

Campaign Finance in the 21st Century
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Executive Summary

The 2010 *Citizens United v. FEC*. Supreme Court case, in which the court ruled in favor of corporate funding of independent political advertisements, has altered the campaign financing landscape in the country. These large independent political organizations, super PACS, can raise and spend unlimited sums of money and use these funds to support as many candidates as they see fit. **After three election cycles we are beginning to see the impact of the *Citizens United* ruling in the Mountain State.** In 2014, over \$2.7 million was spent on legislative races in West Virginia. Contributors to super PACs range from local and national political parties, trade unions, and major industry leaders.

Money spent by super PACs on legislative races increased nearly 5 times from 2012 to 2014. Super PACs have grown more sophisticated in each election cycle since the *Citizens United* ruling and state governments are lagging behind in their regulation of them. A majority of states do not require super PACs to disclose how their money is being spent on the candidate that they refer to in their expenditure form. In addition to this, many super PACs have harmless-sounding names that give the impression they are run by grassroots movements. This can make it difficult for the average voter to know the source of many of the ads they see during an election cycle.

Many of the super PACs in West Virginia have connections to the coal industry in one way or another and as a result, their preferred candidates pass or attempt to pass bills that favor the industry. In response to this, labor unions have created their own super PACs to keep from being left behind. Several sponsors of bills to weaken regulation of the coal industry were the beneficiaries of independent expenditures from super PACs with connections to the coal industry. **This influx of money from super PACs puts into question the independence of our elected officials.** Do our elected officials do what is best for their constituents or are they obligated to their special interest supporters and campaign contributors?

Super PAC Quick Facts and Report Highlights

- The *Citizens United* Supreme Court case enabled wealthy donors and large corporations to spend unlimited amounts of money on political campaigns through third-party organizations, super PACs.
- Prior to the run-up to the November general election, super PACs spent more than \$3.6 million to influence the outcome of the state Supreme Court race — nearly \$2 million more than all five candidates' campaigns combined.
- In 2014, Super PACs spent \$2,748,287 on West Virginia legislative races. This was a five-fold increase in the amount of outside money spent to influence legislative races in 2012 and more than eight times as much as was spent by third parties during the previous midterm election in 2010.
- Even though the majority of the reported third party spending on legislative races in 2014 came in the form of "independent expenditures," disclosure reports for over half of the money failed to mention the position (for or against) expressed in the expenditures.
- Outside spending on behalf of candidates has a real effect. Super PAC spending had the biggest impact on candidates challenging incumbents. With the help of super PACs, challengers won nearly half (47.6%) of their races, while challengers who lacked super PAC support only won 15% of the time.
- Super PACs have grown more sophisticated each election cycle since *Citizens United* and state governments, including West Virginia, are lagging behind in the regulation of political spending. As a result, the source of the money influencing West Virginia elections is often concealed through super PACs.
- Many super PACs have non-threatening and harmless-sounding names that give the impression they are grassroots organizations run by West Virginians when in fact they are controlled and financed by out-of-state interests.
- Wealthy donors and major industries prop up many of these super PACs to push their agendas through state legislatures throughout the nation. Many super PACs active in West Virginia have direct or indirect ties to the coal industry.
- West Virginia lawmakers that had support from these super PACs sit on legislative committees that deal directly with coal and energy laws and regulations or co-sponsored bills to weaken regulation of the industry.

Introduction

The 2010 *Citizens United v. FEC*. Supreme Court case, in which the court ruled in favor of corporate funding of independent political advertisements, has altered the campaign financing landscape in the country. These large independent political organizations, super PACS, can raise and spend unlimited sums of money and use these funds to support as many candidates as they see fit. After three election cycles we are beginning to see the impact of the *Citizens United* ruling in the Mountain State. In 2014 alone over \$2.7 million was spent on legislative races in West Virginia. Contributors to super PACs range from local and national political parties, trade unions, and major industry leaders.

For the purposes of this report, the following terms concerning campaign finance and super PACs are defined as follows.

A **political contribution** is a gift, usually money, made to support a political candidate.

An **independent expenditure**, according to the Code of Federal Regulation and the West Virginia Code, is an expenditure that expressly advocates for the election or defeat of a clearly identified candidate and is not made in cooperation, consultation or concert with, or at the request or suggestion of a candidate, a candidate's authorized candidate committee, or their agents, or a party committee or its agents. (Go Local Prov).

An **electioneering communication** is any paid communication made within 30 days of a primary election or 60 days of a general election that mentions or refers to a clearly identified candidate and is targeted to members of the relevant electorate of the office the candidate is seeking (WV Legislature).

