

Analysis of Independent Expenditures **in the 2013 New York City Elections**

A Common Cause/NY Report

November 2013



About Common Cause:

Common Cause is a nonpartisan, nonprofit advocacy organization founded in 1970 by John Gardner as a vehicle for citizens to make their voices heard in the political process and to hold their elected leaders accountable to the public interest. Common Cause/New York is a state level chapter focusing on state and local government in New York. We work to strengthen public participation and faith in our institutions of government, ensure that government and the political process serve the public interest rather than special interests, curb the excessive influence of money on government policy and elections, and promote fair and honest elections and high ethical standards for government officials.

Acknowledgements:

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Appendix B and C are published as separate documents available at www.commoncause.org/ny/ienyc

KEY FINDINGS

Spending by Independent Expenditure Committees

- 47 independent expenditure committees were established for the 2013 New York City elections, spending nearly \$15.4 million in races for Mayor, Comptroller, Public Advocate, Borough President, and City Council.
- Independent expenditures were made in every election for the citywide offices of mayor, comptroller, and public advocate, four of the five borough president primaries but only one borough president general election, and nearly every competitive primary and general election for city council.
- Independent expenditure spending in the 2013 elections represents roughly 15% of the \$99.5 million in candidate expenditures made in calendar year 2013 and 41% of the \$37.6 million in total matching funds paid by the New York City Campaign Finance Board during the cycle.
- Breakdown by election: Primaries; 41 spenders - \$13.2 million (85%), Public Advocate Runoff; 4 spenders - \$297,000 (2%), General Election; 15 spenders - \$1.9 million (13%)
- The top two committees, “Jobs for New York” (\$4.9 million, backed by the Real Estate Board of New York) and “United for the Future” (\$3.5 million, backed by the United Federal of Teachers), accounted for over half of independent expenditure spending.
- The top ten committees accounted for nearly 83% of the independent expenditures
- Breakdown by sector: labor; 22 committees, \$8,215,739.49 (53%), business; 7 committees, \$5,780,448.32 (38%), issue advocacy; 12 committees, \$1,312,129.97 (9%), politicians/political clubs; 6 committees, \$82,000 (<1%)
- Breakdown by type: mass mailings; \$6.9 million (45%), television ads; \$2.7 million (18%), leaflets; \$2.3 million (15%), radio ads; \$1.5 million (10%), phone banking/robocalls; \$908,000 (6%), internet ads; \$471,000 (3%), print ads; \$410,000 (3%), billboards, posters, websites; \$171,000 (1%)
 - o Mass mailings were by far the most common type of independent expenditure, accounting for \$6.9 million or 45% of all independent spending. The emphasis on mass mailing reflects the rising ability of political consultants to “micro-target” the most active voters with messages.

Contributions to Independent Expenditure Committees

- Independent expenditure committees raised \$22.7 million, altogether have \$7.8 million on balance after the elections.

- Together, unions and corporations contributed nearly 88% of all money raised by independent expenditure committees, compared to just 10% for individual contributors
- Over 70% of all independent expenditure funds were raised through contributions of \$100,000 or greater, compared to less than 2% raised through contributions of \$5,000 or less.
- In stark contrast to independent expenditure committees, contributions to New York City candidates were overwhelmingly raised from individuals. Of the \$77.1 million raised by New York City candidates in the 2013 cycle, over \$60.6 million, or 79%, was raised from individuals rather than unions, corporations, or candidates themselves.

KEY TRENDS

Independent Expenditures Played Significant Role in 19 Races

- Overall, independent expenditures were made in 62 races
- In nineteen races, independent expenditures represented at least 5% of total candidate spending and the final margin of victory was within 20%.
- It is this subset of races, representing \$11.6 million in total spending (roughly 75% of the total), where independent expenditures had the most significant influence on the electoral outcome.
 - o These races included the Democratic primaries for mayor and comptroller, the public advocate runoff, fourteen Democratic primaries for council districts 1, 8, 15, 19, 27, 31, 34, 35, 36, 37, 38, 46, 47, 48, the Republican primary for council district 50, and the general election for council district 32.
- Independent expenditures contributed the greatest proportion in city council races, spending \$6.2 million, or nearly 40% of the money spent by council candidates.
- Independent expenditures were made in 32 out of 39 contested council primaries (82%)
 - o Council spending was fueled by “Jobs for New York” which spent over \$4.9 million engaging in 22 races, spending an average of \$267,000 – far above the \$168,000 spending limit imposed on candidates in the public matching system.
 - o Jobs for New York spent in 13 of the 19 races where independent expenditures played a significant role, and the record of its candidates in these races was 9 wins and 4 losses. However, in only two of these races, District 19 and District 37, did Jobs for NY support winning candidates who were not also supported by major labor unions (i.e. UFT or WFP). The win by Paul Vallone by 2.1% in District 19 appears to be the only race where one can reasonably assert that a candidate “won because of Jobs for NY.”

- In raw dollars, the Democratic mayoral primary received the highest amount of independent expenditure spending at nearly \$5.6 million (18% of total candidate spending)
 - o Bill Thompson (D) was the largest candidate beneficiary of independent expenditures. Thompson's spending was nearly 50% matched by over \$3 million in support, including \$2.8 million spent on his behalf by the UFT's "United for the Future."
 - o Christine Quinn (D) received over \$830,000 in supportive spending chiefly from Empire State 32BJ SEIU, "Hotel Workers for a Stronger Middle Class," and "Unidos para Comunidades Trabajadoras." However, this spending was offset by the onslaught of attack spending from "New York City Not For Sale" and "NYCLASS," leaving Quinn with a net negative impact of -\$110,951 from independent expenditures.
 - o Mayoral candidate John Liu (D) received nearly half a million in support from the Correction Officers' Benevolent Association and municipal labor union DC37.
 - o 1199/SEIU United Healthcare Workers East registered roughly \$200,000 in independent expenditures on eventual winner Bill de Blasio's behalf

- In raw dollars, Comptroller candidate Scott Stringer (D) received the second highest amount of independent expenditure support with \$1 million from "Progress NYC" and other labor-packed committees which supplemented his \$5.7 million in candidate spending and helped close the gap with Eliot Spitzer's \$10 million+ in personal spending.

- 1199 SEIU, DC37, 32BJ SEIU, and the New York State Nurses, spent \$297,000 on behalf of Letitia James in the Democratic run-off for Public Advocate. If not for their investment, James would have been outspent by Daniel Squadron by roughly \$150,000.

Spending to Curry Favor

- In the Democratic primary for mayor, support from the city's labor unions was split, but it quickly banded tougher in the general to demonstrate support for the Democratic nominee, Bill de Blasio. The Hotel Trades Council, United Federation of Teachers, and 32BJ SEIU united to form "New York Progress," spending over \$1 million on television attack ads against Joe Lhota. AFCME and affiliated unions also formed a new PAC "People for a Better New York," and spent \$150,000 on pro-De Blasio internet ads.
 - o Considering that the general election for mayor was constantly polling at a 40 point margin, it appears that the spending by labor unions who had endorsed De Blasio's opponents in the primary may have been made more with the intent to curry favor than to ensure victory

- Similarly, in the City Council primaries, "Jobs for New York" (backed by members of the Real Estate Board of New York) backed numerous front-running candidates that were also backed by the Working Families Party, United Federation of Teachers, and other left-leaning unions that do not generally share the Real Estate Board of New York's ideology. In eight council primaries – Districts 7, 9, 11, 12, 14, 16, 22 and 24 – Jobs for New York poured over \$1.3 million into races where the final margin was a landslide over 20%.

The Name Game

- Independent expenditure committees often use vague or misleading names to disguise their agenda. Although the Campaign Finance Board (CFB) requires full disclosure which it then posts on its website, the actual advertising itself is free of any identifying information about the PAC's backers. For instance, the REBNY backed "Jobs for New York" mailed in 22 different districts as many as 10 flyers about a variety of topics completely unrelated to real estate.
- Common Cause/NY categorized 16 committees as having "vague/misleading" names.
- Although voters can look up the information on the CFB website, Common Cause/NY believes it should be readily available per *Intro 1193-2013*, introduced by Council Member Brad Lander, which would require the disclosure of the top five supporters directly on all campaign materials.

Negative Spending

- Overall, \$2.9 million (20%) of independent expenditures were made attacking candidates. In the general election, attack spending was actually higher than support spending due to the \$1.06 million spent by "New York Progress" on television ads attacking Joe Lhota.
- 36 candidates were attacked in total, but eight of these candidates received supporting independent expenditures that outweighed the total amount of attacks. 28 candidates experienced a negative net impact from independent expenditures. The two candidates who received the largest negative net impacts from independent expenditures were Christine Quinn (\$-111,000 due to attack spending by NYCN4S and NYCLASS) and Joe Lhota.
- In the general election for mayor, the David Koch sponsored PACs "New Yorkers for Provide Leadership Inc.," and "The New York Progress and Protection PAC," spent over \$386,000 on TV ads in support of Joe Lhota but were outgunned by the spending of "New York Progress," leaving Lhota with a net negative impact of -\$657,484 from independent expenditures.
- Along with Christine Quinn and Joe Lhota, another 26 candidates experienced a net negative impact from independent expenditures in their races, and strikingly, all of these candidates lost their races with the exception of Councilmember Eric Ulrich (R-District 32). Democratic council candidate Mercedes Narcisse was the most overwhelmed by negative spending when "Jobs for New York" spent more on attack mailers against her than she was able to spend as a candidate.
- Political scientists have found that independent expenditures are most effective as an attack method. Negative independent expenditures provide the benefit of the smear on the opponent while avoiding the backlash of "going negative" that occurs when candidates attack one another directly. Researchers have also found that average voters find attack ads by unknown groups more credible, and therefore effective, than attack ads sponsored by either candidates or well-known interest groups.
 - o Common Cause/NY believes that requiring "Top 5" disclosure would significantly reduce the effectiveness of negative independent spending.

Independent Expenditures in the 2013 New York City Elections

In 2010, the Supreme Court's *Citizens United* ruling removed all limits on election spending by "independent" committees provided there is no "coordination" of spending with any candidates for office. *Citizens United* upended traditional practices of political fundraising and spending and led to the rise of multi-million dollar independent expenditure campaigns operating outside the direct control of the candidates and parties.

In New York City, 2013 is the first city-wide election taking place in the post-*Citizens United* landscape. Before *Citizen United*, wealthy special interests were highly constrained by New York's innovative public matching funds system. Established in 1988, New York City's public funding of elections system is widely praised for increasing citizen participation by allowing candidates to raise funds directly from constituents instead of depending on large checks from special interests. The New York City system caps contributions at \$4,950, strictly limits contributions for entities "doing business" with the city, and matches each small individual contribution of \$175 or less 6 to 1 with public money.

But with *Citizens United* reopening the floodgates for unlimited political money¹, a total of 47 independent expenditure committees were established for the New York City elections, spending nearly \$15.4 million to influence the races for Mayor, Comptroller, Public Advocate, Borough President, and City Council.

41 committees were active in the primaries, the most competitive arena of New York elections due to the overwhelming 6 to 1 Democratic advantage in the city. Roughly \$13.2 million, or 85% of all independent expenditures in the cycle, was spent in the primaries. Four committees backed by labor unions that were active in the primaries went on to spend roughly \$297,000 supporting Letitia James in the October 1, 2013 runoff for Public Advocate. In the general election, an additional six independent spenders entered the fray and a total of 17 were active, spending an additional \$1.94 million.

The \$15.4 million spent by independent expenditure committees in the 2013 elections represents roughly 15% of the \$99.5 million in candidate expenditures made in calendar year 2013 and 41% of the \$37.6 million in total matching funds paid by the New York City Campaign Finance Board during the cycle.

¹ New York State law prohibits aggregate political contributions of more than \$150,000 per year for individuals, and \$5,000 for corporations. Until October 2013, these limits continued to apply to independent expenditure committees. But on Thursday October 24th, a federal appeals court declared the limits on independent expenditures to be unconstitutional. The case was brought by "The New York Progress and Protection PAC" backed by Alabama businessman Shaun McCutcheon and David Koch of Koch Industries, New York City's richest individual and perhaps the largest benefactor to conservative political causes in the nation. However, before *New York Progress and Protection PAC vs. James A. Walsh et al.*, it was already possible for corporations and individuals to circumvent the aggregate limits by creating LLCs (limited liability corporations). Any individual or business entity can set up an unlimited number of LLCs and thus give as much money as he/she/it can afford. Unions and PACs have no aggregate contribution limits in New York State.

