his call for a political revolution have resonated nationwide.

Sanders, who's put a spotlight on economic inequality, has also [slammed](#) the U.S. incarceration rate as an "international embarrassment," [called for](#) free higher education [lambasted](#) Wall street as "out of control," and [advocated](#) for a single-payer healthcare system, has been speaking to [record-breaking crowds](#).

He now [holds the record](#) for highest number of contributions for a White House bid, breaking the record held by President Barack Obama in 2011, and a Quinnipiac University poll this month found that, if the 2016 U.S. presidential election were held today, Sanders [would win](#) by a landslide over GOP frontrunner Donald Trump.

Black Lives Matter

The [Black Lives Matter](#) movement has put a spotlight this year on the rampant racial injustice plaguing the nation.

It's been able to [shift](#) public opinions on racism, and as Campaign for America's Future Terrance Heath writes, its because of the movement we know the names Michael Brown. Eric Garner. Laquan McDonald. Sandra Bland. Walter Scott. Rekia Boyd. Tamir Rice.

It's the movement of the year, commentator Sonali Kolhatkar [declared](#). "What the past two years have shown us is that killings of African-Americans by police is continuing to happen, continuing to be recorded, continuing to be protested and continuing to be condoned by a justice system hellbent on absolving the killers of black folk. It has also shown us that the movement that this injustice has spawned is shrewd, adapts quickly and is here to stay," she writes.

Hello, Corbyn

When anti-war, anti-austerity socialist [Jeremy Corbyn](#) was [elected](#) leader of the British Labour party in September, Salman Shaheen of Britain's progressive Left Unity party said, "British politics will never be the same."

Corbyn's victory, Shaheen said, "shatters the main parties' consensus on austerity, war and many other issues. This victory is part of a new kind of politics that is rising across Europe, as people reclaim hope and mass movements grow for real alternatives."

In November, as British Prime Minister David Cameron stated his desire to escalate the UK's military campaign against the Islamic State (ISIS) in both Iraq and Syria, Corbyn [said](#) that it is "vital" to learn from history and "not to be drawn into responses that feed a cycle of violence." World governments, he said, "must not keep making the same mistakes" in their fight against terrorism.

Ahead of his election, Corbyn also said that his party [would](#) "apologiz[e] to the British people for taking them into the Iraq war on the basis of deception and to the Iraqi people for the suffering we have helped cause."

Bye-bye, Harper

Canadians brought an end to nearly a decade of rule by right-wing Prime Minister Stephen Harper this fall when they elected Justin Trudeau of the Liberal Party.

In his victory speech, Trudeau called the win a repudiation of "negative, divisive politics" in favor of "a positive vision that brings Canadians together."

Days after the election, progressive commentators Seth Klein and Shannon Daub [wrote](#) that "it feels like a month's worth of catharsis, in the form of profound relief that after almost ten years of policies harmful to the environment, public services, social cohesion and democracy, the mean man and his bullies are gone."

Author Shawn Katz [wrote](#) that Trudeau's swearing in "unleash[ed] the rush of a collective catharsis as the weight of a traumatic decade lifted like a sombre fog."

Trudeau, who earlier this month [offered](#) a personal welcome to a group of Syrian refugees arriving in Toronto, [garnered](#) praise for appointing a diverse cabinet but has also been [pushed](#) by campaigners to "walk your talk on climate change" and reject corporate-friendly trade pacts.

(Photo: Rainforest Action Network/flickr/cc)Keystone XL Pipeline

After years of people-powered organizing, the Obama administration [rejected](#) the [Keystone XL](#) tar sands pipeline.

As *Common Dreams* previously [reported](#),

Through years of unprecedented campaigning, ordinary people in the United States and Canada turned what could have been an unremarkable rubber stamping of yet another fossil fuel pipeline into an internationally-watched fight to stop climate change. Since 2011, communities across the United States have staged over 750 direct actions and protests across the country—from mass sit-ins at the White House to a tens-of-thousands-strong march on the National Mall. Farmers, workers, students, Indigenous peoples, and communities on the frontlines of oil refineries and extreme weather put their bodies and relationships on the line—risking arrest, talking to their neighbors, and taking to the streets.

Highlighting the achievement, climate group 350.org writes: "When we started fighting this thing, they said it was a done deal. It was a long, hard fight, but it was worth it. Let that be a lesson to all the pipeline builders, coal financiers, and frackers of the world: Don't bet against the climate movement. We're playing for keeps."

