

# It's About (the) Time: Ending the Nonstop Campaign



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Members of Congress would be prohibited by new Congressional ethics rules from accepting campaign donations except during the calendar year of an election.

Somewhere in the last two decades, politicians began to believe that the way to win an electoral majority is not to prove that you can govern well, but to prove that you can campaign.

Today, politicians are caught in an ever-escalating, never-ending, 24-hour, 365-day campaign cycle dominated by the burden of raising enough money to wage a campaign creditably. For incumbents, the heft of a candidate's war chest is what keeps potential challengers at bay—which means that even the safest members need the insurance of a sizeable sum of cash on hand. And for every candidate, last quarter's results are just about the only proxy by which a candidate's viability is judged.

The constant horserace over money (not ideas) has taken its toll on the quality of governance. For example, the Rasmussen report released a poll in July finding that 85 percent of Americans view members of Congress as "just out for their own careers." Almost every poll finds Congress's approval rating in the single digits.

Second, serious debate about any issue—e.g., the federal budget or taxes—is virtually impossible because there is no "safe period" in which an issue can't be turned into a political football. Moreover, politicians simply have no time to devote to learning the arcana of policy. They are too busy attending fundraisers. As Republican freshman Richard Nugent said, "As soon as I got to Congress, people started asking me if I had started fund-raising," Nugent said. "I was amazed at that. It seems to me that a person ought to get some results first before you start getting too focused on re-election. Otherwise, what on earth are the voters sending you to Washington to do?"<sup>1</sup>

Rep. Lynn Westmoreland (R-Ga.) has bravely proposed a once-a-quarter fundraiser to lessen the burden of fundraising, both for him and for donors.<sup>2</sup> But for many members, including especially vulnerable moderates who must raise substantially more money than their safer counterparts in

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order to keep their seats (see our PPI memo, *The Centrist Premium*<sup>3</sup>), this kind of unilateral disarmament is tantamount to political suicide.

The best solution is one that both applies across the board and has as its goal to restore the ability of members of Congress to spend more time on governing than on fundraising. To that end, this memo proposes an off-year “fundraising quiet period” during which members of Congress would be forbidden by congressional ethics rules from accepting campaign donations except during the calendar year of an election.

Under this proposal, House members would enjoy a reprieve from fundraising the first year of each session of Congress, freeing them up to focus on their legislative work. For Senators, the fundraising quiet period would apply through the first four years of each six-year term, leaving the last two years to fundraise. Instituting this quiet period would dramatically change the landscape of Washington.

Here’s why it would work:

- **It’s constitutional.**

Since the Supreme Court’s decision in *Citizens United v. Federal Elections Commission* holding that corporate and union spending in candidate elections is protected as “free speech,” campaign finance reform efforts have hit a brick wall. This approach, however, would not limit the ability of anyone to give—it would simply restrict the ability of members to accept (much like the current rules limiting gifts). Moreover, the House and Senate ethics rules are not legislation—they are the rules by which members govern themselves.

- **It would be more effective than lowering donation limits or public funding at freeing up lawmakers’ time.**

The principal benefit to an off-year fundraising quiet period is that it would free up time for lawmakers to actually make laws. Lowering campaign limits or providing matching public funds would actually have the *opposite* effect.

The reason is that if contribution limits were lowered to, say \$100, members would be forced to spend even more time reaching thousands more people to give that \$100. In addition, small-donor strategies also tend to be base-driven strategies, which means that politicians would have to tack to the left or the right—and away from the pragmatic center—in order to win those donors.

- **Off-year fundraising doesn’t make or break candidates.**

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Among the 88 Republican freshmen who joined Congress this year, the average member of this group raised \$400,000 in the first six months of 2011, or \$2,222 a day, 7 days a week from January 1, 2011 to June 30, 2011.<sup>4</sup> As Politico pointed out, some members didn't even wait until they had been sworn in before they started raising money for elections 2 years away.<sup>5</sup>

But will all this fundraising give them a leg up in November 2012? Probably not. Much of the money raised during off years is in fact being wasted. The same group of 88 freshmen who raised an average of \$400,000 in the first six months of 2011 also spent an average of \$220,000 over the same time period. They didn't run any TV ads, hold rallies, or research opponents (they don't have any yet); rather, they spent the money raising money and netted an average of less than \$200,000 for their trouble—hardly a formidable amount.

An off-year fundraising period would not unduly disadvantage lawmakers against potential opponents, even in tough races. If anything, it might provide members the ability to insulate themselves from challenges by giving them the time to develop great ideas and deliver results to their constituents. In addition, any veteran of the political fundraising world knows that roughly half of the money that challengers raise doesn't come in until the last two to three months of a campaign.

Moreover, this proposal only limits the ability of members to accept contributions. It does not limit the member from going home to the district and holding town halls, knocking on doors, or contacting voters directly. In fact members may have more time to talk to constituents because this proposal would change the nature of fundraising. Rather than an endless series of smaller fundraisers, members will be more likely to return to the era of fewer events on a larger scale.

- **It would compress the primary calendar and reverse the arms race toward early primaries.**

If candidates can't accept money until the calendar year of an election, states will have more incentive to move their primaries later into the year (June, July or August), rather than compete with each other about who's on first. Early primaries mean that candidates must worry about potential challengers almost immediately after arriving in office. This means less time to learn policy, and propose ideas and more pressure to, you guessed it, fundraise. Early primaries also mean a lengthy period before the general election, which is both expensive and tiresome for both candidates and voters.

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A fundraising quiet period would help dramatically shorten the campaign cycle.

- **It would enable more independence from party leadership.**

Both parties require every member in their respective caucuses to contribute “dues” to the party leadership. Members unable or unwilling to give are typically punished (e.g. with bad committee assignments), while other members gain favor by raising money on behalf of other members. This system increases the pressure on members to fundraise—either they risk disfavor by failing to meet their dues or they fail to advance by not bringing in more money than other members.

A fundraising quiet period would limit these internal contests by essentially eliminating the dues requirements during the off-year. If candidates can’t ethically accept contributions, they will have nothing to give. As a consequence, members will also be free of the pressure from their party leadership that accompanies the current dues requirements.

Almost every member of Congress complains about the undue burdens of fundraising, and the dislike of fundraising is a big reason why many potential candidates being recruited to run for office say no.

An off-year fundraising quiet period would solve these problems and more. It would help free up countless hours for lawmakers to learn the intricacies of policy, develop new ideas, and perhaps even talk to each other. Although it falls short of the wholesale overhaul that campaign finance reform proponents want, it would achieve one of the central goals that campaign finance reform seeks: to bring governing back to politics and bring hope and credibility to the 113th Congress.

In the end, it’s about time.

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## Endnotes

<sup>1</sup> Tarini Parti, “GOP Freshmen Grapple with Early Money Chase,” OpenSecrets.org, July 20, 2011, <http://www.opensecrets.org/news/2011/07/gop-house-freshman-grapple.html>.

<sup>2</sup> Chris Frates, “The Once a Quarter Fundraiser?” *National Journal*, October 19, 2011, <http://influencealley.nationaljournal.com/2011/10/the-once-a-quarter-fundraiser.php>.

<sup>3</sup> Anne Kim, *The Centrist Premium: The High Cost of Moderation*, Progressive Policy Institute, August 18, 2011, <http://progressivefix.com/political-memo-the-centrist-premium-the-high-cost-of-moderation>

<sup>4</sup> Federal Elections Commission, *July Quarterly Candidate Reports*, July 2011, <http://www.fec.gov/>.

<sup>5</sup> <http://www.politico.com/news/stories/0111/48487.html>.

## About the Author

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