West Virginia law dictates that super PACs must disclose these independent expenditures (IEs) with the West Virginia Secretary of State, however the position towards a candidate, for or against, is often omitted from the forms either due to the form lacking a place to make the distinction or a failure to comply. This makes it difficult to fully understand how this money is being spent leading up to an election. The source of the money into West Virginia is obfuscated through super PACs. Many of them have names, like West Virginia First, Protect West Virginia, and Grow WV that give the impression of being owned and financed by West Virginians. Give these organizations a closer look and you will find that they are often financed by political non-profit organizations with the sole purpose of helping as many members of a specific political party get elected to office.

Super PACs and Their Contributors

Grow WV, Inc. is an organization that spent nearly \$74,000 exclusively in support of Republican candidates. Grow WV was propped up by a handful large donors. The largest was the U.S. Chamber of Commerce Institute for Legal Reform. This organization, an arm of the larger U.S. Chamber of Commerce, works on passing bills under the guise of tort reform, but is backed by large corporations wanting to avoid lawsuits from consumers (CBS). Another donor is Go West Virginia, a nonprofit run by Mark Scott. Before the election, Scott was the vice-chairman of the West Virginia Republican Party. Super PACs must operate independently of political campaigns and Scott's position within the party has raised suspicion of his independence. A lawyer representing the group claimed that Scott resigned but when asked the West Virginia Secretary of State's office was unaware of his resignation (Sunlight Foundation). Other major donors include E.G. Kendrick, an executive with the Arizona Diamondbacks; Sean Fieler, a president of the hedge fund Equinox Partners and a board member of two conservative think-tanks (Business Insider); RAI Services Company, a subsidiary of Reynolds American, Inc., the second-largest tobacco company in the country; and the State Government Leadership Foundation, a nonprofit that works to elect Republicans at the state-level that was founded with the help of companies like AT&T, Citigroup, Exxon-Mobil, and Time Warner (ProPublica).

Another major super PAC in 2014 was Honest West Virginians. Their money came from a variety of trade unions that have a presence in West Virginia. The largest donors included the WV State Building & Construction Trades Council, West Virginia AFL-CIO, the American Federation of Teachers, the United Mine Workers of America, and the International Brotherhood of Electrical Workers. Honest West Virginians spent nearly \$900,000 in state legislative races, but their financial disclosures did not specify whether their money was spent "for" or "against" the candidates referred to in their expenditures.

West Virginia Citizens Against Lawsuit Abuse (CALA) spent \$288,000 in the 2014 election. CALA's largest chunks of money were spent on ads supporting Republican candidates and attacking on Democrats (WV Secretary of State). CALA has organizations in over half the states and says they represent small donors concerned about lawsuit abuse. "They actually represent major corporations and industries seeking to escape liability for the harm they cause consumers." (Center for Justice & Democracy) They have designed themselves as patriotic organizations aimed at ending lawsuit abuse when in fact they want to limit a consumer's right to sue. CALA is partly funded by the American Tort Reform Association (ATRA) and the tobacco industry has spent millions of dollars a year supporting ATRA. However, the complete picture of who funds CALA has been a mystery for as long as the organizations have been around (WVAJ). Greg Thomas was once the executive behind West Virginia CALA. Greg Thomas has acted as Don Blankenship's chief political consultant and attempted to get Blankenship's preferred Supreme Court

Justice Spike Maynard reelected in 2008 (Journal News). He was the mastermind behind And For the Sake of the Kids a political non-profit established to defeat Warren McGraw in his re-election bid to the West Virginia Supreme Court in 2004, and funded primarily by Blankenship. CALA has also been accused of bias when conducting polls on lawsuit reform (WV Legal Examiner).

Protect West Virginia was one of the biggest spenders of the 2014 election cycle with \$499,000 dollars spent on helping Democrats get elected and attacking Republicans. Michael Sargeant and Elizabeth Gramling were listed as the two directors on the independent expenditure reporting form. They both work for the Democratic Legislative Campaign Committee (DLCC). The mission statement from the DLCC website explains that the DLCC uses "state-specific strategies – working with national and local partners to enable Democratic legislators to win in all regions of the country" (dlcc.org). The DLCC was the only contributor to this organization (WV Press).

Moving West Virginia Forward spent over \$300,000 on state legislative races in 2014 mostly in support of Republican candidates. Its largest sources of money came from various coal interests in the state: Murray Energy Corporation, Arch Coal, and the West Virginia Coal Association. Chris Hamilton is listed as the organization's chair. Hamilton also serves as the vice-president of the West Virginia Coal Association (WV Press). Chris Hamilton was also involved with the West Virginia Business and Industry Council, another super PAC that was primarily concerned with getting republicans elected (WV Press).

West Virginia First spent just over \$265,000 in 2014. The organization received \$200,000 from Penn National Gaming Inc. Penn National owns the Hollywood Casino chain, the 3rd largest publicly traded chain of casinos in the U.S. (WV Press). They primarily supported Democrats in 2014.