Independent Expenditures by Election

Category	Number of Committees Active	Amount	%
Primary Election (9/10/13)	41	\$13,156,367.38	85%
Public Advocate Runoff (10/1/13)	4	\$297,498.12	2%
General Election (11/5/13)	15 (6 new)	\$1,936,395.25	13%
TOTAL	47	\$15,390,260.75	

The New York City Campaign Finance Board (CFB) has been proactive in establishing updated regulations on the definition and disclosure of independent expenditures.² For the 2013 cycle, independent spenders were required to report their spending to the CFB on the same schedule as candidates. This reporting schedule compresses as the election approaches, narrowing from twice a year during non-election years to once every three months at the start of the election year, to daily reports during the two weeks preceding the election.³ All communications were required to include “paid for by [independent spender x]” notices. Voters could then theoretically follow up to uncover the donors behind the independent expenditure on the CFB’s online website database.

But there are currently no regulations requiring the independent spenders to disclose their donors on the communications themselves. Relatively few voters take the initiative to visit the CFB website and those who do are already likely to be highly sophisticated, high information voters. As is the case across the country, many independent spenders in New York City chose vague, positive-sounding names that do not provide any clue about the interests behind the message.

Without disclosure directly on the communication, most New York City voters receiving these campaign mailers often have no idea that the mailer is paid for by a special interest with political motives and objectives that likely have little to do with the message on the mailer. Judging only from the name of the committee, the average voter has no idea that “Jobs for New York” represents the city’s most powerful real estate developers, that “New York Progress” the most powerful labor unions, or that the “Restaurant Action Alliance” involves no restaurants and is actually the American Chemistry Council

Common Cause has been a leader throughout the country in pushing for the disclosure of the top funders of an independent expenditure campaign directly on all communications to the public. With *Citizens United* ruling out the outright prohibition of independent expenditures, clear, accessible disclosure is the public’s best defense.

We hope this detailed accounting of the scale and breadth of independent expenditures in the 2013 New York City elections spurs legislative action on disclosure. In New York City, Councilmember Brad

² http://www.nycfb.info/act-program/independent_expenditures.aspx?sm=press_ie1

³ http://www.nycfb.info/candidates/candidates/disclosure_deadlines/2013.htm

Lander has introduced a bill to require the disclosure of the top five funders of an independent expenditure campaign directly on all campaign materials.⁴ Similar disclosure laws are already in place in the states of Alaska⁵, Connecticut⁶, California⁷, and Rhode Island.⁸

Methodology:

Data for the New York City Primaries was retrieved from the New York City Campaign Finance Board's database on October 14, 2013 and covers all independent expenditures up to and including Election Day September 10, 2013.

Data for the runoff and general election was retrieved from the New York City Campaign Finance Board's database on November 12, 2013. It is possible that not all campaign finance data had been reported by that date. Data for the General Election excludes the spending of the "New York Jobs Now Committee" which used mass mailers featuring Bill de Blasio's image in a positive connotation but was primarily in support of Proposition 1 to legalize casino gambling. This is an instance where an issue advertisement appears to actually be about the issues and not a disguised candidate electioneering communication.

⁴ <http://www.crainsnewyork.com/article/20130826/BLOGS04/130829915>

⁵ <http://doa.alaska.gov/apoc/faqs/faq-independent-expenditure-activity.html>

⁶ <http://www.lwvct.org/7/category/all/1.html>

⁷ <http://www.yesfairelections.org/about/>

⁸ <http://www.golocalprov.com/news/dan-lawlor-transparency-insiders/>

Independent Expenditures in the 2013 New York City Elections

The following 47 independent spenders that were active in the 2013 New York City elections are listed in descending order of total spending.

Independent Spender	Category	Total Amount Spent	Races
1. "Jobs for New York, Inc." (Real Estate Board of NY)	BUSINESS	\$4,901,829.94	22 Primaries: CC1, CC5, CC7, CC9, CC11, CC12, CC14, CC15, CC16, CC19, CC22, CC24, CC27, CC31, CC35, CC36, CC37, CC38, CC46, CC47, CC48, CC50
2. "United for the Future" (United Federation of Teachers)	LABOR	\$3,465,849.18	37 Primaries: Mayor (D), CMP, MBP, CC2, CC3, CC7, CC9, CC10, CC11, CC12, CC13, CC15, CC16, CC18, CC19, CC22, CC23, CC24, CC27, CC29, CC30, CC31, CC32, CC34, CC35, CC36, CC39, CC40, CC42, CC43, CC45, CC46, CC47, CC48, CC49, CC50, CC51 9 General: SIBP, CC5, CC19, CC23, CC30, CC32, CC43, CC50, CC51
3. "New York Progress" (Hotel Trades Council, UFT, 32BJ SEIU, PSC, Council of School Supervisors & Administrators)	LABOR	\$1,044,742.00	1 General: Mayor
4. "NYCN4S" (CWA Local 1180, Stephen Nislick, Wendy Neu, Linda Marcus)	ADVOCACY	\$798,537.42	1 Primary: Mayor (D)
5. "Progress NYC" (1199 SEIU, Mason Tenders District Council, NY District Council of Carpenters, UFT, International Union of Painters and Allied Trades, Hotel Trades Council, 32BJ SEIU)	LABOR	\$665,407.99	1 Primary: CMP
6. "HOTEL WORKERS FOR A STRONGER MIDDLE CLASS" (Hotel Restaurant & Club Employees Union Local 6, New York Hotel Trades Council, OPEIU)	LABOR	\$429,669.22	4 Primaries: Mayor (D), PA, CMP, CC1
7. "1199SEIU United Healthcare Workers East"	LABOR	\$414,896.29	4 Primaries: Mayor (D), PA, CMP, QBP 1 Runoff: PA

8. "Empire State 32BJ SEIU PAC" (32BJ SEIU, Berlin Rosen LTD)	LABOR	\$339,672.48	19 Primaries: Mayor (D), PA, CMP, BKBP, MBP, QBP, BXBP, CC3, CC7, CC8, CC11, CC15, CC16, CC19, CC27, CC34, CC35, CC36, CC38, 1 Runoff: PA 1 General: Mayor
9. "New Yorkers For Proven Leadership Inc." (David Koch, Julia Koch, Ken Langone, Roger Hertog, Charles Dolan, Dan Lufkin, Sean Fieler, Robert Simins, Kenneth Abramowitz, Lauren Blum, Terence Greene, Randall Smith)	BUSINESS	\$334,935.54	1 Primaries: Mayor (R) 1 General: Mayor
10. Unidos para Comunidades Trabajadoras (New York District Council of Carpenters, Hotel Trades Council, 32BJ SEIU, Teamsters Joint Local 16, Mason Tenders District Council)	LABOR	\$310,000.00	1 Primary: Mayor (D)
11. NYC CLC Political Action Campaign Fund (New York City Central Labor Council, AFL-CIO)	LABOR	\$292,301.29	3 Primary Races: CMP, CC27, CC38 1 General: Mayor
12. People for a Better New York (AFSCME, Clerical Administrative Employees NYC Local 1549, Social Service Employees Union Local 371)	LABOR	\$285,799.98	1 Primary: Mayor (D) 1 General: Mayor
13. Correction Officers' Benevolent Association	LABOR	\$241,000.00	1 Primary: Mayor (D)
14. Small Business Coalition, Inc. (Southern Brooklyn business interests, chiefly Morris Bailey, Joseph and Stanley Cayre, Jerome Joseph, Century 21 Department Stores, and Joseph Sitt)	BUSINESS	\$236,113.25	18 Primaries: CC1, CC6, CC7, CC9, CC16, CC18, CC19, CC24, CC32, CC36, CC37, CC38, CC40, CC43, CC4, CC47, CC48, CC50 2 General: Mayor, CC 43
15. UFA STATE FIREPAC (UFA Federal Firepac, Red Horse Strategies)	LABOR	\$200,933.37	1 Primary: Mayor (D)
16. NYCLASS (chiefly UNITE HERE!, Stephen Nislick, Jon Stryker, Erik Gordon, ASPCA, Jay Eisenhofer, Wendy Neu, Catherine Adler)	ADVOCACY	\$185,395.00	7 Primaries: Mayor (D), CMP, CC3, CC7, CC8, CC19, CC35
17. The New York Progress and Protection PAC (David Koch, Shaun McCutcheon, Sean Fieler)	BUSINESS	\$185,260.00	1 General: Mayor
18. DC37 Political Action Committee	LABOR	\$161,400.40	5 Primaries: Mayor (D), PA, CMP, MBP, BXBP 1 Runoff: PA 3 General: Mayor, CMP, PA

19. Pledge 2 Protect, Inc. (chiefly Marquart & Small LLP, Gracie Point Community Council, Mario & Carolyn Cibelli, Elizabeth Chandler, and Rose Associates)	ADVOCACY	\$131,314.44	3 Primaries: Mayor (D), CMP, MBP
20. City Action Coalition PAC (chiefly Sean Fieler)	ADVOCACY	\$114,240.00	6 Primaries: CC2, CC15, CC19, CC36, CC38, CC48
21. Uniformed EMT's Paramedics and Inspectors-FDNY	LABOR	\$111,609.09	2 Primaries: Mayor (D), PA 1 General: Mayor
22. New Yorkers United Committee (The Chetrit Group LLC, Joseph Cayre, Michael Steinhardt, Robert Stavis)	BUSINESS	\$108,300.00	1 General: Mayor
23. Fighting for our Future PAC (Mason Tenders District Council)	LABOR	\$56,332.50	2 Primaries: Mayor (D), CC3
24. Working Families Party Campaign Committee (chiefly SEIU 32BJ, CWA District 1, NYS UAW PAC, Friends of Anthony Aramo, Friends of Elliot Auerbach)	LABOR	\$45,097.49	3 General: Mayor, CMP, PA
25. Uemsou (Uniformed EMS Officers Union)	LABOR	\$43,144.95	1 Primary: Mayor (D) 1 General: Mayor
26. Progressive Brooklyn Political Action Committee (Hotel Workers for a Stronger Middle Class, Metropolitan Public Strategies)	LABOR	\$38,211.66	1 Primary: CC38
27. New York State Nurses Association	LABOR	\$27,836.12	3 Primary Races: Mayor (D), PA, CMP 1 Runoff: PA
28. Make The Road Political Action	ADVOCACY	\$27,323.94	1 Primary: CC34
29. Downtown Independent Democrats	LOCAL CLUB/ POLITICIAN	\$26,165.19	1 Primary: CC1
30. ufoa cope fund (Uniformed Fire Officers Association)	LABOR	\$25,185.23	2 Primaries: Mayor (D), CMP
31. Catholic Citizens Committee PAC (George Sunis, Antoni Perlicki, John Singh)	ADVOCACY	\$23,353.91	3 Primaries: QBP, CC19, CC35
32. Lex Dems 2013	LOCAL CLUB/ POLITICIAN	\$20,329.16	5 Primaries: Mayor (D), PA, CMP, MBP, CC5
33. John A. Catsimaditis	LOCAL CLUB/ POLITICIAN	\$14,738.28	1 General Race: CC 32
34. Restaurant Action Alliance (American Chemistry Council)	BUSINESS	\$12,948.06	1 Primary: MBP
35. Olanike Alabi 2013	LOCAL CLUB/	\$10,438.00	2 Primaries: PB, BKBP

	POLITICIAN		
36. Planned Parenthood of NYC Political Committee	ADVOCACY	\$10,385.98	4 Primaries: Mayor (D), PB, CMP, QBP
37. United Uniformed Workers of New York	LABOR	\$9,798.75	1 Primary: Mayor (D)
38. Jim Owles Liberal Democratic Club	LOCAL CLUB/ POLITICIAN	\$9,058.89	5 Primaries: Mayor (D), PA, CMP, MBP, CC3
39. CVH Power (Community Voices Heard)	ADVOCACY	\$6,593.94	1 Primary: CC8
40. New York Progressive Future Leaders Fund (Adam Press, Young Woo, Mario Palumbo)	ADVOCACY	\$6,356.29	1 Primary: CC3
41. TWU Local 100 Political Action	LABOR	\$5,637.10	3 Primaries: Mayor (D), CC36, CC42
42. Americans for Economic Justice PAC (David and Carmen Rodriguez, Kenneth Thomas)	ADVOCACY	\$4,754.05	2 Primaries: Mayor (D), CC8
43. ForwardNY	ADVOCACY	\$2,000.00	1 Primary: CMP
44. Coalition to Ban Horse-Drawn Carriages	ADVOCACY	\$1,875.00	1 Primary: Mayor (D)
45. Local 372, N.Y.C. Board of Education Employees	LABOR	\$1,214.40	1 Primary: Mayor (D)
46. Kings County Conservative Party Campaign Committee	LOCAL CLUB/ POLITICIAN	\$1,213.45	1 General: Mayor
47. Evgeny Freidman (Taxi Industry)	BUSINESS	\$1,061.53	1 Primary: CC47

Although a total of 47 independent expenditure committees were active during the 2013 New York City elections, the vast majority of independent expenditures were made by a limited handful of committees. Overall, the top ten committees accounted for nearly 83% of the independent expenditures.

