

Federal Election Commission

Hearing on FEC Procedures

Prepared Opening Remarks of

Chairman Steven T. Walther

January 14-15, 2009 Special Session

The Special Session of the Federal Election Commission for Wednesday, January 14, and Thursday January 15, 2009, will please come to order.

Welcome

Good morning. I would like to welcome everyone to this hearing on the Commission's policies, practices and procedures.

Introductions

I'm Steve Walther, Chairman of the Commission

I will begin with my colleagues on the Commission: Commissioners: Vice Chairman Matt Peterson; Commissioner Cindy Bauerly; Commissioner Caroline Hunter; Commissioner Ellen Weintraub (who presided over our hearing in 2003, as Chair of this Commission); and Immediate Past Chair, Commissioner Don McGahn. Also sitting with us are General Counsel Tommie Duncan and Acting Staff Director Joseph Stoltz

Notice of Hearing

The issues we are discussing today were included in a Notice of Public Hearing and Request for Comments published in the Federal Register on Monday, December 8, 2008. The Notice was signed by our Immediate Past Chairman, Don McGahn, who is a strong supporter of this initiative.

Commission interest in hearing

The Commission plays a unique role in administering and enforcing the federal campaign finance laws, and is conducting this review to consider issues that require reexamination or adaptation of our policies, practices and procedures.

This hearing is the second of its kind. The Commission conducted a similar review of its procedures in 2003, although narrower in scope. The comments received during that 2003 review were considered by the Commission and, as a result, the Commission adopted a number of new policies and procedures, some of which are referenced in the Federal Register Notice for this hearing.

We are here today to continue that process, asking once again for feedback on how we have been fulfilling our mission, and more importantly, how we can improve it going forward. The three basic questions for which we seek answers are: How can we make our process more transparent? How can we make it more fair? And how can we make it more efficient?

This hearing invites comment on the broadest scope of Commission activities since its inception over 30 years ago. It is fitting that we do this now. The Commission has the benefit of realizing how helpful a hearing can be from its previous experience in 2003. But much has changed since then. With the passage of the Bipartisan Campaign Reform Act (BCRA), the passage of the Honest Leadership and Openness in Government Act (HLOGA), the advent of new uses of the Internet and new ways of funding campaigns, and the welcome explosion in the number of contributors, we must constantly look at new ways to insure our mission is being fulfilled. The fact that we have the most new Commissioners at one time since the formation of the FEC is a further reason to take

a fresh look at all our operating components, from A to Z. This is the start of such a process.

Internal Evaluation

In addition to this exercise, by which we hear from the public, I have asked Mr. Stolz and Ms. Duncan to review our internal procedures in the areas of their respective jurisdictions within the Agency, so that we will contemporaneously have the benefit of our internal expertise on how to improve this Agency. They have readily agreed to do so, and have already undertaken to form internal committees to accomplish a complete review of our procedures. This will be done in time for consideration as part of this proceeding.

Appreciation to Participants

We appreciate all of the people who took the time and effort to comment, and, particularly those of you who are appearing today as witnesses, to give us the benefit of your experience and expertise. We are aware the timing of this initiative has been inconvenient for some, and appreciate very much the time you have taken to be here today. It will make a difference.

In consideration of the issues of hardship and inconvenience, and to be assured we will be able to receive input from those who were unable to participate because of the Holidays, I am asking for a re-opening of the time for written comment until midnight Wednesday, February 18, 2009. This will allow commenters to have the benefit of the written comments received so far, and an opportunity to review the transcript of these proceedings, which should be on our website by January 30. So without objection from

my colleagues, I will ask the Office of General Counsel to prepare a notice to that effect to be placed in the Federal Register as soon as possible.

Responsibility of Commissioners

We have already received pointed criticism and strong suggestions in the written comments that precede this hearing, and we will hear more of the same today, as we should, and we ask that no quarter be given. We also accept favorable comment whenever possible. I note that some was given, for which we express appreciation. However, as we go forward today, let me note at the outset my view – one that I am confident is shared by all Commissioners - that we have the benefit of the most loyal, dedicated and professional staff members that any Agency could ask for. There are people here who have been at the Commission their entire professional lives, ever since the days of the inception of this Agency, such as Joe Stolz. Also, Scott Thomas, who only recently left the Agency, is here today, to help improve this Commission. Mary Dove, our Commission Secretary, has been here for many years, but we are not counting them. They love this Agency. Any criticisms (many of which are well deserved) or shortcomings (of which there are many) are those of the Commissioners, and the Commissioners alone – not those of the staff. They operate at the direction of the Commissioners, and we take total responsibility for our operation. I ask your comments today will take that into consideration.