



## **H.R. 5175 THE DISCLOSE ACT**

*Ensuring the Primacy of the American Voter in the U.S. Election System*

**Washington, DC** (May 20, 2010): House Administration Committee Chairman Robert A. Brady convened a Committee Meeting today to mark-up H.R. 5175 – The DISCLOSE Act (Democracy is Strengthened by Casting Light on Spending in Elections). H.R. 5175 was developed in response to the Supreme Court’s January 21<sup>st</sup> ruling in the Citizens United v. FEC case. The Court’s ruling rolled the clock back, essentially erasing almost a century of responsible, bipartisan campaign legislation.

“This Committee has held three hearings on the issue and the importance of increased disclosure has been discussed and considered in six hearings held in the House and Senate,” said Chairman Brady. “36 expert witnesses have testified before the House and Senate and, almost unanimously and on a bipartisan basis, endorsed the expansion of disclosure in one form or another. We have heard and incorporated input from our colleagues across the aisle and, in fact, the legislation, in its current form, incorporates input from the Minority related to reducing undue burden resulting from disclaimer requirements.”

A key element of H.R. 5175 is the expansion of disclosure mechanisms designed to ensure that the American voter knows who is attempting to influence their vote. The Supreme Court has repeatedly endorsed disclosure laws and rejected the argument that such laws chill free speech rights. In its decision, the Court held that “Disclosure requirements impose no ceiling on campaign related activities and “do not prevent anyone from speaking” and that requiring disclosure of campaign related expenditures serves an important governmental interest.

The bill treats all parties alike and its reporting provisions apply to both corporations and unions. While unions already comply with comprehensive disclosure requirements for their political spending under the Labor Management Reporting and Disclosure Act of 1959 and the Civil Service Reform Act of 1978, currently corporations, trade associations and other special interests groups do not. The DISCLOSE Act would change that.

The Citizens United decision effectively allows foreign controlled corporations to exercise undue and potentially subversive influence on the American election system. By allowing these entities to fund campaign communications, the Court’s decision opened the door for foreign controlled corporations to use often bottomless coffers to influence the course of political debate and, potentially, play a role in writing U.S. policy. The potential damage to the integrity of the U.S. political system is immeasurable.

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By extending the existing ban on contributions by foreign nationals to campaign communications, H.R. 5175 establishes additional safeguards and ensures that the interests of the American people remain paramount.

“The Supreme Court’s decision represented a disastrous misstep and a potentially sad day for our system of government,” said Chairman Brady. “H.R. 5175 is an effort to mitigate the impact on the American people and ensure that they remain the loudest voice in our campaigns and elections. Anything less would be a tremendous disservice to those whom we are elected to represent.”

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**FOR MORE INFORMATION**

Kyle D. Anderson  
Communications Director  
Committee on House Administration  
United States House of Representatives  
1309 Longworth House Office Building  
Washington, DC 20515-6157  
Direct Office: 202.225.7476  
Mobile: 202.384.3305