Minimum Wage

Among the progressive issues that [won](#) on local ballots this fall, November 4th, voters approved every initiative to raise the minimum wage in the five states where they appeared.

The year also saw decisions to have phased-in minimum wage hikes in Los Angeles, Seattle, Oakland, and San Francisco.

And the *Huffington Post* points to a recent analysis showing that [workers in 14 states](#) will see the minimum wage go up.

Contributor Erik Sherman wrote previously at *Forbes*: “With 28 states now supporting minimum wages higher than the federal level, pressure on Congress will increase, while states with lower figures could find themselves economically uncompetitive for workers and, therefore, businesses.”

Marriage Equality

The U.S. Supreme Court [issued](#) a historic ruling this year that same-sex marriage is legal in all 50 states.

The decision in the *Obergefell v. Hodges* case, the ACLU noted, was 50 years in the making.

The ruling marked “a transformative triumph decades in the making, a momentous victory for freedom, equality, inclusion, and above all, love,” said Evan Wolfson, president of Freedom to Marry.

Failure of Global Elite’s Austerity

(Photo: RonF via The Weekly Bull/flickr/cc)An anti-austerity coalition took power in November in Portugal, while in the recent election in Spain, the conservative People’s Party lost significant ground to the anti-austerity Podemos party led by Pablo Iglesias. The results, some observers [said](#), matter not just to Spain to the whole of Europe as well.

The *New York Times* reported that “A backlash against austerity has helped crack the club of parties that had a lock on politics, and ushered in a new generation of challengers.”

And in Greece, Mark Weisbrot, co-director of the Center for Economic and Policy Research, noted, voters “rejected austerity in January and again overwhelmingly in June in a nationwide referendum, only to get it rammed down their throats by the European authorities. But Greece’s economy is less than 2 percent of the eurozone, and its new leaders from the leftist Syriza party – although they vociferously opposed austerity – made it clear that they would never leave the euro, no matter how much they were punished.”

In that country, still in the grips of “financial terrorism by the European authorities,” as Weisbrot put it, Prime Minister Alexis Tsipras and former finance minister, Yanis Varoufakis, both cheered the outcome in Spain, with Varoufakis calling it “a small step that may turn into a large faultline shattering the eurozone’s crisis-denial and austere contempt for democracy.” Tsipras for his part, tweeted: “austerity has now been defeated politically in Spain, as well.”

The UK’s Corbyn went to Portugal following their election, and [said](#), “We’re building an anti-austerity coalition across Europe.”

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Sanders’ Climate Revolution Would Cut 80% of Emissions by 2050

Published on Monday, December 07, 2015 by [Common Dreams](#)
by [Lauren McCauley, staff writer](#)

A national energy policy that prioritizes the health and

well-being of people and planet above the profits of the fossil fuel industry is what voters can expect should [Sen. Bernie Sanders](#) be elected President of the United States next year, according to the candidate, who on Monday [unveiled](#) his [plan](#) to combat the rising crisis of climate change.

The plan calls for a tax on carbon, an end to fossil fuels subsidies, and “massive investments” in energy efficiency and a system powered by non-nuclear, sustainable sources such as wind and solar, enabling a swift transition to a clean energy economy. Sanders estimates these measures would cut U.S carbon pollution by 40 percent by 2030 and over 80 percent by 2050.

While many of his competitors have been ambivalent, if not derisive, on the issue, the Senator from Vermont unequivocally declared global warming “the single greatest threat facing our planet.”

He asserts that the reason the U.S. has failed to take meaningful steps to solve the crisis is because a “small subsection of the one percent are hell-bent on doing everything in their power to block action.”

In order to derail Big Oil’s influence on U.S. climate policy, Sanders said he would “ban fossil fuel lobbyists from working in the White House,” and overturn the Supreme Court’s [Citizens United](#) ruling that has “enabled billionaires to increasingly control the political campaign finance system.”

Sanders also addresses a number of the more controversial aspects of current U.S. energy policy. His plan: calls for an outright ban on offshore and Arctic oil drilling, as well as mountaintop removal coal mining; supports state efforts to ban [fracking](#); blocks natural gas exports and legislative efforts to lift the crude oil export ban; places a moratorium on nuclear power plant license renewals; and increases fuel economy standards, among other things.

