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Thwart Super PAC influence by strengthening political parties

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COMMENTARY

It's time to reinvigorate political parties to thwart the influence of Super PACs.

Let's rewind to 1997. Brent Thompson, in Roll Call, wrote "soft money empowers parties and severs the links between donors and candidates."

He was responding to the hyperventilating over the use of soft money by the national parties for ads and other "party building activities."

Soft money meant that neither contributions nor expenditures were capped as long as the parties spent the money independently of candidates. To reformers, soft money was a loophole that amounted to a quid pro quo: contributions traded for political influence.

Others saw it differently. They viewed it as revitalizing the parties both nationally and at the state level.

In Party Politics in America, Marjorie Randon Hershey writes "State and local parties, energized by money, became more involved in campaigns . . . soft money allowed the parties to play more of a role in the most competitive races than had been the case in more than a half a century."

Well intentioned reformers like Senators John McCain and Russell Feingold disagreed. They pressed on and through their efforts the Bipartisan Campaign Reform Act (BCRA) was enacted in 2002.

Prior to the law being passed, Senator McCain asserted "ban soft money and your voice [the people] will be heard in Washington again."

But is it? How did this well intentioned reform pan out?

Let's fast forward to the post BCRA era. Spending by independent groups grew exponentially following BCRA, otherwise known as McCain/Feingold.

In 2002, the Center for Responsive Politics estimated that independent groups spent $27.3 million. Just two years later it grew to $200 million and by 2008 to $302 million. So between 2002 and the U.S. Supreme Court's Citizens United ruling in 2010, independent expenditures by 527 and 501(c) groups mushroomed by over 1000 percent.

These independent groups have not only eclipsed the parties in spending but have assumed many of their traditional functions. And, following key court decisions spawned by BCRA, a new political animal has emerged, Super PACs.

Unfortunately, these groups are less accountable than the political parties. Their donors and expenditures often remain undisclosed. Their overall activities remain largely anonymous.

How do we get the genie back in the bottle? Probably we can't. But certain measures can make these outside groups more accountable. They can also redress some of the balance between them and the parties.

First, the provision in BCRA that restricts soft money to the national parties should be repealed.

Second, the limitations on coordination between the parties and their candidates should likewise be rescinded.

These two proposals would begin to establish parity between the parties and independent groups by redirecting the flow of money back toward the parties and a way from the Super PACs.

Third, in addition to the Super PACs, independent 527 and 501(c) groups should be required to disclose their electioneering activity. Donors should be disclosed as well as expenditures. And these groups should register with the Federal Election Commission (FEC) and with similar agencies throughout the states.

Disclosure requirements would put them on a par with the parties who themselves are much more regulated in terms of disclosure.

Political parties are much more accountable than anonymous independent groups. Efforts should be made at both the federal and state levels to strengthen them and enhance their role in the electoral process.

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