

March 15, 2015

VOTE NO ON H.R. 412 and H.R. 195

Dear House Administration Committee Member,

Our organizations strongly urge you to oppose H.R. 412, legislation introduced by Representative Tom Cole (R-OK) to repeal the presidential public financing system.

We also strongly urge you to oppose H.R. 195, legislation introduced by Representative Gregg Harper (R-MS) to terminate the Election Assistance Commission and transfer some of its functions to the dysfunctional Federal Election Commission. The bills are expected to be considered by the House Administration Committee tomorrow.

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

The presidential public financing system worked well for most of its existence, providing presidential candidates with an alternative means to finance their campaigns without having to rely on influence-seeking campaign funds.

Almost every major party presidential candidate used the system for twenty-five years. Every president elected from 1976 to 2004 made use of the presidential public financing system. The system became outmoded, however, when Congress failed to take any action to update and modernize the system to respond to the increased costs of running a presidential campaign.

In January 2011, the White House issued a Statement of Administration Policy opposing a similar bill, H.R. 358, to repeal the presidential financing system introduced by Rep. Cole. According to the White House Policy Statement:

The Presidential election public financing system was enacted in the aftermath of the Watergate scandal to free the Nation's elections from the influence of corporations and other wealthy special interests.

...

For many years, the system worked well and attracted wide participation. In time, however, it became clear that a system introduced in the 1970s was in need of modernization and repair. Beginning in the 2000 Presidential campaign, candidates began to opt out. Since that time, promising proposals for the strengthening of the system have been made.

H.R. 359 would kill the system, not strengthen it. Its effect would be to expand the power of corporations and special interests in the Nation's elections; to force many candidates into an

endless cycle of fundraising at the expense of engagement with voters on the issues; and to place a premium on access to large donor or special interest support, narrowing the field of otherwise worthy candidates. After a year in which the *Citizens United* decision rolled back a century of law to allow corporate interests to spend vast sums in the Nation's elections and to do so without disclosing the true interests behind them, this is not the time to further empower the special interests or to obstruct the work of reform.

Dangerous campaign finance developments in the 2012 presidential campaign have confirmed just how essential it is to repair, not repeal, the presidential public financing system.

In the aftermath of the destructive *Citizens United* decision, bundlers, big donors, super PACs, individual-candidate super PACs and secret contributions played a dominant role in the financing of the 2012 presidential election. Presidential candidates should have an alternative means to finance their campaigns without being dependent on these corrupting campaign funds.

H.R. 424 introduced this year by Representatives David Price (D-NC) and Chris Van Hollen (D-MD) would repair the presidential public financing system. The legislation provides presidential candidates with the option of running for President on a system based on small donations and public funds as an alternative to becoming obligated to influence-seeking funders.

The presidential public financing system should be repaired, not repealed.

We also strongly urge you to oppose H.R. 195. The Senate recently confirmed new Commissioners to serve on the Election Assistance Commission (EAC) and they should be given the opportunity to carry out their responsibilities.

Congress should be strengthening, not terminating, the EAC and should ensure that the agency can perform its critical functions in data collection, research, and information sharing among elected officials at every level of government, the public and concerned organizations. Congress should ensure that the EAC has sufficient authority to carry out these responsibilities.

It makes no sense, furthermore, to transfer EAC functions to the FEC, which is widely recognized as a dysfunctional and discredited agency. There is no basis for providing an agency that is paralyzed and incapable of carrying out its own responsibilities with a new area of additional responsibilities.

We strongly urge you to vote no on H.R. 412 and H.R. 195.

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