

## **Vote No on Cole Bill H.R. 5912; Support H.R. 414 To Reform Presidential Funding System**

September 18, 2012

Dear Representative,

Legislation proposed by Representative Tom Cole (R-OK) to repeal public funding of presidential nominating conventions (H.R. 5912) is scheduled to be on the suspension calendar on Wednesday. Our organizations oppose this legislation and its piecemeal approach to dealing with convention financing.

Our organizations include Americans for Campaign Reform, Brennan Center for Justice, Campaign Legal Center, Citizens for Responsibility and Ethics in Washington, Common Cause, Democracy 21, League of Women Voters and Public Citizen.

H.R. 5912 represents a continuation of the efforts by Representative Cole to repeal the presidential public financing system that was enacted in response to the Watergate scandals.

In 1972, ITT pledged \$400,000 to help finance the 1972 Republican convention. Quickly following this, the Justice Department settled an antitrust case in ITT's favor, with President Nixon personally intervening at the Justice Department to support ITT. To prevent further such campaign finance abuses, Congress included public financing for presidential nominating conventions in the comprehensive Federal Election Campaign Act enacted in 1974.

Since then, the Republican and Democratic Parties have shown no reluctance to use public funds to help finance their national conventions. In fact, both parties have *voluntarily* requested and received public funds to finance their national nominating conventions for more than thirty-five years, covering every national convention from 1976 through 2012.

Our organizations believe it is essential to repair the presidential public financing system, not repeal it. We strongly support the legislation introduced earlier this year by Representatives David Price (D-NC), Chris Van Hollen (D-MD) and Walter Jones (R-NC) (H.R. 414) to revise the presidential system to focus on matching small contributions with multiple public funds for the primary and general elections.

H.R. 414 also would reform the funding for presidential conventions by closing the loophole that has resulted in corporations, labor unions and wealthy individuals financing the conventions with unlimited soft money funds, by repealing public funding for conventions and by replacing the public funds and soft money currently funding national conventions with a new system of hard money contributions to the national parties.

We believe a comprehensive approach to dealing with the financing of the national conventions is necessary and therefore oppose the piecemeal approach contained in the Cole bill.

The Cole bill would eliminate public financing for the conventions while placing no restrictions on funding party conventions with corporate and labor union money and large contributions from wealthy individuals. As a result, the parties would end up relying even more on unlimited soft money funds. Such unlimited funds have the power to corrupt officeholders and government decisions, as happened in the Watergate scandals.

In *Buckley v. Valeo* (1976), the Supreme Court held that the contribution limits enacted in the 1974 reform legislation were necessary to deal with the “reality or appearance of corruption inherent in a system permitting unlimited financial contributions.”

The “*reality or appearance of corruption*” that is “*inherent in a system permitting unlimited financial contributions,*” is precisely the danger that would be increased by Representative Cole’s bill, which would repeal the public financing of conventions without providing any restrictions on the use of soft money to finance the nominating conventions.

The misguided *Citizens United* decision has created chaos in the nation’s campaign finance system and greatly increased opportunities for big-money corruption of federal officeholders and government decisions. The decision also has shown how important it is for candidates to have an effective alternative way to finance their campaigns. H.R. 414 would accomplish this for presidential elections by updating and revising the presidential public financing system and by providing increased incentives for citizens to give small contributions.

We urge you to oppose the Cole bill, H.R. 5912, and to support H.R. 414.

H.R. 414, like the Cole bill, eliminates public financing of conventions but it does so in a responsible way that will not increase the reliance by the national parties and their presidential candidates on corrupting soft money funds to pay for their national conventions.

Americans for Campaign Reform  
Brennan Center for Justice  
Campaign Legal Center  
Citizens for Responsibility and Ethics in Washington  
Common Cause  
Democracy 21  
League of Women Voters  
Public Citizen