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Creating a Conscientious Congress

Small Donor Public Financing of Congressional Elections

In recent years, the average cost of a winning Senate campaign has been about \$10.4 million, and in the House it has been \$1.5 million (Reynolds 2019). Congressional elections occur across the nation every year, and these increasingly exorbitant price tags are substantial hurdles in the election process. Since the founding of our nation, Congress has served as a platform for representatives to voice concerns of their wider constituency in the legislative process. However, today, their work has devolved from legislating for the many, to legislating for the few. In order to cope with this financial burden, candidates spend inordinate amounts of time attempting to secure large donations, oftentimes from wealthy donors and corporate interest, in order to have a viable run. In turn, once elected, Congress members disproportionately represent these voices. Public funding for Congressional elections should be implemented to overcome the high price tag and disproportionate augmentation of certain interests. Specifically, this should be implemented in the form of small donor public financing to amplify the influence of every individual voter, and decrease the hegemony of wealthier voters. Importantly, this solution will not draw any funds from taxpayers, or be any increased burden. Following the form of preexisting proposed legislation, and state level implemented legislation, great changes can be made to reaffirm the democratic vivacity of Congressional elections.

The problem in the status quo is that because Congressional elections are so expensive, candidates have to raise large amounts of money in limited amounts of time for their campaign races. This leads them to seek out wealthier voters who can contribute more (Culberson,

McDonald, and Robbins 2018). It is simply more economical for a candidate to spend 2 hours trying to find a donor to give \$10,000 than 100 people to give \$100. When the candidate seeks out these wealthy donors, these donors get disproportionate time and policy say with the candidate, in contrast to smaller donors. In fact, this can go beyond wealthy individuals, into corporate interests, interest groups, lobbyists, and PACs as well, who can donate large sums of money directly and indirectly to potentially sway a Congressman's vote away from their constituency (Fowler and Weiner 2019). This leads them to not necessarily listen to all constituents equally. Why else would we see the minimum wage be stagnant as tax breaks for the wealthy increase? Further, candidates have to turn to exorbitant methods to raise the necessary funds; Congress members have to spend multiple hours every day making calls to fundraise (Torres-Spelliscy 2017). This decreases productivity, namely in time to legislate and learn about different issues, as their time is consumed with fundraising. Importantly, the only people who can overcome this time and money drain are wealthier candidates who can support their own campaigns. This is a problem because the cost of a campaign, prevents qualified candidates from even entering the race (Mayer, Werner, and Williams 2005). Specifically, this can hurt candidates and communities of color since the highest contributors to campaigns are overwhelmingly white and male (Fowler and Weiner 2019). Therefore, minority issues can be less supported, and their candidates less elected, keeping many people out of the democratic process. There are a multitude of problems in the status quo in campaign finance, and a solution is necessary.

Importantly, these problems are unlikely to get better on their own. Living in a post Citizens United and Buckley vs. Valeo society, outside organizations can pour large amounts of

money into election races, so reform is necessary to reaffirm the voice of individual voters.

However, these reforms have been proposed for many decades. In fact, according to a Congressional Research Service report, “proposals for publicly funded congressional elections have been offered in almost every Congress since 1956” (Garrett 2010). This is a long standing issue, but has failed to coalesce due to partisan deadlock and currently insufficient focus on the issue of public funding alone. However that does not negate the fact that there needs to be a solution to increase the power of individual voters, and move the bulk of Congress member’s focus away from simply raising funds.

To solve this problem, a small donor public financing program should be implemented for Congressional races. Small donor public financing programs are essentially programs that allow candidates funds’ raised from individual donors, under a certain amount, to be matched by governmental bodies, in this case the federal government. There are different ratios implemented, but currently proposed in Congress is a six-to-one ratio (Fowler and Weiner 2019). That means if someone donates \$100, the candidate will receive \$600 from the government; it becomes a lot easier to reach \$10,000 that way. By making fundraising through individual voters a more viable option, it decreases the augmented voice of specific interests and can decrease the barrier to entry that keeps some candidates out. Providing public funding decreases the influence of wealthy individuals, corporate interests and PACs because the money is not tied to specific influences (Mayer, Werner, and Williams 2005). This in turn, allows greater focus on the concerns of the larger constituency. Further, providing public funding can also make elections more open and competitive by eliminating some of the fundraising advantages incumbents possess (Mayer, Werner, and Williams 2005). This allows for new voices and people to enter the

race. To fund this proposed program, there should be a surcharge on certain criminal fines and civil penalties, mainly on companies and their officials (DeBonis 2019). This ensures the burden is not on taxpayers but augments their voice in elections. This solution first solves the explicit problem of the expensive nature of campaigns and decreases the barrier to entry. But, it goes even further to the slightly more implicit problem that individual citizens voices are marginalized under the current system.