The top two committees, “Jobs for New York Inc.” backed by the Real Estate Board of New York, and “United for the Future” backed by teachers unions spent nearly \$8.4 million combined almost entirely on the primaries, accounting for over half of the total independent expenditure spending. Jobs for New York spent exclusively on City Council races in the primary, spending nearly \$5 million in 22 races for an average of over \$220,000 each race.

“United for the Future” was heavily engaged in the primary elections, spending over 98% of its total sum in the primaries. United for the Future spent \$450,726 in 34 city council primary races. “United for the Future” engaged in twelve more primary Council races than Jobs for New York but spent far less on the Council primaries overall – a total of \$450,726. More than 75% of United for the Future’s spending went to support Bill Thompson in the Democratic mayoral primary.

The third highest spender “Progress NYC” was backed by a coalition of labor unions in support of Democratic comptroller candidate Scott Stringer after the surprise last-minute entry of former Governor Eliot Spitzer into the primary race.

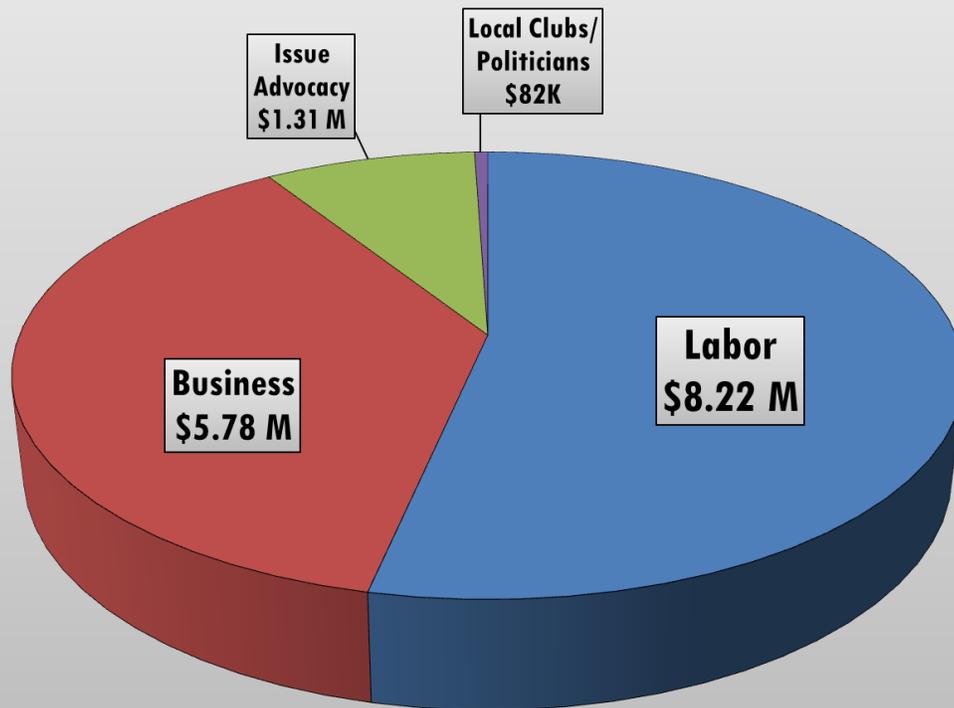
The fourth highest spender, “NYCN4S” or “New York City Not for Sale” spent nearly \$800,000 entirely on opposition to Democratic mayoral candidate Christine Quinn in the primaries. NYSN4S was funded primarily by wealthy animal rights activists opposed to Quinn’s support of the Central Park carriage horse industry but also received \$500,000 from the Communication Workers of America.

The rest of the top ten is rounded out by various labor-backed committees with the exception of the ninth highest spender, “New Yorkers for Proven Leadership,” which supported Republican mayoral candidate Joe Lhota and was primarily backed by New York City’s wealthiest individual, billionaire David Koch of Koch Industries, along with fellow billionaire and multi-millionaires Ken Langone, Roger Hertog, and Charles Dolan.

The majority of independent spenders engaged in five races or fewer and 21 spenders engaged in only a single race. Only two spenders, “United for the Future” and “Empire State 32BJ SEIU PAC” engaged broadly in multiple citywide races as well as numerous City Council races.

Six independent spenders – “Jobs for New York,” “United for the Future,” “Empire State 32BJ SEIU PAC” the “Small Business Coalition, Inc,” “NYCLASS,” and the “City Action Coalition PAC” engaged broadly at the city council level in more than two races.

Total Independent Expenditures in the 2013 NYC Elections by Type of Supporter



Category	Number of Committees	Amount	Amount %
Labor	22	\$8,215,739.49	53%
Business	7	\$5,780,448.32	38%
Advocacy	12	\$1,312,129.97	9%
Local Club/Politician	6	\$81,942.97	<1%

Common Cause/NY has classified independent spenders into four broad categories.

- “Labor” signifies a committee directly backed by a single union or a committee backed by a coalition of unions.
- A committee is categorized as “Business” if it receives financial backing from readily identifiable bloc of business interests.
- “Advocacy” indicates a committee formed in support of an issue agenda (such as animal rights, same sex marriage, or the construction of a garbage transfer station in a particular neighborhood) and is backed by concerned individuals and businesses.

- “Local Club/Politician” is a designation for the local clubs and political candidates who decided to register and engage in other races as independent spenders. It is unclear whether the activities reported as independent expenditures by these clubs or politicians is different than that of other clubs and politicians who engage in electioneering and do not typically report their activities as such.

In the 2013 New York City elections, labor unions formed a total of 22 independent expenditure committees and spent over \$8.2 million. Business interests formed seven PACs and spent nearly \$5.8 million but this spending was dominated by a single committee, “Jobs for New York” which spent \$4.9 million on city council primaries. It is likely that business interests would have engaged more heavily in the citywide general election races if any were perceived to be competitive.

PACs backed by issue advocates spent over \$1.3 million entirely in the primary, led by NYCN4S and the affiliated NYCLASS (New Yorkers for Clean, Livable and Safe Streets) animal rights activists against the carriage horse industry. Other significant advocacy PACs include “Pledge 2 Protect Inc.” funded by individuals and businesses opposed to the location of a waste transfer station at 91st St on the East River, and the “City Action Coalition PAC” funded by anti-gay marriage corporate executive Sean Fieler.

Three local political clubs registered and reported as independent spenders during the 2013 primaries and one county political party. One city council candidate, Olanike Alabi, and one mayoral candidate, John Catsimatidis also reported independent expenditures in campaigns other than their own.

The Name Game: Deception or Clarity in Spender Names

Looking at the names of independent spenders, one can categorize them into three basic categories – “misleading/vague,” “confusing/unclear,” and “matches actual name of funder.” The middle category “confusing/unclear” includes names where it may be possible for voters to discern the interest but it is not clear. These names might include part of the organization’s name, an acronym, or the direct name of an organization whose parent funders/members are unclear.

Misleading/Vague Committee Name	Confusing/Unclear Committee Name	Committee Name Matches Actual Name of Funder
Jobs for New York Inc.	United for the Future	HOTEL WORKERS FOR A STRONGER MIDDLE CLASS
New York Progress	NYC CLC Political Campaign Fund	1199SEIU United Healthcare Workers East
NYCN4S	NYCLASS	Empire State 32BJ SEIU PAC
Progress NYC	Progressive Brooklyn PAC	Correction Officers' Benevolent Association
New Yorkers for Proven Leadership Inc.	Catholic Citizens Committee PAC	UFA STATE FIREPAC
Unidos para Comunidades Trabajadoras	CVH Power	DC37 Political Action Committee
People for a Better New York	New York Progressive Future Leaders Fund	Uniformed EMT's Paramedics and Inspectors-FDNY
Small Business Coalition Inc.	Coalition to Ban Horse-Drawn Carriages	Working Families Party Campaign Committee
The New York Progress and Protection PAC		Uemsou (Uniformed EMS Officers Union)
Pledge 2 Protect, Inc.		New York State Nurses Association
City Action Coalition PAC		Make The Road Political Action
New Yorkers United Committee		ufoa cope fund
Fighting for our Future PAC		Lex Dems 2013
Americans for Economic Justice PAC		Downtown Independent Democrats
ForwardNY		John A. Catsimatidis
Restaurant Action Alliance		Olanike Alabi 2013
		Planned Parenthood of NYC PAC
		United Uniformed Workers of New York
		Jim Owles Liberal Democratic Club
		TWU Local 100 Political Action
		Local 372, NYC Board of Education Employees
		Kings County Conservative Party Campaign Committee
		Evgeny Freidman
TOTAL: 16 SPENDERS \$9,192,515.11	TOTAL: 8 SPENDERS \$4,019,936.33	TOTAL: 23 SPENDERS \$2,177,809.31

While independent spenders using their actual organization names were surprisingly common, with 23 total such spenders, the largest category of spenders in dollar amount were the “misleading/vague” spenders at a total of nearly \$9.2 million.

Committees using vaguely positive sounding names like “Jobs for New York” and “Progress NYC” were backed by a wide range of interests from business, labor, and advocacy groups. But for those spenders that fall into this category, it is impossible to discern from the committee name which interests are backing it. Without listing the funders directly on the campaign materials, it is impossible for voters to tell that “Jobs for New York” is backed by big developers on the Real Estate Board of New York, “Progress NYC” supported by the city’s largest labor unions, and “New Yorkers for Proven Leadership” chiefly backed by David Koch of Koch Industries.

The most directly deceptive name of all the committees involved in the 2013 NYC elections is the “Restaurant Action Alliance.” The group includes no restaurants but is instead completely funded by the American Chemistry Council to advocate against bans on Styrofoam food containers. Although the independent spender raised nearly \$900,000, it only spent \$13,000 in 2013.

Independent Expenditures in the Primary Election by Office

In the city primaries held on September 10th, city council races received the largest infusion of independent expenditure cash, with over \$6.2 million spent, representing nearly 40% of the money spent by council candidates. Out of 39 contested city council primaries (38 Democratic and 1 Republican), independent expenditures were made in 32 (82%). Small outlays of independent expenditures were also made in nine city council districts where the incumbent was running uncontested.

Office	Number of Spenders	Number of Races with IEs	Total IEs	% of All Candidate Spending
City Council	21	41 (9 uncontested)	\$6,216,725.41	39%
Mayor	27	2	\$5,684,558.84	12%
Comptroller	16	1	\$1,079,415.25	7%
Borough President	12	4	\$110,224.64	1%
Public Advocate	11	1	\$65,423.24	<1%

City Council spending was supercharged by the activity of the Real Estate Board of New York’s “Jobs for New York” committee which spent over \$4.9 million on council races – nearly 80% of the total independent expenditures on council races. The 22 council races in which “Jobs for New York” engaged had an average of \$267,000 in independent expenditures – a figure far above the \$168,000 in spending permitted by a single candidate using the public matching system. Despite the immense sums invested by “Jobs for New York”, it appears that the group’s spending was consequential in only a handful of

council races. In most instances, “Jobs for New York” supported candidates that were already considered favored front-runners (see full details on all of Jobs for New York’s spending in “Profiles of the Independent Spenders” appendix).

Independent expenditures made by groups other than “Jobs for New York” were made in 19 other city council races and averaged only \$18,000 per race.

The second largest amount of independent expenditure money was spent on the mayoral primaries. Of the nearly \$5.7 million spent on the mayoral primaries, \$5.55 million (98%) was spent on the highly competitive Democratic race. Although mayoral spending was relatively close in dollar amount to city council spending it was far less significant as a percentage of candidates' spending. A mayoral candidate running under the public financing system is able to spend \$6,426,000 on his/her campaign.

The race for the Democratic comptroller nomination attracted nearly \$1.1 million in independent spending, representing 7% of the amount spent by candidates. (Eliot Spitzer did not participate in the public financing system and spent \$10.3 million – more than double the \$4,018,000 spending cap of candidates participating in the public financing system).

Democratic primaries for borough president in Manhattan, the Bronx, Queens, and Brooklyn (despite that race being uncontested) attracted over \$110,000 in independent spending, representing just 1% of the money spent by candidates. The primary race for the Democratic nomination for public advocate received only just over \$65,000 in independent spending despite hosting a competitive field of candidates.

Independent Expenditures in the Public Advocate Runoff

The Democratic race for public advocate was the only 2013 citywide race that triggered a runoff election, held on October 1, 2013. Four labor unions, 1199 SEIU, DC37, 32BJ SEIU, and the New York State Nurses, engaged in the race on behalf of Letitia James.

Office	Number of Spenders	Total IEs	% of All Candidate Spending
Public Advocate	4	\$297,498.12	23%

The unions spent over \$150,000 on radio ads, nearly \$72,000 on leafleting, over \$48,000 on print ads, nearly \$19,000 on phone banking and \$8,000 on posters to support James’ candidacy.

