

**HEARING—NOMINATIONS OF ANN M. RAVEL  
AND LEE E. GOODMAN TO BE MEMBERS  
OF THE FEDERAL ELECTION COMMISSION**

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**WEDNESDAY, JULY 24, 2013**

UNITED STATES SENATE,  
COMMITTEE ON RULES AND ADMINISTRATION,  
*Washington, DC.*

The committee met, pursuant to notice, at 10:06 a.m., in Room SR-301, Russell Senate Office Building, Hon. Charles E. Schumer, Chairman of the committee, presiding.

**Present:** Senators Schumer, Durbin, Udall, King, Roberts, Cochran, and Blunt.

**Staff Present:** Jean Bordewich, Staff Director; Kelly Fado, Deputy Staff Director; Stacy Ettinger, Chief Counsel; Ellen Zeng, Elections Counsel; Sharon Larimer, Assistant to the Staff Director; Abbie Sorrendino, Professional Staff; Nicole Tatz, Legislative Correspondent; Matthew McGowan, Professional Staff; Adam Topper, Staff Assistant; Mary Suit Jones, Republican Staff Director; Shaun Parkin, Republican Deputy Staff Director; Paul Vinovich, Republican Chief Counsel; Sarah Little, Communications Director; Trish Kent, Republican Professional Staff; and Rachel Creviston, Republican Professional Staff.

**OPENING STATEMENT OF CHAIRMAN SCHUMER**

Chairman SCHUMER. Now we will begin for two nominees to the Federal Election Commission. I ask the witnesses to please take their seats at the table, and on today's agenda is the consideration of nominations of Mr. Lee Goodman and Ms. Ann Ravel to be members of the FEC, Federal Election Commission. Before anyone suggests that I might have overlooked the common courtesy of ladies before gentlemen, we have introduced the nominees in alphabetical order for simplicity's sake. So, Mr. Goodman and Ms. Ravel, I would very much like to welcome you here today, congratulate you on your nomination.

Mr. Goodman, I understand you are accompanied by your family members, your wife, Paige Pippin, your daughter, Piper, and your son, Kemper. Maybe they can stand so we can say hello. It is such a nice family.

[Applause.]

Chairman SCHUMER. Thank you. And I know the three of you are proud of your husband and dad, so thanks for coming.

Ms. Ravel, I understand you, too, have brought family and friends your husband, Steve Ravel, your son and daughter-in-law, Gabriel Ravel and Katie Marcellus Ravel, your daughter, Shana Ravel, and your good friend, Elaine Mielke, and they are a very nice family and friends, too, so will you please stand so we can recognize you and thank you for coming.

[Applause.]

Chairman SCHUMER. Thank you.

I also want to welcome FEC Chair Ellen Weintraub and Commissioner Caroline Hunter, along with FEC Director Alec Palmer. Thank you all for coming, and since you do not have your adorable families with you, we are not going to ask you to stand, although I know they are adorable.

[Laughter.]

Chairman SCHUMER. The nomination of new Federal Election Commission members comes at a critical juncture. Originally envisioned as an independent Federal watchdog agency, the FEC of today seems to be stuck in its own version of partisan gridlock. As we know, by law, no more than three Commissioners can be members of the same political party and at least four votes are required for any Commission action. This structure was encouraged to create nonpartisan decisions. We also recognize that three-three deadlock votes are not always unexpected.

The problem, however, is in recent years, deadlock votes are occurring with increasing frequency, and as a result, enforcement of existing campaign finance laws is down significantly. Violators may go unpunished. Others may be emboldened to cross the line on our campaign finance laws and rules, and that is unacceptable. So, at a time when the amount of money in politics, as Senator Udall ably noted, is reaching new highs, we must have a functioning FEC.

The Commission is designed to play a critical role in our campaign finance system. Almost 40 years ago, Congress created the FEC to administer and enforce the Federal Election Campaign Act, and that is the law that governs the financing of Federal elections. The agency is tasked with investigating and stopping financial campaign abuses. It also ensures disclosure of legally mandated campaign finance information, and it audits campaigns and organizations to ensure compliance with our nation's laws as enacted by Congress and interpreted by the courts. The search for compromise on each of these functions, we know, is difficult, but it is worth the effort.

I am encouraged by the nomination of two well-qualified candidates testifying before the committee. Your experience with campaign finance issues suggests that both of you have the ability to find workable compromises. I hope to hear from both of you that you also have the will and desire to do so.

I strongly urge both nominees to work diligently to restore the role of the Federal Election Commission as a fully functioning independent Federal watchdog for the nation's campaign finance laws. It is my hope you will work together with your FEC colleagues to find common ground and that the FEC will move past the current partisan gridlock. With that, let me turn to Senator Roberts for an opening statement, if he wishes to make one.

#### **OPENING STATEMENT OF SENATOR ROBERTS**

Senator ROBERTS. Thank you, Mr. Chairman, and thank you for calling this hearing.

We do have with us today two very well qualified nominees before us. I have to apologize to both. I know we were to have a personal visit, a courtesy call, and unfortunately, things did not work that way with votes. We had the Bob Dole 90th birthday celebration last night, which took a lot of preparation, but at any rate, I

apologize for that. But you have both answered the questions that I submitted to you and I really appreciate that.

Each brings an impressive legal background, Mr. Chairman, as you have said, in the field of election law. And in their prepared remarks, they each have expressed a commitment to follow exactly your admonition, Mr. Chairman, to follow the law, administer the campaign laws in a nonpartisan way. No party can have a majority on the FEC. This does require each party to work with the other for the Commission to act. It prevents either party from using the Commission to target and harass any political opponent. It compels collaboration and allows the public and the regulated community to have confidence that regulations will be developed and complaints considered by a panel that neither party controls. Critics of the FEC frequently claim it has been designed to fail. I understand that, but I think the critics are wrong. The FEC is not designed to fail. It is designed to prevent abuse. That can only be assured when each party has an equal voice in its decisions. I hope the nominees before us today will recognize that for the Commission to function, they must work together to achieve consensus, a tough job.

Should they be confirmed, they will be joining a Commission that is now grappling with many important issues. Their decisions will impact our citizens' ability to exercise fundamental constitutional rights, the rights to speak and to participate in our democratic process. I hope they will approach that task with the seriousness it deserves. I am sure they will. I look forward to hearing their remarks.

Thank you, Mr. Chairman.

Chairman SCHUMER. Thank you, Senator Roberts.  
Senator Udall.

#### **OPENING STATEMENT OF SENATOR UDALL**

Senator UDALL. Thank you very much, Chairman Schumer. Mr. Chairman, we really appreciate you holding this hearing today. As you know, I am a strong supporter of reforming our campaign finance system. I believe one important step is to have a functioning FEC where all six seats are filled with Commissioners in terms that have not expired. Regrettably, that has not been the case for quite a while. I hope we can begin to change that with today's hearings.

Comprehensive campaign finance reform is crucial to our democracy, but at the very least, we need to make sure that the FEC is enforcing the laws that are on the books. Unfortunately, recent Supreme Court decisions have gutted many of those laws and we have seen the devastating impact on our elections. In the Republican Presidential primaries alone last year, super PACs spent over \$100 million. More than half of that was for negative TV ads, further poisoning our political process, by groups that did not even have to say who was paying for all that venom. By billionaires hiding in dark corners with checkbooks open.

The Supreme Court laid the groundwork for this broken system in 1976 with *Buckley v. Valeo*. Ruling that a restriction on independent campaign spending violated the First Amendment right to free speech. In effect, it said money and free speech were the same

thing. I do not think we can truly fix this broken system until we undo that false premise.

That is why I have again introduced a constitutional amendment. We need to overturn Buckley and the subsequent decisions that relied on it. We have also tried to pass more modest reforms, such as Senator Whitehouse's Disclose Act. That bill had 40 co-sponsors but could not overcome a filibuster last year.

Campaign finance reform historically has been a bipartisan issue. I hope it will be again. In the meantime, the FEC has a vital role to play by diligently enforcing existing laws, and I welcome our nominees and look forward to hearing their testimony today.

Thank you very much, Chairman Schumer.

Chairman SCHUMER. Thank you, Senator Udall.

Senator Cochran.

#### **OPENING STATEMENT OF SENATOR COCHRAN**

Senator COCHRAN. Mr. Chairman, I am pleased to join you and the other members of the committee in welcoming the witnesses and am looking forward to our discussion at the hearing.

Thank you.

Chairman SCHUMER. Thank you, Senator Cochran.

Senator King.

Senator KING. No statement, Mr. Chairman.

Chairman SCHUMER. Senator Blunt.

#### **OPENING STATEMENT OF SENATOR BLUNT**

Senator BLUNT. Mr. Chairman, for eight years, I was the Secretary of State in Missouri, which is the chief election official in our State. We dealt with the FEC often and with good results during that period of time. I am glad to see these two individuals with strong backgrounds. An FEC that can meet the hopes of the organization when it was formed is something I think we have not accomplished yet. I'm hopeful with the addition of these two new people, we will get a step closer to making the FEC the functioning and refereeing group we hoped it would be when it was created.

I am glad to be here. Thank you for having this hearing today.

Chairman SCHUMER. Thank you, Senator Blunt.

And now, since we have more than two members here, we can swear the witnesses in, so will the witnesses please rise and raise their right hand.

Do you swear that the testimony you are to provide is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOODMAN. I do.

Ms. RAVEL. I do.

Chairman SCHUMER. Please be seated.

We will now hear from our nominees in alphabetical order. First, Mr. Goodman, and then Ms. Ravel. Your entire statements will be read into the record, so if you can limit your statements to five minutes, we would appreciate it.

Before Mr. Goodman begins, I want to thank a member of this committee, Senator Feinstein, who could not be here this morning but submitted a statement in support of Ms. Ravel.

[The prepared statement of Senator Feinstein inserted for the record:]

Chairman SCHUMER. I also want to express my appreciation for the letters of support for Mr. Goodman and Ms. Ravel sent in by colleagues and friends, so without objection, I will ask Senator Feinstein's statement and letters of support be included in the record.

Chairman SCHUMER. Mr. Goodman, you may proceed.

**TESTIMONY OF LEE E. GOODMAN, OF VIRGINIA, NOMINATED  
TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION  
FOR A TERM ENDING APRIL 30, 2015**

Mr. GOODMAN. Thank you, Chairman Schumer, Ranking Member Roberts, and distinguished members of the committee. It is an honor to be President Obama's nominee for the Federal Election Commission. I appreciate Senator McConnell's recommendation of me to the President and the decision of the President to nominate me.

If you will indulge me, Senator Schumer, thank you for recognizing my family. I would like to introduce them myself with a little bit more detail. My wife, Paige, has been a public schoolteacher. She teaches civics in Albemarle County, Virginia, for over 20 years and she is a high school volleyball coach.

My daughter, Piper, is a soccer and a volleyball player and she gets all As in Latin, which she started taking in the fifth grade.

And my son, Kemper—we often call him Kemp after my favorite politician of the 20th century—he is a Little League all-star catcher. He is a goalie in soccer, and he loves Charles Dickens novels, especially *Oliver Twist* and *Pip* and *Great Expectations*.

