

CO-SPONSOR THE EMPOWER ACT (S. 1176)

May 7, 2015

Dear Senator,

Our organizations strongly urge you to support and co-sponsor the EMPOWER Act (S. 1176) introduced in the Senate by Senator Tom Udall (D-NM). A companion bill (H.R. 2143) has been introduced in the House by Representatives David Price (D-NC) and Chris Van Hollen (D-MD).

Our organizations include the Brennan Center for Justice, the Campaign Legal Center, Citizens for Responsibility and Ethics in Washington, Common Cause, Democracy 21, League of Women Voters, Issue One, People For the American Way and Public Citizen.

S. 1176 would establish a small donor, public matching funds system for presidential candidates to use in presidential primary and general election races. In return for receiving public matching funds, candidates would have to agree to a lower limit on the contributions they raise. There would be no overall spending limits.

The Supreme Court decision in the *Citizens United* case has wreaked havoc on our political system and greatly undermined the interests of ordinary Americans.

In the 2014 congressional races, the total contributions given by the 100 biggest donors to outside spending groups *exceeded* the total contributions by all Americans who gave \$200 or less to support these races, according to a *POLITICO* analysis. The average contribution from the top 100 donors was \$3.3 million per donor.

As the 2016 presidential campaign unfolds, Super PACs funded by unlimited contributions from millionaires and billionaires are expected to play a dominant role.

The EMPOWER Act would encourage citizens to participate in the political process.

By providing multiple public funds to match small contributions to presidential candidates, the Act would magnify the value and role of citizens making these contributions and create an essential counterforce to big money in American politics.

The Act also would provide an alternative way for presidential candidates to finance their campaigns without becoming dependent on and indebted to influence-seeking big donors.

The presidential public financing system enacted in the wake of the Watergate scandals served the nation well for nearly three decades. During this period, almost every Democratic and Republican presidential candidate participated in the system.

Every president elected from 1976 through 2004 used public financing to pay for their general election campaign. Presidents Ronald Reagan, Bill Clinton and George W. Bush each used the general election public financing system twice to win the presidency.

But today the presidential system is broken because Congress for 41 years has failed to make *any* adjustments to update and modernize the system to respond to the greatly increased costs of running a presidential campaign.

The exploding role and influence of huge contributions in our presidential elections makes clear that it is essential to repair and revitalize the presidential public financing system.

Citizens need to be encouraged and empowered to participate in the presidential election by providing public funds to match their small contributions. Presidential candidates need to have an option to finance their campaigns without being at the mercy of millionaires and billionaires.

As long as *the Citizens United* decision stands, unlimited contributions spent by outside groups cannot be kept out of presidential elections. We can, however, provide incentives to encourage millions of ordinary Americans to participate in financing the presidential election and to counter the undue role provided to the nation's wealthiest Americans by the *Citizens United* decision.

We strongly urge you to support and co-sponsor the EMPOWER Act.

Brennan Center for Justice
Campaign Legal Center
Citizens for Responsibility and Ethics in Washington
Common Cause
Democracy 21
Issue One
League of Women Voters
People For the American Way
Public Citizen