1199/SEIU provided the majority of the funds with \$206,000 in spending, followed by DC37 at \$43,000, 32BJ at \$38,000 and the Nurses with \$10,000. If not for this investment by the unions, James would have been outspent by Daniel Squadron by roughly \$150,000.

Independent Expenditures in the General Election by Office

Office	Number of Spenders	Number of Races with IEs	Total IEs	% of All Candidate Spending
City Council	3	9	\$86,217	3%
Mayor	13	3	\$1,806,916	37%
Comptroller	2	1	\$7,715	4%
Borough President	1	1	\$25,242	3%
Public Advocate	6	1	\$10,305	15%

The general election saw six new independent expenditure committees enter the fray alongside 11 that had previously been active in the primaries. Over \$1.8 million, or 93% of the spending in the general election was focused on the mayoral race despite the perceived (and actual) lack of competitiveness in that race.

Five committees spent over \$100,000 in the general election targeted solely in the mayoral race. “New York Progress,” backed by labor unions including the Hotel Trades, UFT, and 32BJ SEIU, spent just over \$1 million on television ads attacking Republican mayoral candidate Joe Lhota as a “Tea Party” extremist.

“New Yorkers for Proven Leadership” spent an additional \$200,786 supporting Joe Lhota, joined by “The New York Progress and Protection PAC” which spent \$185,260 and like “New Yorkers for Proven Leadership,” was funded primarily by David Koch.

“People for a Better New York,” a committee backed by AFSCME, spent \$150,000 supporting Bill de Blasio, while a new committee called “New Yorkers United Committee” backed by real estate developers Joseph Chetrit and Joseph Cayre, and financier Michael Steinhardt, spent \$108,300 supporting third-party candidate Jack Hidary who ended up winning just 0.3% of the vote.

In addition to their funding of “New York Progress” in the mayoral race, the UFT’s “United for the Future” spent \$90,019 in the general election with relatively small outlays in the Staten Island Borough President’s race and eight city council races. The Working Families Party entered the independent expenditure fray with \$45,097 in spending on behalf of Bill de Blasio, Scott Stringer, and Letitia James.

Former Republican mayoral candidate John Catsimatidis spent \$15,000 opposing fellow Republican Councilmember Eric Ulrich in an intra-party spat.

Total Independent Expenditures by Type

Type of Expenditure	Number of Spenders	Number of Candidates Supported or Opposed ⁹	Amount	%
Mass Mailings	27	91	\$6,870,180.91	45%
Television Ads	7	10	\$2,720,189.54	18%
Leaflets/Flyers	26	52	\$2,331,845.85	15%
Radio Ads	11	9	\$1,508,137.50	10%
Phone Banking / Robocalls ¹⁰	17	40	\$908,153.28	6%
Internet Ads	8	13	\$470,911.58	3%
Print Ads	13	23	\$409,583.17	3%
Billboards	2	2	\$78,537.18	<1%
Posters	11	25	\$61,031.74	<1%
Websites	5	12	\$31,690.00	<1%

Mass mailings were by far the most common type of independent expenditure in the 2013 elections, accounting for nearly \$6.87 million, or 45% of spending. 91 candidates were supported/opposed by mass mailings paid for by independent expenditures.

Nearly 98% of mass mailings expenditures occurred during the primary campaigns. While mass mailings might appear to be an “old fashioned” technique at first glance, the sophistication of voter databases has grown tremendously in the last decade, allowing firms to “micro-target” messages to very specific groups of likely voters.¹¹ In the primaries, where only the most engaged voters turn-out to vote, consultants appear to have assumed that targeting likely-voters with mass mailings would have a greater impact than local advertising.

The largest single expenditures for mass mailings were for the highly competitive citywide races for Mayor and Comptroller, including over \$1 million spent by “United for the Future” on behalf of Bill Thompson, and over \$500,000 spent by “Progress NYC” for Scott Stringer. But nearly two thirds of the money spent on mass mailings was spent on City Council primaries, impacting 70 candidates in 40 council races across the city and totaling \$4.3 million.

⁹ Candidate counted multiple times if supported/opposed in multiple elections.

¹⁰ Progressive Brooklyn Political Action Committee and United for the Future reported certain robocalls as a category “Other” but other robocalls were reported under the Phone Banking category

¹¹ <http://www.winningcampaigns.org/Winning-Campaigns-Archive-Articles/Mass-Mailing-Turns-to-Micro-Targeting.html>

The second largest category of independent expenditures was television ads at \$2.72 million or 18% of spending – and this is the only category where expenses in the general election were higher than in the primary election -- \$1.54 million to \$1.18 million.

In the primaries, TV ads were primarily made by two committees involved in the Democratic mayoral race. “New York City Not For Sale” spent nearly \$600,000 on television ads opposing Christine Quinn early in the primary season in April, May, and June, while “United for the Future” spent nearly \$461,000 on television ads supporting Bill Thompson during the week before the election. “New Yorkers for Proven Leadership” spent nearly \$113,000 supporting Joe Lhota with TV ads in the Republican primary against John Catsimatidis. Local ethnic media TV ads were also purchased in five council races by “Jobs for New York”.

In the general election, the labor-backed committee “New York Progress” spent just over \$1 million on television ads attacking Joe Lhota as a Tea Party candidate, and the two PACs supported primarily by David Koch, “New Yorkers for Proven Leadership” and “The New York Progress and Protection PAC,” spent just over \$386,000 on TV ads supporting Lhota.

The third largest category of independent expenditures in the 2013 New York City elections was “Leaflets/Flyers” at over \$2.3 million. On closer inspection, this category appears to include all expenses related to the production and distribution by hand (i.e. canvassing) of printed campaign materials such as palm cards or any kind of leaflet.

Like mass mailings, nearly all of this money was spent in the primaries. Overall, 52 candidates were supported/opposed by Leaflets/Flyers paid for by independent expenditures. Democratic mayoral candidate Bill Thompson was the largest beneficiary with nearly \$520,000 spent on his behalf by numerous labor-affiliated PACs, chiefly “United for the Future.” Also in the mayoral race, Christine Quinn was the second highest impacted candidate by leafleting and holds the distinction of being the only candidate *opposed* by this technique. Over \$185,000 was spent by the “New York City Not For Sale” and “NYCLASS” committees to disseminate printed materials in opposition to Quinn. Other significant Leaflet/Flyer expenditures took place in the races for City Council where over \$1.3 million was spent to influence the outcomes of 24 council races.

Independent expenditure committees spent over \$1.5 million on radio ads in the 2013 New York City elections, entirely in the primary (\$1.36 million) and runoff (\$150,000). In the primaries, radio ad purchases were made on behalf of all the major Mayoral candidates but the largest radio ad purchases were made by “Progress NYC” and “United for the Future” in support of Scott Stringer (\$372,730). In the mayoral race, the largest radio expenditures were by “Unidos para Comunidades Trabajadoras” on behalf of Christine Quinn (\$310,000), “United for the Future” on behalf of Bill Thompson” (\$280,262), the Corrections Officers’ Benevolent Association on behalf of John Liu (\$208,00), and 1199/SEIU for Bill de Blasio (\$135,915). Jobs for New York made small outlays on ethnic radio ads in three council districts and the “Small Business Coalition” spent \$1,500 on a radio ad for council candidate Ari Kagan in the 48th district.

Over \$900,000 was spent on phone banking and robocalls, 97% of which was spent in the primary elections. Nearly \$193,000 was spent on phone banking and robocalls for mayoral candidate Bill Thompson, chiefly by “United for the Future.” \$89,000 was spent on behalf of Christine Quinn by “Hotel Workers for a Stronger Middle Class” and “Empire State 32BJ SEIU PAC” but nearly \$24,000 was spent on phone banking in opposition to Christine Quinn by “NYCLASS,” making Quinn the only candidate that was opposed by phone banking.

Scott Stringer’s campaign for comptroller was also a major beneficiary of independent expenditure phone banking, receiving over \$122,000 in phone banking support from committees backed by various labor unions. But it was candidates for city council that received the most support from phone banking. Nearly \$445,000 was spent on phone banking on behalf of council candidates in the primaries. This sum was fueled by “Jobs for New York,” which spent \$403,000 on live voter phone banking supporting 21 candidates across the city.

Internet ads beat out print ads for the sixth most widespread type of independent expenditure at a total of roughly \$471,000. \$315,000 was spent in the primaries primarily in the Mayoral race where John Liu was the top beneficiary of \$136,000 in internet ad spending by the AFCME-backed “People for a Better New York.” \$100,000 was spent by “United for the Future” on behalf of Bill Thompson and “New York City Not For Sale” spent \$37,500 on internet ads attacking Christine Quinn. In the city council primaries, the “Progressive Brooklyn Political Action Committee” spent \$13,600 attacking incumbent councilmember Sara Gonzalez with internet ads. In the general election, \$155,000 in internet advertising was spent by labor-affiliated committees in support of Bill de Blasio

Independent expenditures on print ads totaled just over \$400,000, with roughly \$320,000 spent in the primaries, \$49,000 in the public advocate runoff, and \$41,000 in the general. Print ad expenditures were distributed throughout all offices, but the largest beneficiary was mayoral candidate John Liu with \$100,000 spent on his behalf by “DC37 Political Action Committee.”

The bottom three categories of Billboards, Posters, and Websites together accounted for \$171,000, about \$161,000 of which was spent in the primaries on a wide spectrum of candidates. The “UFA State Firepac” spent \$75,000 on billboards for Bill Thompson and the rest of this spending was spread around in numerous small outlays for a wide spectrum of candidates

Independent Expenditures by Support/Opposition

Type of Spending	Number of Spenders	Amount	%
Supporting Candidate	43	\$12,475,410.63	81%
Opposing/Attacking Candidate	14	\$2,895,882.10	19%
“Not Determined”	1	\$18,967.65	<1%

Overall in the 2013 New York City elections, more than 80% of independent expenditures were made in support of candidates rather than attacking candidates.

However, looking only at the general election, spending on attacks was actually higher than spending in support due to the \$1.06 million spent by “New York Progress” on television ads attacking Joe Lhota.

36 candidates were attacked by independent expenditures but eight of these candidates received supporting independent expenditures that outweighed the total amount of attacks.

Other than the “New York Progress” tea party attack ads on Joe Lhota, the second largest batch of negative independent expenditures was the combined \$921,000 spent by “New York City Not For Sale” and “NYCLASS” attacking Christine Quinn. This campaign to ensure “Anybody but Quinn” won the Democratic mayoral nomination involved nearly every type of expenditure: leaflets, phone banks, internet ads, mass mailings, posters, radio and tv ads, and a website – every category except billboards.

The third largest group of negative ads were the mass mailings sent by “Jobs for New York” against 25 council candidates across the city for a total of \$741,000 in attack spending. “Jobs for New York’s” attack spending averaged \$30,000 against each opposed candidate and ranged from \$3,600 to nearly \$111,000 spent attacking the group’s top target, Joel R. Rivera in District 15 in the Bronx.

Other negative spending included a total of \$42,000 spent on mailers by “Pledge 2 Protect, Inc.” attacking Democratic mayoral candidates Bill de Blasio and Christine Quinn and Manhattan Borough President candidate Julie Menin on their support for the East 91st Street waste transfer station. The “Progressive Brooklyn Political Action Committee” spent \$32,000 on mailers, robocalls, and a website attacking incumbent city councilmember Sara Gonzalez, the “Fighting for our Future PAC” spent \$31,000 on mailers attacking council candidate Yetta Kurland, and the “Downtown Independent Democrats” spent \$26,000 on mailers attacking incumbent councilmember Margaret Chin.

