

Congress of the United States
Washington, DC 20515

February 7, 2017

Chairman Greg Harper
House Administration Committee
Washington, DC 20515

Ranking Member Robert Brady
House Administration Committee
Washington, DC 2051

Dear Chairman Harper and Ranking Member Brady:

We write today to express our strong opposition to H.R. 133, Eliminating the Presidential Election Campaign Fund and H.R. 634, Election Assistance Commission Termination Act, which are both due for consideration by your Committee today. We ask that you instead consider pragmatic reforms to update and improve the Presidential public financing system and that you reauthorize the Election Assistance Commission.

Americans of all political stripes are deeply concerned by the state of our democracy. Three-quarters of the American people believe that powerful interests have used campaign and lobbying money to rig the system for themselves and seventy-eight percent agree that both political parties are too beholden to special interests to create any meaningful change.¹ At the same time, the integrity and efficient operation of our election system remain of paramount interest.

Against this backdrop, it is hard to understand why the Republican Majority of the House Administration Committee is moving forward with the mark-up of H.R. 133 and H.R. 634 – two pieces of legislation that will likely further degrade the public's confidence in our democracy, in effect making it harder to vote and easier for big money donors to influence our politics.

H.R. 133, Eliminating the Presidential Election Campaign Fund: H.R. 133 would begin the process of eliminating the Presidential public financing system, which is regarded as one of the most successful campaign finance measures in the history of our country.

For decades, the Presidential public financing system has successfully operated, allowing candidates from both parties to run and win election without having to rely on big money contributions from the wealthy and well-connected.² Candidates using the system are unencumbered by the demands of political fundraising and are instead able to focus on communicating their message to the people. What is more, once elected, Presidents are less at risk of being beholden – or being perceived to be beholden – to big money campaign contributors. The system was so successful that from 1976 to 2004 every Democratic presidential nominee and every Republican presidential nominee used the system to finance their general

¹ Patrick Caddell, et al., *What Happened in Iowa*, HUFFINGTON POST (February 6, 2016), http://www.huffingtonpost.com/patrick-caddell/what-happened-in-iowa_b_9157958.html

² Enacted following the Watergate scandal, the system allows candidates for President who are able to build broad based public support from everyday citizens to access public funds to run their election. *Fact Sheet on the Presidential Public Financing System, DEMOCRACY 21 (Jan. 21, 2011)*, <http://www.democracy21.org/archives/whats-n>

election campaigns. Famously, Ronald Reagan is reported to have attended zero fundraisers when using the Presidential public financing system in his 1984 reelection bid.³

Unfortunately, the system has buckled under the weight of the troubling Supreme Court decision in *Citizen United*, which unleashed unlimited outside political spending. This new world has forced candidates to rely exclusively on private campaign contributions from individuals and special interests. Without question, this new wild west of campaign spending has contributed to the public's cynicism about the role of money in our politics.

In the face of this reality, we urge the Committee to reject H.R. 133 and to instead study ways in which the Presidential public financing system can be updated to better account for the political realities of our current campaign finance system. Reforms could include indexing the public resources provided by the system, adopting a more robust match formula and providing participating candidates novel ways to account for the unlimited outside spending, as well as other important reforms. The fact that Congress has to-date failed to update the system is no reason to eliminate the system altogether.

H.R. 634, Election Assistance Commission Termination Act: H.R. 634 would terminate the Election Administration Commission (EAC), a federal body charged with helping state and local election administrators across the country improve the administration of our elections.

With more than 8,000 independently operating election jurisdictions in the United States, promoting the efficient and effective operation of our election system is no small task. Recognizing this challenge, Congress created the EAC following the 2000 election to help state and local election administrators by providing a central clearinghouse for information and promoting the transmission of best practices between jurisdictions. The EAC also plays the critical role of holding voting machine vendors accountable and ensuring certification standards remain high.

Critics of the EAC suggest its mission could be better carried out by the Federal Election Commission (FEC). This is wrongheaded. The FEC is an enforcement agency charged with administering and enforcing federal campaign finance laws. Expanding the FEC's mandate to include the testing and verification of our nation's voting procedures confuses the mission of the FEC and may lead to troubling conflicts of interest. It is also important to note that the FEC has for years been hobbled by its partisan construction. Recognizing this, it seems foolish – or worse, cynical – to layer even more responsibilities on the already strained FEC. Instead, we encourage the reauthorization of the EAC and ask that you reject H.R. 634.

The vast majority of Americans want to improve our institutions of democracy. Eliminating the Presidential public financing system and terminating the Election Administration Commission would represent an enormous step in the wrong direction. For these reasons, we urge your rejection of H.R. 133 and H.R. 634.

Thank you for your attention to these important issues.

³ Josh Israel, *Why Ronald Reagan Didn't Have To Hold A Single Reelection Fundraiser*, THINK PROGRESS (May 3, 2012, 6:30 PM), http://thinkprogress.org/election/2012/05/03/4762_10/rnc-attacks-obama-fundraisers [<http://perma.cc/KF4Z-VFEK>].

Sincerely,

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