Who Pays for Ads?

Trace how PACs and court decisions shape election messages.

USG.C.5.4 "Describe the function and impact of political action committees on state and national elections, analyzing issues and decisions of significant court cases, such as Citizens United v. Federal Election Commission."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline what PACs do, circle limits on their activity, and number the two court decisions. Use your marks to track how each decision changed election spending.

The Groups Behind Election Ads

1 Imagine two races on the same November ballot: governor of a state and U.S. senator. In each, voters see ads paid for by groups outside the candidates' campaigns. A political action committee, or PAC, raises money to influence elections. A traditional PAC can give money directly to a candidate's campaign, within legal limits, and can also pay for its own political messages. Candidates may use direct contributions for campaign work, while outside ads can reach voters without using campaign funds. In both state and national races, PAC activity can amplify a message, but voters may wonder whose interests it represents.

2 In 2010, the Supreme Court decided Citizens United v. Federal Election Commission. The case involved a corporation's plan to distribute a film criticizing a presidential candidate near an election. The Court ruled that the government could not ban independent election spending by corporations or unions because of the speaker's identity. The majority said independent political speech is protected by the First Amendment. The decision did not allow corporations or unions to give money directly to federal candidates. The Court also upheld disclosure rules for the spending at issue. Supporters saw more room for political speech; critics feared wealthy groups could gain an outsized voice.

3 Later in 2010, a federal appeals court ruled in SpeechNow.org v. FEC that groups making only independent expenditures could accept unlimited contributions. Such groups are often called super PACs. In federal races, they can buy ads supporting or opposing candidates but cannot coordinate those ads with a campaign. A super PAC could bring attention to a neglected issue in a Senate race; large donations could also make one viewpoint much louder than others. Citizens United's protection of independent spending also shapes state elections, though state rules for PACs differ. The key distinction is between money given to a candidate and money spent independently.

2 ANSWER WITH EVIDENCE

Use the passage

1. How can a traditional PAC support a candidate in two different ways, and what limit applies to one of them?

2. What spending restriction did Citizens United reject, and what restriction on corporations and unions remained?

3. How did SpeechNow.org v. FEC affect super PAC funding, and what must super PAC ads remain separate from in federal races?

4. How can independent PAC spending affect both state and national elections? Give one possible benefit and one possible concern from the passage.

3 YOUR TURN

Your own words

A teachers' union gives $500,000 to a super PAC planning an ad in a U.S. Senate race. The candidate's campaign asks to approve the ad before it airs. Write four or five sentences explaining whether the gift and the campaign's request fit the rules, how the two court decisions matter, and one possible benefit or concern for voters.

ANSWER KEY

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HIGH SCHOOL · USG.C.5.4

PART 1 · READ AND MARK

Underline what PACs do, circle limits on their activity, and number the two court decisions. Use your marks to track how each decision changed election spending. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How can a traditional PAC support a candidate in two different ways, and what limit applies to one of them?	**It can give a limited direct contribution to the candidate's campaign or pay for its own political messages.**
2	What spending restriction did Citizens United reject, and what restriction on corporations and unions remained?	**It rejected a ban on their independent election spending based on their identity. They still could not contribute directly to federal candidates.**
3	How did SpeechNow.org v. FEC affect super PAC funding, and what must super PAC ads remain separate from in federal races?	**Groups making only independent expenditures could accept unlimited contributions, but their ads cannot be coordinated with a campaign.**
4	How can independent PAC spending affect both state and national elections? Give one possible benefit and one possible concern from the passage.	**It can amplify messages in both kinds of races. It may draw attention to a neglected issue, but large donations may make one viewpoint much louder than others.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The super PAC can accept the union's $500,000 gift because it makes only independent expenditures. SpeechNow.org v. FEC allowed such groups to accept unlimited contributions. Citizens United protected independent election spending by unions, but it did not permit direct gifts to federal candidates. The super PAC cannot let the campaign approve its ad because that would coordinate the message. The ad might inform voters about an issue, though a large gift could make the union's viewpoint much louder.

Accept equivalent explanations that distinguish direct contributions from independent spending. In Part 3, students should reject campaign approval of the ad, even if they identify a potential benefit of the spending.