Independent Expenditures by Election Race

Race	IE Amount	% of Candidates' Spending	Margin of Victory
Mayor – Democratic Primary	\$5,550,408.30	18%	14.1%
Mayor – General Election	\$1,806,916.10	38%	49.0%
Comptroller – Democratic Primary	\$1,079,415.25	6%	4.0%
City Council District 38 – Democratic Primary	\$548,740.06	185%	15.2%
City Council District 27 – Democratic Primary	\$460,478.93	102%	2.6%
City Council District 19 – Democratic Primary	\$446,476.24	63%	2.1%
City Council District 15 – Democratic Primary	\$439,070.07	82%	14.9%
City Council District 36 – Democratic Primary	\$437,068.33	86%	0.6%
City Council District 48 – Democratic Primary	\$415,001.71	80%	3.3%
City Council District 47 – Democratic Primary	\$399,252.22	73%	16.8%
City Council District 7 – Democratic Primary	\$347,025.68	40%	23.5%
City Council District 46 – Democratic Primary	\$343,639.29	170%	18.6%
City Council District 1 – Democratic Primary	\$320,209.08	105%	17.0%
City Council District 35 – Democratic Primary	\$302,407.75	59%	9.4%
Public Advocate – Democratic Runoff	\$297,498.12	23%	19.0%
City Council District 22 – Democratic Primary	\$236,613.33	70%	33.7%
City Council District 11 – Democratic Primary	\$233,914.15	81%	35.6%
City Council District 16 – Democratic Primary	\$225,793.57	39%	26.8%
City Council District 37 – Democratic Primary	\$219,008.21	44%	14.5%
City Council District 50 – Republican Primary	\$182,343.05	63%	9.2%
City Council District 3 – Democratic Primary	\$171,608.14	40%	25.2%
City Council District 9 – Democratic Primary	\$140,304.12	44%	38.6%
Mayor – Republican Primary	\$134,150.54	1%	11.8%
City Council District 34 – Democratic Primary	\$82,150.75	25%	12.2%
Public Advocate – Democratic Primary	\$65,423.24	1%	2.8%
Manhattan Borough President – Democratic Primary	\$64,239.77	1%	16.0%
City Council District 12 – Democratic Primary	\$48,625.31	52%	25.0%
City Council District 24 – Democratic Primary	\$45,415.89	19%	41.0%
City Council District 31 – Democratic Primary	\$38,773.66	32%	15.7%
City Council District 14 – Democratic Primary	\$34,857.91	145%	50.0%
City Council District 8 – Democratic Primary	\$27,428.21	7%	17.2%
Staten Island Borough President – General Election	\$25,242.24	29%	39.4%
City Council District 43 – General Election	\$24,961.24	20%	27.1%
City Council District 2 – Democratic Primary	\$24,831.14	10%	62.6%
Queens Borough President – Democratic Primary	\$23,206.09	1%	10.8%
City Council District 32 – General Election	\$18,816.14	42%	6.4%
City Council District 5 – General Election	\$17,471.32	8%	23.6%

Brooklyn Borough President – Democratic Primary	\$13,453.67	5%	UNOPPOSED
Public Advocate – General Election	\$10,305.09	15.2%	71.4%
Bronx Borough President – Democratic Primary	\$9,345.11	1%	67.6%
City Council District 40 – Democratic Primary	\$8,544.00	5%	10.6%
City Council District 5 – Democratic Primary	\$8,457.54	2%	6.3%
Comptroller – General Election	\$7,715.01	3%	53.9%
City Council District 51 – General Election	\$7,267.34	8%	47.4%
City Council District 50 – General Election	\$5,488.32	5%	27.4%
City Council District 19 – General Election	\$4,906.96	4%	14.4%
City Council District 23 – General Election	\$4,476.61	5%	68.2%
City Council District 10 – Democratic Primary	\$3,488.82	1%	48.4%
City Council District 18 – Democratic Primary	\$3,265.94	5%	41.6%
City Council District 43 – Democratic Primary	\$2,922.57	3%	UNOPPOSED
City Council District 32 – Republican Primary	\$2,915.05	7%	UNOPPOSED
City Council District 30 – General Election	\$2,828.88	2%	17.8%
City Council District 42 – Democratic Primary	\$2,163.03	1%	19.0%
City Council District 23 – Democratic Primary	\$1,863.62	1%	UNOPPOSED
City Council District 39 – Democratic Primary	\$1,749.88	2%	UNOPPOSED
City Council District 51 – Republican Primary	\$1,740.48	10%	UNOPPOSED
City Council District 45 – Democratic Primary	\$1,608.88	1%	63.8%
City Council District 6 – Democratic Primary	\$1,542.84	<1%	4.9%
City Council District 29 – Democratic Primary	\$1,488.56	3%	UNOPPOSED
City Council District 49 – Democratic Primary	\$1,413.36	3%	UNOPPOSED
City Council District 13 – Democratic Primary	\$1,392.68	1%	UNOPPOSED
City Council District 30 – Democratic Primary	\$1,131.36	1%	UNOPPOSED

Independent expenditures were made in every election for the citywide offices of mayor, comptroller, and public advocate, four of the five borough president primaries but only one borough president general election, and nearly every competitive primary and general election for city council.

Overall, independent expenditures were made in 62 races, but in only 37 of these races did the expenditures account for at least 5% of candidate spending. 31 of these 37 races were in the city council. Other than City Council races, races in which independent expenditures accounted for over 5% of candidate spending include the mayoral Democratic primary and general election, the public advocate runoff and general election, the comptroller primary, and the general election for Staten Island Borough President.

Out of 39 contested city council primaries (38 Democratic and 1 Republican), independent expenditures were made in 32 (82%). Independent expenditures were also made in nine city council districts where the incumbent was running uncontested. Out of 29 city council general elections that were contested between Democrats and Republicans, independent expenditures were made in 8 of them (27%), but 25 out of the 29 contested races, only 4 were at all competitive (within 20% margin of victory). Of these

four competitive general elections for council, independent expenditures were made in three of them (districts 19, 30, and 32) but not district 48.

As a percentage of candidate spending, independent expenditures were most significant in the city council primaries. In 15 city council primaries, (Districts 1, 11, 12, 14, 15, 19, 22, 27, 35, 36, 38, 46, 47, 48, 50), total independent expenditures amount to greater than 50% of total candidate spending. In five of these city council primaries (Districts 1, 14, 27, 38, and 46), total independent expenditures actually exceeded total candidate spending.

In nineteen races, independent expenditures represented at least 5% of total candidate spending and the final margin of victory was within 20%. It is this subset of races, representing \$11.6 million in total spending (roughly 75% of the total), where independent expenditures had the most significant impact on the election outcomes. These races included the Democratic primaries for mayor and comptroller, the public advocate runoff, the Democratic primaries for council districts 1, 8, 15, 19, 27, 31, 34, 35, 36, 37, 38, 46, 47, 48, the Republican primary for council district 50, and the general election for council district 51. See appendix A for details on the specific spending in these races.

There is no simple formula for evaluating the impact of independent expenditures on election races, and the overall dollar amount of the expenditure or its percentage of candidate spending is not always fully representative of its true impact. It does not, for example, take account of the relative effectiveness of a particular communication, the free attention from the press that well-crafted or bombastic advertisement can garner, or numerous other factors.

Independent Expenditures and Competitiveness

Margin of Victory	Number of Races	Total IE's	Average Total IE's in Race	Average Total IEs as % of Candidates' Spending
Less than 20%	29	\$13,375,453.44	\$411,160.00	46%
Greater than 20%	23	\$3,436,541.26	\$149,414.84	22%
Unopposed	10	\$30,071.23	\$3,007.12	4%

We found no direct relationship between the amount of independent expenditures made in a race and the margin of victory. Nevertheless, there is a general pattern of independent expenditures concentrating in the more competitive elections where the final margin of victory was less than 20%.

In non-competitive elections, the largest outlay representing over half the total was the \$1.8 million spent on the general election for Mayor. Over \$1 million of this spending was by “New York Progress” on television ads attacking Joe Lhota as a tea party candidate. “New York Progress” was backed by powerful

labor unions who did not endorse Democratic candidate Bill de Blasio during the primaries – chiefly the Hotel Trades Council, United Federation of Teachers, and 32BJ SEIU.

“People for a Better New York” backed by AFSCME and affiliated unions spent \$150,000 on internet ads supporting Bill de Blasio. In the primaries, AFSCME had backed John Liu.

Considering the general election for mayor was constantly polling at a 40 point margin, it appears that spending by “New York Progress” and “People for a Better New York” was made more with the intention of currying favor with Bill de Blasio than meaningfully impacting the election.

The same could be said of most of the other non-competitive races that received large amounts of independent spending. Most of the rest of the spending in this category was made by “Jobs for New York” on council races in the primaries. In eight council primaries – Districts 7, 9, 11, 12, 14, 16, 22 and 24 – “Jobs for New York” poured over \$1.3 million into races where the final margin was a landslide over 20%.

Such heavy spending by independent expenditure committees in support of front-runners in non-competitive elections raises questions about whether this spending was a de facto campaign contribution intended to cultivate influence with the prohibitive front-running candidate.

Candidates Impacted by Independent Expenditures

Overall, independent expenditures affected 95 candidates running for office in the 2013 New York City elections. In the primaries, independent expenditures were made for or against 91 candidates. One candidates who was also supported in the primaries was supported in the public advocate runoff. A total of 15 candidates were supported/attacked in the general election and out of these 15, 11 were previously affected by independent expenditures in the primary. If we count campaigns in the primary, runoff, and general separately, a total of 107 candidates were impacted.

14 candidates were both supported and attacked by competing independent expenditures committees. For candidates that were both supported and attacked, the below analysis subtracts expenditures spent on attacks from the sum of expenditures made in support to generate a figure representing the net spending in favor or opposition of the candidate.

CANDIDATE NAME	OFFICE / RACE	DISTRICT	IE ACTIVITY	NET IE SPENDING (support minus opposition)	% of Candidate's Spending	RESULT
William C. Thompson Jr. (D)	Mayor Primary		Supported	\$3,075,479	47%	LOST (-14.1%)
Scott M. Stringer (D)	Comp. Primary		Supported AND Opposed	\$1,022,512	17%	WON (+4.0%)
John C Liu (D)	Mayor Primary		Supported	\$451,066	14%	LOST (-33.3%)
Paul Vallone (D)	CC Primary	19	Supported	\$350,867	213%	WON (+2.1%)
Ari Kagan (D)	CC Primary	48	Supported	\$342,788	233%	LOST (-3.3%)
Mark Treyger (D)	CC Primary	47	Supported	\$336,609	206%	WON (+16.8%)
Kirsten J. Foy (D)	CC Primary	36	Supported	\$332,623	213%	LOST (-0.6%)
Mark D. Levine (D)	CC Primary	07	Supported	\$318,435	167%	WON (+23.5%)
Sara M. Gonzalez (D)	CC Primary	38	Supported AND Opposed	\$317,715	210%	LOST (-15.2%)
Ritchie Torres (D)	CC Primary	15	Supported	\$305,444	181%	WON (+14.9%)
Letitia James (D)	PA Runoff		Supported	\$297,498	52%	WON (+19.0%)
Alan Maisel (D)	CC Primary	46	Supported	\$282,418	176%	WON (+18.6%)
Laurie A Cumbo (D)	CC Primary	35	Supported	\$268,340	167%	WON (+9.4%)
Bill de Blasio (D)	Mayor General		Supported	\$266,616	9%	WON (+49.0%)
Manuel Caughman (D)	CC	27	Supported	\$261,533	211%	LOST

	Primary					(-7.2%)
Rafael L. Espinal (D)	CC Primary	37	Supported	\$219,008	151%	WON (+14.5%)
Margaret S Chin (D)	CC Primary	01	Supported	\$217,143	116%	WON (+17.0%)
Vanessa L Gibson (D)	CC Primary	16	Supported	\$204,624	125%	WON (+26.8%)
Costa G. Constantinides (D)	CC Primary	22	Supported	\$201,002	97%	WON (+33.7%)
Bill de Blasio (D)	Mayor Primary		Supported AND Opposed	\$194,161	3%	WON (+14.1%)
Andrew J. Cohen (D)	CC Primary	11	Supported	\$187,738	138%	WON (+35.6%)
Steven Matteo (R)	CC Primary	50	Supported	\$148,124	105%	WON (+9.2%)
Daneek Miller (D)	CC Primary	27	Supported	\$143,301	123%	WON (+2.6%)
Joseph J. Lhota (R)	Mayor Primary		Supported	\$134,151	4%	WON (+11.8%)
Corey D. Johnson (D)	CC Primary	03	Supported	\$112,891	54%	WON (+25.2%)
Inez E. Dickens (D)	CC Primary	09	Supported	\$109,493	43%	WON (+38.6%)
Jack D. Hidary	Mayor General		Supported	\$108,300	50%	LOST (-73%)
Antonio Reynoso (D)	CC Primary	34	Supported	\$66,586	42%	WON (+12.2%)
Letitia James (D)	PA Primary		Supported	\$57,836	4%	WON (+2.8%)
Carlos Menchaca (D)	CC Primary	38	Supported AND Opposed	\$54,735	37%	WON (+15.2%)
Andrew L. King (D)	CC Primary	12	Supported	\$48,625	137%	WON (+25.0%)
Rory I. Lancman (D)	CC Primary	24	Supported	\$45,416	32%	WON (+41.0%)
Donovan J. Richards (D)	CC Primary	31	Supported	\$38,774	91%	WON (+15.7%)
Fernando Cabrera (D)	CC Primary	14	Supported	\$34,858	145%	WON (+50.0%)
Robert Jackson (D)	BP Primary	MH	Supported	\$31,322	3%	LOST (-20.5%)
Austin I Shafran (D)	CC Primary	19	Supported AND Opposed	\$29,610	17%	LOST (-2.1%)
Joyce S. Johnson (D)	CC Primary	07	Supported	\$28,591	20%	LOST (-23.5%)
James S. Oddo (R)	BP General	SI	Supported	\$25,242	25.9%	WON (+39.4)
Melissa Mark-Viverito (D)	CC	08	Supported AND	\$23,191	11%	WON