“Bernie’s vision of a transformed America is powerful, because it recognizes both the ecological need and the human

priority.”

–Bill McKibben

Further, Sanders describes what he called a Clean Energy Workforce of “10 million good-paying jobs,” under which citizens will be trained to meet the demands within the new energy system.

What’s more, Sanders vowed to bring “climate deniers to justice,” citing the recent [revelations](#) that for decades ExxonMobil knew and suppressed information related to global warming.

“Right now, we have an energy policy that is rigged to boost the profits of big oil companies like Exxon, BP, and Shell at the expense of average Americans. CEO’s are raking in record profits while climate change ravages our planet and our people—all because the wealthiest industry in the history of our planet has bribed politicians into complacency in the face of climate change,” Sanders said.

“Enough is enough. It’s time for a political revolution that takes on the fossil fuel billionaires, accelerates our transition to clean energy, and finally puts people before the profits of polluters,” he added.

Sander’s climate plan was met with strong support from the environmental community, which has long-called for similar action.

Annie Leonard, executive director of Greenpeace U.S. said the plan illustrates Sanders’ commitment against “the corporate and 1% money that has held back climate policy for far too long. Sanders has issued a powerful call for climate justice and decisive action to keep fossil fuels in the ground and support the communities who are suffering from climate and environmental impacts.”

Bill McKibben, co-founder of 350.org, said: “Bernie’s vision

of a transformed America is powerful, because it recognizes both the ecological need and the human priority.”

“Even more important than the plan is the credibility of the planner,” added McKibben, a fellow Vermonter, noting Sanders’ legislative record on climate issues. “Bernie has shown with years of committed action that he will not just talk about this stuff on the campaign trail, he will do it in the Oval Office.”

Sanders’ plan comes as global leaders begin their second week of negotiations on a global agreement at the [COP21](#) climate summit in Paris, which environmental campaigners [say](#) has been compromised by the outsized influence of powerful corporations and world’s wealthiest nations.

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Calling Edward Snowden an ‘International Human Rights Defender,’ EU Resolution Calls for His Protection

Published on Thursday, October 29, 2015 by [Common Dreams](#)
by [Andrea Germanos, staff writer](#)

The European Parliament [passed](#) a resolution Thursday urging its nations to afford NSA whistleblower [Edward Snowden](#) protection.

Passed by a 285 to 281 vote, the resolution calls on EU member

states to “drop any criminal charges against Edward Snowden, grant him protection and consequently prevent extradition or rendition by third parties, in recognition of his status as whistle-blower and international human rights defender.”

Snowden, who’s been residing in Russia since 2013, responded to the resolution on Twitter by calling it a “game-changer”:

While the resolution is not binding, Wolfgang Kaleck, Snowden’s lawyer in Berlin, told the [Daily Dot](#) in an email, “It is an overdue step and we urge the member States to act now to implement the resolution.”

U.S.-based digital rights group [Fight for the Future](#) welcomed the news as well. Evan Greer, the organization’s campaign director, said, “We hope that this resolution leads to a binding agreement in the EU that allows Edward Snowden to move to whichever EU country he wants, and we hope he gets an epic party thrown in his honor when he arrives.”

“The battle over mass government surveillance is a decisive moment in the history of humanity, and it’s hard to think of anyone who has done more than Edward Snowden to educate the public about the grave risks that runaway spying programs pose to our basic human rights, the future of the Internet, and freedom of expression,” he added.

The World Wide Web Foundation, which advocates for an open Internet and was founded by Web inventor Tim Berners-Lee, called it a “landmark resolution.” It added in a statement, “We call on national leaders to publicly commit to respecting the will of the European people and offering Snowden asylum.”

Berners-Lee [said](#) in a Reddit Ask Me Anything session last year that Snowden “should be protected, and we should have ways of protecting people like him. Because we can try to design perfect systems of government, and they will never be perfect, and when they fail, then the whistleblower may be all that saves society.”

Fringe No More: Sanders Takes Major Lead in Key Battleground States

Published on Monday, September 14, 2015 by [Common Dreams](#) by [Deirdre Fulton, staff writer](#)

'Fringe candidate' no more, Democratic presidential hopeful [Bernie Sanders](#) leads former Secretary of State Hillary Clinton among likely Democratic presidential primary voters in the battleground states of Iowa and New Hampshire, according to new polling released on Sunday.

