



Government of Citizens, Not Money

*Americans Are United for
the 28th Amendment*

Government of the People
Secure Free and Fair
Elections

Fellow Americans-

We offer this report, *Government of Citizens*, at a time of great danger and opportunity for our nation. America faces many challenges. We believe many of these arise from a root crisis of concentrated money and special interests controlling our political system. Big donors are well-represented; most Americans are not.

As a result, American trust in our institutions -- and in each other -- is collapsing. Powerful interests profit from dividing voters and preventing practical solutions that will help hard-working Americans. On the left and the right, the few who believe in and can afford to participate in the pay-for-play system trade millions of dollars in campaign contributions for billions of dollars in tax money as the government picks winners and losers.

The appropriate response to this crisis offers a historic opportunity for national re-dedication to our core uniting principles. This response is an amendment to the United States Constitution to secure effective, comprehensive and lasting reform. This Constitutional amendment -- it will be the 28th Amendment -- will empower citizens and their leaders to establish and maintain open and fair elections and governance while making sure that power and money do not overwhelm the voices (speech) of the people.

Americans today defy conventional wisdom. We are not as hopelessly divided, as some want us to believe. We are capable of big things as a nation.

- We are united, not divided, in our determination to return government to the people and restrain the corrupting influence of big money in politics.
- We are going big, not small; we will pass and ratify a Constitutional amendment to ensure transparency, prevent corruption and guard against the buying of access to or influence over representatives.
- We are active, not passive, shaping fate rather than accepting national failure.

We know this 28th Amendment will not be easy. Under Article V of the Constitution, 2/3 of each house of Congress must vote for an amendment and 3/4 (38) of state legislatures must ratify it. But we are on our way. Nineteen states have formally called for some form of 28th Amendment by significant cross-partisan majorities. 800 cities and towns across the nation have done the same. At the same time, Congressional resolutions are gaining momentum with hundreds of co-sponsors in the House and Senate.

Please review this report to learn more. Now is the time to renew our national commitment to government of the people, by the people and for the people. The 28th Amendment will help us do that.

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Introduction

In September 1787, the delegates to the Constitutional Convention in Philadelphia signed the proposed Constitution and left Independence Hall to seek its ratification by the states and the American people. Stepping out, Ben Franklin famously answered a citizen's question about what kind of government the Constitutional founders had created: "A republic, if you can keep it."



Franklin knew well the challenges facing a government by the people, including foreign intrigue, concentrated power, factionism, division, corruption, erosion of civic virtue, and more. Today, these threats are as present as they have ever been in our short history.

Among the most urgent threats is the take-over of elections and policy decisions by a small group of wealthy elites and the entities they control. The problem is not new, but it has recently reached epic proportions. Since 2010, election spending has skyrocketed - with more than \$40 billion spent to define the outcomes of federal and state elections. Most of that money comes from less than 1% of Americans. A new, self-selected, wealthy donor class now call the shots, not the people.

Too many of our representatives are spending half or more of their time calling wealthy donors and raising money. And almost all Americans are locked out of this new big money political system.

The new, self-selected wealthy donor class now has a dominant impact on policy, with most citizens having no impact at all.¹ Literally, issues that have near universal

¹ Gilens, M., & Page, B. I. (2014). Testing theories of American politics: Elites, interest groups, and average citizens.

agreement have virtually no chance of becoming law if they are not supported by the new donor class.

Money continues to pour into elections in record amounts². Voter turnout is low.³ Satisfaction with candidates,⁴ elected officials,⁵ and the direction of the country generally are also low.⁶ **More than 80% of Americans - including most business executives - agree that unfettered political spending leads to political inequality and democratic corruption.**⁷

Constitutional Crisis: How did we get here?

How did this happen? An “activist-minded Supreme Court” changed the rules of the game.⁸

In a series of decisions over the past few decades, the Supreme Court abandoned traditional Constitutional caution of checks and balances in favor of a reckless experiment that now allows unlimited money to be raised and spent in elections. With a theory that money spent in elections -- no matter the amount or source of funds -- is simply freedom of speech and cannot be balanced by other rights and interests of Americans, the Court has repeatedly struck down campaign finance and election laws. This reckless step *rejects the core American value that your wealth should not define your rights as a citizen*. The result: the new self-selected donor class’s demands are met and public needs are neglected. To be competitive, politicians are forced to spend much of their time raising money from and catering to big donors, while ordinary citizens and the issues that truly matter are seldom even addressed.

