

Measure will allow states to enact anti-corruption laws without jeopardizing federal funding

WASHINGTON—Last night, U.S. Representatives Mike Quigley (IL-05), Bill Foster (IL-14), and Debbie Halvorson (IL-11) passed legislation in the House of Representatives that will allow Illinois to more effectively fight pay-to-play contracting in state highway construction projects. H.R. 3427—the State Ethics Law Protection Act (SELPA)— will prohibit the Federal Highway Administration (FHWA) from withholding federal funds from states that have enacted anti-pay-to-play laws. Pay-to-play is the practice of trading campaign contributions for lucrative government contracts.

“States across the country have shown that they are ready to reform, and the passage of this bill makes it crystal clear that Congress supports these efforts,” said Quigley. “Illinois has made too many of the wrong kinds of headlines, and the federal government must allow Springfield to use every tool at its disposal to fight corruption.”

“I am proud to support this legislation, which will free the hands of state legislatures that seek to take bold action to combat pay-to-play practices and restore the public’s faith in government,” said Foster. “It will also help ensure that federal dollars will not be wasted on contracts doled out to political cronies.”

“Illinois is essentially being penalized by federal regulations for taking steps against pay to play,” added Halvorson. “I fought for Illinois’ anti pay-to-play legislation as a State Senator, and now the House is taking an important step forward in supporting these efforts. We need to be clear that Illinois’ ethics reform legislation is supported by Congress. That’s what this legislation accomplishes.”

In 2008, the Illinois General Assembly unanimously passed a comprehensive anti pay-to-play bill, House Bill 824. The bill made it illegal for any entity holding or bidding on state contracts worth \$50,000 or more to donate to the campaign fund of a statewide officeholder who has influence over awarding the contracts. In addition to every state lawmaker, the bill passed with strong support from good government advocates, including then-U.S. Senator Barack Obama. Other states including New Jersey, and Connecticut, have passed similar measures.

Unfortunately, shortly after the passage of H.B. 824 the Federal Highway Administration (FHA) threatened to withhold funding for transportation projects due to their interpretation of federal contract bidding requirements. Under threat of losing out on millions of federal highway dollars Illinois was forced to water down H.B. 824 to exclude transportation projects, effectively creating a loop-hole for pay-to-play.

H.R. 3427 clarifies that anti pay-to-play laws are consistent with federal contracting requirements, ensuring projects are chosen based on merit rather than political connections and favors. SELPA will eliminate states having to choose between good government and good highways.

Quigley [introduced](#) the State Ethics Laws Protection Act in July of 2009.