My wife and I met at the University of Virginia in the 1980s. We both were government majors. We both took classes from Larry Sabato, a rather renowned political scientist who, above all things, taught me a refrain, and it is on a bumper sticker on our car now and it says, "Politics is a good thing."

I got involved in politics about 25 years ago upon graduation, and since that time, I have worked in politics at virtually all levels of politics. I have been a policy and legal advisor to a Governor and a State Attorney General. I have been a campaign staffer. My first job out of college was working for Vice President Bush's Political Action Committee, the Fund for America's Future. And I have been a lawyer for political party committees and for campaigns, from school board members all the way to Presidential campaigns.

And probably the most influential role I have played in politics is being a legal counsel to State and local political parties, where I have seen citizens from all walks of life come together to participate in our democratic process. And I know that you know these people. They are the people who knock on doors for you. They are the people who call. They are the people who put signs in their yards. They are the people who give you contributions.

And what I can tell you from my experience and over 25 years of involvement in politics is that I have a deep and abiding respect for our American democratic process and respect in the virtue of the people who engage in civic participation. And so I have come to know what Larry Sabato taught me over 25 years ago, that politics is indeed a good thing.

Now, to keep it a good thing, Congress created the Federal Election Commission. Senator Schumer, you summarized the history of the Federal Election Commission quite appropriately. But the difficulty that has arisen and permeated this field over the years has been the delicate balancing between the regulation of politics to prevent corruption of it on the one hand and the protection of the First Amendment rights of the citizens who participate in our political process on the other. And this has proved a complicated enterprise, not just at the Commission, but for this Congress and for the courts who have dealt with these issues.

If the Senate confirms my nomination, I commit to you that I will undertake this balancing role, of balancing First Amendment protections against protection of the political system against corruption, with several guiding principles in mind.

First, the Commission must address legal and factual questions without partisan bias. I have represented both Democratic interests and Republican interests in my professional career.

Second, the Commission's procedures must be fair.

Third, the Commission's regulations must be clear. Many grassroots organizations cannot afford to hire lawyers to guide them through a complex set of regulations.

Fourth, the Commission must fulfill its role to help people comply.

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

In conclusion, it would be an honor to serve as a Commissioner on the Federal Election Commission. I hope it is the pleasure of this committee and the Senate to confirm my nomination, and I look forward to answering any questions.

[The prepared statement of Mr. Goodman submitted for the record:]

Chairman SCHUMER. You are a very precise man. You ended at exactly five minutes to the second.

[Laughter.]

Chairman SCHUMER. Ms. Ravel.

**TESTIMONY OF ANN MILLER RAVEL, OF CALIFORNIA, NOMINATED TO BE A MEMBER OF THE FEDERAL ELECTION COMMISSION FOR A TERM EXPIRING APRIL 30, 2017**

Ms. RAVEL. Chairman Schumer, Ranking Member Roberts, and distinguished members of the Senate Committee on Rules and Administration, I am very grateful to you for scheduling this hearing to consider my nomination to serve on the Federal Election Commission, and I also want to express my deep appreciation to Senator Feinstein for her letter of support and to President Obama for his confidence.

I know you introduced my family that is here today, but I do have some family and friends watching in California very early in the morning and I would like to mention them, as well. My older son, Aaron, and his wife, Simone, and my gorgeous granddaughter, two-and-a-half years old, Sofia, are at home, as well as my brother, Paul Miller, his wife, Beth, and also my great staff at the California Fair Political Practices Commission, who got up at seven to go to the office to watch this.

It is truly an honor and a privilege for me to be here today. I know, having lived in Latin America most of my life, how important it is to live in a country in which the government is truly a representative one and in which every citizen has the opportunity to take part in the governing process.

I am the child of two orphans, both of whom grew up in poverty. They would have been so proud to see their daughter here today sitting in this beautiful chambers as a Presidential nominee to the FEC. My parents forever instilled in me a devotion to democratic values and public service.

Through hard work and the opportunities that were afforded to him, my father was able to obtain a Ph.D. and ultimately become a professor. My mother was an immigrant from Latin America when they married and when she became a naturalized citizen, her proudest moment and the proudest thing in her life was that she could vote in this country and participate in the public political process.

My parents always stressed to me the importance of engaged participation in our representative democracy. Throughout my career, I have endeavored to fulfill that charge. I have worked at every level of government, as County Counsel, and I was there—I hate to admit this—32 years, and after that at the—as a Deputy Assistant Attorney General in the Department of Justice, then the California Fair Political Practices Commission. I have devoted decades to independently analyzing, adhering to the language and intent of statutory and case law, and writing and interpreting regulations consistent with law.

As Chair of the FPPC, to your point, Senator Roberts, I have undertaken an overhaul of complex and sometimes contradictory regulatory scheme to ensure that the regulations support the law which was enacted by the public, to make sure that everything is consistent with the original intent of the law.

While at the Department of Justice, I helped to develop a regulatory structure to ensure that legislation that provided compensation to the first responders of 9/11 was properly implemented. I met with interested parties, listened to their concerns, analyzed the law, and worked to build consensus among stakeholders, particularly consensus that was consistent with Congress' intent that was enshrined in the legislation.

Throughout my career, I have worked very hard to build consensus and interpret and apply the law in a neutral and evenhanded manner. As County Counsel, I served a politically diverse board, and yet my advice was always, above all, clear, unbiased, and honest, and the same at the FPPC. I have worked with a very politically diverse board and have always achieved consensus.

If concern—well, thank you very much. Thank you for the invitation to appear, and I am happy to answer any questions.

[The prepared statement of Ms. Ravel was submitted for the record.]

Chairman SCHUMER. Mr. Goodman has set the model of preciseness—

Ms. RAVEL. Yes, he did. He did.

[Laughter.]

Chairman SCHUMER [continuing]. Which you ably followed. Okay.

Well, let me ask the first round of questions here, and we are going to try to limit the questioning to five minutes per member. So these questions are for both nominees.

As I mentioned in my statement, I am extremely concerned about the FEC's failure in recent years to enforce existing campaign finance laws and rules. What actions would you take as an FEC Commissioner to ensure effective enforcement of campaign finance laws? So, first, Mr. Goodman, then Ms. Ravel.

Mr. GOODMAN. Well, Senator, as I mentioned in my opening remarks, I am committed to enforcement of the Act as written by Congress and I am committed to nonpartisan enforcement of the Act. I do not intend to call balls and strikes one way for one party and another way for a different party.

As far as the experience that the FEC has undergone in recent years on an increasing number of three-three splits, I do not know what the number of those is. I have read some studies that indicate that approximately—in approximately 15 percent of the cases, the Commission appears to be splitting three-three. Now, we need to look at that as somewhat glass half full. That means in 85 percent of the time, the Commission is in agreement and there is consensus. One of the reasons why the Commission was built to be three-three was so that there would be some consensus requirement between the parties in enforcement decisions.

I think one reason we have been seeing an increase in three-three splits in recent years is not necessarily because of obstruction but because the law has been changing at a rapid pace. Just in the last ten years, from the passage of the bipartisan Campaign Finance Act and the McConnell, the FEC decision, we then saw changes in the law as applied challenges in Wisconsin Right to Life. We then saw Citizens United and we have seen several important decisions that have altered the First Amendment jurisprudence in this area out of the U.S. Court of Appeals in the District of Columbia, particularly in the case of Emily's List and then a case following up on Citizens United called Speech Now.

And the changing First Amendment landscape, I think, has given rise to, in some cases, honest disagreements, and the Commission is trying to find its way in the wake of those decisions.

Now, I am committed to making the FEC functional, working for compromise, working in a nonpartisan way, but I believe we do have to understand the three-three splits in that broader context.

Chairman SCHUMER. Ms. Ravel.

Ms. RAVEL. Thank you, Mr. Chairman. The purpose of the FEC is clearly to instill confidence in the public in the political system, and one of the mechanisms for doing that is enforcement of our campaign finance laws. And I think that the public perception now is that because of some of the stalemate and the difficulty of reaching agreement at the Commission, that those campaign finance laws have not been enforced sufficiently.

I would commit, and I think this is a very important thing to the public, they expect the law to be followed as was promulgated by Congress and their intent, so I will commit, understanding, of course, that there are constitutional First Amendment issues that need to be observed and concerned about, but I will commit to work very closely with my fellow nominee if we are, in fact, confirmed

together, and the rest of the Commission, to work very assiduously at enforcing those laws.

Chairman SCHUMER. My time has expired, so Senator Roberts.

Senator ROBERTS. Well, thank you, Mr. Chairman, and Piper, I am very impressed with your five year commitment to Latin. I had to take Latin.

[Laughter.]

Senator ROBERTS. I think my comments indicate that was not my desire. My dad told me that if I took Latin, I would fully understand—better understand the English language. I said, it is a dead language, and if I had put the amount of time that I had to study in Latin on English, I would get As in English.

[Laughter.]

Senator ROBERTS. I had to take Latin.

[Laughter.]

Senator ROBERTS. Dale Kildee, a former member of the House of Representatives, was a Latin teacher, and every time I would walk down the aisle to see Dale again in the House, he would say, “Mica, mica, parva stella. Miror quatenam sis tam bella,” which you know is “Twinkle, twinkle, little star.”

[Laughter.]

Senator ROBERTS. It is the only thing I remember, so I wanted to commend you for that.

All right. One of the questions I sent to the witnesses prior to the hearings, and Ms. Ravel addressed some of the statements that reflect my concern, I really appreciate the commitment that you have expressed to not prejudge matters that may come before the FEC. Here is my problem, or my real issue of concern.

The mere filing of a complaint, even a specious one, will generate news coverage. That is just what happens. A political opponent can then point to the complaint as if it is somehow evidence of wrongdoing. Senator so-and-so has been accused of, and you know the rest of it, as if the accusation itself somehow reflects poorly on the subject of the complaint. It is very important, it seems to me, that FEC Commissioners withhold judgment on complaints and not publicly comment on them, even though all the pressure from the Fourth Estate, until the parties have had a chance to respond and all the facts are in. I am assuming you would both agree. Just nod your heads.

Mr. GOODMAN. I do.

Ms. RAVEL. Yes.

Senator ROBERTS. I will, something like that.

Ms. RAVEL. Yes.

Senator ROBERTS. All right. So, I have your commitment that you will withhold judgment and comment while complaints are being investigated, and I also want to ask how we treat Internet communications. I understand that in California, and by the way, Ms. Ravel, thank you for giving the Chairman, myself, all members of the committee more California exposure than we have ever had—

[Laughter.]

Senator ROBERTS. But at any rate, I understand in California, where everything happens first, there is some consideration of a regulation that would cover bloggers, requiring them to disclose if they have received payments from campaigns. Now, we debated

this in Congress a couple years ago. Our Majority Leader, Senator Reid, actually introduced a bill to exempt Internet communications from regulation. The FEC ultimately adopted a regulation that covered only Internet communications that are placed on another person's site for a fee.

My question to you, ma'am, is how far are we going to take this full disclosure idea? Do we really need to start regulating bloggers, or for that matter, texters or tweeters or any other form of communication that is so popular today? Are new Internet regulations needed?

