



LEAGUE OF WOMEN VOTERS®  
OF THE UNITED STATES

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TO: Members of the U.S. Senate  
FROM: Elisabeth MacNamara, President  
RE: The Federal Election Commission Must Be Restructured

The League of Women Voters urges you to support S. 2611, legislation to restructure the Federal Election Commission (FEC) as a five-member commission.

The current FEC is paralyzed by its current six-member structure. The result is that even the nation's weak campaign finance laws are not enforced. It also means that the agency is unable to issue interpretative guidance to assure compliance with federal law.

Today's FEC has shown repeatedly that laws are not effective when they are not enforced. Big money, secret money, is taking over our elections while the FEC sits on its hands. Campaigns, political operatives, parties and independent spenders know they can operate with impunity and without consequences for campaign finance violations.

It is time for a change. The existing bipartisan approach, with each major party having an equal number of commissioners, has led to gridlock. It must be replaced by an agency with an odd-number of commissioners so the public interest comes before partisan interests.

To address this enforcement problem, the League endorses S. 2611, legislation by Senator Tom Udall that would restructure and rename the FEC as the Federal Election Administration with a five-member commission. Only two members can be from the same political party and the fifth will be appointed on a nonpartisan basis. Equally important, a system of administrative law judges will have jurisdiction over enforcement cases and their decisions can only be overturned by the commissioners for cause. This will provide for consistent and impartial enforcement and avoid the partisan impasse that arises in far too many cases.

In addition, the current FEC has been unable or unwilling to develop interpretive regulations on such basic issues as disclosure and coordination that measure up to statutory standards as determined by the courts. It is time for a reset.

The FEC is a failed, dysfunctional agency. The League urges you to replace it with a new Federal Election Administration as provided in S. 2611.