

New York University
Journal of Legislation
and Public Policy
2021 Legislation Competition

Co-Sponsor:
Birnbaum Women's Leadership Network

Due Date: Friday, February 26th
11:59 PM EST

PROMPT

In late 2017, Liuba Gretchen Shirley decided to run for the House of Representatives in New York's 2nd Congressional District. In addition to the typical challenges candidates encounter—navigating fundraising and filing deadlines, recruiting volunteers, crafting campaign advertisements—she faced another obstacle: what to do with her kids. Before running for office, Shirley worked at home as a consultant, providing full-time childcare for her two young children. As her campaign progressed, she needed to find external childcare—and a way to pay for it.

While Shirley's dilemma is a familiar one for any working parent, the complex federal campaign finance code did not provide any concrete guidance. Accordingly, Shirley sought and received an [advisory opinion](#) from the Federal Election Commission (FEC) allowing her to use her campaign funds for childcare expenses.

Shirley's experience illustrates a persistent flaw in campaign finance laws: the lack of clarity when campaign expenses blend into the personal. While determining which of these costs can be covered by campaign funds creates an annoying but surmountable administrative burden for [many individuals](#) currently holding national office, for many potential candidates, the financial uncertainty can be prohibitively restrictive.

On March 8, 2019 Representative Katie Porter (D-CA) introduced the [Help America Run Act \(HARA\)](#) to address one aspect of this struggle. HARA, which passed the House of Representatives on October 29, 2019, would explicitly allow campaign funds to pay for childcare without petitioning the FEC. Representative Porter recognized the inaccessible barrier that campaigning can create for working class people and parents.

Please evaluate Representative Porter's proposal. Compose a response paper analyzing HARA, evaluating its strengths and weaknesses, and identifying and justifying any changes you believe necessary. Specifically, evaluate how HARA navigates the line between personal and campaign expenditures, including how gender and socioeconomic status play a role in shaping that distinction. We encourage you to identify other expenses that should be uniformly included in permissible campaign expenses and to explore if the legislation should adopt spending limits or other guardrails to protect against potential abuse. Your paper should take the form of an essay, *not* a piece of legislation. You need not limit yourself to legal analysis; you may also consider relevant political, social, or policy questions.

RULES FOR SUBMISSION

- I. The Legislation Competition is open to both individuals and teams of up to 3 members. If a team wins, prizes will be split among the teammates.
- II. Your response paper should be **no longer than 1500 words**. We understand that this means you may not be able to address every facet of your idea; that's okay. We prefer clarity of analysis over breadth of analysis.
- III. Outside research is recommended and citations should be bluebooked.
- IV. Responses are due on **Friday, February 26th, 2021 at 11:59 pm Eastern Standard Time**. Please submit your response letter to sse.legis@gmail.com. Please include the attached **cover letter** form with your paper.
- V. Do not include your name or any identifying information in the response paper itself, as it will be graded anonymously. Any response papers with identifying information will be excluded from the competition.

PRIZES

The winning submission will be publicly recognized at the Journal of Legislation and Public Policy and Birnbaum Women's Leadership Network symposium, *Politics, Power and Women's Leadership*, on Friday, March 5, 2021. The winning team or individual will receive a cash prize of \$250 and have the opportunity to meet with Representative Porter to lobby for their proposal and discuss legal work in Congress. The winning submission will also be published on *Quorum*. 1L winners will gain automatic admission onto Journal for Legislation and Public Policy. The runner-up will also receive a cash prize of \$150.

2021 Legislation Competition: Applicant Cover Letter

<u>Name</u>	
<u>Email</u>	
<u>Phone Number</u>	
<u>NYU Affiliation</u>	
<u>Class Year</u>	

<u>Name</u>	
<u>Email</u>	
<u>Phone Number</u>	
<u>NYU Affiliation</u>	
<u>Class Year</u>	

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