Ms. RAVEL. Thank you very much for the question, Senator Roberts. The California rule that is being proposed, and it has not yet been adopted by the Commission, does not regulate bloggers. It regulates the committees that are already regulated under our laws, and that regulation that is being proposed, and it is actually going to be heard in our August meeting of the Commission, requires committees to explain with specificity all payments that are being made to organizations and other groups for their political purposes, which is consistent with what is already being done in California. It is merely explaining more specificity with respect to Internet communications, and it does not apply to tweeting or other such events that are done on the Internet.

Senator ROBERTS. I am an old newspaper man. I should have said, I am a newspaper man.

[Laughter.]

Chairman SCHUMER. Former.

Senator ROBERTS. Former newspaper man. Former. Former. Thank you, Mr. Chairman.

The First Amendment covers journalists.

Ms. RAVEL. Correct.

Senator ROBERTS. Is a blogger a journalist?

Ms. RAVEL. Well, there is some question about that, but most journalists—most newspapers do not get paid for political opinions that are placed in them, say, in their editorials—

Senator ROBERTS. Well, you have to have an awful lot of online connection to the newspapers, who are getting smaller and smaller and they are having a very difficult time to monetize the product. I just wonder if, in fact—I went to journalism school. We paid attention to the canons of journalism that were issued by the University of Missouri some time ago. I doubt if any blogger does that, any common blogger, whatever that means.

And that really gets to my question. How do you define a journalist today? Is it a blogger? Is it a tweeter, a texter, and so forth? And some of the blogs are extremely popular, as you know. And some, I think, would like to be considered as journalists. That is an open question.

Ms. RAVEL. Right.

Senator ROBERTS. I do not know what the answer is.

Ms. RAVEL. I agree with you. I do not think that it is a simple question, and I have relied on counsel for their analysis in this matter. But, as I said, we have received public comment. We will receive more public comment at the meeting that we are having to discuss this issue—

Senator ROBERTS. Right.

Ms. RAVEL. and so there is no decision that has been made.

Senator ROBERTS. I appreciate that. Mr. Chairman, I am over a minute-twelve, so we will have to call on Mr. Goodman to give me more time back.

Chairman SCHUMER. No, no, he used exactly the right amount.

Senator ROBERTS. That is my point.

[Laughter.]

Chairman SCHUMER. Senator Udall, would you like to ask some questions?

Senator UDALL. Thank you, Mr. Chairman.

Mr. Goodman, there was an editorial recently in the Washington Post, on July 14, that said, and I quote, "Fundamentally, the Republican Commissioners seem not to believe in the campaign finance laws that Congress has passed and that they are bound to enforce," and that is the end of the quote. I would ask, Mr. Chairman, that that editorial be put into the record.

[The information of Senator Udall submitted for the record:]

Chairman SCHUMER. Without objection.

Senator UDALL. Can we receive your commitment that, if confirmed, you will fully enforce all existing campaign finance laws and FEC regulations, even if you have personal opposition to a law or FEC regulation?

Mr. GOODMAN. Yes, Senator, you can. I undertake this post with the solemnity of knowing that it is a law enforcement post. I would not undertake it with any intent to subterfuge the law that I am agreeing to enforce.

Senator UDALL. And are there any existing campaign finance laws that you think should be repealed or not enforced, and if so, which ones and why?

Mr. GOODMAN. Well, Senator Roberts addressed some questions to Chairman Ravel and to me that gave some examples of some that should be repealed, and those were the ones that were squarely and unequivocally held to be unconstitutional by the Supreme Court in the Citizens United decision. So, for example, if you look in the U.S. Code, and you can look in the Code of Federal Regulations today, three years after the Supreme Court ruled in Citizens United, and you can see in 11 CFR Section 114.2(b) an express prohibition against labor unions and corporations from spending money to make independent expenditures. There is a law that says they cannot spend their treasury funds to expressly advocate to the public the election or defeat of any candidate. That regulation, that rule of law, was held unconstitutional in Citizens United.

It has historically been the practice of the Commission to eliminate regulations that have been held unconstitutional, even by courts lower than the Supreme Court. So, for example, when the U.S. Court of Appeals for the District of Columbia ruled three regulations to be unconstitutional and to exceed the Act in a case brought by Emily's List, the Commission thereafter repealed those three regulations.

So that would be a case where I would feel prohibited by the ruling of the Supreme Court from enforcing a law that is still on the books.

Senator UDALL. The unfortunate thing about the Citizens United ruling, in my opinion, is that we have now, and the following

Speech Now ruling, is that we have now reached the point with that ruling that corporate treasuries are now in play in terms of campaign finance. And so, just to pick one corporation, ExxonMobil has \$81 billion in its corporate treasury that now can go into the campaign system. As you know, in the last election, both the President and all the other Federal officials spent about \$6 billion. So this is a huge amount of money flooding into the system, and I think it corrupts the system. So we are going to have to deal with that ruling. I have a constitutional amendment to deal with that, but you are also going to have to deal with that as an FEC Commissioner.

The New York Times recently published an editorial titled, "Sabotage at the Election Commission." I would ask that that editorial, Mr. Chairman, also be included in the record.

[The information of Senator Udall submitted for the record:]

Chairman SCHUMER. Without objection.

Senator UDALL. The editorial opposed efforts to take advantage of a temporary three-to-two Republican majority on the FEC to change the agency's enforcement rules, including how DOJ and the FEC can communicate. What is your opinion of the proposed changes to the FEC Enforcement Manual to change how DOJ and FEC can communicate? Do you think the Commission should attempt to make substantial changes when there are only five Commissioners with nominees pending Senate confirmation? And I would ask you both to answer that.

Mr. GOODMAN. Senator, I will have to defer judgment on the substance of the manual because there is a long history, there is a longstanding Memorandum of Understanding between the FEC and the Department of Justice that I have not been privy to. I have not read the extant manual and my knowledge of it is essentially what I have read in the New York Times and other publications.

What I would want to be apprised of is the substance of the historical MOU, historical practice within the Commission, and I would also want to be apprised of some things I have read in the newspaper about whether or not the General Counsel's Office in the Federal Election Commission has been keeping the Commission, its client, apprised of communications with the Department of Justice, before I came to a definitive substantive position on how that Enforcement Manual should be changed, if at all.

Senator UDALL. Thank you.

Ms. RAVEL. Thank you, Senator Udall. I have some of the same concerns and views that Mr. Goodman has with respect to this issue. While I have read the articles in the newspaper, I do not know sufficient information relating to the Enforcement Manual and the rules of the FEC with regard to voting and what is appropriate in this particular matter. So I would hesitate to make a commitment or a judgment at this moment.

I would say that at the FPPC, we worked on the case involving a theft of a lot of money from 300 committees in California by the treasurer and we worked closely with DOJ and with the FBI on that matter because a couple Federal candidates were subjects of that fraud and that theft. So it would be important to me to see what the issues are in this case because I have had some experience in this and think that it worked out very well for California.

Senator UDALL. Thank you both very much, and we look forward to you sorting out this dysfunctional FEC.

Chairman SCHUMER. Thank you, Senator Udall.

Senator Cochran.

Senator COCHRAN. Thank you very much, Mr. Chairman.

Let me ask the witnesses about a filing requirement of the Campaign Disclosure Parity Act. I am a sponsor of an amendment that we were considering offering to this bill that would be equivalent to the Campaign Disclosure Parity Act, S. 375. I was a cosponsor with other Senators of this bill and it deals with the filing of the finance reports directly with the FEC. Currently, Senators file their reports with the Secretary of the Senate, and the procedure, as I understand it, is printing of the report and distributing it to the members of the FEC and others, and I am told that eliminating this extra step would save up to \$500,000 a year and provide greater transparency in the campaign finance disclosure process.

I am curious to know whether you think that is a good idea, to support that change, or not. Ms. Ravel.

Ms. RAVEL. Thank you very much, Senator Cochran. I am a very strong advocate of e-filing and working very hard to do that in California, and I do understand that it saves time, it saves a lot of money for the agency, and also gives greater transparency to the public, which is one of the core reasons for the existence of the FEC.

However, of course, whatever it is that Congress determines is what, if I were confirmed, I would implement.

Senator COCHRAN. Mr. Goodman.

Mr. GOODMAN. Senator, I certainly defer to the Senate's judgment on how the Senate wants to regulate itself. But in the 21st century, I see local campaigns for House of Delegates and other campaigns using electronic filing quite effectively. It does eliminate steps. It does aid transparency. It is less expensive to deal with on the agency side. And Chairman Ravel and I have already discussed one area of agreement, which is to improve the transparency and reporting on the FEC's Web site of campaign data. The Web site is a bit dated and a bit clunky.

So I would, in concept, certainly support the—if it is the Senate's desire to report electronically, I think it is a good idea.

Senator COCHRAN. Yes. Thank you.

Thank you, Mr. Chairman.

Chairman SCHUMER. Thank you, Senator Cochran.

Senator Blunt.

Senator BLUNT. Thank you, Mr. Chairman.

Mr. Goodman, I thought actually citing your favorite politician of the 20th century was very shrewd because we are all competitive and it gives us all a chance to be your favorite politician of the 21st century.

[Laughter.]

Mr. GOODMAN. For my third child.

Senator BLUNT. Exactly.

[Laughter.]

Senator BLUNT. I had a number of people reach out to me about your reliable work over the years and your willingness to work for both Democrats and Republicans. One of them is, Harvey

Tettlebaum, a Republican lawyer in Missouri who has been the State Party Counsel among other things. I think you both are also involved in some of the same groups, as well. I am pleased you are here today.

Ms. Ravel, the same with you. Your background is an excellent one to bring to the Commission.

You mentioned there were examples of insufficient enforcement of campaign finance laws. Do you have some specific examples of that?

Ms. RAVEL. I merely was saying, Senator Blunt, that I had heard, because, you know, clearly, I am in California and I do not know the specifics of what has transpired at the FEC. But I read news reports and that is what I am basing it on. I did not indicate that there were specific examples. What my view is, that the public perception is, as has been transmitted in some news reports, is that there has been insufficient enforcement. So I do not have any specific examples.

Senator BLUNT. The FEC is equally divided, is that right?

Ms. RAVEL. Yes, it is, sir.

Senator BLUNT. So it is possible at the FEC to have a tie vote. In most agencies, not, but it is possible at the FEC.

Ms. RAVEL. No question. It is possible.

Senator BLUNT. And we all understand the reason for that, and I am not advocating.

Ms. RAVEL. Right.

Senator BLUNT. It is one of the few agencies where actually you can wind up with a disagreement with everybody participating, whether it is the current moment when there happens to be one more person from the other party. It is not usual, and one of the few agencies like that. We need the FEC to work, and those of us who run for office need it to work in a way that is fair and defends us from people doing things outside the law, but at the same time allows the discourse of the campaign to occur.

Ms. RAVEL. Right.

Senator BLUNT. Have you had any examples in your job in California that you think would be particularly applicable to what you will be doing here?

Ms. RAVEL. Well, I think the best example is that I absolutely agree with you that an important aspect of this job is to ensure that people participate in politics, and that is not just voters but that people can run and run in a way that is not encumbered by terribly cumbersome, difficult to understand regulations, and that enforcement should be only with respect to those matters that are serious and matters that evidence corruption, and not matters that are inadvertent mistakes.