“The original framers were highly distrustful of the power of corporations. I suspect that the framers would be appalled at Citizens United. We the People—each of us—are only the most recent generation of Americans who have been called upon to defend the framers’ vision of a Constitutional government Of the People, By the People, and For and the People. That responsibility is now ours.”

James Nelson,
Justice, (Ret).
Montana
Supreme Court



Perspectives on Politics, 12(3), 564-581. DOI: 10.1017/S1537592714001595

² <http://pewrsr.ch/2CO1ULL> ; <https://www.ft.com/content/5060844a-0420-11e7-ace0-1ce02ef0def9>

³ <http://www.pewresearch.org/fact-tank/2017/05/15/u-s-voter-turnout-trails-most-developed-countries/>

⁴ <http://pewrsr.ch/2F0vGCT>

⁵ https://www.realclearpolitics.com/epolls/other/congressional_job_approval-903.html

⁶ http://news.gallup.com/poll/196388/satisfaction_remains_low_leading_election.aspx

⁷ Demos <http://www.demos.org/>; Committee on Economic Development <http://www.ced.org/>

⁸ “Under our constitutional system, especially with an activist-minded Supreme Court, the judiciary may be the most important instrument for social, economic and political change.” Memorandum to the US Chamber of Commerce, August 1971, from Lewis Powell. Soon thereafter, Powell was appointed to the Court and authored many of the decisions creating new Constitutional rights for large corporations and money in politics.

The Supreme Court has had ample opportunity to correct its mistake, but it has not done so, and shows no inclination to do so. That leaves it up to us, the American people, to use the Constitutional amendment process to correct the Court, as Americans have done eight times before.

EIGHT AMENDMENTS CORRECTING THE SUPREME COURT

The **11th** Amendment corrected the Supreme Court's decision in *Chisholm v. Georgia*, which damaged our federalism by allowing creditor suits against the States in federal courts. The **13th**, **14th**, and **15th** Amendments nullified the notorious decision in *Dred Scott v. Sanford*, which had declared African Americans to have no rights, and precipitated the Civil War. The **16th** Amendment nullified *Pollock v. Farmers Loan & Trust Co.*, which had struck down the progressive income tax. The **19th** Amendment overruled the Court's conclusion in *Minor v. Happersett* that women had no right to vote. The **24th** Amendment declared taxes on voters (the poll tax) unconstitutional and the **26th** Amendment empowered 18, 19 and 20 year-olds with the right to vote, both of which the Supreme Court had denied in *Breedlove v. Suttles* and *Oregon v. Mitchell*, respectively.

The 28th Amendment will protect the integrity of American elections and secure equal rights of Americans as citizens in our republic by addressing the problems inherent in dark money in elections and governance. The Amendment may also put an end to partisan gerrymandering – which allows politicians to choose their voters rather than the other way around.⁹

As Benjamin Franklin said, it is “a republic. If you can keep it.”

Well, we can keep it, but we need to act now.

Why A Constitutional Amendment?

American democracy is in crisis, and it is a Constitutional crisis. Political inequality and the grip that unlimited dark money has taken on our political institutions -- legislative, executive and judicial -- threatens the very nature of our government. Most Americans correctly perceive that they are excluded from meaningful representation and participation.

The Supreme Court's 2010 *Citizens United* ruling codified a decades' long assault on the **checks and balances of American politics**. The Court has repeatedly struck down state and federal election laws under a theory that campaign spending to influence elections is “free speech” – whether spent by people, corporations, unions,

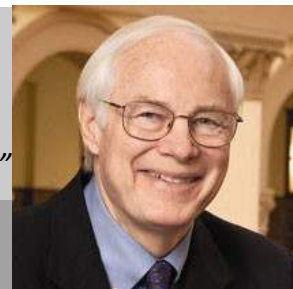
⁹ Several versions of effective amendment resolutions have been introduced and have significant support in Congress. American Promise is leading a cross-partisan initiative to ensure that we have the most effective language and an opportunity for all Americans to have a voice in that process. More information about Writing the 28th Amendment: http://www.americanpromise.net/writing_the_28th_amendment.