The new CBS/YouGov poll finds U.S. Sen. Sanders (Vt.) with 52 percent support among Democratic primary voters in New Hampshire, while former frontrunner Clinton receives 30 percent.

"Possibly more worrying for the Clinton campaign is her performance in Iowa," [writes](#) YouGov US and UK assistant editor William Jordan—in that key caucus state, Sanders is now ahead by 10 points, with 43 percent to Clinton's 33 percent.

CBS News [further notes](#) that "[o]ne major difference right now is enthusiasm: Sanders is generating it and Clinton is not. Seventy-eight percent of Sanders voters in New Hampshire, and 63 percent of his voters in Iowa, say they enthusiastically support him, while just 39 percent of Clinton's backers in New Hampshire and 49 percent in Iowa say they enthusiastically support her."

The *CBS* analysis continues: “Even though many Democrats think both Clinton and Sanders would look out for the middle class, voters in New Hampshire and Iowa are relatively more likely to believe Clinton will enact policies favoring the wealthy. A quarter say so in each of those states, while very few think this is true of Sanders. More Democrats say Sanders’ policies would favor the poor than say that about Clinton.”

In both Iowa and New Hampshire, Sanders’ support is strong among both independent voters and those under age 30.

“The more people in Iowa get to know about Bernie the more they like him and what he stands for,” [said](#) Stephanie Schwinn, Iowa’s Bremer County Democratic Chair, after a Quinnapiac poll last week [showed](#) Sanders surging in the Hawkeye State. “His ideas for rebuilding the American middle class and taking on the billionaire class are resonating here in Iowa and across the country.”

Sanders, for his part, said last week he was “stunned” by how swiftly his populist message has caught fire. “Did I think [the issues] would resonate as quickly as they have?” he [asked](#) *CNN*’s Wolf Blitzer on Thursday. “The answer is no.”

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‘Bringing People Together’ Big Time as Sanders Attracts Tens of Thousands

Published on Monday, August 10, 2015 by [Common Dreams](#)
by [Jon Queally, staff writer](#)

It was by far the largest turnout for any presidential candidate this year, as nearly 30,000 people rallied in Portland, Oregon on Sunday evening for Bernie Sanders, filling the city's Moda Center to capacity with thousands more directed to overflow areas to watch the event on large screens.

"Whoa. This is an unbelievable turnout," said the U.S. senator and presidential candidate after taking the podium.

With a populist message and a continued upward trend in early state and national polling, Sanders has been breaking his own attendance records over recent weeks and months, attracting overflow crowds in liberal bastions like New England and the northwest, but also in [more conservative states](#) like Texas, New Orleans, and Arizona.

According to reporting by *The Oregonian*:

The senator received waves of thunderous applause as he vowed to fight for universal health benefits, paid family leave, paid sick leave, free public college tuition, a \$15 minimum wage, expanded Social Security benefits and a major public works program to rebuild crumbling infrastructure.

"Almost all of the wealth is held by a small handful of people and together we are going to change that," said Sanders, vowing to take on the "billionaire class," end corporate tax breaks and break up major Wall Street financial institutions. "If they're too big to fail, they're too big to exist," he added.

"We see kids getting criminal records for having marijuana but the the CEOs of these major institutions get away" with no sanctions after their "greed and recklessness" caused the 2008 collapse of the financial markets.

Sunday's evening rally in Portland followed a Saturday night

event at the University of Washington in Seattle that drew an estimated 15,000 people.

By contrast, as the *Washington Post* [points out](#), the largest crowd yet attracted by Hillary Clinton's campaign was estimated at 5,500, which came at her formal New York kickoff event in June. None of the Republican candidates have seen crowds anywhere near what Sanders is getting.

Despite the ability of a few protesters to [shut down](#) an earlier campaign stop in Seattle on Saturday, the Sanders campaign continues to build traction with its far-reaching and inclusive populist message regarding economic inequality, social justice, and a broad call for a "political revolution" centered on getting big money out of politics, fighting corporate greed, and combating human-caused climate change. Additionally, Sanders has thus far gone further than other candidates in making criminal justice reform and racial inequities central issues of his platform.

As part of the campaign's expanding agenda, Sanders on Sunday released an updated and detailed [issue statement](#) on "racial justice" which calls for "addressing the four central types of violence waged against black and brown Americans: physical, political, legal and economic."

