



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**STATEMENT OF COMMISSIONER ELLEN L. WEINTRAUB  
ON THE FEBRUARY 11, 2015, *McCUTCHEON* ANPRM HEARING**

Today was a landmark day at the Commission. In October 2014, we sought public comment on the state of our elections in the wake of *McCutcheon v. FEC* and other Supreme Court decisions. More than 32,000 Americans submitted written comments. Today, we heard in-person testimony from Americans of all walks of life. What has become clear is that Americans care about these issues and have a stake in how campaign spending shapes our democracy. We asked for your input, and you stepped up to the plate. You did your job. Now, as commissioners, we must do ours.

During today's hearing I asked my colleagues to join me in opening a rulemaking that considers the public comments we received and initiates Commission action informed by those comments. In this Advance Notice of Proposed Rulemaking (ANPRM), the Commission asked the public whether to revise our regulations in light of *McCutcheon* and other Supreme Court cases and in light of how our elections have evolved in their wake. The answer came flooding in, loud and clear: *Yes*.

Agencies like ours have a unique opportunity to take the public's temperature on issues like corruption and transparency in political spending. Judging from the number of comments we received demanding change, that temperature is rising. The comments overwhelmingly urge the Commission to increase disclosure of political spending and limit the influence of money in our elections. One commenter – a high school student – echoed the concerns expressed by many:

“I am an ardent defender of the Constitution, but reject the idea that money is free speech. Is there free speech if the voice of the people is completely muffled by countless ads? Americans are losing their ability to make a difference politically. This, to me, is the real violation of free speech. My sense of political efficacy steadily dissolves each time I see a campaign's finances. How is the average American to compete with that? Right now, they can't. I can't buy time with a candidate. I can't donate enough to earn myself a private meet-and-greet. I have lost the chance to express myself in the ways others can, simply on the basis of my wealth. 99% of Americans are in my exact situation, desperate to be heard yet unable to bypass the financial entryway. In solidarity, we stand silenced.”

There is no doubt that there will be many points on which my colleagues and I disagree. But certainly, we should all agree that when the public answers our question

whether to begin a rulemaking with tens of thousands of comments, 75 percent of them demanding change, we should not ignore the call to act. I am hopeful that we can come together as a Commission and agree to some action in response to the comments we received. The public – and certainly all those who took the time to provide comments and testimony – deserve no less.

2/11/15  
Date

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