GOPAC Election Fund is a conservative non-profit that spent over \$34,000 in support of Republican candidates and is primarily concerned with electing Republicans at the state and local level. West Virginia Senate President Bill Cole is currently on GOPAC's State Legislative Leaders Advisory Board. The Advisory Board "helps promote the ideas and policies being implemented at the state level, as well as assist with electing a new generation of Republican leaders." West Virginia State Senator Ryan Ferns has a short biography on their website highlighting emerging Republican leaders (gopac.org).

The National Association of Realtors (NAR) is one of the largest lobbying organizations in the country. Over the last 10 years, they have given over \$40 million dollars in contributions to hundreds of candidates in contributions, primarily the two major parties. NAR spent over \$42,000 in West Virginia legislative races in 2014. After the 2008, economic crisis experts accused realtors represented by NAR in pushing buyers to take out subprime loans to finance homes they could not afford (Knowledge Wharton).

Super PAC Spending in West Virginia Since *Citizens United*

The methodology used in this analysis is simple. Independent expenditures and electioneering communications totals were taken from the West Virginia Secretary of State's website, which also has PDFs of the original reports filed with the state. The website has information on super PAC activity going back to 2006 but this report only examined data from 2010 to 2014.

As super PACs have gotten more sophisticated and accustomed to the guidelines after *Citizens United*, the money spent on uncoordinated campaigns has increased. In the 2010 midterm election, super PACs gave over \$300,000 in the form of independent expenditures (IEs) and electioneering communications (ECs) in West Virginia. That number skyrocketed to over \$5.5 million in 2012. Most of that increase is due to 2012 being a presidential election year with gubernatorial and candidates for other statewide offices on the ballot, in addition to the legislature. In 2012, the amount spent by super PACs on legislative races more than doubled to \$608,724. That number quadrupled to more than \$2.7 million in 2014. This outside spending on behalf of candidates has a real effect. In 2014, incumbent candidates that had the support of super PACs won over 83 percent of the time while incumbents that relied solely on their personal campaign won around 67 percent of the time. But the biggest impact was among candidates challenging incumbents. With the help of super PACs, challengers won nearly half, 47.6 percent, of their races in 2014 while challengers without super PAC help won less than 15 percent of their races.

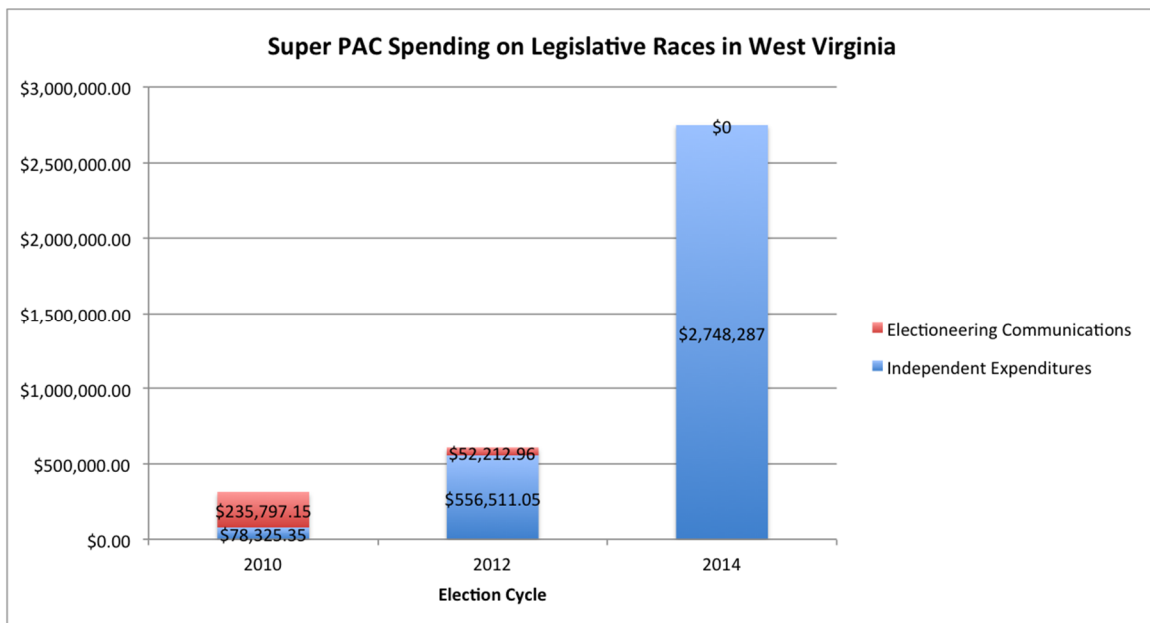


Chart 1: The amount of money spent by super PACs on legislative races in West Virginia from 2010 through 2014. In 2014, super PACs appeared to move away from electioneering communications to purely independent expenditures.