During Sunday evening's rally in Portland, Sanders told the crowd "there is no candidate who will fight harder to end institutional racism in this country and to reform our broken criminal justice system."

Ultimately, however, he said that his goal is to unite those who are being mistreated, abused, and under-served by a political and economic status quo that is controlled and designed to benefit the rich and powerful while leaving working people, the poor, the middle class, and other vulnerable populations out in the cold.

At the core of his campaign, Sanders said, is "bringing people

together.”

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Shadow Puppets: Outside Groups Pulling the Strings in 2016 Election

Published on Tuesday, August 04, 2015 by [Common Dreams](#)
by [Deirdre Fulton, staff writer](#)

Representing a “fundamental shift in how presidential campaigns are funded in the United States,” so-called shadow campaigns are already dominating the 2016 election cycle, according to a [new study](#) issued Tuesday by the Brennan Center for Justice.

The report, [*Shadow Campaigns: The Shift in Presidential Campaign Funding to Outside Groups*](#), reveals that ostensibly independent groups—many of which in reality enjoy close ties to individual candidates—have raised hundreds of millions of dollars, greatly outpacing the candidates’ own campaign committees.

Furthermore, the study finds, 95 percent of the outside money, or \$270 million, has been collected by groups not subject to contribution limits, raising questions “about whether big donors are attempting an end-run around the strict limits on contributions to candidates’ formal campaign committees.”

“The advantage of funds raised through unlimited-contribution groups is obvious,” the report explains. “One wealthy donor can write a check for millions. Campaign committees, on the

other hand, are limited to donations of \$2,700 for the primary election. In theory, candidates are not permitted to 'coordinate' with groups that can raise unlimited funds. But with flawed coordination rules that go almost entirely unenforced, in reality the path is open for candidates to work closely with, and even exert control over, supportive outside groups—even to the point of assigning close advisers to run them.”

This explosion of outside money, the vast majority of it not subject to contribution limits, is a consequence of the U.S. Supreme Court's 2010 *Citizens United* decision, says the Brennan Center.

“In *Citizens United*, the Supreme Court argued we don't need to worry about outside spending because it's independent—it can't corrupt candidates because they don't control it,” said Ian Vandewalker, author of the report and counsel in the Brennan Center's Democracy Program.

“But the biggest money in this election is going to the outside groups that seem to be the least independent, by any common-sense understanding of that word,” he continued. “When candidates fundraise for outside groups, give up former staff to run those groups, or count the groups' money in their own fundraising announcements, everyone knows what's going on.”

While the report shows Republicans generally benefiting more than Democrats from shadow campaigns, the candidate who [benefited the most](#) from this trend is clearly former Florida Gov. Jeb Bush, who is running for the Republican nomination. Shadow campaign groups supporting Bush and benefiting from his fundraising efforts—namely the Right to Rise Super PAC—took in \$108.5 million, a record-breaking amount that is almost 10 times the \$11.4 million raised by his campaign.

What's more, the report points out, “despite the massive sums reported here, we know that our analysis underestimates the

true extent of fundraising by outside groups, including those that are not subject to contribution limits and may have ties to their favored candidate, because ‘dark money’ organizations have not yet been required to report their revenue.”

At least one presidential candidate has shunned help from such shadow campaigns. Over the weekend, Democratic White House hopeful Bernie Sanders [called for](#) public funding of elections as a way to “allow people to run for office without having to beg money from the wealthy and the powerful.”

Referring to *Citizens United*, Sanders said: “We must overturn that decision before it’s too late. We are increasingly living in an oligarchy where big money is buying politicians.”

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Journalists Agree to Keep Mum on Conservative Donors at Koch Brothers Event

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In a rare move, journalists from a handful of major media outlets were granted access this weekend to a private and well-heeled gathering of Republican benefactors, sponsored by the billionaire brothers Charles and David Koch, on one condition: that they do not name any of the 450 donors attending, unless given explicit permission.

The three-day event, hosted by the Koch brothers-backed nonprofit organization Freedom Partners Chamber of Commerce,

is being held at at the St. Regis Monarch Beach luxury resort in California.

A small number of reporters confirmed they are attending the events on the condition that they keep mum.

“The Washington Post is one of nine news organizations allowed in to cover the traditionally private confab, on the condition that the donors present not be named without their permission,” [wrote](#) *Post* reporter Matea Gold on Saturday.