And in California, when I began as the chair, they were clearly enforcing against candidates, and, of course, California, these are candidates all the way from Water District and School Board to the Legislature and the Governor that we oversee. And many of those candidates do not have lawyers. They have treasurers who are their mother-in-law or, you know, somebody like that, most of them.

And so when I began, I said, we need to make sure that enforcement is fair and that we are not trying to trap people in inad-

vertent mistakes, that we are actually regulating and enforcing only the most serious violations of people who are purposely trying to flaunt the law. So I believe that my views are consistent with yours, Senator, in this instance.

Senator BLUNT. Well, they certainly are on that issue. One of the things we have done in the country in the last 20 years, and many of us here have participated in it one way or another, is pass laws that essentially criminalize politics and criminalize mistakes that people can make. I think that is such an important principle.

Mr. Goodman, would you like to comment on that? This will be my last question here.

Mr. GOODMAN. Yes, Senator. As I mentioned, in 85 percent of the cases, the Commission is in agreement and they are enforcing the law. And the area of disagreement is largely permeated by changing First Amendment jurisprudence. The three-three split not only protects one side against partisan bias in enforcement, but the three-three constitution and sometimes three-three splits also respects philosophical disagreements on how to regulate the process. And I think we have to acknowledge that.

To use a sports analogy, if one team has a great passing offense and also gets to set the rules, well, then the linemen are going to be able to hold. There will be no bumping by cornerbacks at all of the wide receiver, and you can never hit the quarterback.

Senator BLUNT. Jack Kemp would be proud.

Mr. GOODMAN. That is right.

[Laughter.]

Senator BLUNT. Mr. Chairman, I am done. Thank you.

Chairman SCHUMER. And so would the Buffalo Bills.

[Laughter.]

Chairman SCHUMER. Are there any—does anyone wish a second round of questioning?

Senator ROBERTS. I just want to ask unanimous consent that the five letters of support from very esteemed friends of Mr. Goodman be inserted in the record at this point.

[Letters submitted for the record.]

Chairman SCHUMER. Without objection.

Senator ROBERTS. And just to follow up on Senator Blunt's comments, I think there is a comparability or a commensurate example between the FEC and the esteemed Senate Ethics Committee. I have been appointed to the Ethics Committee for all of my public service in the Senate. I do not know what I have done wrong.

[Laughter.]

Senator ROBERTS. I have resigned twice. The resignation has not been accepted by the leadership.

And I worry about these "gotcha" opportunities that every campaign, unfortunately, seems to use as a tool in their campaigning, and I mentioned this before in my statement. I do not even know if we need to ask you for a comment, because I think I know exactly what you are going to say in terms of how you are going to hope that the FEC will comport themselves in a way that this does not happen, i.e., publicly stating something about somebody's complaint. Many times, they are specious.

I will tell you that the Ethics Committee receives complaints every day. Most of them are about minutiae. But when that hap-

pens, anybody can file an ethics complaint, and as a result, it gets press coverage immediately, and the Senate Ethics Committee then sees it in the public domain, whether it be a blog or whether it be in print or whether it be anything, and we will investigate it. And then that takes about three months, and during that time, why, the person who lodged the complaint just pounds the living you-know-what out of his or her opponent.

We cannot comment on anything. I mean, there are no leaks in the Senate Ethics Committee. That has been the way for, what, 14, 15 years that I have been on it—16. I just do not think that is right, and I have always been trying on the Ethics Committee to say, let us be very selective about what really is an ethics violation as opposed to just open season.

If people who are looking to run for office, and we are looking for good people to run for office, both parties, Independents, whom-ever, whatever level, my Lord, if they really realized and went through the entire Ethics Manual, which I defy anybody to explain—we used to try to do that at the beginning of every Congress. Harry Reid and I tried to do that. Harry Reid and I tried to simplify it, the regs on the Ethics Committee. That was a bad mistake. We went to the Republican Conference and Harry went to the Democratic Caucus and it grew bigger. You open it up and you have people putting more stuff in there.

And now, you have a situation that I think if candidates would really take the time for a couple of days to look at all the stuff that they have to do and what could happen to them and how much they have to reveal, I am not sure they would run. I think there is a hindrance there, and I think that factor, there again, of what people do with the FEC and with House Ethics Committee—the House has two Ethics Committees. What is that all about? We have an Ethics Committee first to determine whether or not it should go to the Ethics Committee. It is that bad.

And so I think there is a lot of common sense here that we could apply and I hope you both—I know you will, because you have a very rich background and you have already declared that. I just wanted to express my concern on the record for that, Mr. Chairman, and I thank you for that.

Chairman SCHUMER. Well, I thank you, and knowing your record on the Ethics Committee, I think you would make an outstanding nominee to the FEC.

[Laughter.]

Chairman SCHUMER. And I think I might urge Senator McConnell to consider you.

[Laughter.]

Chairman SCHUMER. Anyway, all kidding aside, I thank the witnesses for their outstanding testimony. We are going to look forward to working with you for our goal of swift confirmation by the full Senate.

The record is going to remain open for five business days for additional statements and post-hearing questions submitted in writing for the nominees to answer.

Being there no further business before the committee, the committee is adjourned.

[Whereupon, at 10:57 a.m., the committee was adjourned.]

## **APPENDIX MATERIAL SUBMITTED**

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**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

**Statement of Ann Ravel**  
**Nominee to be Commissioner of the Federal Election Commission**  
**Nomination Hearing before the Senate Rules Committee**  
**July 24, 2013**

Chairman Schumer, Ranking Member Roberts, and Distinguished Members of the Senate Committee on Rules and Administration:

I am very grateful to you for scheduling this hearing to consider my nomination to serve on the Federal Election Commission (FEC). I also wish to express my deep appreciation to President Obama for his confidence.

I would like to introduce my very supportive family and friends.

It is an honor and a privilege to be here. I know how important it is to live in a country in which the government is truly a representative one, and in which each citizen has the opportunity to take part in the governing process.

I am the child of two orphans, who both grew up in poverty. They would have been very proud to see their daughter sitting in these chambers as a Presidential nominee to the FEC.

My parents forever instilled in me a devotion to democratic values and public service. Through hard work and the opportunities afforded to him by living in America, my father obtained a PhD and became a professor. My mother was an immigrant from Latin America who, after becoming a naturalized citizen, had enormous pride in being able to vote and take part in the political process.

My parents stressed the importance of being an engaged participant in our representative democracy. Throughout my career, I have endeavored to fulfill their charge.

I have worked at every level of government. As the County Counsel for Santa Clara, a Deputy Assistant Attorney General in the Department of Justice and the Chair of the Fair Political Practices Commission (FPPC), I devoted decades to independently analyzing, adhering to the language

and intent of statutory and case law, and writing and interpreting regulations consistent with the law.

As Chair of the FPPC, I have undertaken an overhaul of a complex and sometimes contradictory regulatory scheme to ensure that the regulations supporting the Political Reform Act, which was enacted directly by the voters of California, are consistent with the statute's original intent.

While at the Department of Justice, I helped to develop a regulatory structure to ensure that legislation providing compensation for the 9/11 first responders was properly implemented. I met with interested parties, listened to their concerns, analyzed the law and worked to build consensus among stakeholders in a manner consistent with Congress's intent as enshrined in legislation.

Throughout my career, I have worked hard to build consensus, and interpret and apply the law in a neutral and evenhanded manner, regardless of party affiliation. While serving as County Counsel for a politically diverse Board, my advice and analysis was always, above all else, clear, unbiased, and honest.

The FPPC is a non-partisan agency, which is in many ways California's equivalent of the FEC. I work closely with members of both political parties to uphold the rule of law and to enforce and clarify an intricate regulatory regime.

The FEC is as important now as it was when Congress created it more than three decades ago. The transparency required by the FEC can empower each and every citizen to participate in the political process.

If confirmed, I will use my experience, devotion to public service and the rule of law, and commitment to work on a bipartisan basis, to ensure that the Commission serves the important mission it was created to accomplish.

Thank you again for the invitation to appear. I am happy to answer questions you may have.

ANN M. RAVEL  
 25 Central Avenue  
 Los Gatos, California 95030  
 (408) 458-0719 cell  
[aravel@fppc.ca.gov](mailto:aravel@fppc.ca.gov)

**EDUCATION**

Law – Hastings College of the Law, JD 1974  
 Undergraduate: University of California, Berkeley, Philosophy B.A. 1970

**Graduate Programs:**

Straus Institute for Dispute resolution, Pepperdine School of Law  
 University of Chicago Graduate School of Business, Negotiations program  
 Harvard University, Kennedy School of Government, Program for Government  
 Officials

**EMPLOYMENT**

March 2011 – Present      Chair, California Fair Political Practices Commission  
 Appointed by Governor Edmund G. Brown, Jr.

The FPPC is an independent regulatory and quasi-judicial state agency which oversees government ethics (including conflict of interests and revolving door), political campaign matters, and lobbying. As the only full-time member of the Commission, I have authority over management of the Agency, policy, and the determination of priorities, with the approval of the Commission. The FPPC provides education and advice on our rules to the public and the regulated community, while also playing a major role in the disclosure of important public information. The FPPC issues regulations in furtherance of the purposes of the Political Reform Act, and enforces the law. The Commission sits in a quasi-judicial capacity on matters of enforcement or appeals from enforcement decisions. This has provided me with recent “quasi-judicial” experience in decisions about the enactment of regulations, which often raise legal and constitutional questions, as well as in decisions about violations of the Act.

2009 – 2011      Deputy Assistant Attorney General, Civil Division, Torts and Consumer Litigation Divisions, United States Department of Justice, Washington, D.C.  
 Appointed by President Barack Obama

Oversaw several hundred attorneys on sensitive and significant matters, developed policy, strategy and worked on consumer finance issues, white collar criminal cases, Constitutional cases, the Gulf Oil spill case, torts the Katrina Flooding litigation, the Federal Tobacco RICO case, among others. I was also selected by the Attorney General to Committee on Selection of Immigration Judges.

1998 – 2009      County Counsel, Santa Clara County, San Jose, CA

~ Attorney for the Board of Supervisors, and all departments and agencies of the County of Santa Clara, a county with 15,000 employees and a budget of almost \$4 Billion.  
 ~ Provided public and private advice and strategy in matters ranging from tax, health

and hospital issues, labor and personnel, finance, budgeting and bonding, constitutional law, litigation, federal and state regulatory issues, environmental quality matters, contracts, legislation, election law, government transparency and redevelopment law, and compliance matters.

