

July 27, 2023

The Honorable Kevin McCarthy
Speaker of the House
United States House of Representatives
Washington, DC 20510

The Honorable Chuck Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Hakeem Jeffries
Minority Leader
United States House of Representatives
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

Dear Speaker McCarthy, Leader Schumer, Leader Jeffries, and Leader McConnell,

We, the undersigned organizations, write to endorse the Protecting Our Democracy Act. We strongly urge you to take action on this critical legislation.

The last time Congress passed significant reforms to protect our democracy from abuses of executive power was after the Watergate scandal. In the ensuing decades, congressional authority has continued to be slowly undermined by the executive branch, diminishing Congress's ability to fulfill its constitutional duties, protect the rule of law, and hold presidents of both parties accountable for abuses of power. It is long past time to enact new guardrails and to reassert the role of Congress as a coequal branch of government.

The Protecting Our Democracy Act would help restore to Congress the powers the Founders vested in the legislative branch to serve as a check on the executive without infringing upon the president's constitutional authority. Many of the bill's provisions have a history of significant bipartisan support.

The last Congress did enact some reforms from an earlier version of the Protecting Our Democracy Act, including enhancing powers for inspectors general, strengthening congressional oversight of budget execution, and improving the presidential transition process. These provisions are welcome steps forward for our democracy, but there is still much more to be done. Among other things, this historic bill would:

- Ensure whistleblowers can continue shining light on corruption and abuses of power that betray the public trust by enhancing protections against retaliation, providing legal defenses for whistleblowers against civil and criminal liability, and allowing whistleblowers to have their day in court;

- Reinforce Congress’s constitutional power of the purse by adding penalties for failure to comply with the Impoundment Control Act, increasing transparency and reporting requirements for the executive branch, and strengthening congressional budget oversight tools to prevent federal agencies from misusing federal funds;
- Shine light on and deter political interference in federal law enforcement by requiring the disclosure of communications between the White House and the Department of Justice;
- Prevent the president from relying on acting officials to circumvent the Senate’s advice and consent by clarifying the rules for appointment, tenure, and qualifications for individuals serving temporarily in vacant Senate-confirmable executive branch positions;
- Strengthen the Hatch Act to protect federal agencies from being used for political purposes and ensure senior political appointees are held accountable under the law the same way other federal employees are;
- Prevent abuse of the president’s pardon power by increasing transparency of the pardon process, prohibiting self-pardons by the president, and clarifying that pardons are “official acts” for the purposes of federal bribery statute;
- Provide for enforcement of the domestic and foreign Emoluments Clauses of the Constitution, to prevent a president from profiting from payments by foreign or domestic governments;
- Protect the federal workforce from politicization by prohibiting the conversion of certain longstanding career civil service positions into political appointments, stripping federal workers of employment protections;
- Strengthen Congress’s ability to oversee the executive branch by fortifying congressional subpoena power through expedited judicial review so the executive branch cannot run out the clock on congressional oversight; and
- Secure our elections from foreign interference by ensuring political campaigns are informed of the laws banning foreign interference and are prepared to comply and report any attempts of foreign interference.

In this critical moment for our republic, we believe it should remain a top priority for this Congress to repair our democracy and ensure that no future president is permitted to abuse the power of their office. If enacted, the Protecting Our Democracy Act would protect against future presidential abuses of power, restore the integrity of key democratic institutions, and ensure transparency from the chief executive. For these reasons, we call on you swiftly to take action on this critical legislation

Sincerely,

20/20 Vision

American Federation of Teachers

American Sustainable Business Network

Blue Future
Brennan Center for Justice
Campaign Legal Center
Church World Service
Citizens for Responsibility and Ethics in Washington (CREW)
Clean Elections Texas
Common Cause
Communications Workers of America
Daily Kos
Demand Progress
DemCast USA
Democracy 21
Democratic Messaging Project
End Citizens United//Let America Vote Action Fund
Fix Democracy First
Franciscan Action Network
Free Speech For People
Freedom BLOC
Get Money Out – Maryland
Government Accountability Project
Government Information Watch
Greenpeace USA
Indivisible
Indivisible Iowa
Indivisible Santa Fe
Just Detention International
League of Conservation Voters
League of Women Voters of the United States
Local Majority
MoveOn Civic Action
National Federation of Federal Employees
National Security Counselors
NETWORK Lobby for Catholic Social Justice
North Carolina Voters for Clean Elections
Oregonizers
People For the American Way
People Power United
Project on Government Oversight
Protect Democracy
Public Citizen

Public Employees for Environmental Responsibility

Rank the Vote

RepresentUs

Secure Elections Network

Service Employees International Union

Sojourners

Stand Up America

The Digital Democracy Project

The National Vote

The Workers Circle

Transparency International U.S.

Tully Center for Free Speech

Unitarian Universalist Association

Unitarian Universalists Social Justice Group