



Committee Contributions Ban

November 30, 2017

Americans deserve elected officials who fairly represent them and fight for their interests. But Americans know they often lose out to wealthy special interests who make large political campaign contributions to lawmakers. This distorts policymaking and renders government less responsive and accountable to everyday Americans. Leaders must fight for strong, clear anti-corruption solutions, including a policy that bars members of Congress from accepting contributions from special interests with business before the legislative committees on which they sit. Voters overwhelmingly support breaking the link between committee membership and fundraising. Eighty-eight percent of voters, including 86 percent of Trump voters, favor barring congressional committee members from raising money from corporations or special interests that fall under the jurisdiction of their committees.¹

[Problem: Policymaking is distorted, and people lose faith in Congress when lawmakers raise money from interests in front of their committees](#)

1. Special interest fundraising creates a substantial conflict of interest and bad incentives for elected representatives. Some members of Congress get massive fundraising hauls from the interests they regulate—on some occasions, these sums can be up to half of all the campaign funds they raise. Issue One’s “Price of Power” report provides evidence from numerous members of Congress serving on important committees.² In the words of one lobbyist, “Companies with interests before particular committees need to have access to the chairman of that committee, make donations, and go to events where the chairman will be The large contributions enable them to establish relationships, and that increases the chances they’ll be successful with their public policy agenda.”³
2. These conflicts of interest damage the provision and appearance of fair representation and feed the public’s belief that the government is corrupt.⁴ Members have a personal interest in raising funds to support their re-election campaigns, and outside sources with major financial stakes riding on decisions of Congress have a serious financial incentive in getting committee action—or inaction—favorable to their interests even when they run counter to the public interest.
3. Most Americans assign a lot of blame to “wealthy political donors” and “money in politics” for “causing dysfunction in the U.S. political system.” For example, 65 percent assign a lot of blame to money in politics and 96 percent assign at least some blame.⁵ The anti-democratic, corrupting influence of money in politics must be constrained so government decisions are responsive to constituents—not contributors.

Solution: Bar members of Congress from accepting contributions from interests in front of their congressional committees

Congress should enact a law to make it unlawful for members of Congress to accept campaign contributions from entities that fall within the jurisdiction of their committees. This strong, clear policy proposal would result in:

- Reducing the opportunities for political corruption. Delinking committee membership and raising large sums of campaign money from big-monied interests changes the incentives and blocks a major avenue for corrupting influences to improperly sway members of Congress.
- Allowing members of Congress to refocus their attention on their constituents' policy priorities and represent their constituents fairly. When members stop focusing so heavily on the agendas of deep-pocketed donors and can reduce the huge amount of time spent on fundraising, they can use their committee memberships to advance solutions for everyday Americans and dedicate more time to meeting with their constituents.
- Increasing the confidence that Americans have in their elected representatives. Americans who want to reduce the corrupting power of campaign money will build more confidence that members are not in the back pockets of special interests, and they will applaud members who use their positions to show that the federal government can be a force for good.

Details of the proposal

- **Determination of committee jurisdiction.** The House and Senate ethics committees would be responsible for providing specific guidance on which entities fall under each committee's jurisdiction. But, for example, members of the armed services committees generally would be barred from raising money from the defense industry, and members of the committees that oversee health care-related policy generally would be barred from raising money from the pharmaceutical industry. For-profit corporations, labor unions, and trade associations would be barred, as would individual owners of corporations, high-ranking employees, and lobbyists.
- **Contributor certification mechanism.** A broad safe harbor would allow members to accept contributions from contributors who certify under penalty of perjury that the contributor does not have applicable covered financial interests.
- **Include reasonable exemptions.** The proposal would exempt contributions below \$200, individuals registered to vote in a member's district, as well as small businesses and local unions.

Endnotes

- 1 CAP and Gerstein/Bocian/Agne November 2016 poll. On file with authors.
- 2 Issue One, "The Price of Power: A Deep-Dive Analysis Into How Political Parties Squeeze Influential Lawmakers to Boost Campaign Coffers" (2017), available at <https://www.issueone.org/price-of-power/>.
- 3 Daniel P. Tokaji and Renata E. B. Strauss, "The New Soft Money: Outside Spending in Congressional Elections" (Columbus, OH: Moritz College of Law, 2014), p. 75, available at <http://moritzlaw.osu.edu/thenewsoftmoney/wp-content/uploads/sites/57/2014/06/the-new-soft-money-WEB.pdf>.
- 4 The Office of Government Ethics description of why conflicts of interest matter for government employees applies equally to members of Congress: "The public may lose confidence in the integrity of Government if it perceives that an employee's Government work is influenced by personal interests or by payments from an outside source." See, U.S. Office of Government Ethics, "Financial Conflicts of Interest," available at <https://www.oge.gov/web/oge.nsf/Financial+Conflicts+of+Interest> (last accessed November 2017).
- 5 John Wagner and Scott Clement, "It's just messed up: Most think political divisions as bad as Vietnam era, new poll shows," *The Washington Post*, October 28, 2017, available at https://www.washingtonpost.com/graphics/2017/national/democracy-poll/?utm_term=.74479d043415.