Politico reporter Kenneth P. Vogel also [confirmed](#) on Saturday that his outlet was one of the select few invited “on the condition that the donors present not be named without their permission.”

The journalists agreed to these conditions despite the fact that the big donors in attendance are major players in the 2016 presidential election cycle. As Vogel noted: “The network of political and public policy groups backed by the Kochs and their allied donors intends to spend [\\$889 million](#) in the run-up to the 2016 election boosting policies and candidates that adhere to principles like those Koch laid out Saturday.”

While the Koch brothers have sought to portray themselves as [embracing of transparency](#), critics charge that the conditions imposed on media coverage of this weekend’s seminar raise serious ethical concerns.

“The problem is that the ground rules could restrict journalists from reporting what’s right in front of their eyes,” reporter Michael Calderone [noted](#) Sunday in the *Huffington Post*. “If, say, Rupert Murdoch, or even a lesser-known billionaire, walked by, they couldn’t report the person’s attendance without permission.”

Calderone continued: “So it’s possible journalists end up reporting largely what the event sponsors want, such as fiery speeches and candidate remarks criticizing Democrats, but less

on the power brokers attending who play key behind-the-scenes roles in the 2016 election.”

However, there were some people who sought to shine light on the summit. Vogel notes that “a small group of protestors stood outside the entrance to the St. Regis on Saturday, holding signs that read ‘[Koch kills democracy](#),’ and photographing arriving donors, operatives and members of the press.”

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Surprise! Pro-GMO Lawmakers Get Big Funds from Agribusiness Lobbies

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File this under unsurprising, but nefarious nonetheless.

Members of U.S. Congress who vote against mandatory labeling for genetically modified (GMO) products receive three times as much funding from the food and agriculture lobbies as their colleagues, according to new [reporting](#) from Open Secrets, a project of the Center for Responsive Politics.

The political finance watchdog group found that the supporters of the anti-labeling bill which passed the House of Representatives last Thursday collectively received \$29.9 million from the agribusiness lobby and food and beverage industry during the 2014 election cycle. At 230 Republicans and 45 Democrats, that averages roughly \$108,900 per member to support HR 1599—officially titled the Safe and Accurate Food

Labeling Act of 2015 but known by its opponents as the DARK (Deny Americans the Right to Know) Act. HR 1599 [passed](#) with 275 to 150 votes.

Meanwhile, co-sponsors of the anti-labeling bill “received six-figure dollar amounts from providers of agricultural services and products...during the 2014 election cycle. That put them high among the top 20 recipients of funds from the industry,” Open Secrets reports.

Among those lawmakers are Reps. Collin Peterson (D-Minn.), Frank Lucas (R-Okla.), Rodney Davis (R-Ill.), Mike Conaway (R-Texas), and Kurt Schrader (D-Ore.), most of whom also sit on the House Agriculture Committee.

As *Common Dreams* [reported](#) last Thursday, HR1599 “was backed by the food industry, including the Grocery Manufacturers Association and Monsanto Company, which have poured money into defeating GMO labeling initiatives.”

Open Secrets continues:

Reps. Mike Pompeo (R-Kan.) and G.K. Butterfield (D-N.C.), two original sponsors of the legislation, were the top two current House members receiving the most money from the Grocery Manufacturers Association in 2014. The grocery manufacturers – who have spent \$4.1 million lobbying on all issues so far this year, almost as much as they spent in all of 2014 – have lobbied on the bill more than any other organization, mentioning the measure on 14 lobbying reports this year.

After the Grocery Manufacturers Association, PepsiCo Inc (\$2.5 million in overall lobbying this year) and Monsanto Co (\$2.6 million) have mentioned the bill most frequently.

Food and environmental activists called for the Senate to vote down HR 1599 when it reaches the chamber.

“Passage of this bill is an attempt by Monsanto and its

agribusiness cronies to crush the democratic decision-making of tens of millions of Americans. Corporate influence has won and the voice of the people has been ignored,” Andrew Kimbrell, executive director of Center for Food Safety, said last week.

Added Ronnie Cummins, international director of the Organic Consumers Association, “It’s time to hold every member of Congress accountable. Either they stand with Monsanto and Big Food in support of the DARK Act, or they stand with the overwhelming majority of their constituents for truthful labeling and consumer choice.”

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