	Primary		Opposed			(+17.2%)
Richard Del-Rio (D)	CC Primary	02	Supported	\$23,710	21%	LOST (-62.6%)
Jessica S. Lappin (D)	BP Primary	MH	Supported	\$20,539	1%	LOST (-16.0%)
Anthony D. Weiner (D)	Mayor Primary		Supported	\$18,968	<1%	LOST (-35.4%)
Eliot L. Spitzer (D)	Comp. Primary		Supported	\$18,968	<1%	LOST (-4.0%)
Vincent J. Gentile (D)	CC General	43	Supported	\$18,810	38%	WON (27.1%)
Chaim M. Deutsch (D)	CC Primary	48	Supported AND Opposed	\$18,634	11%	WON (+3.3%)
Benjamin J. Kallos (D)	CC General	5	Supported	\$17,471	18%	WON (+23.6%)
Melinda Katz (D)	BP Primary	QU	Supported	\$15,014	1%	WON (+10.8%)
Eric L. Adams (D)	BP Primary	BK	Supported	\$13,454	5%	UNOPPOSED
Letitia James (D)	PA General		Supported	\$10,305	15%	WON (+71.4%)
Ruben Diaz Jr. (D)	BP Primary	BX	Supported	\$9,345	1%	WON (+67.6%)
Mathieu Eugene (D)	CC Primary	40	Supported	\$8,544	14%	WON (+10.6%)
Micah Z. Kellner (D)	CC Primary	05	Supported	\$8,458	6%	LOST (-6.3%)
Peter F. Vallone (D)	BP Primary	QU	Supported	\$8,192	<1%	LOST (-10.8%)
Scott M. Stringer (D)	CMP General		Supported	\$7,715	3%	WON (63.9%)
Vincent M. Ignizio (R)	CC General	51	Supported	\$7,267	14%	WON (47.4%)
Robert E. Cornegy Jr. (D)	CC Primary	36	Supported AND Opposed	\$6,034	4%	WON (+0.6%)
Gale A. Brewer (D)	BP Primary	MH	Supported	\$5,793	<1%	WON (+16.0%)
Steven Matteo (R)	CC General	50	Supported	\$5,488	6%	WON (27.4%)
Paul A. Vallone (D)	CC General	19	Supported	\$4,907	6%	WON (14.4%)
Mark S. Weprin (D)	CC General	23	Supported	\$4,477	3%	WON (68.2%)
Catherine Guerriero (D)	PA Primary		Supported	\$4,585	2%	LOST (-22.9%)
Ydanis A. Rodriguez (D)	CC Primary	10	Supported	\$3,489	1%	WON (+48.4%)
Annabel Palma (D)	CC Primary	18	Supported	\$3,266	5%	WON (+41.6%)

Daniel L Squadron (D)	PA Primary		Supported	\$3,003	<1%	LOST (-2.8%)
Vincent J Gentile (D)	CC Primary	43	Supported	\$2,923	3%	UNOPPOSED
Eric A Ulrich (R)	CC Primary	32	Supported	\$2,915	7%	UNOPPOSED
Elizabeth S. Crowley (D)	CC General	30	Supported	\$2,829	4%	WON (17.8%)
Inez D. Barron (D)	CC Primary	42	Supported	\$2,163	3%	WON (+19.0%)
Mark S. Weprin (D)	CC Primary	23	Supported	\$1,864	<1%	UNOPPOSED
Brad S. Lander (D)	CC Primary	39	Supported	\$1,750	2%	UNOPPOSED
Vincent P Ignizio (D)	CC Primary	51	Supported	\$1,740	10%	UNOPPOSED
Jumaane D. Williams (D)	CC Primary	45	Supported	\$1,609	2%	WON (+63.8%)
Ken Biberaj (D)	CC Primary	06	Supported	\$1,543	<1%	LOST (-17.9%)
Karen Koslowitz (D)	CC Primary	29	Supported	\$1,489	3%	UNOPPOSED
Deborah Rose (D)	CC Primary	49	Supported	\$1,413	3%	UNOPPOSED
James Vacca (D)	CC Primary	13	Supported	\$1,393	<1%	UNOPPOSED
Elizabeth S Crowley (D)	CC Primary	30	Supported	\$1,131	1%	UNOPPOSED
Rosie Mendez (D)	CC Primary	02	Supported	\$1,121	<1%	WON (+62.6%)
Ralina M. Cardona (D)	CC Primary	08	Supported	\$1,007	1%	LOST (-17.2%)
Julie Menin (D)	BP Primary	MH	Opposed	-\$2,168	<1%	LOST (-22.3%)
Yetta Kurland (D)	CC Primary	03	Supported AND Opposed	-\$2,762	1%	LOST (-25.2%)
John F. Quaglione (R)	CC General	43	Opposed	-\$6,151	8%	LOST (-27.1%)
Ede S Fox (D)	CC Primary	35	Supported AND Opposed	-\$6,579	4%	LOST (-9.4%)
Chrissy Voskerichian (D)	CC Primary	19	Opposed	-\$7,755	7%	LOST (-20.3%)
Carlos M. Sierra (D)	CC Primary	16	Opposed	-\$10,585	9%	LOST (-28.9%)
Pedro Alvarez (D)	CC Primary	16	Opposed	-\$10,585	8%	LOST (-26.6%)
Eric A. Ulrich (R)	CC General	32	Supported AND Opposed	-\$10,660	41%	WON (6.2%)

Conrad Tillard (D)	CC Primary	36	Opposed	-\$12,011	21%	LOST (-16.5%)
John J. Ciafone (D)	CC Primary	22	Opposed	-\$12,554	infinity	LOST (-33.7%)
Olanike T. Alabi (D)	CC Primary	35	Opposed	-\$13,549	14%	LOST (-9.5%)
Vito J. Lopez (D)	CC Primary	34	Opposed	-\$15,565	12%	LOST (-12.2%)
Paul D. Graziano (D)	CC Primary	19	Opposed	-\$16,238	15%	LOST (-13.5%)
Igor Oberman (D)	CC Primary	48	Opposed	-\$21,995	16%	LOST (-19.5%)
Constantinos Prentzas (D)	CC Primary	22	Opposed	-\$23,057	17%	LOST (-33.7%)
Theresa R. Scavo (D)	CC Primary	48	Opposed	-\$24,260	36%	LOST (-15.6%)
Clyde Vanel (D)	CC Primary	27	Opposed	-\$27,560	51%	LOST (-2.6%)
Joan E. Flowers (D)	CC Primary	27	Opposed	-\$28,084	29%	LOST (-3.1%)
Vincent S. Morgan (D)	CC Primary	09	Opposed	-\$30,811	47%	LOST (-38.6%)
Lisa E Giovinazzo (R)	CC Primary	50	Opposed	-\$34,219	23%	LOST (-9.2%)
Robert M Waterman (D)	CC Primary	36	Opposed	-\$36,708	27%	LOST (-8.3%)
Cliff I Stanton (D)	CC Primary	11	Opposed	-\$46,176	31%	LOST (-35.6%)
Jenifer Rajkumar (D)	CC Primary	01	Opposed	-\$50,736	43%	LOST (-17.0%)
John Lisianskiy (D)	CC Primary	47	Opposed	-\$60,520	31%	LOST (-19.6%)
Mercedes Narcisse (D)	CC Primary	46	Opposed	-\$61,221	-151%	LOST (-18.6%)
Joel R Rivera (D)	CC Primary	15	Supported AND Opposed	-\$87,684	88%	LOST (-14.9%)
Christine C. Quinn (D)	Mayor Primary		Supported AND Opposed	-\$110,951	2%	LOST (-24.8%)
Joseph J. Lhota (R)	Mayor General		Supported AND Opposed	- \$657,484	41%	LOST (-49%)

Of the 107 candidates impacted by independent expenditures, more than half of them were significantly impacted with outside money providing 10% or more in extra net support or opposition. 36 candidates had their own spending matched by 33% or more in extra net support or opposition and 19 city council candidates were actually outspent in their races by outside money.

In raw dollars, the largest beneficiary of independent expenditures was mayoral candidate Bill Thompson (D), whose spending as a candidate was nearly 50% matched by more than \$2.8 million in support from “United for the Future.” Thompson was also the beneficiary of over \$200,000 spent on his behalf by the “UFA STATE FIREPAC.”

In second place was comptroller candidate Scott Stringer (D), whose \$1 million in support from “Progress NYC” and other labor-packed committees supplemented his \$5.7 million in candidate spending and helped narrow the gap with Eliot Spitzer who spent nearly \$10.3 million of his own funds. In third, mayoral candidate John Liu (D) received nearly half a million in support from the Correction Officers’ Benevolent Association and municipal labor union DC37.

In the mayoral primaries, Christine Quinn received nearly \$831,000 in supportive spending chiefly from Empire State 32BJ SEIU, “Hotel Workers for a Stronger Middle Class,” and “Unidos para Comunidades Trabajadoras,” but this spending was outweighed by the onslaught of over \$900,000 in attack spending by “New York City Not For Sale” and “NYCLASS,” leaving Quinn with a net negative impact of -\$110,951 from independent expenditures.

Bill de Blasio, the eventual winner of the primary by 14.1%, received roughly \$200,000 in supporting independent expenditures by 1199/SEIU Healthcare Workers East but also indirectly benefitted from the attack spending on rival Christine Quinn.

In the general election for mayor, the David Koch sponsored PACs “New Yorkers for Proven Leadership Inc.,” and “The New York Progress and Protection PAC,” spent over \$386,000 on TV ads in support of Joe Lhota but were outgunned by the spending of “New York Progress,” leaving Lhota with a net negative impact of -\$657,484 from independent expenditures.

Beyond the mayoral candidates and Scott Stringer’s campaign for comptroller, the largest independent expenditure outlays were made in support of council candidates in the primaries. Thanks mostly to the spending by “Jobs for New York,” eighteen city council candidates received more net spending support from independent expenditures than they themselves spent as candidates, with 6 candidates receiving *double* what they spent as candidates.

Of the eighteen council candidates who were outspent by supporting independent expenditures, fourteen candidates won and four lost. But as discussed above, this total is partly skewed by “Jobs for New York’s” heavy support for certain prohibitive front-runners. Only seven of the candidates that were outspent by supporting independent expenditures had highly competitive races within 10% final margin of victory, and among these candidates, four won and three lost. It is possible, however, that the losing candidates would have lost by more significant margins if not for the huge amounts of supporting independent expenditures.

Along with Christine Quinn and Joe Lhota, another 26 candidates experienced a net negative impact from independent expenditures in their races, and strikingly, all of these candidates lost their races with the exception of Councilmember Eric Ulrich (R-District 32). Democratic council candidate Mercedes

Narcisse, running in District 46 against Assemblyman Alan Maisel, was the most overwhelmed by negative spending when “Jobs for New York” spent more on attack mailers against her than she was able to spend as a candidate.

Part of reason for the success of negative independent expenditures is because the largest spender “Jobs for New York” supported council front-runners by attacking their opponents. But in some of these races, such as districts 15, 19, 35, 36, and 46, the negative spending may have had a significant impact on the outcome of the race.

Political scientists have found that independent expenditures are most effective as an attack method. Negative independent expenditures provide the benefit of the smear on the opponent while avoiding the backlash of “going negative” that occurs when candidates attack one another directly.¹²

Researchers have also determined that average voters find attack ads by unknown groups (i.e. groups with misleading vaguely positive names like “Jobs for New York”) more credible, and therefore effective, than attack ads sponsored by either candidates or well-known interest groups.¹³ This raises concerns for the potential of further growth in attack ads by independent spenders in New York City elections.

The public should be able to hold interest groups accountable for the political messages they disseminate. If top funders were required to disclose their names directly on campaign materials, attack spending would likely decrease and/or become less vitriolic.

