**Campaign finance**

Early Americans, from Thomas Jefferson to Theodore Roosevelt, feared the influence of money on U.S. elections. Most of their fears were hypothetical, based on the idea that money could act as a corrupting influence on government. Their fears were manifest in the twentieth and twenty-first centuries with the 2016 presidential election and its $6.8 billion spent (Berr) representing a high, or low, point. This ever-increasing amount of money in the U.S. political system seems to be unaffected by the slew of campaign finance laws that have been passed in order to stem the flow. What follows is a list of the major American campaign finance laws. I have tried to keep the descriptions brief and targeted toward the central elements and impacts of each law.

**Campaign Finance Laws**

**1867 Naval Appropriations Bill**

* The first Federal campaign finance legislation was an 1867 law that prohibited Federal officers from requesting contributions from Navy Yard workers (Geraci).

**1907 Tillman Act**

* Prohibited corporations and national banks from contributing money to federal campaigns.

**1925 The Federal Corrupt Practices Act**

* Affected general election activity only, strengthened disclosure requirements and increased expenditure limits.
* Only contained a weak enforcement mechanism and loopholes were easily found (Harrison et al. 289).

**1939, 1940 The Hatch Act**

* Asserted the right of Congress to regulate primary elections and included provisions limiting contributions to $5,000 from any individual to a campaign committee.
* Banned partisan political activities by all federal government employees except the president, vice-president, and Senate-confirmed political appointees (Harrison et al. 289).
* Eventually weakened through loopholes.

**1947** **The Taft-Hartley Act**

* Barred both labor unions and corporations from making expenditures and contributions in Federal elections.

**1971, 1974, 1979 Federal Elections Campaign Act (FECA)**

* Provided partial public funding for presidential campaigns and required full disclosure and strict limits on all contributions and federal election expenditures (Kernell et al. 517)
* Federal Election Campaign Act of 1974 created the Federal Election Commission (FEC).
* In the wake of the Watergate affair, Congress attempted to ferret out corruption in political campaigns by restricting financial contributions to candidates (Gerachi).
* Among other things, the law set limits on the amount of money an individual could contribute to a single campaign and it required reporting of contributions above a certain threshold amount (Harrison et al. 289).
* 1979 FECA amendments created soft money, or money that can be directly donated to political parties for “party-related” activities.

**2002 Bipartisan Campaign Finance Reform Act**

* Also known as “McCain-Feingold.”
* Prohibited “soft money” established from 1979 FECA amendments.
* Prohibited direct campaign- related advertisement spending from corporations (Geraci).
* Set legal stage for *Citizens United* and *SpeechNow*, which overturned many of the provisions of McCain-Feingold.

**Supreme Court Cases**

***Buckley v. Valeo* (1976)**

* An 8-1 plurality of the Court upheld the reporting requirements of FECA as constitutional.
* Also ruled that any restriction on an individual’s ability to use his/her funds for campaign purposes violated the First Amendment.
* Essentially, Money=Speech

***Citizens United v. FEC* (2010)**

* The Court, in a 5-4 plurality decision, ruled that corporations and labor unions may spend their own money to support or oppose political candidates through independent communications like television advertisements.
* The decision did not remove prohibitions on corporate contributions to candidates, and it did not address whether the government could regulate contributions to groups that make independent expenditures (Liptak).
* The majority held that under the First Amendment corporate funding of independent political broadcasts in candidate elections cannot be limited.

***Speechnow.org v. FEC (2012)***

* A federal appeals court found that individuals who want to associate with one another to fund political speech cannot have their contributions limited by government.
* Individuals can give what they want to an independent group and spend what they want on speech (Samples).
* Combined with *Citizens United*, the Super-Pac was born.

***McCutcheon v. FEC* (2013)**

* The Court ruled in a 5-4 plurality decision against the two-year aggregate campaign contribution limit.
* The Court held that the aggregate contribution limit was not sufficiently tailored to combat corruption.
* It kept intact the individual contribution limits, however.

**Vehicles of Campaign Finance**

**Political Action Committees (PACs)**

* Emerged after the 1971 FECA.
* They are organizations that are created to solicit and distribute funds to political campaigns.
* Groups must register as PACs to contribute to a political campaign (Harrison et al. 237).
* There are strict contribution limits and disclosure requirements.

**Super-Pacs**

* Originate from *Citizens United v. FEC* (2010).
* Also known as “independent-expenditure committees.”
* Super PACs are prohibited from working with any candidates they're supporting.

**Federal Funding**

* Created by 1971 FECA.
* Currently, candidates can qualify for federal funds once they raise $5,000 in no greater than $250 increments in each of 20 states.
* Funds come from $3 check-off boxes on income taxes (fec.gov).
* Federal limits are imposed once funding is accepted by candidates.

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