- ~ Negotiated and mediated significant political and high exposure matters.
- ~ Worked with community and elected officials, interacted with the press on behalf of the County
- ~ Provided training to elected officials on financial issues, compliance and ethics
- ~ Established Ethics Commission; wrote regulations and decisions
- ~ Initiated groundbreaking Elder Financial Abuse Task Force; Educational Rights Program, and Impact Litigation group. Brought consumer and other affirmative cases on behalf of the public
- ~ Worked with other agencies and brought Prop. 8 challenge to the Supreme Court
- ~ Oversaw a staff of 125, including 70 lawyers, administrative and support staff
- ~ Used legal strategies to help recoup and bring funds into the County
- ~ Litigated cases of note: *DiQuisto v. County of Santa Clara*; County of Santa Clara – re use of public funds for information, and *Santa Clara v. Atlantic Richfield Company* – re lead paint remediation, and use of private counsel in public law offices (California Supreme Court decisions)

1977-1998 Chief Assistant County Counsel; Chief Deputy County Counsel; Acting County Counsel; Lead Deputy County Counsel and Deputy County Counsel, Santa Clara County, San Jose, CA

- ~ Supervised sensitive and high exposure litigation; litigated 15 jury trials in State and Federal court, and hundreds of court trials, motions and arguments – both in United States and California Supreme Courts, and Federal and State Courts of Appeal
- ~ Member, Local government Steering Committee, Nation tobacco cases
- ~ Brought consumer and other affirmative cases
- ~ Litigated case of note: *Johnson v. Santa Clara County Transportation Agency* (U.S. Supreme Court)

1975-1976 Litigation Associate, Morgan Beauzay, Hammer, Ezgar et al, San Jose, CA

- ~ Litigated plaintiff's personal injury, labor, Title VII, criminal and contract cases.
- ~ Litigated case of note: *Robins v. Pruneyard* (U.S. Supreme Court decision re First Amendment rights at shopping center)

1974-1978 Law Clerk, Santa Clara County Superior Court

#### AWARDS

- ~ Honorary Doctor of Laws, Lincoln Law School of San Jose, May 2013
- ~ Society of Professional Journalists, James Madison Freedom of Information Award, March 2013
- ~ Law and Politics, Recognition, 2009 - 2011
- ~ State Bar of California, Public Attorney of the Year, 2007 - 2008
- ~ Status of Women Commission, Santa Clara County, Award for Contribution to Women's Rights, 2009
- ~ Recognition as Super Lawyer in Northern California, 2006 - 2009
- ~ California State Assn. of Counties, Circle of Service Award, 2008

- ~ San Jose Business Journal, Woman of Influence, Silicon Valley, 2008
- ~ American Bar Association, Jefferson Fordham Award for Litigation, 2007
- ~ Santa Clara County Bar Assn., Professional Attorney of the Year, 2006
- ~ Unsung Hero Award, Diversity Committee of the Santa Clara Bar Assn, 2006
- ~ National Merit Scholar out of high school, 1996
- ~ Rotary International Scholarship, 1996
- ~ San Jose Mercury News, Elizabeth Ent Award for Contributions to Law and Justice, 1985
- ~ San Jose Mercury News and Status of Women Commission, Award for Professional Woman of the Year, 1984
- ~ Dean's List, UC Berkeley, 1967 - 1970

#### PROFESSIONAL

- ~ Lecturer in Law at Santa Clara University School of Law and Stanford Law School
- ~ Led Clinical and pro Bono Program between Harvard Law School and Santa Clara County Counsel's Office
- ~ Served as Attorney for the Board of the California State Association of Counties
- ~ Served as Judge Pro-Tempore, and Arbitrator for Superior Court
- ~ Numerous articles/publications in the ABA The Public Lawyer, CA State Bar Public Law Journal, Op Eds, San Jose Mercury News, including: November 13, 2008 - "Santa Clara County fights for equal right to marry," regarding County challenge to Proposition 8.

#### ACTIVITIES

- ~ Lawyer Representative, U.S. District Court, Northern District of California
- ~ Board of Governors, State Bar of California, Vice-President and member
- ~ Chair, commission on Judicial Nominees Evaluation, and member for 4 years; also member, Task Force for the Reform of JNE Rules and Procedures
- ~ Attorney member of Judicial Council of California
- ~ Board of Governors of California women Lawyers Association
- ~ President, American Inns of Court, Ingram chapter, member
- ~ Latina Coalition of Silicon Valley
- ~ Hispanic National Bar Association
- ~ Santa Clara Bar, President's blue ribbon Commission on Diversity in the Legal Profession in Silicon Valley
- ~ State Bar of California Committee on Professional Responsibility and Conduct member
- ~ President, County Counsel's Association of California
- ~ Chair, U.S. District court of Northern California Standing Committee on Professional Conduct
- ~ U.S. Court of Appeals for the Ninth Circuit Task Force on Self-Represented Litigants

#### PERSONAL

Latin American (Brazilian); grew up in Chile; speak Spanish and Portuguese

**Washington Post Editorial**

July 14, 2013

The FEC's wrong-headed proposal to change rules

**The FEC's lame-duck overreach**

IMMOBILIZED BY political gridlock, the Federal Election Commission (FEC) has allowed its enforcement actions to nosedive in recent years. Now outgoing commission Vice Chairman Donald F. McGahn II, a former general counsel to the National Republican Congressional Committee, could be seeking to take advantage of a temporary 3-to-2 Republican majority on the FEC to write Republican stall tactics into agency rules.

Mr. McGahn and other Republican commissioners have proposed a version of the FEC enforcement manual that would prevent the agency's general counsel from consulting, without commission approval, publicly available information when considering an enforcement matter. It would also severely restrict information-sharing between the FEC and the Justice Department.

Commissioner Cynthia L. Bauerly, a Democrat, departed the FEC in February, leaving Democrats on the commission outnumbered. It's not as if it had been operating smoothly prior to Ms. Bauerly's departure. With the FEC at full strength, its debates have tended to be unproductive: Repeatedly, when agency staff have recommended enforcement in a case, the three Democratic commissioners have voted in favor of action and the three Republicans against, citing First Amendment rights. Without a majority, nothing happens, regardless of the party of the candidate under scrutiny. Fundamentally, the Republican commissioners seem not to believe in the campaign finance laws that Congress has passed and that they are bound to enforce.

The beleaguered FEC needs a fresh start. President Obama nominated Ann Ravel, head of California's campaign finance agency, and Lee Goodman, a Republican election lawyer, in June (Mr. Goodman's nomination was to replace Mr. McGahn), and the Senate should speedily confirm them. Then the president and the Senate should see to the replacement of the other four commissioners, all of whom are lame ducks.

Meanwhile, the commission should not be changing its rules. The proposed manual is wrong in substance — it would further stifle the agency's efforts to enforce the law and seek out violators. And the effort is hypocritical. Mr. McGahn and his allies have defended the FEC's 3-to-3 voting structure, saying it is intended to force consensus between the major parties on inherently political questions. The commissioners ought to be embarrassed to exploit a temporary imbalance to promote their ideological opposition to campaign finance enforcement.

**The New York Times**

July 5, 2013

## **Sabotage at the Election Commission**

By THE EDITORIAL BOARD

The Federal Election Commission is already in a state of wretched dysfunction, but it will only get worse if Republican members succeed in crippling the agency further when the commission meets on Thursday. The three Republicans on the commission appear ready to take advantage of a temporary vacancy on the three-member Democratic side to push through 3-to-2 votes for a wholesale retreat from existing regulations.

Under their proposals, agency workers would no longer be allowed to routinely forward information about potential criminal violations by campaigners to the Justice Department, and the commission's staff investigators would be severely hobbled in conducting preliminary inquiries. This would provide further aid and comfort to politicians and operatives who run roughshod over campaign laws.

The proposed changes amount to naked subversion from within. The F.E.C.'s own general counsel, Anthony Herman, felt compelled to warn last month against ending regular information sharing with Justice Department officials, a procedure he stressed has "greatly benefited" enforcement of the law and is standard procedure for all regulatory agencies. The proposals are being pushed by Donald McGahn, the Republican vice chairman of the commission who has engineered repeated 3-to-3 standoff votes to stymie approval of staff recommendations for penalties against campaigners found in violation of the law.

Mr. McGahn, a former ethics adviser to Tom Delay, the former House majority leader who left office under an ethical cloud, is a fierce proponent of weakening F.E.C. enforcement powers. He will soon be leaving his position, but not before attempting a final blow to its effectiveness. President Obama has proposed two new commission members to put it back to six members, which means it would take a 4-to-2 vote to undo the damage proposed by Mr. McGahn. The F.E.C.'s responsibilities should have been shifted long ago to a new body of politically independent regulators, but this has been a nonstarter in a Washington environment of tooth-and-claw partisanship epitomized by Mr. McGahn.



**California Political Attorneys Association**

c/o Betty Ann Downing, President  
California Political Law, Inc.  
3605 Long Beach Blvd., Ste. 426  
Long Beach, CA 90807  
Telephone: (562) 427-2100  
E-Mail: BAdowning@CaPoliticalLaw.com

July 23, 2013

*Via Email Only: lynden\_armstrong@rules.senate.gov*

Senator Charles Schumer, Committee Chairman  
Senator Pat Roberts  
U.S. Senate Committee on Rules and Administration  
305 Russell Senate Office Building  
Washington, DC 20510

Re: **FEC Nominee Ann Ravel**

Dear Senators:

We write this letter on behalf of the California Political Attorneys Association ("CPAA") and its members to support the confirmation of Ann Ravel as a member of the Federal Election Commission ("FEC").

The CPAA was formed in 1988 in order to provide a voice for the regulated community in the political and election law arena. It is a nonpartisan organization comprised of private and public sector California attorneys who practice political and election law.

The CPAA provides comment and expertise in connection with proposed legislation and regulations, as well as policy matters before agencies such as the California Fair Political Practices Commission, California State Legislature, California Secretary of State's Office, California Franchise Tax Board and Federal Election Commission.

The CPAA regularly worked with Ann Ravel in her capacity as the Chair of the California Fair Political Practices Commission. During her tenure as FPPC Chair, Ann Ravel proactively solicited the views of wide spectrum of groups, including the CPAA, on matters before the FPPC. She fostered a transparent and interactive regulatory process in an effort to streamline and simplify the Commission's rules. She takes others' viewpoints into thoughtful consideration, even if she disagrees with their perspective, and treats all with professional courtesy and respect. As Commissioner, she would be an exceptional asset to the FEC and the public.

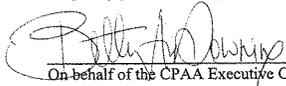
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Senator Charles Schumer, Committee Chairman  
Senator Pat Roberts  
U.S. Senate Committee on Rules and Administration  
Page 2

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Should additional information or comment from the California Political Attorneys Association be useful to your deliberations, please do not hesitate to contact me.

Very truly yours,



---

On behalf of the CPAA Executive Committee:

Betty Ann Downing, Esq. President  
CALIFORNIA POLITICAL LAW, INC.

