

OPPOSE EFFORTS TO RESTORE PARTY SOFT MONEY SYSTEM OR INCREASE PARTY CONTRIBUTION LIMITS

January 17, 2013

Dear Senator,

The existing contribution limits in the federal campaign finance laws were enacted by Congress and upheld by the Supreme Court to prevent corruption and the appearance of corruption.

Nevertheless, there are proposals to increase the party and aggregate contribution limits, or to repeal them altogether. Either action would provide dangerous new opportunities to buy and sell influence in Washington and to corrupt government decisions and federal officeholders.

Our organizations strongly urge you to oppose efforts to either repeal or increase the limits on contributions to the political parties and the limits on the aggregate amounts that an individual can give to parties and candidates.

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

Existing party contribution limits are already extremely high

Currently, an individual can give \$61,600 (and a couple, \$123,200) to a single national party committee in a two-year election cycle. An individual can give an aggregate total of \$117,000 (and a couple, \$234,000) in a two-year election cycle to all party committees and federal candidates. The aggregate limit includes two sub-aggregate limits: an individual can give a total of \$70,800 (and a couple, \$141,600) to all party committees and can give a total of \$46,200 (and a couple, \$92,400) to all federal candidates during a two-year election cycle.

These contribution limits are already extremely high. Only a miniscule number of the more than 300 million people who live in the United States can even consider making the current maximum allowable contributions. In fact, only 0.09 percent of adult Americans gave contributions of \$2,500 or more in the 2012 election, according to the Center for Responsive Politics.

Raising the existing party contribution limits would serve to further empower a tiny handful of the wealthiest Americans and to increase their ability to exercise undue influence over government decisions. This is wrong and would further damage our system of representative democracy.

Congress could provide parties with the lowest unit rate benefit to purchase TV time.

Instead of increasing party contribution limits, Congress could provide parties that have candidates running for federal office with the lowest unit rate (LUR) for the TV ads they purchase to support these candidates. This is a non-corrupting way to substantially strengthen the ability of parties to help their federal candidates respond to spending by outside groups.

Repairing the existing lowest unit rate provisions for federal candidates and extending the coverage of the LUR to include expenditures by parties on behalf of their federal candidates would greatly increase the value of the funds already being raised by the parties under existing contribution limits. This same amount of money would purchase far greater amounts of TV time for the parties to use to respond to outside spending against their federal candidates.

Our organizations believe comprehensive reform of the campaign finance laws is essential. In this regard, legislation should be enacted to close the gaping loopholes in the campaign finance disclosure laws, to repair the presidential public financing system and to create a new system of public financing for congressional races that would encourage greater citizen participation.

Do not return to corrupting party soft money contributions.

A repeal of the limits on contributions to political parties would mean a return to the corrupt soft money system that existed prior to the enactment of the soft money ban in 2002. The Supreme Court recognized the dangerous corruption problem created by soft money, when it upheld the constitutionality of the soft money ban in *McConnell v. FEC*. The Court stated:

There is substantial evidence to support Congress' determination that large soft-money contributions to national political parties give rise to corruption and the appearance of corruption. For instance, the record is replete with examples of national party committees peddling access to federal candidates and officeholders in exchange for large soft-money donations.

This corruption problem would exist regardless of whether the unlimited contributions were used by the parties to pay for campaign ads, "sham" issue ads, voter mobilization, administrative costs, building funds or any other expenditure. The problem is not what the money is used for, but the fact that Representatives and Senators would be directly soliciting for their parties six, seven and eight-figure contributions from donors seeking influence over government decisions.

Do not repeal or increase the aggregate limit on contributions from an individual to parties and candidates.

Another proposal would seek to repeal or increase the aggregate limits on contributions to all party committees and candidates in a two-year election cycle.

Repeal of the aggregate limits would result in an especially dangerous corruption problem. This would allow a Representative or Senator to solicit and a wealthy individual to give a single contribution of \$1,184,000 to a national party for a two-year election cycle.¹ Thus, even without increasing the limit on contributions to a party, a repeal of the overall aggregate limits would

¹ Through the use of a joint fundraising committee involving national and state party committees, the single contribution would include \$30,800 per year to each of the three national party committees, or \$92,400 per year, and \$10,000 per year to each of the 50 state parties, or \$500,000 per year for an overall total of \$592,000 per year and an overall total of \$1,840,000 for a two-year election cycle.

return to American politics corrupting \$1 million individual contributions solicited by Representatives and Senators for their political parties.

Similar harmful and corrupting effects would result from increasing, rather than repealing, the \$117,000 overall aggregate contribution limit, or the \$70,800 aggregate sublimit on party contributions.

Conclusion

The answer to the campaign finance problems caused by the destructive *Citizens United* decision is not to make changes in the campaign finance laws that will create even greater opportunities for corruption of government decisions and federal officeholders.

The Supreme Court has long recognized that large contributions to candidates and parties pose a direct threat of government corruption. Nothing in the *Citizens United* decision changes this Court position. Repealing or increasing the party contribution limits will substantially increase the potential for government corruption.

We believe it is essential not to make the dangerous campaign finance problems facing the country far worse. We strongly urge you to oppose any efforts to increase or repeal the limits on contributions to parties and thereby increase the ability of federal officeholders to sell and donors to buy influence over government decisions.

Americans for Campaign Reform
Brennan Center for Justice
Citizens for Responsibility and Ethics in Washington
Common Cause
Democracy 21
Demos
League of Women Voters
Public Citizen
U.S. PIRG