In Chart 1, you will notice two things: the sharp increase in money spent on legislative races and the shift in how super PACs spent their money, moving away from ECs to exclusively IEs. Chart 2 includes spending on all West Virginia races over the same period.

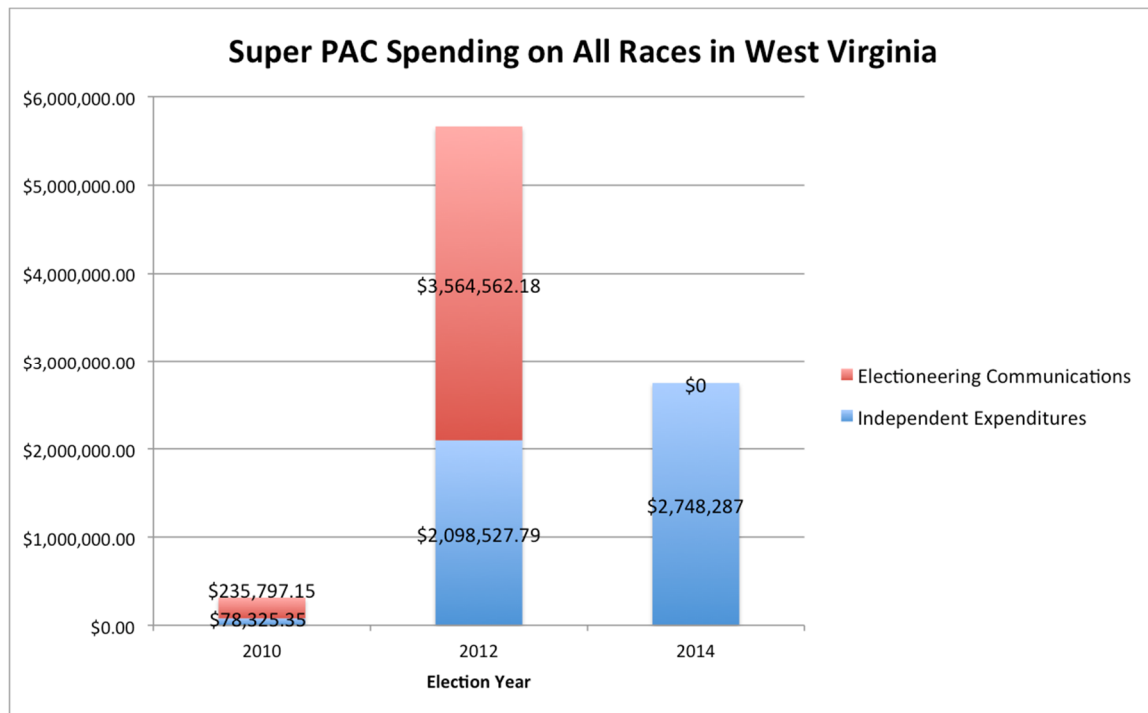


Chart 2: The amount of money spent by super PACs on all races from 2010 through 2014.

While we have spending totals from these super PACs, but we do not have the full picture due to inconsistency with the expenditure forms or lack of enforcement. In 2014, disclosure reports for around half of the money spent on uncoordinated campaigns failed to specify whether they supported or opposed the candidate(s) named on the expenditure form (see Chart 3). The lack of the enforcement of this requirement was a main reason the National Institute of Money in State Politics gave West Virginia a B on their scorecard for disclosure requirements for independent spending (Follow the Money).

What we do know from the IEs and ECs that specify their position is that their support of particular candidates bolsters a popular notion of politics: organized labor tends to back Democrats and big business generally backs Republicans. As mentioned in the profiles above of the various super PACs, many of these organizations use harmless monikers to appear that they represent average West Virginians when in fact many of them are backed by coal and energy companies or serve as front groups for out-of-state interests and corporations. Those that supported Republican candidates in West Virginia in 2014 include Moving West Virginia Forward, a super PAC backed by the coal industry; West Virginia Citizens Against Lawsuit Abuse, whose supporters include large

corporations trying to avoid litigation; and GOPAC Election Fund, a non-profit organization whose purpose is electing Republicans at the state-level.