Common Cause is a nationwide leader in advocating for “Top 5” disclosures directly on all independent expenditure campaign materials . We strongly support *Int. 1193-2013*, the bill introduced by Councilmember Brad Lander to require the disclosure of the top five funders of an independent expenditure campaign directly on all campaign materials.¹⁴ Similar disclosure laws are already in place in the states of Alaska¹⁵ , Connecticut¹⁶ , California¹⁷ , and Rhode Island.¹⁸

¹² http://themonkeycage.org/wp-content/uploads/2012/03/brooks_murov.pdf

¹³ <http://link.springer.com/article/10.1007%2Fs11109-011-9172-y#page-1>

¹⁴ <http://www.crainsnewyork.com/article/20130826/BLOGS04/130829915>

¹⁵ <http://doa.alaska.gov/apoc/faqs/faq-independent-expenditure-activity.html>

¹⁶ <http://www.lwvct.org/7/category/all/1.html>

¹⁷ <http://www.yesfairelections.org/about/>

¹⁸ <http://www.golocalprov.com/news/dan-lawlor-transparency-insiders/>

Contributions to Independent Expenditure Committees

IE Committee	Amount Raised	Amount Spent on Primary	Amount Spent on General	Balance
Jobs for New York, Inc.	\$6,960,000.00	\$4,901,829.94	X	\$2,058,170.06
United for the Future	\$3,525,000.00	\$3,375,830.41	\$90,018.77	\$59,150.82
HOTEL WORKERS FOR A STRONGER MIDDLE CLASS	\$1,520,000.00	\$429,669.22	X	\$1,090,330.78
NYCN4S	\$1,284,000.00	\$798,537.42	X	\$485,462.58
New York Progress	\$1,035,000.00	X	\$1,044,742.00	(\$9,742.00)
Restaurant Action Alliance	\$824,500.00	\$12,948.06	X	\$811,551.94
Empire State 32BJ SEIU PAC	\$788,500.00	\$288,003.20	\$51,669.28	\$448,827.52
Progress NYC	\$685,000.00	\$665,407.99	X	\$19,592.01
Working Families Party Campaign Committee	\$610,467.27	X	\$45,097.49	\$565,369.78
NYCLASS	\$554,000.00	\$185,395.00	X	\$368,605.00
New Yorkers For Proven Leadership Inc.	\$539,100.00	\$134,150.54	\$200,785.00	\$204,164.46
1199SEIU United Healthcare Workers East	\$530,950.23	\$218,745.58	\$206,150.71	\$106,053.94
NYC CLC Political Action Campaign Fund	\$520,000.00	\$284,801.29	\$7,500.00	\$227,698.71
Small Business Coalition, Inc.	\$482,296.00	\$217,911.25	\$18,202.00	\$246,182.75
Pledge 2 Protect, Inc.	\$425,953.95	\$131,314.44	X	\$294,639.51
UFA STATE FIREPAC	\$312,168.06	\$200,933.37	X	\$111,234.69
Unidos para Comunidades Trabajadoras	\$310,000.00	\$310,000.00	X	\$0.00
People for a Better New York	\$285,799.98	\$135,799.98	\$150,000.00	\$0.00
New Yorkers United Committee	\$270,850.00	X	\$108,300.00	\$162,550.00
The New York Progress and Protection PAC	\$230,000.00	X	\$185,260.00	\$44,740.00
DC37 Political Action Committee	\$181,106.26	\$88,661.59	\$72,738.81	\$19,705.86
City Action Coalition PAC	\$175,500.00	\$114,240.00	X	\$61,260.00
CVH Power	\$154,964.00	\$6,593.94	X	\$148,370.06
Uemsou	\$138,027.76	\$31,644.95	\$11,500.00	\$94,882.81
Fighting for our Future PAC	\$125,800.00	\$56,332.50	X	\$69,467.50
United Uniformed Workers of New York	\$62,625.00	\$9,798.75	X	\$52,826.25
Progressive Brooklyn Political Action Committee	\$47,592.34	\$38,211.66	X	\$9,380.68
Catholic Citizens Committee PAC	\$35,000.00	\$23,353.91	X	\$11,646.09
Planned Parenthood of NYC Political Committee	\$35,000.00	\$10,385.98	X	\$24,614.02
Make The Road Political Action	\$23,250.00	\$27,323.94	X	(\$4,073.94)
Lex Dems 2013	\$21,843.54	\$20,329.16	X	\$1,514.38
Downtown Independent Democrats	\$16,000.00	\$26,165.19	X	(\$10,165.19)
New York Progressive Future Leaders Fund	\$15,500.00	\$6,356.29	X	\$9,143.71

Overall, independent expenditure committees raised over \$22.7 million for the 2013 New York City elections. With roughly \$13.1 million spent on the primaries, \$297,000 in the public advocate runoff, and \$1.94 million in the general, these committees have altogether nearly \$7.8 million remaining in their accounts.

Some committees that raised large sums of money, such as “Jobs for New York,” spent large sums in the primaries campaigns but did not engage at all in the general election, perhaps because of a perceived lack of competitiveness in the races. These committees could chose to save the money for 2017 or potentially use it for the 2014 New York State races.

Giving to an independent spender allowed contributors to skirt the limits for direct contributions to candidates (\$4,950 for Mayor, Public Advocate & Comptroller, \$3,850 for Borough Presidents, and \$2,750 for City Council candidates as of 2013).

Contributions to IE Committees by Type of Contributor

Contributor Type	Total IE Contributions	% of Total
Labor unions (including PAC’s set up by unions)	\$11,242,816.29	49.5%
Corporations, trade associations, partnerships and LLC’s	\$8,661,308.16	38.1%
Individuals	\$2,367,630.00	10.4%
Neighborhood coalitions, political clubs, etc.	\$454,039.94	2.0%

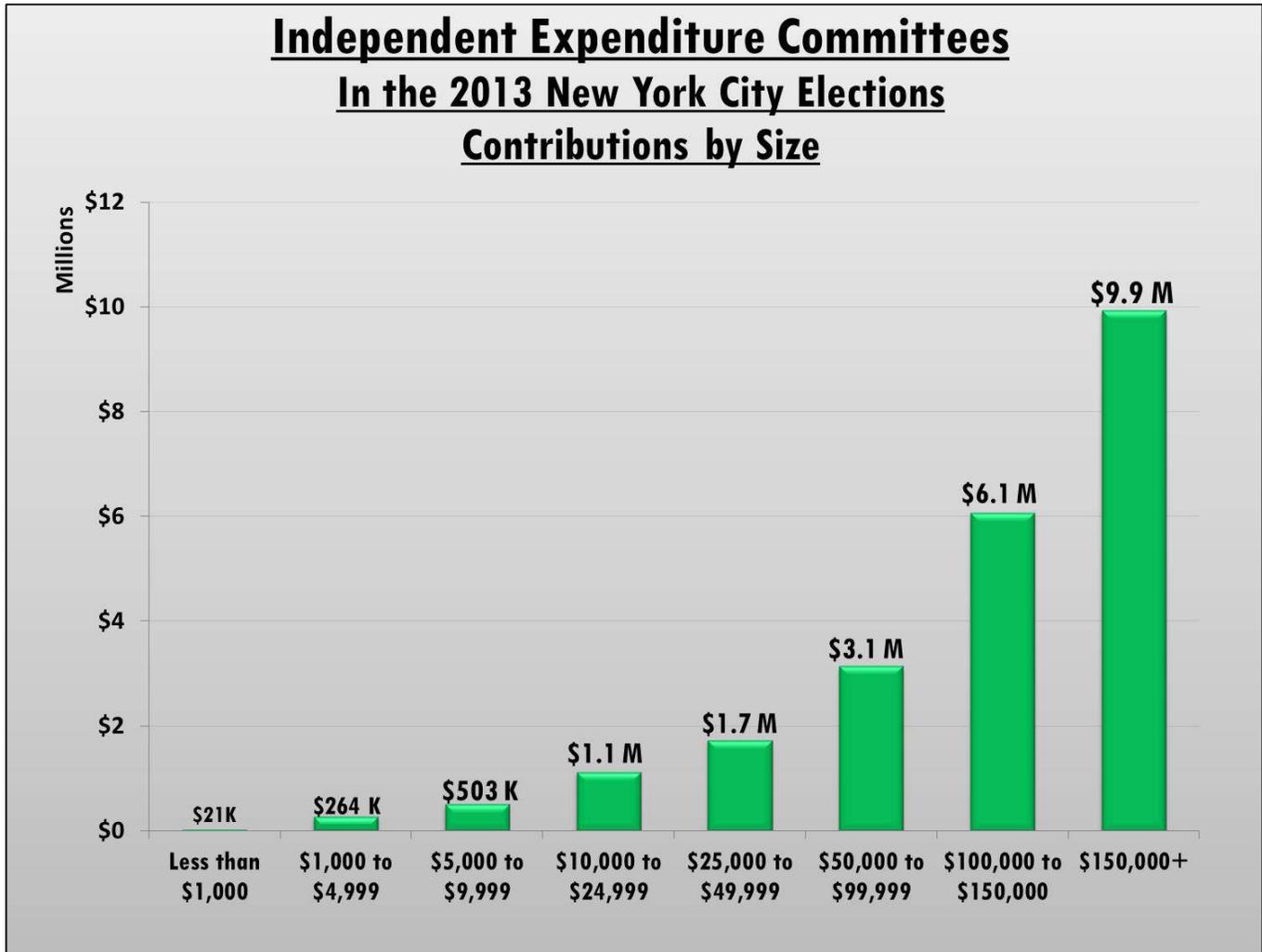
Labor unions accounted for nearly half of all giving to independent expenditure committees with \$11.2 million. Corporations followed at nearly \$8.7 million.

Together, unions and corporations contributed nearly 88% of all money raised by independent expenditure committees, compared to just 10% for individual contributors. The ability to give unlimited contributions clearly empowers deep-pocketed special interests at the expense of the regular public.

The dominance of labor unions and businesses in contributing is yet another indication of the flaws in the *Citizen United* decision’s logic that independent expenditures are not made with the intent to buy influence.

In stark contrast to independent expenditure committees, contributions to New York City candidates were overwhelmingly raised from individuals. Of the \$77.1 million raised by New York City candidates in the 2013 cycle, over \$60.6 million ,or 79%, was raised from individuals rather than unions, corporations, or candidates financing their own campaigns. This is the difference between wholly unregulated

fundraising and a system with strict contributions limits and public matching to incentivize fundraising from small individual donors.



Whether the donor to an independent expenditure is a corporation, a labor union, or an individual, huge sums of soft money are raised through mega-donations that dwarf what would be legal if the funds were given to candidates.

Over 70% of all independent expenditure funds were raised through contributions of \$100,000 or greater, compared to less than 2% raised through contributions of \$5,000 or less.

New York State currently has an aggregate maximum contribution limits of \$150,000 for individuals and \$5,000 for corporations, but non aggregate maximums for PACs or unions, and limited liability corporations are treated as “individuals” subject to the \$150,000 limit.

David Koch, Sean Fieler, Shaun McCutcheon, major national conservative donors, used the 2013 elections as an opportunity to try to invalidate New York State's aggregate contribution limits. In late October, the independent expenditure committee "New York Progress and Protection PAC," represented by Michael Carvin of Jones Day, successfully won an injunction to strike down the limit¹⁹.

Of the 44% of contributions made in checks of \$150,000 or higher, only three were made by individuals: \$200,000 from Wendy Neu to "New York City Not for Sale" on June 3rd, \$170,000 from Sean Fieler in July 2013, and \$200,000 from David Koch to the "New York Progress and Protection PAC" just days after winning his lawsuit.

The two biggest single contributions, both of \$1 million, flowed to United for the Future, the main independent spender backing Bill Thompson, and came from the United Federation of Teachers (the NYC branch of the American Federation of Teachers) and a PAC called Educators United set up by the United Federation of Teachers, respectively. The second biggest single donation was \$995,000 and came from Hotel, Restaurant & Club Employees Union, Local 6, and went to the independent spender Hotel Workers for a Stronger Middle Class.²⁰ In the campaign period after the primaries, 1199SEIU NYS Political Action Fund gave a single donation of \$530,950, while Hotel Workers for a Stronger Middle Class donated \$500,000.

¹⁹ <http://www.capitalnewyork.com/article/politics/2013/11/8535413/after-court-lifts-limits-koch-gives-200k-pro-lhota-pac> ; <http://nypost.com/2013/09/25/pro-lhota-pac-lawsuit-hints-at-serious-spending/>

²⁰ The contribution of \$995,000 was made on Aug. 6. A second contribution of 305,000 was made on Aug. 30.

Conclusions

The impact of the *Citizens United* decision was clearly felt in this year's municipal races. Entities from across the political spectrum heard and responded to the U.S. Supreme Court's invitation to pour limitless amounts of money into non-candidate spending. With such a large amount of money being spent by such a large number of actors, the question arises as to whether, in some instances, the independent spenders tended to cancel each other out. Certainly, the public has felt the impact of such large spending - particularly in their mailboxes. While the New York City campaign finance small donor matching system provided candidates with the ability, in most instances, with enough resources to respond to the outside spenders, there are measures which should be taken to further strengthen the system and provide voters with more information about the entities that are using independent expenditures.

Conclusion #1: New York's experience shows that the U.S. Constitution should be amended to reverse the *Citizens United* decision, because, among other things, contrary to the assertion in that case, Independent Expenditures can be corrupting.