Jason D. Kaune, Esq.  
NIELSEN, MERKSAMER, PARRINELLO, GROSS & LEONI LLP

Kevin Heneghan, Esq.  
HANSON BRIDGETT LLP

Richard Rios, Esq.  
OLSON, HAGEL & FISHBURN, LLP

Brian Hildreth, Esq.  
BELL, MC ANDREWS & HILTACHK, LLP

Steven G. Churchwell, Esq.  
CHURCHWELL WHITE, LLP

cc: Ann Ravel

---

CATHERINE C. SPRINKLES  
2410 Deerpath Road  
Saratoga, California 95070  
408.867-0732  
Member California Bar

July 23, 2013

The Hon. Charles E. Schumer, Chairman,  
Senate Rules and Administration Committee  
Via email Lynden [Armstrong@rules.senate.gov](mailto:Armstrong@rules.senate.gov)

Hon. Pat Roberts, Ranking Member  
Senate Rules and Administration  
Committee  
Via email Lynden [Armstrong@rules.senate.gov](mailto:Armstrong@rules.senate.gov)

Re: Nomination of Ann M. Ravel to Federal Elections Commission

Dear Senator Schumer and Senator Roberts,

I am writing in support of the nomination of Ann M. Ravel to the Federal Elections Commission. I have known Ms. Ravel for more than twenty years, and have observed her career during that time. Ann is a near- perfect candidate for the position to which she has been nominated. Her reputation as an attorney is outstanding. She has first-hand experience with elected officials and a deep appreciation for the challenges inherent in public life. She understands the legislative and administrative processes, having served as counsel to the Santa Clara County Board of Supervisors, and having taught administrative law in local law schools.

Ann was elected to the State Bar Board of Governors by local attorneys in three counties, which attests to the esteem in which she is held by her colleagues. Her dedication to professional ethics is clear from her service on committees and commissions whose goal is the furtherance of professionalism. In fact, the local bar association recognized her dedication by selecting her as a "Professional Lawyer of the Year." Her current service on California's Fair Political Practices Commission has shown her ability to manage issue and challenges that will exist on the Federal Elections Commission. She has tirelessly dedicated herself to highlighting the role of the FPPC and raising public awareness of its important work. She has tried to provide an administrative framework within the FPPC that will benefit California's office seekers, through rules clarity and even-handed enforcement.

As a member of the legal community, I have appreciated Ann's ability to analyze and strategize on legal matters. Her work ethic is legendary—when she was county counsel she was known to be the first to arrive at the office and always one of the last to leave. Ann has the intelligence

and insight to learn new law quickly; she has a nimble legal mind. She listens carefully to positions that are presented, but has no difficulty in making decisions based on relevant facts.

With her skills, demeanor and contacts, Ann could have left public service for more lucrative private practice. But, her commitment always has been to public service and the betterment of our society and its important institutions. As the recent dismal election turn- out has demonstrated, at all levels of government, public belief in the integrity and importance of elections continues to diminish. The importance of fair, knowledgeable, capable and dedicated citizens on the FEC cannot be overstated. As a life-long Republican, and one who has discussed many of these difficult election related issues with Ann, I can think of no important qualification for this democracy-protecting position that Ann does not possess in abundance. She is fair, courageous, smart, hard-working, dedicated, unbiased and fearless. The public is fortunate that Ann has chosen public service as her passion.

Please feel free to contact me if I can be of any help in your process.

Kind regards,

A handwritten signature in black ink, appearing to read "Catherine C. Sprinkles". The signature is fluid and cursive, with the first name being the most prominent.

Catherine C. Sprinkles

MICHAEL M. HONDA  
 17TH DISTRICT, CALIFORNIA  
 WASHINGTON OFFICE:  
 1713 LONGWORTH HOUSE OFFICE BUILDING  
 WASHINGTON, DC 20515  
 PHONE: (202) 225-2831  
 FAX: (202) 225-3659  
<http://www.honda.house.gov>  
 DISTRICT OFFICE:  
 2001 GATEWAY PLACE  
 SUITE 6700W  
 SAN JOSE, CA 95110  
 PHONE: (408) 436-2720  
 (855) 680-3759  
 FAX: (408) 436-2721



**Congress of the United States**  
**House of Representatives**

COMMITTEE ON APPROPRIATIONS  
 SUBCOMMITTEES:  
 COMMERCE, JUSTICE, SCIENCE,  
 LABOR, HEALTH AND HUMAN SERVICES,  
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 SENIOR WHIP  
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 AMERICAN CAUCUS, CHAIR EMERITUS  
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 COALITION, VICE CHAIR  
 LGBT EQUALITY CAUCUS,  
 VICE CHAIR

July 16, 2013

The Honorable Pat Roberts  
 Ranking Member, Committee on Rules & Administration  
 305 Russell Senate Office Building  
 Washington, DC 20510

Dear Senator Roberts,

I write to support the nomination of Ann Ravel to Commissioner of the Federal Election Committee. Ann, the current Chair of the California Fair Political Practices Commission (FPPC), has been a tireless advocate for political reform, a defender of the public's right to know who contributes to political campaigns, and a staunch proponent for readily accessible campaign finance information.

She has been a friend of mine for many years, allowing me to attest to her professionalism, expertise and experience. I first met Ann while she was working for the Office of the County Counsel, while I was a County Supervisor in Santa Clara County, California. She was deliberative, fair and respectful of the rule of law—adhering to the intent of the Board when they enacted legislation.

As Chair of the FPPC, Ann has demonstrated outstanding judgment, management and the acumen to prioritize the public's interests. As you know, she led the investigation into California's largest money laundering scheme, an 11-million-dollar contribution from an out-of-state group. In a post-*Citizens United* society, the country would benefit from Ann's leadership at the FEC.

I believe Ann has both the leadership skills and breadth of experience to be an asset to the Federal Election Commission, and I am pleased to recommend her. Thank you for your consideration.

Sincerely,

Michael M. Honda  
 Member of Congress

**ROBERT HURT**  
5TH DISTRICT, VIRGINIA  
125 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
PHONE: (202) 225-4711  
FAX: (202) 225-5881  
www.hurt.house.gov



**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515-4605  
July 23, 2013

COMMITTEE  
**FINANCIAL SERVICES**  
VICE CHAIRMAN,  
SUBCOMMITTEE ON CAPITAL MARKETS  
AND GOVERNMENT SPONSORED ENTERPRISES  
SUBCOMMITTEE ON  
HOUSING AND INSURANCE

The Honorable Pat Roberts, Ranking Member  
Senate Committee on Rules and Administration  
305 Russell Senate Office Building  
Washington, DC 20510

Dear Ranking Member Roberts:

I write to express my support for the nomination of Lee Goodman to Commissioner of the Federal Election Commission and ask that you show him every consideration. I believe that the combination of Mr. Goodman's experience, expertise, and leadership make him uniquely qualified to provide outstanding service to our nation at the FEC.

I have known Mr. Goodman for a number of years, and I now have the privilege of representing him in Congress, as he resides in Albemarle County, Virginia. A graduate of the University of Virginia, Mr. Goodman is widely respected professionally for his knowledge of federal and state election law and his years of experience in both the public and private sectors providing sound counsel on electoral matters.

An expert on the regulation of political activity, Mr. Goodman has authored a number of articles and often lectures on issues relating to election law. He strongly believes in adherence to the rule of law to maintain free and fair elections and understands how fundamentally important these principles are to a well-functioning democracy.

I hope you will show every consideration to Lee Goodman, who I believe would make for an outstanding Commissioner of the Federal Election Commission.

Sincerely,

Robert Hurt

RH/wp

688 BERKMAR CIRCLE  
CHARLOTTESVILLE, VA 22901  
PHONE: (434) 973-9831  
FAX: (434) 973-9835

308 CRAGHEAD STREET, SUITE 102-D  
DANVILLE, VA 24041  
PHONE: (434) 791-2596  
FAX: (434) 791-4619

515 SOUTH MAIN STREET, P.O. BOX 0  
FARMVILLE, VA 23001  
PHONE: (434) 396-0120  
FAX: (434) 396-1248

**COMMITTEE ON THE JUDICIARY**  
• RANKING MEMBER — SUBCOMMITTEE ON IMMIGRATION, POLICY AND ENFORCEMENT  
• SUBCOMMITTEE ON INTELLECTUAL PROPERTY, COMPETITION, AND THE INTERNET

**COMMITTEE ON HOUSE ADMINISTRATION**  
• RANKING MEMBER — SUBCOMMITTEE ON OVERSIGHT

**COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY**  
• SUBCOMMITTEE ON ENERGY AND ENVIRONMENT  
• SUBCOMMITTEE ON INVESTIGATIONS AND OVERSIGHT

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

**ZOE LOFGREN**  
16TH DISTRICT, CALIFORNIA

July 11, 2013

635 NORTH FIRST STREET  
SUITE B  
SAN JOSE, CA 95112  
(408) 271-8700

1401 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-3072

WWW.HOUSE.GOV/ZOEL0FGREN

CHAIR, CALIFORNIA DELEGATE  
CONGRESSIONAL DELEGATION

CO-CHAIR, CONGRESSIONAL CAUCUS ON  
VIETNAM

CO-CHAIR, DIVERSITY & INNOVATION CAUCUS  
CO-CHAIR, CONGRESSIONAL HAZARDOUS CAUCUS

The Honorable Charles E. Schumer  
The Honorable Pat Roberts  
U.S. Senate Committee on Rules and Administration  
305 Russell Senate Office Building  
Washington, DC 20510

Dear Chairman Schumer and Ranking Member Roberts:

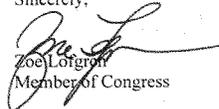
I am writing to support the nomination of Ann Ravel to the Federal Election Commission (FEC).

I have known Ms. Ravel for over 30 years. During my tenure as a County Supervisor in Santa Clara County, Ms. Ravel served as an attorney in the Santa Clara County Counsel's Office, where she worked for 32 years, and was ultimately appointed as County Counsel from 1998 until 2009. Ms. Ravel is well-respected by her peers, having been named Public Attorney of the Year in 2007 by the State Bar of California, named a "Woman of Influence" in the Silicon Valley, and recently being appointed as Chair of the California Fair Political Practices Commission (FPPC).

As the current chair of the California FPPC, which regulates campaign financing and spending, lobbyist registration and reporting, and conflicts of interest, Ms. Ravel has a thorough understanding of the issues relevant to campaign finance. Ms. Ravel understands the importance of adherence to the rule of law and to Congressional intent, and has consistently demonstrated her commitment to integrity in the electoral process. I have always found Ms. Ravel to be open-minded and fair, and I have no doubt that she would make an exceptional commissioner.

I appreciate your consideration, and I urge Ms. Ravel's swift confirmation.

Sincerely,

  
Zoe Lofgren  
Member of Congress



July 23, 2013

Senator Charles Schumer  
Chairman  
Committee on Rules and Administration  
United States Senate  
Washington, DC

Senator Pat Roberts  
Ranking Member  
Committee on Rules and Administration  
United States Senate  
Washington, DC

Re: Nomination of Lee E. Goodman

Dear Senator Schumer and Senator Roberts:

It is with pleasure that I write to recommend my friend and colleague Lee Goodman to the Senate Rules Committee. I have worked with Lee Goodman beginning in 1995 when I was the Chief Deputy Attorney General for the Commonwealth of Virginia, and we hired Lee to serve as a Special Assistant Attorney General in our education section. In the almost 20 years since that time, Lee has demonstrated a high level of professionalism, integrity, and legal expertise in varied areas of law, including political law, education law, non-profit law, and other areas.

I have no hesitation whatsoever in giving Lee my highest recommendation. He is a fine lawyer. Lee adheres to the highest standards of professional and personal integrity. He does not play favorites. At the Federal Election Commission, Lee will treat all who come before him fairly and listen to their arguments with an open mind.