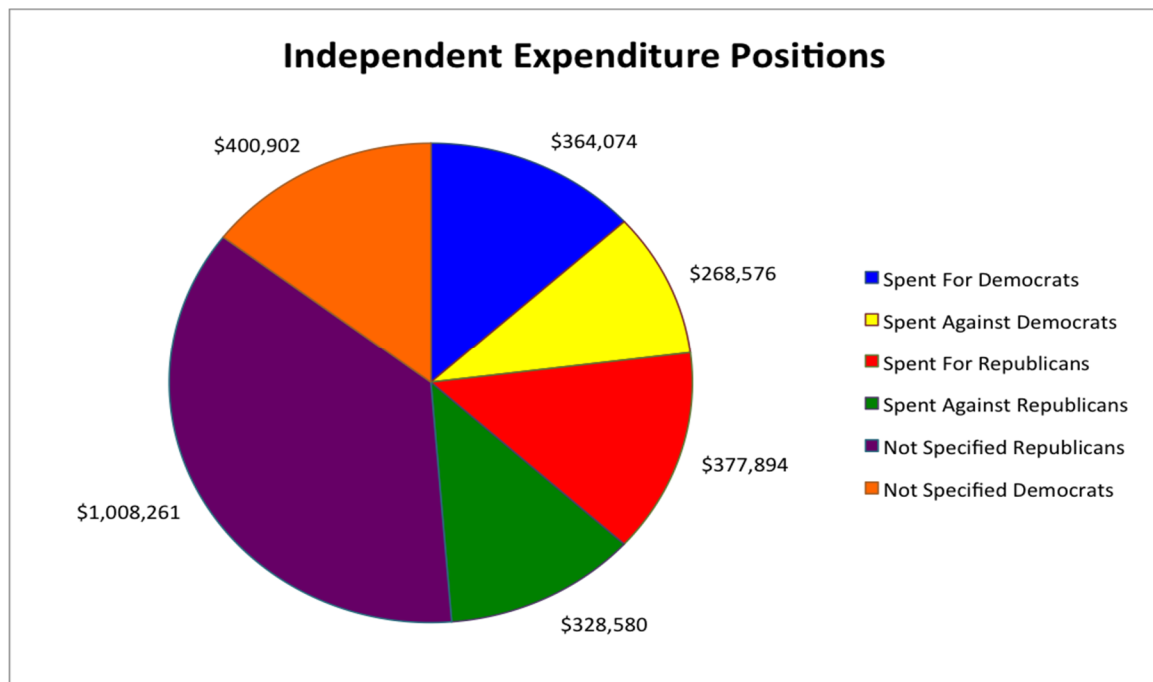


Chart 3: Positions taken by super PACs in the 2014 election, according to their financial disclosures.

Organizations that supported Democratic candidates include groups that represent the AFL-CIO Protect West Virginia, the Penn National Gaming, Inc., West Virginia First, and the West Virginia Building & Construction Trades as well as smaller trade unions.

What is the goal for these organizations spending so much on state-level elections? Most likely it is to get favorable politicians into the legislature to fight for their specific interests. Should recipients of favorable IEs from the coal industry sit on the House Energy Committee? Have our politicians lost their loyalties to their constituents and instead turned primarily to special interests for direction? It is difficult to tell, but one way is to look at a bill's sponsors.

Super PACs keep politicians under their microscopes to ensure that they govern in a way that coincides with their specific interests. The coal industry backed Moving West Virginia Forward PAC spent almost exclusively on behalf of Republican candidates (WV Press) and as legislators, those candidates worked to deregulate the coal and other extractive industries despite being only one year removed from the Elk River chemical spill. If our lawmakers stray too far from those interests they can expect to see a formidable primary challenger in the upcoming election. This can lead to highly polarized legislative bodies where compromise is a rarity, and creates an environment where the next election cycle becomes more important than actual governance.

Possible Conflicts of Interest in the West Virginia Legislature

Candidates from both parties benefit and suffer from the whims of super PACs. Tens of thousands of dollars are up for grabs for the candidate who can curry favor with industry and labor leaders.

During the last few election cycles we have begun to get a clearer picture of how unlimited IEs from super PACs can effect elections and how politicians make governing decisions. While these super PACs can spend unlimited sums of money they cannot coordinate with any candidates over campaign strategies. More than 1,500 bills were introduced during the 2015 legislative session and nearly 2,000 were introduced in 2016. While most of these bills had to do with redefining words and reworking minor regulations and rules a handful had the possibility of changing the lives of thousands of West Virginians.

One such bill was the right to work law, also referred to as the West Virginia Workplace Freedom Act. The bill, which was initially introduced in 2015 (SB 337) and passed in 2016 (SB 1), prohibits any requirement that a person must pay dues or a fee to a labor organization or become or remain a member of a union as a condition of employment. One advocate for the bill was the West Virginia branch of the Koch Brothers-supported *Americans for Prosperity*. Wendy McCuskey, the organization's then director argued that "right to work is vital to making West Virginia competitive and creating an environment of opportunity for all." However, by allowing certain workers to opt out of paying union fees they would be able to reap the benefits of organized labor without supporting organized labor. The West Virginia Business and Industry Council supported the bill as well (WV Gazette-Mail).

During the 2014 election, four of the bill's co-sponsors, Senators Dave Sypolt, Charles Trump, Ryan Ferns, and Ed Gaunch, were referred to in IEs by the Business and Industry Council (BICPAC) and Moving West Virginia Forward, a super PAC primarily supported by local coal companies and whose chair is Chris Hamilton. Senator Romano also sits on the committee and was the beneficiary of IEs from the AFL-CIO, which opposed the bill.

