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January 24, 2011

U.S. House of Representatives
Washington, D.C. 20515

RE: Oppose H.R. 359, Repealing Presidential Public Financing

Dear Representative:

Without any hearings or deliberations, Rep. Tom Cole (R-Okla.) has introduced H.R. 359, a bill to repeal the presidential public financing system that has existed for more than a third of a century, with a floor vote scheduled as early as Wednesday of this week. On behalf of more than 225,000 Public Citizen members and supporters, we urge you in the strongest terms possible to defeat this hastily drafted and ill-conceived measure.

Congressional Republicans, Democrats and Independents alike should find this legislative ploy unbecoming of the "People's House." It certainly contradicts the portions of the Republican *Pledge to America* that promised to make the legislative process more open and deliberative and "to bring much-needed sunlight to the process and give the American people a greater voice in their Congress."

Worse than the lack of proper process is the substance of the bill: At a time when the American public is disgusted with special interest influence in Washington, H.R. 359 would give major corporations and other wealthy special interests even more power over elections by eliminating the presidential public funding system.

Ironically, this legislative assault on the presidential public financing system comes on the one-year anniversary of a judicial assault against decades of congressional legislation banning corporate financing of elections. In *Citizens United v. Federal Election Commission*, the Supreme Court set aside Citizens United's original, narrow, challenge to the McCain-Feingold law and instead used the case to engage in a sweeping rewrite of the First Amendment and campaign finance law, allowing corporations and unions to spend unlimited amounts directly to support or oppose candidates. The result was an unprecedented flood of secret money into the 2010 election.

Whatever your personal views on the merits of the *Citizens United* decision, it is beyond dispute that the ruling is wildly unpopular with the American public. It has generated exceedingly strong, bipartisan anger and suspicion as to what the secret funders of our elections are attempting to buy.

Oppose H.R. 359. It is stealth legislation that has not received due deliberation. It is likely to exacerbate the unintended consequences of secrecy in campaign financing and public cynicism felt from *Citizens United*. Your constituents have not had the chance to talk to you about the bill, but the best available public opinion research suggests that Republicans and Democrats both overwhelmingly oppose measures that strengthen special interests. A Washington Post-ABC News poll shows that 76 percent of Republicans, 81 percent of Independents and 85 percent of Democrats oppose the *Citizens United* decision and support efforts to overturn it.

The Congress could send no worse signal about being out of touch with ordinary Americans than to enact a radical measure to bolster special interest power like H.R. 359.

Sincerely,



David Arkush, Director
Public Citizen's Congress Watch



Craig Holman, Government Affairs Lobbyist
Public Citizen