



RE: Comment in opposition to Advisory Opinion Request 2014-16
Evan Preston to: AO

10/09/2014 11:20 AM

Dear General Counsel,

Attached is a public comment submitted on behalf of ConnPIRG, The Connecticut Public Interest Research Group, in opposition to AOR 2014-16.

Sincerely,

Evan Preston
ConnPIRG State Director
2074 Park Street
Suite 210
Hartford, CT 06106



ConnPIRG support for CT SEEC Advisory Opinion on AO 2014.docx

Federal Election Commission
999 E St. NW
Washington, DC 20463

RE: Comment in opposition to Advisory Opinion Request 2014-16

October 9, 2014

Dear General Counsel:

ConnPIRG, the Connecticut Public Interest Research Group, is a non-partisan consumer and taxpayer advocate. For more than a decade, ConnPIRG has worked to support campaign finance reform to empower ordinary Americans and limit the influence of special interests. One of the most significant steps ConnPIRG took on campaign finance reform was supporting Connecticut's reform legislation passed in 2005-2006 that is described below.

I write on behalf of ConnPIRG in opposition to Advisory Opinion Request (AOR) 2014-16 (<http://saos.fec.gov/saos/searchao;jsessionid=BB314E514AEB9415F75968E03C5515E2?SUBMIT=ao&AO=3790>) dated October 1, 2014 and submitted by Sandler Reiff on behalf of the Connecticut Democratic State Central Committee (CDSCC). We urge you to reject the CDSCC's request to preempt the Connecticut State Elections Enforcement Commission's (SEEC) Advisory Opinion 2014-01 (http://www.ct.gov/seec/lib/seec/laws_and_regulations/advisory_opinion_2014-01.pdf). Granting the request made on behalf of the CDSCC would undermine the determination by Connecticut voters, embodied in our state's campaign finance laws, that transparency is crucial to the integrity of state elections.

Catalyzed by repeated, prominent examples of misuse of money in politics, Connecticut passed legislation to increase campaign finance transparency and reduce the influence of special interests and large donors by empowering small-donor supported candidates with public funds through the Citizens Election Program. Our reforms were intended to improve public faith in our political process by showing who is supporting candidates, to curb contributions that are or could seem corrupting and to raise the voices of ordinary citizens so they are not marginalized by donors with significantly deeper pockets.

As SEEC's Advisory Opinion 2014-01 makes clear, the principles and practical operation of campaign finance law in Connecticut would be undermined by granting the request made on behalf of the CDSCC to allow spending from a federal account on materials, staffing and other electoral support in a Connecticut state election. A federal account could provide a conduit into Connecticut state elections for contributions which would be prohibited or restricted under Connecticut law. For example, principals of state contractors, whose campaign contributions are prohibited by Connecticut to prevent them from exerting an undue influence shaping state policies, could give instead to a federal account, which would then funnel the contribution into state races. Another example of the danger of federal account money employed for Connecticut state elections would be that money could flow in from Connecticut lobbyists who are otherwise limited to \$100 contributions to state accounts for similar reasons as state contractors.

The FEC should not preempt the decision of Connecticut's citizens and representatives, as established in our laws, about how best to finance and run our elections. It is a bedrock principle of our federalism that federal law should provide a floor, not a ceiling, on states' ability to govern their affairs – especially in a quintessentially state activity like its elections. While exceptions to this rule of non-preemption may be made where federal law establishes a comparable system whose operations would be undermined by contradictory state law, there are no relevant federal rules that would provide the same protections and transparency safeguarded by Connecticut's laws. Preemption in this case would be a negation of the rules that Connecticut has decided, after due deliberation, are necessary to protect the integrity of its democracy.

ConnPIRG urges you to reject the requestors' AOR 2014-16 and instead affirm the Connecticut State Elections Enforcement Commission's Advisory Opinion 2014-01.

**Evan Preston
State Director
ConnPIRG**