The coal industry also had their fingerprints on Senate Bill 357, known as the Creating Coal Jobs and Safety Act of 2015, and its companion House Bill 2566. The bill weakened water quality protections and eliminated several longstanding safety protections for West Virginia miners (WV Gazette-Mail). Four co-sponsors of the senate bill benefited from IEs from Moving West Virginia Forward. Senators Ferns, Gaunch, Sypolt, and Trump were all on the receiving end of nearly \$11,000 (combined) from the coal industry-backed Moving West Virginia Forward. The house bill was no different. Nine of the bill's eleven sponsors benefited from more than \$70,000 in IEs paid for by Moving West Virginia Forward and BICPAC. More than half of that total was spent on two delegates, Brad White (\$24,228) and Josh Nelson (\$16,766). Delegates Scott Cadle, Rupert Phillips, and Amy Summers each

had more than \$5,000 spent on their behalf. Delegates Marty Gearheart, Kayla Kessinger, Michel Moffatt, and Mark Zatezalo also received IEs from Moving West Virginia Forward.

The next legislative session, four sponsors of HB 2566 joined their colleagues on the House Energy Committee in sponsoring a “compromise” bill to the proposed Coal Jobs and Safety Act of 2016. This compromise bill (HB 4726) cut back on mine rescue teams, let operators pay lower fines for failing to promptly report workplace accidents, and made it easier for operators to challenge citations for safety violations. Nevertheless, officials with the United Mine Workers of America agreed to the bill after the industry backed off of another bill the UMWA and mine safety regulators believed would be even more dangerous (WV Gazette-Mail). Seven of the committee members (Delegates Cadle, Phillips, George Ambler, David Evans, John (JB) McCuskey, Erikka Storch, and Mark Zatezalo) who sponsored the bill had more than \$40,000 spent on their behalf by Moving West Virginia Forward. However, four of those same delegates (Ambler, Cadle, Evans, and McCuskey) also had a total of \$200,598 spent against them by the WV AFL-CIO super PAC, Honest West Virginians.

In the House, the Intrastate Coal and Use Act (House Bill 2119), was introduced with the intent of disallowing federal regulation of coal that was mined and subsequently used within the borders of West Virginia. Regulation would ultimately be the responsibility of the West Virginia Department of Environmental Protection. Eight of the co-sponsors (Delegates Moffatt, Hamrick, J. Nelson, Statler, Arvon, Blair, Kessinger, and Zatezalo) received some kind of campaign support through IEs from Moving West Virginia Forward and/or the West Virginia Coal Association. Financial support of a campaign does not necessarily translate into a quid pro quo relationship but it does raise a few eyebrows. The bill stalled in the House Energy Committee, where eleven members received IEs from super PACs backed by the coal industry (WV Secretary of State).

While those delegates wanted to keep the federal government from intruding on what they saw as a state’s right to regulate West Virginia coal, other delegates in the House wanted to prohibit localities from implementing their own environmental policies of public utilities. Through House Bill 2744 members of the house wanted to centralize the environmental regulations of public utilities with the West Virginia state government. The bill stalled in the House Judiciary Committee where individual members benefited from IEs ranging from just over \$500 to over \$14,000 paid for by the coal and energy industry (WV Secretary of State). Attempts like this bill to give more power to the legislature concerning environmental issues are disconcerting when so much money is pumped into electoral campaigns from coal and energy companies.

Tort reform organizations were one of the most visible special interest groups in the 2014 election cycle, and that visibility in the campaigns carried over to the 2015 legislative session. One tort reform bill, House Bill 2011, promised to

“restore the predictability of the court system,” but critics claim that it makes it near impossible for employees and their families to sue for wrongful death and/or injury. The bill, also known as deliberate intent, would make it more difficult for employees to sue their employers if they are injured by deliberate violations of safety regulations. “As written, there would be no liability even for catastrophic accidents like those at Sago, Aracoma, and Upper Big Branch,” West Virginia Association for Justice President Anthony Majestro said (WV Record).

All nine sponsors of the bill, including leader sponsor Delegate Roger Hanshaw, were beneficiaries of independent expenditures from Moving West Virginia Forward. Those delegates (Hanshaw, John Shott, Eric Nelson, Matthew Rohrbach, Kelli Sobonya, Ryan Weld, Paul Espinosa, Joe Statler, and Carol Miller) received a combined total of over \$35,000 from Moving West Virginia Forward, with \$21,554 going to support Rohrbach. Three of the bill’s sponsors (Rohrbach, Hanshaw, and Weld) also benefited from IEs by West Virginia Citizens Against Lawsuit Abuse (CALA). CALA is organization that promotes so-called tort reform, but in actuality is more concerned with protecting the bottom lines of the industries that support them financially. Their website claims to be a “non-profit citizen watchdog group committed to equal justice for all West Virginians,” but the reality is that they are an organization that represents major corporations wanting to escape legal liabilities for the harm they have caused their consumers and their employees (Center for Justice & Democracy). Grow WV, Inc., which received funding from the U.S. Chamber of Commerce Institute for Legal Reform, also made expenditures on behalf of Weld.