Our analysis shows a surprising amount of independent expenditures - nearly \$3.5 million - made to support candidates who were clearly maintaining a substantial leads over their opponents in polling and ultimately won in landslides by 20% or more. The significant amount of spending in the general elections by unions who previously supported candidates other than the ultimate Democratic nominee, Bill de Blasio, suggests that the spending is designed not to defeat Republican candidate Lhota. Rather, the spending appears to be designed to curry favor with De Blasio, almost an apology for backing other Democratic contenders.

Similarly, the outsized spending by the REBNY-backed Jobs for New York also seems designed to insure that the real estate industry does not face a chilly reception from winning council candidates often ideologically opposed to the policies pushed by REBNY. This pattern contradicts the U.S. Supreme Court's assertion in *Citizens United* that expenditures made independent of a candidate are not corrupting. That assertion appears based on the unrealistic expectation that only campaign contributions made directly to a candidate will likely influence the former candidate once in office as the spending entity wishes. If that were the actual case, then we would not see these sorts of "currying favor" expenditures.

To address the inherently corrupting influence of limitless amounts of money pouring into our elections as independent expenditures as well as the way in which it drowns out the voices of ordinary voters, Common Cause/NY supports an amendment to the U.S. Constitution reversing *Citizens United*.

Conclusion #2: Independent Expenditures are most effective when coming from vague/deceptively named committees, especially when negative.

A significant number of committees adopt pleasing names, often ones that mask the identity of its backers. Our analysis shows that spending by those committees is most likely to impact the contest in which they are spending if the message is negative. Such an effect fosters a negative campaign climate in which little useful factual information is provided to voters by the outside spending, an impact that weakens our democracy.

To counter this negative effect leads us to our conclusion #3.

Conclusion #3: New York City should require communications paid for by Independent Expenditures to carry “Top 5” disclosures.

Common Cause is a strong supporter of providing voters with information regarding who is trying to influence their votes at the time when it is most useful – when the voter receives the communication. An effective way to provide such information at the most relevant time is to require that any communication to voters by Independent Expenditure Committees contain clear disclosures of who paid for the ad by listing the top five financial contributors to the Committee.

Such disclosure vitiates the impact of deceptive or vague committee names and allows the voter to analyze the credibility of the representations made in a timely way. Research shows that voters are more discerning regarding an independent expenditure committee’s claims if they are provided with the disclosure of who is actually paying for the ad on the ad itself. Such disclosures are also likely to temper the extensive use of negative claims, as those who are promulgating such claims can be held accountable by public opinion and the voters, rather than being shielded from the consequences of their actions.

Accordingly, we strongly support the passage of *Int.No.1193-2013*, a statute based on Rhode Island’s Top 5 disclosure law, which would require that Independent Expenditures list the top five contributors to the Independent Expenditure Committee as part of the ad in a prescribed manner.

Appendix A – 19 Elections Where Independent Expenditures Were Most Significant – Over 5% of Candidate Spending and within 20% margin

In the following nineteen races, independent expenditures represented at least 5% of total candidate spending and the final margin of victory was within 20%.

In the below chart, races are arranged in descending order of margin of victory.

Race	Total IE's Spent	% of Candidate Spending	Candidates Supported	Candidates Attacked	Election Result
City Council 36 Democratic Primary	\$437,068.33	86%	Kirsten Foy +\$333,283 (Jobs for NY, United for the Future, Empire State 32BJ SEIU PAC, City Action Coalition) Robert Cornegy +\$30,280 (Small Business Coalition, TWU Local 100 Political Action)	Robert Cornegy -\$24,247 (Jobs for NY) Conrad Tillard -\$12,011 (Jobs for NY) Robert Waterman -\$36,708 (Jobs for NY)	Robert Cornegy (+0.6%) Kirsten Foy (-0.6%) Robert Waterman (-8.3%) Conrad Tillard (-16.5%)
City Council District 19 – Democratic Primary	\$446,476.24	63%	Paul Vallone +\$350,867 (Jobs For NY, Small Business Coalition, Catholic Citizens Committee PAC, NYCLASS) Austin Shafran +\$50,614 (United for the Future, 32BJ SEIU)	Austin Shafran -\$21,033 (Jobs for NY) Paul Graziano -\$16,239 (Jobs for NY) Chrissy Voskerichian -7,755 (Jobs for NY)	Paul Vallone (+2.1%) Austin Shafran (-2.1%) Paul Graziano (-13.5%) Chrissy Voskerichian (-20.3%)
City Council District 27 – Democratic Primary	\$460,478.93	102%	Manuel Caughman +\$261,533 (Jobs for NY) Daneek Miller +\$143,301 (United for the Future, NYC CLC, 32BJ SEIU)	Joan Flowers -\$28,083 (Jobs for NY) Clyde Vanel -\$27,560 (Jobs for NY)	Daneek Miller (+2.6%) Clyde Vanel (-2.6%) Joan Flowers (-3.1%) Manuel Caughman (-7.2%)
City Council District 48 – Democratic Primary	\$415,001.71	80%	Ari Kagan +\$342,788 (Jobs for NY, Small Business Coalition, United for the Future) Chaim Deutsch +\$22,296 (City Action Coalition)	Chaim Deutsch -\$3,662 (Jobs for NY) Igor Oberman -\$21,994 (Jobs for NY) Theresa Scavo -\$24,260 (Jobs for NY)	Chaim Deutch (+3.3%) Ari Kagan (-3.3%) Therese Scavo (-15.6%) Igor Oberman (-19.5%)

Comptroller – Democratic Primary	\$1,079,415.25	6%	<p>Scott Stringer +\$1,041,480 (Progress NYC, 1199SEIU, DC37, SEIU 32BJ, ForwardNY, Hotel Workers, Jim Owles LDC, Lex Dems, New York State Nurses, NYC CLC, NYCLASS, Planned Parenthood, ufoa cope fund, United for the Future)</p> <p>Eliot Spitzer +\$18,967.65 (Pledge 2 Protect)</p>	None	<p>Scott Stringer (+4.0%) Eliot Spitzer (-4.0%)</p>
City Council District 32 – General Election	\$18,816.14	42%	<p>Eric Ulrich (R) +\$4,078 (United for the Future)</p>	<p>Eric Ulrich (R) -\$14,738 (John A. Catsimatidis)</p>	<p>Eric Ulrich (R) (+6.4%) Lew Simon (D) (-6.4%)</p>
City Council District 50 – Republican Primary	\$182,343.05	63%	<p>Steven Matteo +\$148,124 (Jobs for NY, Small Business Coalition, United for the Future)</p>	<p>Lisa Giovinazzo -\$32,218 (Jobs for NY)</p>	<p>Steven Matteo (+9.2%) Lisa Giovinazzo (-9.2%)</p>
City Council District 35 – Democratic Primary	\$302,407.75	59%	<p>Laurie Cumbo +\$268,430 (Jobs for NY, United for the Future, 32BJ SEIU, NYCLASS)</p> <p>Ede Fox +\$6,970 (Catholic Citizens Committee PAC)</p>	<p>Olanike Alabi -\$13,549 (Jobs for NY)</p> <p>Ede Fox -\$13,549 (Jobs for NY)</p>	<p>Laurie Cumbo (+9.4%) Ede Fox (-9.4%) Olanike Alabi (-9.6%)</p>
City Council District 34 – Democratic Primary	\$82,150.75	25%	<p>Antonio Reynoso +\$66,586 (United for the Future, Make the Road NY, 32BJ SEIU)</p>	<p>Vito Lopez -\$15,565 (Make the Road NY)</p>	<p>Antonio Reynoso (+12.2%) Vito Lopez (-12.2%)</p>

<p>Mayor – Democratic Primary</p>	<p>\$5,550,408.30</p>	<p>18%</p>	<p>Bill Thompson +\$3,075,479 (United for the Future, UFA State FirePAC, Pledge 2 Protect, Uniformed EMTs, UEMSOU, United Uniformed Workers of NY, Jim Owles LDC, TWU Local 100)</p> <p>Christine Quinn +\$830,924 (Hotel Workers, Unidos Trabajadoras, 32BJ SEIU, ufoa cope fund, Fighting for our Future, Lex Dems, Planned Parenthood)</p> <p>Bill de Blasio +\$223,129 (1199 SEIU, NYS Nurses, Americans for Econ. Justice, Coalition to Ban Horse-Drawn Carriages)</p> <p>John Liu +\$451,066 (Correction Officers, People for a Better NY, DC37, Local 372 BOE Employees)</p> <p>Anthony Weiner +\$18,968 (Pledge 2 Protect)</p>	<p>Christine Quinn -\$941,876 (NYCN4S, NYCLASS, Pledge 2 Protect, Jim Owles LDC)</p> <p>Bill de Blasio -\$18,968 (Pledge 2 Protect)</p>	<p>Bill de Blasio (+14.1%) Bill Thompson (-14.1%) Christine Quinn (-24.8%) John Liu (-33.3%) Anthony Weiner (-35.4%)</p>
<p>City Council District 37 – Democratic Primary</p>	<p>\$219,008.21</p>	<p>44%</p>	<p>Raphael Espinal +\$219,008 (Jobs for NY, Small Business Coalition)</p>	<p>None</p>	<p>Raphael Espinal (+14.5%) Kimberly Council (-14.5%)</p>
<p>City Council District 15 – Democratic Primary</p>	<p>\$439,070.07</p>	<p>82%</p>	<p>Ritchie Torres +\$305,444 (Jobs for NY, United for the Future, 32BJ SEIU)</p> <p>Joel R. Rivera +\$22,971 (City Action Coalition)</p>	<p>Joel R. Rivera -\$100,655 (Jobs for NY)</p>	<p>Ritchie Torres (+14.9%) Joel R. Rivera (-14.9%)</p>

City Council District 38 – Democratic Primary	\$548,740.06	185%	<p>Sara Gonzalez +\$349,633 (Jobs for NY, Small Business Coalition, City Action Coalition PAC)</p> <p>Carlos Menchaca +\$110,932 (NYC CLC, Progressive Brooklyn PAC, 32BJ SEIU)</p>	<p>Sara Gonzalez -\$31,948 (Progressive Brooklyn PAC)</p> <p>Carlos Menchaca -\$56,197 (Jobs for NY)</p>	<p>Carlos Menchaca (+15.2%)</p> <p>Sara Gonzalez (-15.2%)</p>
City Council District 31 – Democratic Primary	\$38,773.66	32%	<p>Donovan Richards +\$38,774 (Jobs for NY, United for the Future)</p>	None	<p>Donavan Richards (+15.7%)</p> <p>Michael Duncan (-15.7%)</p>
City Council District 47 – Democratic Primary	\$399,252.22	73%	<p>Mark Treyger +\$336,609 (Jobs for NY, United for the Future, Small Business Coalition)</p> <p>John Lisyskiy +\$1,062 (Evgeny Freidman)</p>	<p>John Lisyskiy -\$61,581 (Jobs for NY, Small Business Coalition)</p>	<p>Mark Treyger (+16.8%)</p> <p>Todd Dobrin (-16.8%)</p> <p>John Lisyskiy (-19.6%)</p>
City Council District 1 – Democratic Primary	\$320,209.08	105%	<p>Margaret Chin +\$243,307 (Jobs for NY, Hotel Workers, Small Buysiness Coalition)</p> <p>Jennifer Rajkumar +\$12,937 (Downtown Ind. Dems, Jim Owles LDC)</p>	<p>Margaret Chin -\$14,233 (Downtown Ind. Dems)</p> <p>Jennifer Rajkumar -\$50,736 (Jobs for NY)</p>	<p>Margaret Chin (+17.0%)</p> <p>Jennifer Rajkumar (-17.0%)</p>
City Council District 8 – Democratic Primary	\$27,428.21	7%	<p>Melissa Mark-Viverito +\$24,663 (NYCLASS, 32BJ SEIU, CVH Power)</p> <p>Raul Cardona +\$1,007 (Americans for Econ Justice)</p>	<p>Melissa Mark-Viverito -\$1,615 (Americans for Econ Justice)</p>	<p>Melissa Mark-Viverito (+17.2%)</p> <p>Raul Cardona (-17.1%)</p>
City Council District 46 – Democratic Primary	\$343,639.29	170%	<p>Alan Maisel +\$282,418 (Jobs for NY, United for the Future, Small Business Coalition)</p>	<p>Mercedes Narcisse -\$61,211 (Jobs for NY)</p>	<p>Alan Maisel (+18.6%)</p> <p>Mercedes Narcisse (-18.6%)</p>
Public Advocate – Democratic Runoff	\$297,498.12	23%	<p>Letitia James +\$297,499 (1199 SEIU, 32BJ SEIU, DC37, NYS Nurses)</p>	NONE	<p>Letitia James (+19.0%)</p> <p>Daniel Squadron (-19.0%)</p>

