

Common Cause • Democracy 21 • Public Citizen • U.S. PIRG

**OPPOSE PENCE AMENDMENT TO COMMERCE, JUSTICE
APPROPRIATIONS BILL**

June 16, 2009

Dear Representative,

Representative Mike Pence (R-IN) is expected to offer an amendment to the Commerce, Justice, and Science Appropriations bill to prohibit funds in the bill from being used to enforce the Bipartisan Campaign Reform Act of 2002 (BCRA) provisions dealing with “electioneering communications.”

Our organizations strongly urge you to vote against this amendment. The organizations include Common Cause, Democracy 21, Public Citizen and U.S. PIRG.

The Pence amendment would prohibit the Justice Department from enforcing campaign finance provisions in BCRA that were upheld as constitutional by the Supreme Court in *McConnell v. FEC* and that were later narrowed in their scope and, as such, again upheld as constitutional *Wisconsin Right to Life v. FEC*.

Any argument that the “electioneering provisions” in BCRA are unconstitutional is flatly wrong.

It would be irresponsible and unjustifiable for Congress to prevent the Justice Department from enforcing an existing federal statute that is the law of the land and that has been upheld by the Supreme Court as constitutional. Yet, that is what the Pence amendment would do if it is enacted.

Congress should not arbitrarily and wrongly prevent the Justice Department from carrying out its law enforcement responsibilities.

Our organizations strongly urge you to vote against the Pence amendment which would prohibit the government from enforcing an existing federal law upheld by the Supreme Court.

Common Cause
Democracy 21

Public Citizen
U.S. PIRG