

January 13, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

The Honorable Mitch McConnell
Majority Leader
United States Senate
317 Russell Senate Office Building
Washington, DC 20510

The Honorable Roy Blunt
Chairman
Committee on Rules & Administration
United States Senate
260 Russell Senate Office Building
Washington, DC 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
322 Hart Senate Office Building
Washington, DC 20510

The Honorable Amy Klobuchar
Ranking Member
Committee on Rules & Administration
United States Senate
425 Dirksen Senate Office Building
Washington, DC 20510

Dear President Trump and Senators McConnell, Schumer, Blunt, and Klobuchar,

We write in response to the letter dated January 6, 2020, from private attorneys who ask the President to nominate and the Senate to confirm a “full slate” of six FEC Commissioners to restore the agency’s quorum.

As organizations dedicated to the transparency and fairness of the American political system, we wholeheartedly agree that restoring a functional FEC is crucial to our Nation’s electoral process.

But we urge you to not to respond to the FEC’s lack of a quorum by nominating or confirming any FEC Commissioner who would use that position to prevent enforcement of the law.

The FEC’s problems preceded its recent absence of a quorum. Those problems stem largely from the historical practice of nominating and confirming Commissioners who are ideologically opposed to the mission of the agency and who block enforcement of our nation's anti-corruption laws.

Thus, even when it had a quorum, the FEC generally failed to enforce the law, resulting in an explosion in secret spending that has increasingly rigged our political system in favor of wealthy special interests.

Rushing to confirm a new slate of Commissioners that includes nominees who are opposed to campaign finance laws would only extend this disturbing status quo. Doing so would hinder enforcement, not enable it. And proceeding in this manner would also be contrary to the wishes of the American people: polls show that voters across the political spectrum want an FEC that will take a more active role in enforcing the law.

We support restoring the FEC's quorum in advance of the 2020 election by confirming one or two appropriate Commissioners identified through the existing process. But for the remaining vacancies, a nonpartisan blue-ribbon panel should be established to identify qualified candidates for the President's potential nomination, and the Senate should decline to confirm any nominee who is not drawn from the panel's recommendations.

And under no circumstances should the President nominate or the Senate confirm any individual who is opposed — whether for ideological, professional, or any other reason — to the enforcement of the duly enacted laws and regulations that protect the transparency and fairness of our elections.

Thank you for your consideration. We would be happy to provide any assistance in this critical matter.

Sincerely,

California Clean Money Campaign

Campaign for Accountability

Campaign Legal Center

Citizens for Responsibility and Ethics in Washington (CREW)

Clean Elections Texas

Common Cause

Communications Workers of America

Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces

Democracy Initiative

Democracy 21

End Citizens United Action Fund

Fix Democracy First

League of Women Voters of the United States

MapLight

National Advocacy Center of the Sisters of the Good Shepherd

National Institute on Money In Politics

New Mexicans for Money Out of Politics

Lawrence Noble, Former General Counsel, Federal Election Commission

Public Citizen

Revolving Door Project

Take Back Our Republic