

Trevor Potter Featured in NPQ'S Review of Council on Foundations Annual Conference

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NPQ credits Trevor Potter as successfully identifying the fundamental issues regarding campaign finance and its impact on nonprofits during the 2014 Council on Foundations Meeting. The review also features Mr. Potter's comments on disclosure and nondisclosure in campaign finance reform. For the complete review, please visit NPQ's website.

Excerpt taken from the review.

It was Trevor Potter, the former commissioner of the Federal Election Commission, who nailed the fundamental problem behind all of the debate, laws, and regulations regarding campaign finance and its impact on nonprofits. He said that the battleground is really about disclosure or nondisclosure, the ability to spend money in elections without having to disclose its sources. He and other panelists at the Council's discussion of advocacy, campaign finance, and free speech noted that corporate donors were particularly reluctant to give for political activities if their names would be disclosed. Potter added that the Chamber of Commerce, a 501(c)(6), said it wouldn't be able to raise the kinds of political money it raises if disclosure were mandated.

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As a core principle, Aviv said that nondisclosure is bad for society. What that means in terms of what and how moneys going to and through 501(c)(4)s might be disclosed has a number of potential iterations, but the principle she articulated is important. Potter cited Supreme Court Justice Antonin Scalia to suggest that "hiding speech does not resemble the land of the free" and "our democracy is doomed if people do not agree to stand up and engage in debate." Potter further suggested that the campaign finance controversy is largely rooted in the efforts of some interests to spend money without disclosure, but if disclosure were mandated, the regulatory pressures would come off of 501(c) organizations.

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