Please accept this recommendation from a personal friend and colleague who has worked with Lee in government and in private practice, and who has known Lee for almost 20 years. I am confident he will serve our country honorably on the Federal Election Commission.

Sincerely,



David E. Anderson

E-mail: [david.anderson@leclairryan.com](mailto:david.anderson@leclairryan.com)  
Direct Phone: 202.659.6709  
Direct Fax: 202.659.4130

1101 Connecticut Avenue, NW, Suite 600  
Washington, D.C. 20036  
Phone: 202.659.4140 \ Fax: 202.659.4130

CALIFORNIA \ CONNECTICUT \ MASSACHUSETTS \ MICHIGAN \ NEW JERSEY \ NEW YORK \ PENNSYLVANIA \ VIRGINIA \ WASHINGTON, D.C.

ATTORNEYS AT LAW \ [WWW.LECLAIRRYAN.COM](http://WWW.LECLAIRRYAN.COM)

July 16, 2013

Honorable Charles E. Schumer, Chairman  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC. 20510

Dear Chairman Schumer:

I am writing in support of the confirmation of Ann Ravel as a Commissioner on the Federal Election Commission (FEC).

I had the opportunity to serve on the State of California's Fair Political Practices Commission (FPPC) while Ann was Chair. We worked closely together to rule on numerous enforcement actions, rewrite many of the Commission's outdated regulations and draft new language to increase transparency of campaign finance in an age of electronic communications and developing technology.

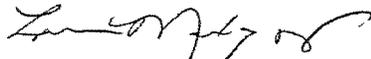
Ann earned my respect as she tackled a myriad of issues in an intelligent, open-minded and fair manner. She actively sought input from all affected parties and created a respectful and inviting atmosphere for individuals who spoke at public hearings - a noticeable change from previous Chairs.

Because she was able to negotiate consensus on many contentious and long-standing issues, Ann achieved a new-found respect for the FPPC from the public, interest groups and elected officials.

I highly recommend Ann Ravel's confirmation and know that the FEC would be well served by her inclusion and participation.

If you need any further information or have any questions, please do not hesitate to contact me at [lynndmontgomery@gmail.com](mailto:lynndmontgomery@gmail.com).

Sincerely,



Lynn Montgomery  
Former Commissioner  
California Fair Political Practices Commission

cc: Honorable Pat Roberts  
Ranking Member



**City of Gilroy  
Mayor's Office**

City Hall  
7351 Rosanna Street  
Gilroy, California  
95020-6197

Don Gage, Mayor  
[don.gage@cityofgilroy.ca.us](mailto:don.gage@cityofgilroy.ca.us)  
City Hall Office (408) 846-0227  
[www.cityofgilroy.org](http://www.cityofgilroy.org)

Honorable Charles E. Schumer, Chairman  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC 20510  
cc: the Honorable Pat Roberts

July 17, 2013

Dear Mr. Schumer,

I served on the Santa Clara County Board of Supervisors from 1997 through 2010. Being the only Republican on the five member Board for those thirteen years, it was really a challenge. During that time, I worked with Ann Ravel. When we needed to select a new County Counsel, Ann was everyone's first choice. She was very bright, had a great deal of experience, and always followed the law, which was not always what the Board wanted to hear. She understood that her role was to carry out the dictates of the makers of the law. She was impartial and most importantly to me, she was always fair and treated me the same as the other members of the Board. When I needed her advice Ann made time for me, and gave me straight answers.

I am saddened to know that she is leaving her state government role, but it seems the Federal government needs her more. I have a great deal of respect for Ann and the work that she does. You will not be disappointed with her in any way. She will always have my support.

Sincerely,

A handwritten signature in cursive script that reads "Donald F. Gage".

Donald Gage, Mayor  
City of Gilroy

Michael C. Genest  
Lincoln, Ca 95648  
[mike.genest@gmail.com](mailto:mike.genest@gmail.com)

July 14, 2013

The Senate Rules and Administration Committee  
Charles E. Schumer, Chairperson,  
Honorable Pat Roberts, Ranking Member  
attn: Lynden Armstrong

Dear Senator Schumer and Senator Roberts:

I write in support of the nomination of Ann Ravel to the Federal Elections Commission. I have known Ms. Ravel since we both attended high school together in the 1960's, so I can assure you from decades of personal experience that she is of the highest character.

I am a Republican while Ann is a Democrat. That has not prevented us from being the best of friends, although it has led to a few interesting discussions. I am now retired after 30 years of public service. My last position was as Governor Schwarzenegger's Director of Finance, but I am most proud of my years as the Director of the Senate Republican Fiscal Office. In that role, I served two Senate Republican Leaders, Ross Johnson and James L. Brulte. I remain close to both of these exceptional men.

California politics are perhaps as partisan as D.C. politics. Nevertheless, many of us maintain close ties to folks on the other side. For example, I recommended Ms. Ravel to Governor Brown's top staff person, Jim Humes, days before the Governor's election, even though I was employed at that time as a consultant to his opponent, Meg Whitman. (Regrettably, it was clear by that time that there would be no Whitman Administration.)

As you know, Ann worked in the Santa Clara County Counsel's Office for more than two decades, finishing up there as County Counsel. In that capacity I had several occasions to deal with her on issues involving state and county government.

Earlier in my career, I was deeply involved in efforts to detect, prevent and punish welfare fraud. In fact, an analysis that I wrote for the (non-partisan) Legislative Analyst's Office related to an innovative fraud detection approach in use in the County of Orange in the mid-1980's was read into the Congressional Record. That program was ultimately adopted into federal law. In California, it is the counties, however who administer these programs. Having a high ranking county executive as a personal friend helped me immeasurably in understanding the subtleties of that relationship.

Later, I was the bureaucratic point person for Governor Wilson's welfare reform proposals. My direct boss in that capacity was Eloise Anderson (a leader well-known to welfare reformers in Washington at that time and currently a department head in Scott Walker's Administration).

Again, Ms. Ravel's insights into county government helped me formulate policies sensitive to the subtleties of the state/county relationship.

When I later became Chief Deputy and then Director of Finance, Ms. Ravel was active in the California Association of County Counsels, ultimately serving as its chairperson. In that capacity, she lobbied me vigorously and extensively on behalf of the county perspective. I always found her presentations to be logical, forceful and grounded in the legal basis for the state/county relationship in California and certainly never partisan.

When Ms. Ravel took over as the Chair of California's Fair Political Practices Committee, I became one of her informal, outside advisors. To help her develop a strong non-partisan reputation in a government town with which she was at that time unfamiliar, I introduced her to her predecessor in that position, a good friend of mine and a Republican, Dan Schnur. Early on, Mr. Schnur had been openly critical of Ms. Ravel, implying publicly that she would perhaps be soft on democrats who violated our disclosure rules. I knew that Ms. Ravel would never even imagine giving her own party preference in her official role as Chair. So, I intervened, even to the point of writing an op-ed piece on her behalf to try to dampen this criticism, which was baseless to begin with. I think that ultimately, Mr. Schnur came to respect Ms. Ravel's dedication to even handed enforcement of our laws.

When Senator Brulte was named Chairman of the California Republican Party, I arranged a meeting between him and Ms. Ravel, i.e., between the regulated and the regulator. While they both invited me to attend, I declined because I have no official role in California politics now and because I thought it best to give them the privacy needed for a frank conversation. After-action reports from both parties on that meeting make me somewhat regret my decision not to attend since it was apparently quite animated, good-natured and even jocular. I can only imagine the gibing and testing that went on, but I know that they parted company liking each other and agreeing to stay in touch.

In its enforcement of federal election laws, the FEC must avoid any appearance of partisanship. Democrat and Republican Senators share a desire that its commissioners perform their duties in an unbiased way and in accordance with the law. As someone who has known Ms. Ravel for many years, I can assure that she will do exactly that.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Michael Genest", written in a cursive style.

Michael Genest



1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000  
FAX 202.719.7000

7825 JONES BRANCH DRIVE  
MCLEAN, VA 22102  
PHONE 703.905.2600  
FAX 703.905.2820

[www.wileyrein.com](http://www.wileyrein.com)

July 23, 2013

Richard E. Wiley  
202.719.7010  
[rwiley@wileyrein.com](mailto:rwiley@wileyrein.com)

Honorable Charles E. Schumer, Chair  
Honorable Pat Roberts  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC 20510

Dear Senator Schumer and Senator Roberts:

I write in support of Lee Goodman's nomination to the Federal Election Commission. I have known Mr. Goodman for many years, both when he worked at my law firm but also in connection with numerous campaign seminars and other activities.

In my judgment, Lee is not only a very talented lawyer, and an expert in election law, but also an individual of high personal integrity. I am convinced that he would serve the Commission well, would administer the FEC's statute and regulations fairly, and would work with his fellow members and staff with equanimity and collegiality.

Lee Goodman is highly respected by his colleagues in the election law practice and also those with whom he has interacted in countless campaigns. He is a consummate professional and a principled gentleman who, I believe, would perform his government responsibilities with both competence and honor.

Accordingly, I am pleased to recommend Lee Goodman to you and to the Committee. Thank you for your consideration and best regards.

Sincerely,

A handwritten signature in cursive script that reads "Dick Wiley".

Richard E. Wiley



ONE UNIVERSITY DRIVE  
ORANGE, CALIFORNIA 92866  
WWW.CHAPMAN.EDU

Ronald D. Rotunda  
*The Doy & Dee Henley Chair and  
Distinguished Professor of Jurisprudence*  
Email: rrotunda@chapman.edu  
(714) 628-2698 • Fax (714) 628-2576

15 July 2013

Honorable Charles E. Schumer  
Chair & the Honorable Pat Roberts  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC 20510

VIA EMAIL TO: [Lynden\\_armstrong@rules.senate.gov](mailto:Lynden_armstrong@rules.senate.gov)  
RE: The Honorable ANN RAVEL

Dear Senators Schumer and Roberts:

I am pleased to learn that President Obama has nominated ANN RAVEL to be a Commissioner on the Federal Election Commission. I first met Ann in March of 2011, shortly after Governor Brown appointed her to the California Fair Political Practices Commission (FPPC) as Chair (the state analogue to the FEC, established directly by the people of California by proposition). I was a Commissioner from June of 2009 until my term ended in January of 2013. She was the third Chair during my term of office. She followed two impressive predecessors with her own impressive contributions.

Each chair brings his or her personal style to the job. She helped push the FPPC into the 21<sup>st</sup> Century (better late than never), by updating its use of the internet. She encouraged civic engagement and helped bring the FPPC to the people, when we held more of our monthly Commission hearings throughout the state, instead of just Sacramento.

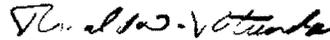
She brought (in addition to her intellect, enthusiasm, and charm), her considerable experience in both the federal and state governments. As you may know, she was a lawyer in the Santa Clara County Counsel's Office, rising to County Counsel from 1998 until 2009. She also served in the federal government, as Deputy Assistant Attorney General for Torts and Consumer Litigation in United States Department of Justice (Civil Division). In 2007, the State Bar of California named her as the Public Attorney of the Year, because of her contributions to public service.

Ann and I have not always agreed with each other. (Of course, if the Commissioners were all to agree, we would not need five of them; only one would do). However, we disagreed without being disagreeable, and that alone is important.