2016 Supreme Court Race

With the non-partisan race for the West Virginia Supreme Court of Appeals, we have already gotten a glimpse of what the super PAC impact will be in the 2016 general election. Five candidates, incumbent Brent Benjamin, Bill Wooton, Beth Walker, Darrell McGraw, and Wayne King ran for the seat. Two of those candidates, Benjamin and Wooton, opted in to the state's public financing system. Three of them, Wooton, Walker, and McGraw, were either supported or attacked by super PACs running ads in West Virginia. The Supreme Court of West Virginia is technically a nonpartisan entity but that did not stop partisan groups like the Republican State Leadership Committee (RSLC) from spending millions of dollars in attempts to sway the election. These super PACs spent over \$3.6 million in order to influence the results of the race and outspent the all five candidates by around \$2 million (WV Secretary of State). Super PACs ended up spending over \$1 million more on this one race than they did in all legislative races combined in 2014.

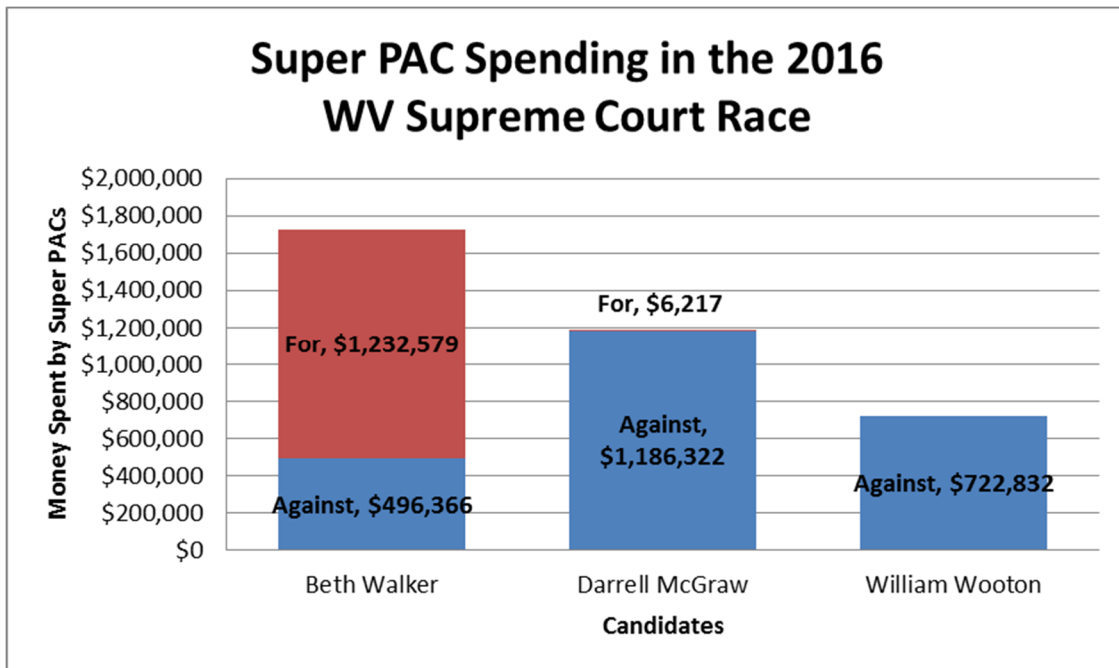


Chart 4: Breakdown of Super PAC Spending in the 2016 WV Supreme Court Race.

Chart 4 above shows the position these various expenditures and electioneering communications took with regard to the candidates in the race. One can tell with a quick glance at the chart that the race had an overwhelmingly negative tone. Another thing to note is that even though two candidates accepted public campaign financing, with Benjamin receiving \$483,500 and Wooton receiving \$475,000, super PACs still saw the need to inject themselves into the electoral process.

