

**Rules Committee Hearing  
FEC Nominations  
Opening Statement of Sen. Bob Bennett, Ranking Republican Member  
May 21, 2008**

Thank you, Madam Chairman. You have been gracious and accommodating as usual. I agree with you that we should act as quickly as possible on the three nominees before us. I would prefer that they be confirmed en bloc because it has always been the tradition that FEC nominees come out of the committee en bloc. I know that there are people from the White House who are in the audience, and I would hope they would send us the fourth name as quickly as possible so the entire six person committee can be filled. When Senator Reid wrote to Josh Bolten, the chief of staff of the White House, he said that he wants to, "Ensure that a fully constituted six member commission is quickly put in place." Now, his provision as to how that might happen may or may not be the way the president wants it to happen, but it is the goal that we should all pursue. We should do anything we can to move these three nominees as quickly as possible. I would hope that with some help from the executive branch, we will get the fourth nominee as quickly as possible and get all six on the FEC as soon as possible.

I appreciate your anxiousness to see to it that the FEC, even though it is an agency where the law specifically says people should either be Republicans or Democrats, should be as nonpartisan as possible. I have commented before, but I think I need to reemphasize here again, regarding my experience with the agency. When I first became a senator, the FEC was bitterly divided between Republican and Democratic appointees. Virtually everything was decided by a three-to-three vote. There was actually a proposal made that whenever there was a three-to-three vote, the general counsel of the FEC would be the deciding vote. I worked as vigorously as I could against that solution because that would have given an appointed bureaucrat, who would never be subject to confirmation, the virtual power to decide everything, and I did not think that was a good idea.

I was heartened in the hearing we held last year, with the four nominees we voted out en bloc, to have the history of the current commission laid out before us. Virtually every significant decision made by that commission was unanimous. It was a six-to-nothing kind of cooperative activity. I would join you, Madam Chairman, in urging these three nominees to duplicate the more recent history rather than go back to the old history. I have a particularly strong view of that because of the charge made against me that came before the FEC under the old history and automatically all three Democratic members of the commission voted against me, and automatically, and gratefully, all three Republican members voted for me. The commission was deadlocked, and no further action was taken against me. That sort of partisanship calls into question virtually every complaint. If the complaint has merit, it should be upheld six-to-nothing. If it does not have merit, it should not require a partisan vote to keep it from going forward.

I hope we can maintain the degree of cooperation that has been the pattern for the last several years.