

Three Myths About... *Disclosure*

In the majority of states and federally, if you contribute relatively small amounts to a candidate for elected office or to a political committee, your name, address, employer, and occupation is collected by the government and posted on the internet for anyone – your boss, coworkers, nosy neighbors – to see. Many politicians and groups advocate a broad expansion of this disclosure to obtain more information about your political activity or the nonprofit groups that you support. Here's the reality behind three common myths often asserted about disclosure:

Myth #1: *There's no danger from the release of your information.*

FALSE. Disclosure information is increasingly being used by non-governmental entities and individuals to **harass, threaten, or financially harm** speakers or contributors to candidates and causes with which they disagree. Once contributor information becomes public, little can be done to safeguard against potential harassment by activists or even by powerful government officials.¹

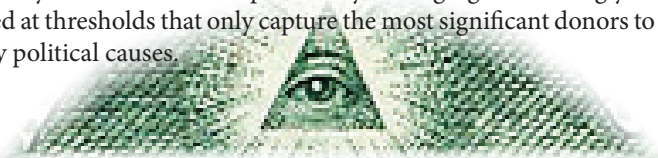
Myth #2: *Disclosure is necessary to improve transparency because of the vast amount of "dark money" in American elections.*

FALSE. Actually, more political disclosure information is required currently than at any time in our history. Candidates, political parties, political action committees (PACs), and super PACs are **all required to disclose** information about their donors. In fact, since 2005-2006, so-called "dark money" has never accounted for more than 5% of total campaign spending.²

Myth #3: *Disclosure data increases knowledge about a candidate or cause's supporters.*

NOT NECESSARILY. While disclosure of *significant* financial contributors can inform voters as to who is supporting a candidate, low disclosure thresholds make disclosure information less meaningful by muddying disclosure reports with the names and addresses of smaller donors. Moreover, media outlets and political activists often misuse disclosure information to misleading or nefarious ends.³

THE VERDICT: Although sold as a virtue, disclosure comes with a cost and is often very burdensome and potentially damaging. Accordingly, it should be mandated at thresholds that only capture the most significant donors to candidates and truly political causes.



Further Reading

1 Bradley A. Smith, Scott Blackburn, and Luke Wachob, “Compulsory Donor Disclosure: When Government Monitors Its Citizens,” The Heritage Foundation. Available at: http://www.ifs.org/wp-content/uploads/2015/11/2015-11-03_Heritage-Report_Smith-Blackburn-Wachob_Compulsory-Donor-Disclosure-When-Government-Monitors-Its-Citizens.pdf (November 3, 2015).

2 Luke Wachob, “Putting ‘Dark Money’ In Context: Total Campaign Spending by Political Committees and Nonprofits per Election Cycle,” Institute for Free Speech. Available at: http://www.ifs.org/wp-content/uploads/2017/05/2017-05-08_Issue-Brief_Wachob_Putting-Dark-Money-In-Context.pdf (May 16, 2017).

3 Luke Wachob, “Misusing Disclosure: How a Policy Intended to Increase Voter Knowledge Often Misleads the Public,” Institute for Free Speech. Available at: http://www.ifs.org/wp-content/uploads/2014/07/2014-08-01_Wachob_Issue-Review_Misusing-Disclosure.pdf (August 2014).



The Institute for Free Speech is a nonpartisan, nonprofit 501(c)(3) organization that promotes and defends the First Amendment rights to freely speak, assemble, publish, and petition the government. Originally known as the Center for Competitive Politics, it was founded in 2005 by Bradley A. Smith, a former Chairman of the Federal Election Commission.