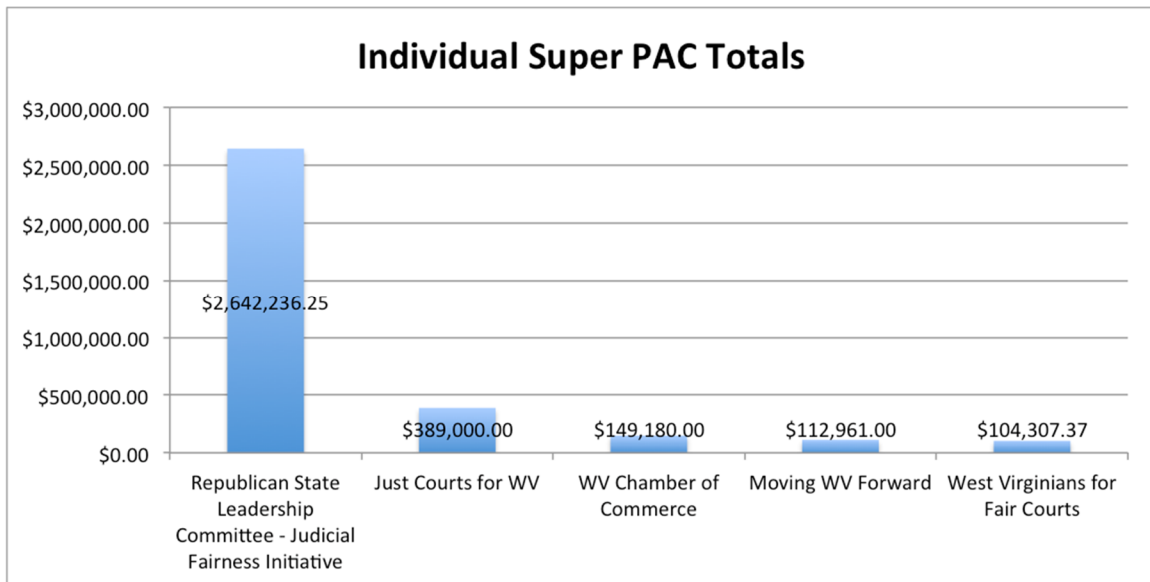


Chart 5: Individual Super PAC Totals

We see some of the familiar names, such as the Chamber of Commerce and Moving West Virginia Forward when looking at the super PACs responsible for spending this money. The majority of super PAC spending came from the RSLC. The RSLC has been primarily concerned with getting Republicans elected at the state level but apparently has moved into the realm of judicial politics. The RSLC spent most of their money attacking McGraw and Wooton, specifically trying to connect the two candidates with the policies of President Barack Obama (WV Gazette-Mail).

According to the Center for Public Integrity, an increasing amount of money spent on state supreme court races originated from outside the election states, mostly from Washington, DC-based organizations like the RSLC (Public Integrity). Other analyses of spending in state supreme court races show outside spending by special interest groups in general playing a growing role in these races. In 2013-14, this type of outside spending was a larger percentage of total spending than ever before (New Politics). To date, spending by outside groups has played a larger role in 2016 state supreme court elections than in past years. The RSLC was the single largest outside spender (Brennan Center).

After the RSLC, the second biggest spender in the West Virginia Supreme Court race was Just Courts for West Virginia, a group funded mostly by trial lawyers in the state. They aired several ads connecting Beth Walker to Don Blankenship, who was recently sentenced to a year in prison for conspiracy to violate mine safety standards (WV Record and WV Gazette-Mail).

Another group active in the race, West Virginians for Fair Courts was set up by former Republican gubernatorial candidate Bill Maloney and Greg Thomas. As noted previously, Thomas was once the executive director of West Virginia CALA, in addition to serving as a political consultant to Blankenship. Fair Courts for West Virginia exclusively made expenditures in support of Beth Walker. Several of their

mailers suggested that the group was organized by “Women for Walker” even though disclosures filed with the Secretary of State show Maloney and Thomas as the only persons exercising control over the group. The only identified contributors to the group were West Virginia CALA and the American and the American Tort Reform Association (WV Secretary of State).

We drew two conclusions from the Supreme Court race this year. First, super PACS are expected to remain a large force in the state for years to come if laws and regulations remain the same. Secondly, we learned that the West Virginia Supreme Court of Appeals is nonpartisan in name only. How can an entity claim to be nonpartisan when the Republican State Leadership Committee spends more money on the race than all of the candidates combined?

Recommendations for Reform

The independence of our elected officials is in question. Are they serving the interests of their constituents or the interests of a select few individuals and businesses? What could be changed in West Virginia to take some of the influence out of the hands of wealthy donors and large corporations and give it back to average citizens? A first step would be to fully disclose the donor lists for each and every super PAC that spends more than \$1,000 in West Virginia and to close the “covered transfers” loophole where so-called “social welfare” groups act as financial channels to super PACs. West Virginians deserve to know who is running and financing campaigns on behalf of political candidates and elected officials.

In addition to that, the West Virginia Secretary of State’s office needs to be provided with the resources to enforce current and future laws regarding super PACs and disclosure of political spending. Errors, omissions and duplication are problems with the current reporting system and requirements. Super PACs should be required to disclose and the state needs to have the tools necessary to ensure it is done properly and accurately to keep our elections fair. We live in a time where politicians court billionaires like the Koch Brothers and special interests like the coal and timber industry instead of listening to the concerns of the public. Politicians need to be responsive to the electorate instead of the dollar.

Acknowledgements

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