

**Prepared Testimony of Lee E. Goodman  
United States Senate  
Committee on Rules and Administration  
July 24, 2013**

Mr. Chairman, Ranking Member Roberts, and distinguished Members of the Committee, it is an honor to appear before you as President Obama's nominee to serve as a Commissioner on the Federal Election Commission. I appreciate Senator McConnell's recommendation of me and the President's decision to nominate me.

First, I would like to introduce my family. My wife, Paige, has taught civics in Virginia public schools for over 20 years and she can advise you that the next generation tunes into Jon Stewart for their world news, not CNN. My daughter, Piper, is a whiz in Latin, and my son, Kemper, is a little league all-star catcher.

When I was a college student in the 1980s, my professor Larry Sabato lectured one refrain above all others, that "Politics is a good thing." In the 25 years since that time, I have been involved in politics at every level. I have worked as a campaign staffer, policy advisor to a governor and state attorney general, and lawyer for political parties and candidates from school board to president. I have represented primarily Republicans, and I have represented Democrats too. I have represented diverse ideological organizations—conservative, progressive, libertarian, non-partisan, and the media. I have worked with the many people who comprise state and local political parties—retired citizens, school teachers, business people, homemakers, farmers, college students—people from all walks of life. I recently observed over 8,000 citizens from across a state come together for a convention—remarkably one of the largest deliberative parliamentary bodies ever convened anywhere—and stay until 11 o'clock at night, through four rounds of ballots, to vote for a candidate of their choice.

As elected officials, you know these people too, and because democracy is your life's work, I know how much you appreciate their devotion to civic engagement and the democratic life of our country.

My experience with citizens from all walks of life, and organizations and candidates of varied political stripes, has instilled in me a deep and abiding respect for the American democratic process and the virtue of the people who engage in it. I have come to the fundamental belief that American politics is indeed a good thing.

In the early 1970s, Congress passed the Federal Election Campaign Act and established the Federal Election Commission and vested the Commission with jurisdiction over civil enforcement of the Act. Congress also empowered the Commission to formulate policy implementing the Act, principally through regulations and advisory opinions. And Congress tasked the Commission to act as a clearinghouse for campaign finance reports and to promote compliance with the law.

Since its establishment, the Commission's enforcement and policymaking roles have been clear. But balancing regulation of politics to prevent corruption, on the one hand, with First Amendment protection for citizen speech and civic engagement, on the other, often has proved a complicated enterprise—for Congress, courts, and the Commission. The tension between these values is what makes the Commission's work both challenging and profound.

If the Senate confirms my nomination, I will undertake the profound responsibility of balancing these democratic values with several guiding principles in mind.

First, the Commission must address legal and factual questions without partisan bias.

Second, the Commission's procedures must be fair to the people it regulates.

Third, the Commission's regulations must be clear. Citizens who exercise First Amendment rights need and deserve clear rules.

Fourth, the Commission must help people comply. Many people involved in grassroots politics simply cannot afford to employ lawyers to guide them through complex regulations.

And fifth, I will endeavor to serve ethically, with integrity, and with civility toward my colleagues.

In conclusion, it would be an honor to serve as a Commissioner on the Federal Election Commission. I hope it is the judgment of this Committee and the Senate to confirm my nomination. Thank you and I am happy to answer any questions.

-end-

## Lee E. Goodman

### Professional Experience

LeClairRyan, a Professional Corporation, Washington, DC, Partner	2005-Present
Wiley, Rein & Fielding LLP, Washington, DC, Of Counsel	2002-2005
Office of the Governor of Virginia, Richmond, VA, Deputy Counselor to the Governor & Deputy Policy Director	1998-2002
Office of the Governor-elect of Virginia, Richmond, VA, Deputy Director	1997-1998
Jim Gilmore for Governor Committee, Richmond, VA, Policy Director	1997
Office of the Attorney General of Virginia, Richmond, VA, Counsel to the Attorney General	1997
Office of the General Counsel of the University of Virginia, Charlottesville, VA, Special Assistant Attorney General & Associate General Counsel	1995-1996
Wiley, Rein & Fielding LLP, Washington, DC, Associate Attorney	1990-1995
Fund for America's Future, Washington, DC, Research Analyst	1986-1987

### Publications

- "The Internet: The Promise of Democratization of American Politics," Chapter 3 in M. Streb, *Law and Election Politics, The Rules of the Game* (2<sup>nd</sup> ed.) (Routledge 2013)
- "The Internet: Democracy Goes Online," Chapter 7 in M. Streb, *Law and Election Politics, The Rules of the Game* (Lynne Rienner Publishers 2004)
- "Citizens United at Age One," *University of Virginia Journal of Law and Politics*, Vol. XXVI, No. 4 (Summer 2011)
- "On Coretta Scott King," *Richmond Times-Dispatch* (Jan. 15, 2005)
- "Swift Boat Democracy & The New American Campaign Finance Regime," *Engage* (Federalist Society, October 2004)
- "Does Your State Tax Access to the Internet? *Did You Vote for That?*" *ALEC Policy Forum* (American Legislative Exchange Council, Winter 2004)
- "Campaigns and Elections: Corporate Political Involvement," *ACC Docket* (Association of Corporate Counsel, November/December 2003)
- "National Sales Tax Reform Raises New Customer Privacy Issues," *The Metropolitan Corporate Counsel* (July 10, 2002)

### Education

Juris Doctor, University of Virginia School of Law	1990
Bachelor of Arts with highest distinction, University of Virginia	1986