

## **CMD Submits Testimony to the U.S. Senate on the Citizens United Case and the Rise of Super PACs and Nonprofit Front Groups**

by [Brendan Fischer](#) — July 24, 2012 - 9:58am

The Center for Media and Democracy (CMD) has submitted testimony to the U.S. Senate's Judiciary Committee for a hearing on "Taking Back Our Democracy: Responding to Citizens United and the Rise of Super PACs," this week.

"[E]xtraordinarily wealthy corporations and individuals now have more potential power over who wins elections than at almost any time in a century, since dating back to the era of the 'robber barons,'" CMD's testimony states. "The system really is broken."

CMD's [testimony](#) describes both the rise of "Super PACs," Political Action Committees registered with the Federal Elections Commission that can now accept unlimited donations but must disclose their donors, and nonprofits like Karl Rove's Crossroads GPS which don't register and don't disclose their donors, but spend tens or hundreds of millions on ads to influence elections.

"While billionaires are openly writing million-dollar checks to Super PACs, millions more is being secretly funneled to front groups whose ads may affect who wins and wields power over people and policy," said Lisa Graves, the Executive Director of the Center for Media and Democracy/ALECexposed.org.

"Deceptively named nonprofit groups are becoming the Swiss bank accounts of elections, receiving secret multi-million dollar gifts that buy ads to influence how Americans vote."

An [appendix](#) to the testimony includes case studies of nonprofit groups that spent tens of millions influencing the 2012 recall election in Wisconsin and the Iowa presidential primaries in 2011, but without disclosing their funding or spending.

Despite the proliferation of secretly-funded nonprofit groups, it is CMD's view that "increased disclosure -- although very important -- is simply not enough." In its testimony, CMD wrote that "even full disclosure to the government of the real identities of [a group's] top few funders may not alert the audience to the financial or other interests behind such ads."

"In sum, the activist judges, abetted by partisan politicians, who have changed the law to turn our elections into a 'marketplace of ideas' have actually transformed it into just a marketplace. In that marketplace, voters are sold goods they cannot return (un-elect) for years at a time by groups whose financial interests or ideological agenda are secret and with no accountability for whether the ads are truthful or deeply misleading. A candidate's "independent" allies can run attack ads they can disavow if the ads go too far, and the candidates usually know who the major donors to the so-called independent groups are."

According to CMD, "We may never know the true identity of those attempting to buy our elections through such shadowy groups -- whether they are corporations or people, domestic or foreign -- but we do know American democracy is increasingly for sale."

CMD noted that this is why "We the People are demanding that the Constitution be amended to fight this corruption."

CMD's testimony will be submitted for the record. Panelists testifying in-person include Senators Max Baucus (D-MT), Bernie Sanders (I-VT), Tom Udall (D-NM), and Donna Edwards (D-MD), as well as former Louisiana Governor Buddy Roemer, Harvard Law Professor Larry Lessig, and the Cato Institute's Ilya Shapiro.

The testimony and appendix can be accessed via the links below.