



## Federal election commissioner says Trump is trying to improperly remove her

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Ashley Lopez



Federal Election Commission member Ellen Weintraub testifies on Capitol Hill on Sept. 20, 2023.

Alex Wong/Getty Images

A Democratic member of the Federal Election Commission says President Trump is trying to improperly remove her from the post.

Ellen Weintraub [announced](#) Thursday evening that she had received a letter from Trump, dated Jan. 31, "purporting to remove" her from her position.

"There's a legal way to replace FEC commissioners-this isn't it," she wrote on social media. "I've been so fortunate to serve the American people and stir up some good trouble along the way. That's not changing anytime soon."

The FEC is an independent regulatory agency created to administer and enforce campaign finance laws. Commissioners are [appointed](#) by the president and are confirmed by the Senate to serve in staggered six-year terms. No political party is allowed to be represented by more than three of the six seats on the FEC.



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## POLITICS

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Currently, there is a vacant seat on the commission and multiple members are serving expired terms — including Weintraub.

Trevor Potter, the Republican former chair of the FEC and president of Campaign Legal Center, said in a statement that Trump is allowed to appoint someone to Weintraub's seat. However, he said, the way in which he is attempting to oust Weintraub violates the law.

"Trump is free to nominate multiple new commissioners and to allow Congress to perform its constitutional role of advice and consent," he said. "It's contrary to law that he has instead opted to claim to 'fire' a single Democratic commissioner who has been an outspoken critic of the president's lawbreaking and of the FEC's failure to hold him accountable."

The Campaign Legal Center has [filed campaign finance complaints](#) against Trump's 2024 campaign.

Daniel Weiner — director of the Elections and Government Program at the Brennan Center for Justice, which has been critical of the president's attacks on the electoral process — said this attempted firing comes at a time when the FEC is expected to consider complaints against Trump's 2024 campaign, as well as complaints filed by his campaign against the Harris campaign.



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## POLITICS

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"The timing here is when the president and his top donor, Elon Musk — who spent almost \$300 million to help get the president elected — are engaging in an enormous reorganization of the federal government, seemingly without any regard for Congress and the other various checks and balances that exist in our federal government," he said. "So this act to go and try to fire a Democratic member of the FEC just adds to the overall concern about unchecked power and the idea that people are just ignoring all

the restraints that are supposed to keep one party or the other from just abusing its temporary control of the federal government ... and that is extremely, extremely concerning."

The White House did not immediately respond to a request for comment.

Weiner said no president has ever tried to fire a member of the commission from the opposing party without first consulting or working with congressional leaders from the opposing party.

He said it's not clear what happens next, but there could be litigation because commissioners cannot be removed without cause. And since Trump did not cite any cause in his letter to Weintraub, there could be grounds for a lawsuit, Weiner said.



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