Super PACs, billionaires, etc. And that right allows any of those groups/entities to spend unlimited money in elections.

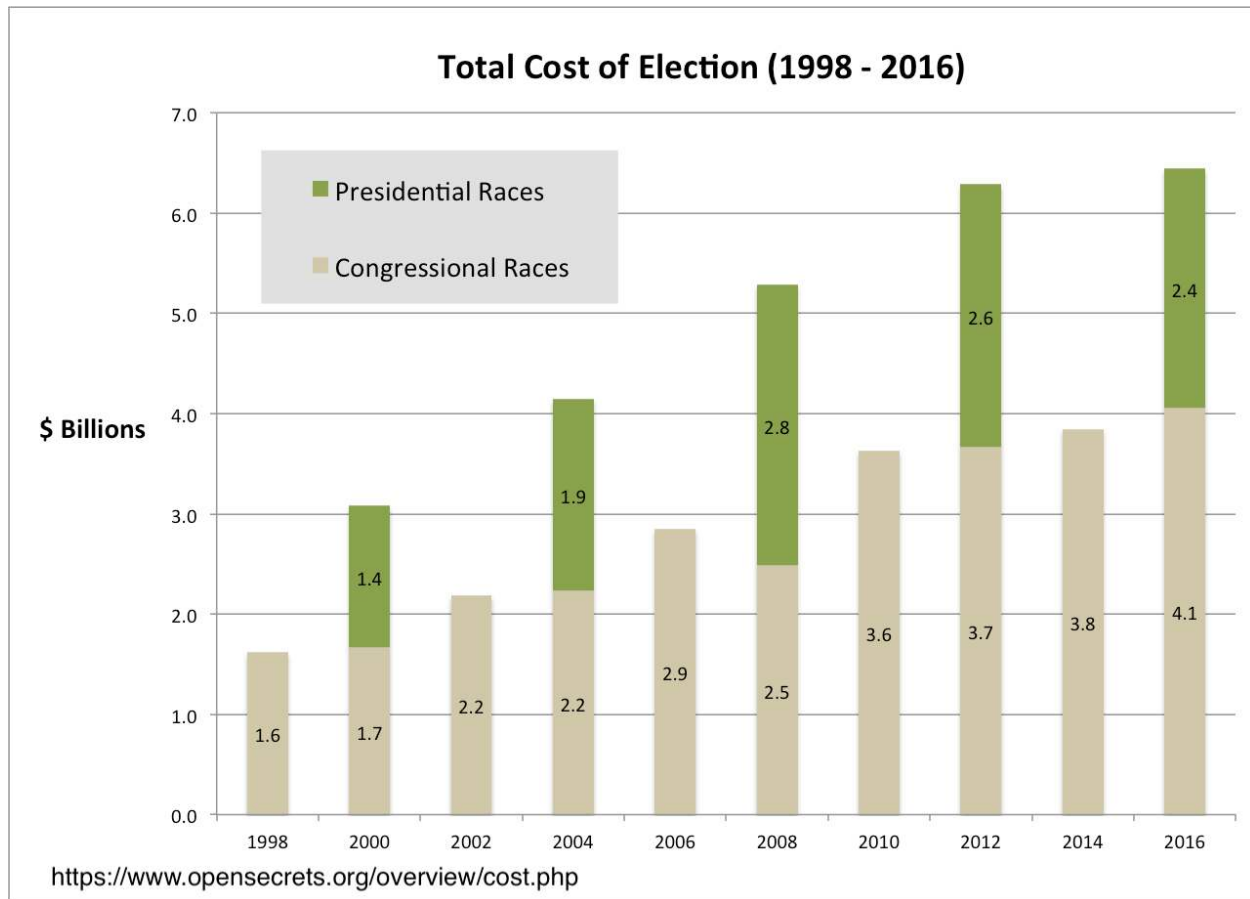
- Billions of dollars now are flooding our elections at an unprecedented rate - unprecedented in the history of the world.
- Most of the money comes from less than 1% of Americans.
- Foreign money and influence has infiltrated the election process through corporate subsidiaries and dark-money Super PACs.
- The “speech” of most Americans has been drowned out by the bullhorn of dark money -- effectively denying all but a self-selected few from having a meaningful say in our electoral process.
- Well-intended legislators are forced to participate in a money arms race each election cycle or face abandoning the people they serve and the important issues for which they fight.
- Time spent raising money takes away from the important task of running our state and federal government.
- The interests of the new self-selected donor class are often at odds with the interests of the citizenry and the country as a whole.
- More and more, public needs and the national interest are being neglected.
- Citizens are justifiably dispirited and angry. They are beginning to distrust all institutions and dismiss even well intentioned individuals as “elites.”
- Many citizens are simply checking out or being lured further and further to the extremes.
- The problem transcends party affiliation. Front groups and dark money are well documented on all sides of the aisle. And the money arms race is on. The US Chamber of Commerce, the Democratic Governors Association & the Republican Governors Association have funneled a combined \$700 million of special interest money into our elections in recent years.

