



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: The Commission

FROM: Office of the Commission Secretary *LC*

DATE: June 23, 2021

SUBJECT: Comment on Draft AO 2021-06 (Rep. Kelly and
DPI) by Congressional Black Caucus PAC

Attached is a comment received from Congressman Gregory W. Meeks
CBCPAC Chair. This matter will be discussed on the June 24, 2021
Open Meeting Agenda.

Attachment



June 22, 2021

The Honorable Shana M. Broussard
Federal Election Commission
1050 First Street, N.E.
Washington, D.C. 20463

Dear Honorable Shana M. Broussard,

On behalf of the Congressional Black Caucus Political Action Committee (CBCPAC), we urgently write this letter to encourage you to adopt draft opinion B in the matter of AOR 2021-06.

Since the founding of the CBC in 1971, the mission of our caucus has been our commitment to leveraging the power of our elected body and representative democracy to guarantee that Black Americans and other marginalized communities in our nation have the ability to achieve the great American Dream. We do not take the “consensus of the caucus” lightly. The CBC represents more than 82 million Americans (25.3% of the American population) –which includes 17 million Black Americans. Like much of the country, our constituents remain concerned with the growing influence of money in politics. Our caucus has championed campaign finance reform and continues to support a smart regulatory scheme to dull this influence.

Members of the CBC are strong supporters of the Bipartisan Campaign Reform Act. The overwhelming majority of caucus in the 107th Congress voted for the passage of the Act in 2002 and our current members remain steadfast in our respect for the letter and the spirit of the law. We recognize the need for a strong regulatory scheme to insulate our federal elections from the influence of special interests. At the same time, our members are aware of the important role our state parties play in maintaining a vibrant democracy, and we are active in state party affairs, in ways that are consistent with the law. We find the approach adopted in draft opinion B to strike a reasonable balance between these interests of nurturing healthy democratic institutions while constraining the corrupting influence of funds raised outside of the source restrictions, limits and reporting obligations of federal law.

The Special Committee governance structure proposed in AOR 2021-06, whereby the Democratic Party of Illinois’ state account would be wholly administered by non-Federal candidates or officer holders and without the review or supervision by Representative Kelly, appropriately segregates the state account from any direct or indirect influence of Congresswoman Kelly. As stated in the request, the Congresswoman would have no supervisory authority over the decisions of the Special Committee, nor would she have hiring authority over members of the Special Committee. Congresswoman Kelly would also be prohibited from fundraising non-Federal funds on behalf of the state account. These precautions, in addition to



those articulated in draft opinion B, will ensure that Representative Kelly, or anyone acting on her behalf, does not “directly or indirectly” finance, maintain or control the state account. We strongly believe that this is the appropriate balance of factors consistent with the law.

As a PAC, we support the current Advisory Opinion request by U.S. Representative Robin Kelly of Illinois and the Democratic Party of Illinois, and we staunchly urge the Commission to support the Party’s proposed approach. From our purview, the Special Committee governance structure strikes the needed balance between recognizing the special relationship between Members of Congress and their local parties while also safeguarding the anti-corruption framework established by the Bipartisan Campaign Reform Act of 2002.

In closing, we hope that this letter gives you the support you may need to adopt draft opinion B.

Sincerely,

A handwritten signature in blue ink, reading 'Gregory W. Meeks'. The signature is written in a cursive style and is enclosed within a blue ink scribble that forms a large, horizontal oval shape.

Congressman Gregory W. Meeks
CBCPAC Chair