



Restoring Integrity to America's Elections Act: Bipartisan Legislation to Overhaul the FEC

What is the FEC?

After the Watergate scandal, Congress created the Federal Election Commission (FEC) to administer and enforce the Federal Election Campaign Act (FECA) – the statute that governs the financing of federal elections. The FEC's responsibilities are to disclose campaign finance information, enforce campaign finance laws and oversee public financing of presidential elections. The FEC has six commissioners charged with enforcing the law, no more than three of whom may belong to the same political party. The votes of four commissioners are needed to take action. The commissioners are nominated by the President and confirmed by the U.S. Senate. The chairmanship is a one-year term that rotates among the commissioners and carries little power with the title. Each commissioner serves a six-year term but may continue to serve until he or she is replaced. Currently, five of the six commissioners are serving expired terms.

A Dysfunctional Agency:

The FEC was purposefully designed to be weak. Congressional Democrats insisted on an even partisan split between the parties, with congressional leaders wielding *de facto* power in selecting the commissioners. A few years after its creation, Congress banned the agency from conducting random audits after it found problems with candidates' reports. In recent years the commission has become even more polarized. Because it takes four votes for the agency to take action, the ideological split among commissioners leads to deadlock on most important issues. As a result, the agency's authority and effectiveness have been drawn into question and the current structure is a waste of taxpayer dollars. Stalemates on key issues allow candidates and other political actors to violate campaign finance laws with impunity.

The commission's breakdown has real consequences for voters and for those being regulated. For example, complaints that presidential candidates violated campaign finance laws by raising millions of dollars without officially reporting them went ignored. The commission ignores the recommendations of its own legal staff, unable to summon the four votes needed to enforce the law. The commission also fails the regulated community, especially candidates. In a rare case where the commission actually found that a [candidate violated the law](#), it took five years to resolve the case. Meanwhile, the candidate ran for the House of Representatives three times – winning a seat, losing it and winning again. As Representative

Jim Renacci (R-OH) stated, “The commission’s current structure is not operating efficiently or effectively which is unfair to hardworking American taxpayers.” Echoing Renacci’s frustration, the FEC’s 2015 Chairwoman, Ann Ravel publicly described the commission as “worse than dysfunctional.”

Bipartisan Legislation to Overhaul the FEC:

In 2015, Representatives, Derek Kilmer (D-Wash.), Jim Renacci (R-Ohio), John Carney (D-Del.), and Lou Barletta (R-Pa.) introduced “Restoring Integrity to America’s Elections Act.” H.R. 2931 makes significant changes to how the FEC is structured to address the gridlock that has come to characterize the agency.

Current FEC	H.R. 2931
6 commissioners	5 commissioners
No more than 3 commissioners affiliated with same party	No more than 2 commissioners affiliated with same party
Each commissioner serves one 6-year term	Each commissioner, except for the chair, serves one 6-year term
Chairmanship rotates among commissioners	Chair serves one 10-year term
Commissioners serve until replaced	Commissioners may not remain more than one year past end of term
Majority vote to take formal action	Majority vote to take formal action
Nominated by the president who usually defers to recommendations made by congressional leaders; Confirmed by Senate	Blue Ribbon advisory panel to recommend nominations to the president. Nominated by the president; Confirmed by the Senate

“We need to institute meaningful, substantial reforms so the Federal Election Commission can get back to what it’s supposed to do by weeding out campaign finance abuses. By making the Commission functional again we can make sure it helps us revitalize our democracy and focus on citizens rather than special interests.”

Representative Derek Kilmer