But this idea is not just theory, it has had proven benefits when implemented. New York City has implemented a successful donor matching program since 1988 (Malbin, Brusoe, & Glavin, 2012). The results have been stark. A study of the shift showed that “matching funds sharply increase the proportional role of small donors, the small-donor focus has also increased the number of people who contribute; and by increasing the numbers of small donors, the system is also shifting the demographic and class profile of those who give, making the system more representative of the population as a whole” (Malbin, Brusoe, & Glavin, 2012). The impacts of this cannot be understated. This goes to prove that donor matching has a threefold impact of: increasing the proportional role of small donors, increasing the number of small donors, and making the donors more diverse. This can realign our election system and have multifaceted benefits. On a wider scale, donor matching has also been successful on the state level (Fowler and Weiner 2019). By implementing this program across the nation, these proven benefits will be seen.

Importantly, this idea is better than past failed proposals because the burden does not fall on the taxpayers. The rallying cry of those opposed to public financing is that taxpayer money will be poured into attack ads and useless yard signs. However, by putting the burden almost

entirely on corrupt corporations, this concern is eliminated. When Mitch McConnell voiced his contempt for a similar bill, H.R. 1, it was predicated on the fact that it was a “big taxpayer bailout of political campaigns, attack-ad makers and campaign consultants”. Furthermore this idea, in the form of a bill like H.R. 1, is solvent because the CBO estimates that over ten years, H.R.1 will cost about \$475 million a year for the small donor public financing program (2019). The CBO also estimates that the tax on companies would raise over \$1.73 billion in revenue in the first ten years, which would be more than enough money to support donor matching. And according to Fowler and Weiner 2019 this number could be significantly understated (2019). Thus, this idea is solvent and the burden will not fall on taxpayers.

Another big concern is whether small donor public financing is necessary after we have seen increased grassroots engagement in the recent election cycles (DeBonis 2019) .While this is true that the amount given by small donors has been increasing; House candidates raised \$66.2 million in small donor contributions in 2006, while raising \$103.5 million 2010. This increase has been at the same time as increases in all types of giving so the proportion has remained fairly constant, moving from 6.4% to 8.4% (Culberson, McDonald, and Robbins 2018). Therefore, it is a misnomer to suggest that increased grassroots giving changes is a reason to delay reform. By allowing small donor funds to be matched candidates can have increased funding and increase their proportional reliance on small voters.

In conclusion reform is what we need. To make sure candidates can raise adequate funds in viable and moral ways that do not lock individual voters us. While political deadlock and partisanship may prevent us from getting here, if legislation can be narrowed and less partisan,

change can hopefully come about. In order to ensure Congress is ‘for the people and by the people’, all the people not the select few, public financing must be implemented.

Works Cited:

- Culberson, Tyler, Michael McDonald, and Suzanne Robbins. 2019. Small Donors in Congressional Elections. American Politics Research.
- Debonis, Mike. 2019. “House Democrats Poised to Endorse Public Financing of Congressional Campaigns.” The Washington Post, 7 March.
- Fowler, Gareth, and Daniel I Weiner. 2019. Understanding H.R. 1’s Public Financing Provisions. The Brennan Center.
- Garrett, Sam. 2010. Public Financing of Congressional Campaigns: Overview and Analysis. Congressional Research Service.
- “H.R. 1, For the People Act of 2019 | Cost Estimate.” 2019. Congressional Budget Office.
- Malbin, Michael J., Peter W. Brusoe, and Brendan Glavin. 2012. Small Donors, Big Democracy: New York City’s Matching Funds as a Model for the Nation and States. Election Law Journal: Rules, Politics, and Policy 11(1): 3–20.
- Mayer, Kenneth R, Timothy Werner, and Amanda Williams. 2005. Do Public Funding Programs Enhance Electoral Competition? Paper presented at the Annual Conference on State Politics and Policy Laboratories of Democracy: Public Policy in the American States, Kent State University. Madison: University of Wisconsin Madison.

Mayer, Kenneth, and John Wood. 1995. The Impact of Public Financing on Electoral Competitiveness: Evidence from Wisconsin, 1964-1990. *Legislative Studies Quarterly* 20(1).

Reynolds, Molly. 2019. Vital Statistics on Congress. Washington D.C.: The Brookings Institute.

Torres-Spelliscy, Ciara. 2017. Time Suck: How the Fundraising Treadmill Diminishes Effective Governance. *Seton Hall Legislative Journal* 42(2): 271–310.