

MEDIA MENTION

Wiley Rein's Michael Toner Discusses Scrutiny on Political Spending by Nonprofits

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Michael E. Toner, co-chair of Wiley Rein's Election Law & Government Ethics Practice, was quoted yesterday in a *Bloomberg News* article about the growing scrutiny on the increased political spending by certain nonprofit groups during federal campaigns.

Nonprofit organizations reportedly spent more than \$300 million during the 2012 election cycle—up 280% from four years earlier. Because of their status with the Internal Revenue Service (IRS), groups such as the Democrat-backed Priorities USA and GOP-leaning Crossroads GPS do not have to publicly disclose their donors while engaging in federal election activities.

Mr. Toner, a former chairman of the Federal Election Commission who also served as general counsel of the Bush-Cheney 2000 presidential campaign, expects the question of the extent to which certain nonprofit organizations can engage in federal election activities while shielding their donors from public disclosure to ultimately to end up in court. He told *Bloomberg* that he expects the IRS to challenge one group from each side of the aisle and let the courts determine a protocol.

"Test cases are inevitable," Mr. Toner said. "Litigation in the courts is only a matter of time."

Related Professionals

Michael E. Toner
Partner
202.719.7545
mtoner@wiley.law

Practice Areas

Election Law & Government Ethics