



## The Case for Limits on Campaign Expenditures

A powerful solution to the increasing dominance of money in American politics has remained largely off the public agenda for nearly 30 years—until now. The 1976 Supreme Court decision *Buckley v. Valeo*—which wrongly equated money with speech—has caused most lawmakers to shy away from enacting campaign spending limits. Now, exciting cases from the City of Albuquerque and the State of Vermont will give the Court the chance to revisit *Buckley* and open the door for spending limits.

This once-in-a-generation opportunity to convince the Court to revisit *Buckley* could put a golden arrow back in the quiver of those seeking to reduce the undue influence of money on U.S. elections. ***Reasonable limits on candidate campaign expenditures will:***

**Put the brakes on the fundraising arms race.** When 94% of the candidates who raise the most money win their races,<sup>i</sup> the cost of a modern campaign is simply MORE than one's opponent has raised. Nearly \$2.4 billion was spent on 2002 federal elections,<sup>ii</sup> and this presidential cycle candidates and parties are shattering records. The high cost of campaigns prices many grassroots candidates out of running competitively and ensures that successful office-seekers depend upon special interests and wealthy donors for large majorities of their financial support. Spending limits can end the fundraising arms race and eliminate the incentive for politicians to endlessly chase the next dollar.

**Level the playing field for grassroots candidates and challengers.** Elections should be contests of ideas, not battles for dollars. Spending limits benefit those with messages that resonate on a level playing field and prevent big money candidates from drowning out their opponents' voices. With a reasonable spending limit, candidates who run campaigns geared towards average Americans have a decent chance of remaining financially competitive with opponents backed by big money donors. Plus, spending limits can help challengers, who were out-raised nearly 7-1 by incumbents in 2002 U.S. House races.<sup>iii</sup> In fact, Albuquerque's spending limits have dramatically reduced incumbent re-election rates in mayoral elections.<sup>iv</sup>

**Increase public confidence in elections by preventing corruption and its appearance.** Campaign contributions are only valuable to candidates if they help ensure election. By leveling the playing field and ending the fundraising arms race, spending limits dramatically reduce the value of large campaign contributions to candidates, thereby reducing the opportunity for corruption and its appearance. Albuquerque citizens have reported substantially more confidence in local than national elections due to spending limits.<sup>v</sup>

**Enable candidates and elected officials to spend their valuable time with voters and conducting the people's business, not dialing for dollars.** In a system of unlimited campaign spending, fundraising is never done: the drive to out-raise one's opponent is endless. This distracts officials from public duties and encourages candidates to spend more time dialing for dollars from wealthy donors than interacting with average voters. Former Congressman Peter Kostmayer, discussing his brief Senate campaign, sums this up best:

Not only didn't I talk to voters, the only time I saw them was on the elevator in a Center City Philadelphia building on my way to an office where I dialed for dollars, nearly every day...I spent my days talking to people about money, money, money. That was my new world in 1999—very small, very narrow, and very rich.<sup>vi</sup>

**Stop millionaires from buying a seat in government.** In a democracy, no elected office should be up for sale to the highest bidder. Limiting campaign spending is the only policy that can halt the increasing "wealthy candidate" phenomenon.

**Complement other reforms such as public financing and low contribution limits.** Spending limits fit perfectly within a comprehensive, democratic campaign financing system. Spending limits provide candidates with greater incentive to opt into public financing systems and make these systems cheaper to operate (eliminating the need to match excessive spending of opt-out candidates); and spending limits combined with low contribution limits empower small donors and encourage maximum participation from average Americans in funding campaigns.

***Not surprisingly, campaign spending limits enjoy overwhelming public support, especially with citizens familiar with their effects. Albuquerque's limits were passed in 1974 with more than 90% public approval<sup>vii</sup> and a professional survey in 1998 recorded 87% support for the policy.<sup>viii</sup>***

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<sup>i</sup> U.S. PIRG Education Fund, “The Role of Money in the 2002 Congressional Elections,” 14 (2003).

<sup>ii</sup> *Id.* at 8

<sup>iii</sup> *Id.* at 32

<sup>iv</sup> Anthony Gierzynski, Ph.D., Albuquerque Election Financing: An Analysis, at 6.

<sup>v</sup> Public Perceptions of Campaign Spending Limits: Findings from a Survey of 400 Registered Voters in the City of Albuquerque, New Mexico, August 1998, at 3, 5.

<sup>vi</sup> Peter H. Kostmayer, “Money turned this pol into a telemarketer,” *Philadelphia Inquirer*,

<sup>vii</sup> “Election Code, Code of Ethics Win Approval,” *Albuquerque Journal*, February 27, 1974, A1.

<sup>viii</sup> Public Perceptions of Campaign Spending Limits: Findings from a Survey of 400 Registered Voters in the City of Albuquerque, New Mexico, August 1998, at 8.