



AMERICANS FOR LIMITED GOVERNMENT

9900 MAIN STREET SUITE 303 · FAIRFAX, VA 22031 · PHONE: 703.383.0880 · FAX: 703.383.5288 · WWW.GETLIBERTY.ORG

May 24, 2012

The Honorable Jo Bonner
Chairman, House Committee on Ethics
1015 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Bonner:

The House Committee on Ethics is one of the few stopgaps for the people to stop the abuse of congressional privilege, and a recent taxpayer funded, franked, mailing by Representative Fred Upton reeks of abuse.

The mailing in question features an envelope with the silhouette of a hunter on the front, a banner saying, “defending your second amendment rights” and a printed gold seal proclaiming Mr. Upton’s rating with a well known national civil rights interest group.

The rating is given by that group and distributed by their political arm as part of their political endorsement process. In fact, there is no way to construe the rating outside of the context of electioneering, yet Mr Upton used a taxpayer funded mailing to advertise this political support to his constituents.

This apparent misuse of the franking privilege is shameful and represents the exact type of business as usual Washington, D.C. political game that voters have rejected time and again, including by overwhelming numbers in 2010.

To be clear, if Mr. Upton had chosen to write about specific legislation mentioning key organizations who supported or opposed it as part of his rationale to his constituents as to why he voted a certain way, that would be inside the lines. However, putting out what can only be called a “campaign” piece using taxpayer funds is repugnant.

I am confident that between the political campaign war chest that a powerful committee chairman can easily amass, and his own personal wealth, Mr. Upton could afford to pay for his own political direct mail without need of taxpayer assistance. Given this confidence, this mailing is all the more offensive, as it reveals Mr. Upton’s sense of entitlement to the perks and benefits of office that are so repugnant to Americans across the political spectrum.

A copy of an article written on Chairman Upton’s outrageous use of taxpayer funds to promote his election is attached for your review.

Thank you for your consideration.

Sincerely,

William A. Wilson
President
Americans for Limited Government

Attachment

cc: Speaker John Boehner, Members of the House Committee on Ethics



Congressman Fred Upton's taxpayer-funded mailer highlighting NRA voting record draws criticism as waste

Published: Wednesday, May 23, 2012, 7:40 AM Updated: Wednesday, May 23, 2012, 10:57 AM



By **Fritz Klug | fklug@mlive.com**

KALAMAZOO, MI — A recent mailing from U.S. Rep Fred Upton's congressional office has drawn criticism for its use of taxpayer money to promote the Republican congressman's pro Second Amendment voting record.

The two-sided mailing has printed on it "Congressman Fred Upton: Defending Your Second Amendment Rights" alongside a silhouette of a hunter holding a rifle.

It also says that "Fred has earned an 'A' rating from the NRA for his legislative voting record."

Rich Robinson, executive director of the Michigan Campaign Finance Network, a nonprofit and nonpartisan organization that looks at the influence of money in politics, has seen similar mailings from his Congressman, Mike Rogers, R-Brighton.

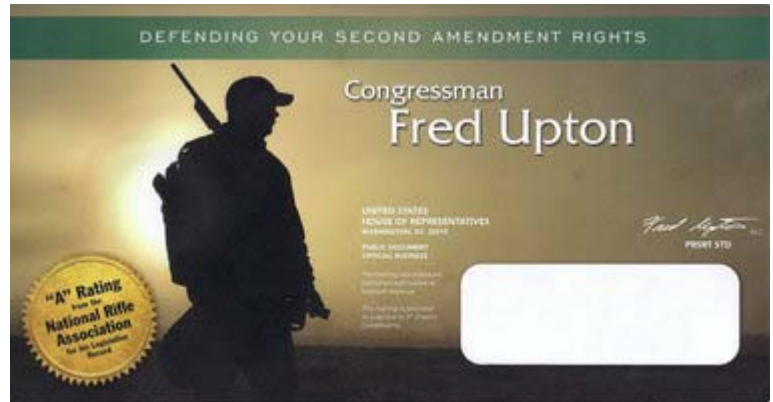
"They strike me as a waste of taxpayers dollars," Robinson said.

Mailings paid for by tax payers should provide information relevant to the voters, he said. This, however, mostly promotes Upton and does not really inform the constituent.

"Somehow we're supposed to believe there is information there that is useful for us," Robinson said.

"It does seem like self-promotion. ...How is receiving this supposed to improve my life?" Robinson asked "What information here is useful to me?"

The funding for the mailers comes from Upton's annual budget, and the copy has to be approved by Commission on Congressional Mailing Standards or the "Franking Commission." There are requirements for any piece of mail sent to more than 500 constituents. For example, it can't identify the congressman as a candidate for office, can only mention his name a certain number of times and his picture can only be a certain size. Such mailings also cannot be



A copy of the mailing sent out from Congressman Fred Upton's office.

sent 90 days before an election.

Such pieces of mail are also required to have specific language, as is printed on the Upton piece: "This mailing was prepared, published and mailed at taxpayer expense. ... This mailing is provided as a service to the 6th District."

Upton says mailings like this help him get feedback from people in the district.

"It's communicating with constituents," Upton said of the mailer on Monday. "We do periodically (send) mailers."

The mailer, he said, references votes cast as part of the Sportsmen's Heritage Act, which the House approved in April. Upton also said there are also votes related to the Second Amendment with the appropriation bill.

"It's a pretty big issue back here, the Second Amendment," Upton said.

Upton said the mailings come from his annual discretionary budget. According to congressional records, Upton's office was budgeted \$1,417,676 in 2011, of which he spent 84 percent, or \$1,190,115.

Of the money spent, nearly \$30,000 was spent on mailings and \$884,000 on payroll.

"Again this year, I will be returning money to the treasury that I could spend," Upton said.

Upton also uses money from his budget to host town hall style meetings over the telephone, where constituents can vote on how they feel about certain issues.

But given the already heightened primary between Upton and Republican challenger Jack Hoogendyk, the mailer draws into question why Upton would send out such a mailer, said John Clark, chair of Western Michigan University's political science department.

"The campaign itself has resources to send direct mail," Clark said. It doesn't make sense to "send something that would appear to some folks less about official business and more about running for office."

As of March 31, Upton had more than \$2 million cash on hand for his campaign.

And this could hurt Upton in his primary challenge against Hoogendyk, Clark said. The former state representative who lost against Upton in 2010 is running a campaign challenging Upton for being an incumbent who has been in office too long.

"I'm not saying that's what the mailer does, but it gives off the appearance," Clark said.

Mark Miller, Democratic chair of the Sixth District, said that the mailing is a piece of campaign literature. "It seems inappropriate at best to use taxpayer dollars on messaging that is clearly part of his campaign," Miller said. "The rating he received from the NRA or any other interest group is not something taxpayers need to involuntarily pay to hear about."

*Fritz Klug is a government reporter for the Kalamazoo Gazette. He is covering the 6th Congressional race. If you have questions about the race or get any campaign mailings or robocalls, let him know: **fklug@mlive.com** or 269-370-0584. Follow him on **Twitter**, **Facebook**, or **Google+***

© 2012 MLive.com. All rights reserved.