I have read criticisms that the FEC staff sometimes exceeds its powers under the law when they initiate investigations without the FEC approval. If that criticism is true, I am confident that Ann will treat the staff with utmost respect while not supporting unsanctioned investigations.

If you have any questions, please do not hesitate to write or call. I am most pleased to recommend Ann Ravel as a Commissioner of the Federal Election Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald D. Rotunda". The signature is written in a cursive, slightly slanted style.

Ronald D. Rotunda  
Doy & Dee Henley and Distinguished Professor of Jurisprudence

MUNGER, TOLLES & OLSON LLP

355 SOUTH GRAND AVENUE
THIRTY-FIFTH FLOOR
LOS ANGELES, CALIFORNIA 90071-1560
TELEPHONE (213) 683-9100
FACSIMILE (213) 687-3702

560 MISSION STREET
SAN FRANCISCO, CALIFORNIA 94105-2907
TELEPHONE (415) 512-4000
FACSIMILE (415) 512-4077

July 18, 2013

RONALD L. OLSON
ROBERT A. DENHAM
JEFFREY J. WEINBERGER
CAMP B. LEHMAN
CHARLES D. DEBAL
GREGORY P. STONE
BRAD D. BRYAN
BRADLEY S. PHILLIPS
EDWARD S. SHAWNY
WILLIAM D. TENDR
ROBERT S. KHALILIS
STEPHEN M. KRISTOVICH
JOHN W. BRIGGS
TERRY E. SANCHEZ
STEVEN W. PERRY
MARK B. MELM
MICHEL C. SLOTT
JOSEPH D. SLOTT
GREGORY D. PHILLIPS
LAWRENCE C. BARTH
KATHLEEN H. MCDONNELL
GLENN D. POMERANTZ
THOMAS B. WALKER
RONALD C. HAUSMANN
RAVENS J. CAFFERTY, JR.
JAY M. FUJITANI
D'HAILEY M. MILLER
SANDRA A. BEVILLE-JONES
MARK H. GRYVEN
HENRY WEISSMANN
KEVIN S. ALLREAD
BART H. WILLIAMS
JEFFREY A. HEINZ
JUDITH T. WITAND
KRISTIN LINSLEY WILES
MARC T.G. DWORSKY
JEROME C. ROTH
STEPHEN G. ROSE
GARTH I. VINCENT
TED DANF
SILVY H. SENATOR
KATHY D. BROWN
GABRIEL P. COLLINS

ROBERT J. DELL'ANGELO
BRUCE A. ARBOTT
JONATHAN E. ALTMAN
MARTY AMY TODD
MICHAEL J. DEBILMAN
KELLY M. FLORES
DAVID S. ZOLCZMAN
KEVIN S. MARUDA
HOLGON HIRANO
DAVID C. DIPIELLO
PETER A. IYRE
CARL H. MOOR
DAVID H. FRY
LISA J. DEMSKY
MAGDOLNA A. HEINICKE
GREGORY J. WEINGART
TAMARA J. SOBLEY
JAMES C. RUTTEN
RICHARD ST. JOHN
ROHIT K. SHINGA
CAROLYN JOSEFCHER LUEDTKE
C. DAVID LEE
JAMES H. AIN
BRETT J. RODDA
SEAN ESPINOSA
FRED A. ROWLEY, JR.
KATHERINE M. FRIEYER
BLANCA FROMM YOUNG
RANDALL G. SOMMER
MARIA SIEFERMAN
MANUEL P. COCHAN
ROSEMARIE T. RIND
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LISA C. HIYAKE
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BRAD SCHNEIDER
RUSMAN KIM
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LAURA A. SULLIVAN
KYLE W. MACH
JEFFREY P. GREGORY
ENRIQUE A. ROHRETER
GREGORY M. BERRI
ACHUT J. PHADRE

DP COUNSEL
RICHARD D. EISENSHADE
ROBERT V. JOHNSON
ALAN V. FRIEDMAF
RICHARD S. VOLPERT
RONALD R. MEYER
RICHARD E. GRYOVAN
ALLISON B. STEN
ALEX H. RAYZ
WILLIANA CHANG
DANIEL R. LEVIN
E. LEROY TOLLES
1982-2008

WRITER'S DIRECT LINE
(213) 683-9178
(213) 683-5178 FAX
sean.eskovitz@mto.com

The Honorable Charles E. Schumer
Chairman
Senate Committee on Rules and
Administration
United States Senate
Washington, D.C. 20510
Lynden\_Armstrong@rules.senate.gov

Re: Nomination of Ann Ravel to the Federal Election Commission

Dear Senator Schumer:

I am writing to lend my strong support to the President's nomination of Ann Ravel to serve on the Federal Election Commission. For more than two years now, I have had the pleasure of serving with Chair Ravel on the California Fair Political Practices Commission ("FPPC"). During her tenure as Chair of the FPPC, Chair Ravel has consistently demonstrated that she is a strong and fair leader. From day one, Chair Ravel has effectively refocused the FPPC on pursuing enforcement, regulatory, and legislative matters of the greatest importance to the integrity of the California political process.

As a Republican, I have always found Chair Ravel to be open-minded and capable of working effectively with a wide range of constituents. She has handled difficult and controversial issues with professionalism and grace. I am confident that the Federal Election Commission would benefit greatly from Chair Ravel's intelligence and commitment.

Please feel free to contact me if you would like any additional information.

Sincerely,
Sean Eskovitz /ms
Sean Eskovitz

SE:mlp
cc: The Honorable Pat Roberts



July 23, 2013

**VIA E-MAIL:**

lynden\_armstrong@rules.senate.gov  
paul\_vinovich@rules.senate.gov  
adam\_topper@rules.senate.gov

The Honorable Charles Schumer  
Chairman  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC

The Honorable Pat Roberts  
Ranking Member  
Senate Committee on Rules and Administration  
United States Senate  
Washington, DC

**RE: Nomination of Lee E. Goodman**

Dear Senators Schumer and Roberts:

I have been a colleague of Lee Goodman since he joined our law firm in 2005. We have worked closely together on several significant litigation cases and client matters. When you work with someone as often and closely as I have with Lee, you come to know them quite well. I know Lee as a colleague of the utmost professionalism and commitment to clients and legal causes.

Together we have defended government action and we have challenged government action. We have represented the Commonwealth of Virginia in its efforts to stop fraudulent private child support enforcement practices. And we have represented an individual wrongly accused by government of improper conduct. From my work with Lee, I know he will understand the purposes and necessity of government regulation as well as governmental abuses that require correction, and he would have great capacity for measured approaches to regulation and enforcement of the law.

E-mail: [thomas.wolf@leclairryan.com](mailto:thomas.wolf@leclairryan.com)  
Direct Phone: 804.916.7143  
Direct Fax: 804.916.7243

951 East Byrd Street, Eighth Floor  
Richmond, Virginia 23219  
Phone: 804.783.2003 \ Fax: 804.783.2294

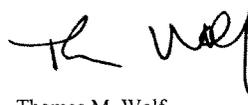
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The Honorable Charles Schumer  
The Honorable Pat Roberts  
July 23, 2013  
Page 2

Finally, I am an active Democrat in Virginia. I have enjoyed discussing political issues with Lee, even though he is a longtime Republican. Lee is a fair and open minded individual who meets the merits of political and philosophical questions. He is not knee jerk or dismissive of a competing point of view. Likewise, Lee has crossed the partisan line to represent Democrats, too, and has demonstrated the same level of professionalism and loyalty to Democratic clients that he devotes to all clients.

For these reasons, I am confident that Lee will be a fair Commissioner on the Federal Election Commission who adheres to the law and not to partisan bias.

Sincerely yours,

A handwritten signature in black ink, appearing to read "T M Wolf". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Thomas M. Wolf

TMW

**Answers of Lee E. Goodman to  
Questions for the record submitted by Senator Pat Roberts  
for Lee Goodman, Federal Election Commission nominee**

**Question 1:**

Should you be confirmed, what would be your goals and priorities at the Federal Election Commission (FEC)? How would you seek to accomplish them?

ANSWER:

I have outlined several philosophical goals in the testimony I have submitted to the Committee. First, the Commission must be fair to all sides, and address legal and factual questions without partisan bias. Second, the Commission's procedures must be fair to those it regulates. Third, the Commission's regulations must be clear. Citizens who exercise First Amendment rights need and deserve clear rules. Fourth, the Commission should always look for ways to enhance its assistance programs for the regulated community. Many people involved in politics at the grassroots level simply cannot afford lawyers and professional reporting services. Compliance should not be a game of "gotcha" at the Commission. Fifth, it will be my goal to serve ethically, with integrity, and with civility toward my colleagues and Commission staff.

As for programmatic goals and priorities, I would like to improve the Commission's website and thereby enhance public accessibility and transparency of campaign finance data. For comparison, an excellent website is a state-based campaign finance website in Virginia maintained by the Virginia Public Access Project ([www.vpap.org](http://www.vpap.org)) which makes political contributions and expenditures fully transparent and searchable from multiple vantage points and cross-reference points. The Commission's website is not nearly as nimble or accessible and can be improved to enhance public transparency of political money. Second, I would like to enhance the Commission's compliance assistance programs to help people and organizations comply with the law. The FEC has made great strides in providing new training programs, which are very helpful and popular. I would like to increase the number and quality of training programs. In addition to training programs, the FEC assistance line is an excellent resource for political committee treasurers and legal counsels. And I would like to see reports analysts become more proactive in facilitating reporting compliance and in building trust with the political committees under their review, where the goal is to help committees comply rather than threatening them with punitive enforcement as a matter of first resort. Third, I would like to find common ground among Commissioners on regulatory changes dictated by the Supreme Court's decision in Citizens United.

**Question 2:**

The Federal Election Commission, when fully constituted, has six Members, no more than three of whom can be from the same political party. Do you regard this

structure as a strength or weakness of the agency? How would you operate within this structure to achieve consensus and accomplish your goals?

ANSWER:

Congress very carefully designed the Commission's composition, including the requirement of four votes to take action. Through this design, the Congress sought to avoid the kind of partisan enforcement, partisan bias, or unfair partisan advantage in the regulation of campaigns and elections.

At minimum, the current structure prevents one party from taking advantage of the other. But there are more salutary benefits than simply protecting against one party's biased enforcement against the other. The bi-partisan design moderates decision-making and requires a degree of bi-partisan consensus to take regulatory action.

If confirmed, I would seek to work within the bi-partisan structure Congress designed by focusing principally on moderate consensus-worthy regulatory concepts and policy initiatives.

**Question 3:**

The *Citizens United* decision was issued in January 2010, yet FEC regulations that were deemed unconstitutional by the decision remain on the books. What should be done about this?

ANSWER:

Where the Supreme Court has ruled a regulation to be unconstitutional, the Commission should comply with the Supreme Court's ruling promptly by eliminating the unconstitutional regulation. The Commission has done this in the past by consensus action. The Commission has a rulemaking pending to eliminate the regulations ruled unconstitutional by the Supreme Court in the *Citizens United* decision, and the Commission should forthwith eliminate the regulations. This should not be a controversial undertaking.

July 21, 2013