“The Supreme Court “has genetically altered our democratic DNA, pushing American politics in an oligarchic, corporatist direction. The Constitution begins ‘We the people’ not ‘We the corporations.’”

Jim Leach, U.S. Representative (R-Iowa), 2003-2007
Former Chair, National Endowment For the Humanities



With the elimination of the lines and buffers between powerful economic forces and our political process, money is pouring into our federal, state and local elections in an attempt to buy legislation that serves the interests of a self-selected few over the many. The result is unequal representation, extreme polarization, anger and destabilization of the American republic.



The unfortunate consequences of this brave new Supreme Court enabled world abound.

- Pharmaceutical companies lobby for legislation that bolsters profits from illicit drug sales while fueling the opioid addiction crisis. They deploy hundreds of millions of dollars in political spending to make billions by keeping drug prices the highest in the world.
- Wall Street donors lobby for and receive preferential financial and tax regulations, resulting in some of the people who make the most money in our country paying fewer taxes than the hard-working American middle class.
- We see subsidies for the powerful, low wages for American workers, healthcare that is unaffordable for many Americans and a government that does not respond to the needs of far too many.

- Big money donors fuel gerrymandering strategies that divide Americans into Congressional and Statehouse districts such that many votes don't matter and moderate views on both sides are unrepresented.
- Corporate prisons and big prison guard unions use political spending to block common sense criminal justice reform, while keeping more Americans incarcerated at huge tax-payers' expense.
- Some legislators who represent the new self-selected donor class rather than their constituents, all too often sponsor and pass unread laws written by corporate lobbyists.

"I thought it was an outrage that the Supreme Court can tell us that we can turn these elections over to whoever's got the most money." If something is not done, "it will change elections forever."

Mike Madden
State Representative, (R), Buffalo, Wyoming



The Supreme Court's aggressive role in striking down basic anti-corruption and fair election rules has had profound consequences for states' rights and our federalist system. States that have long safeguarded their own elections now face unprecedented court challenges.

- For example, **Montana** had barred corporate election spending since 1912. A century later, without even a hearing, the US Supreme Court summarily overruled Montana's own Supreme Court and struck down the Montana law so that global corporations could make unlimited expenditures to influence Montana elections. Laws in more than 20 other states have suffered a similar fate.
- In **Alaska**, a longstanding law requiring campaign money for Alaska elections to come from the people of Alaska was attacked in court as a violation of the claimed free speech rights of wealthy out-of-state interests.

¹⁰ *American Tradition Partnership v. Bullock*, 132 S.Ct. 2490 (2012)

¹¹ *Thompson v. Hebdon*

- In **Arizona** and **Maine**, small-donor, public-funded clean election systems were attacked as violating the “free speech” rights of SuperPACs and big business to drown out the free speech of those with less money.

“We need to repair the Constitutional foundation for election spending reform so that all Americans may participate in self-government as equal citizens. When a few individuals and extremely well-funded organizations ‘own the microphone,’ the average citizen’s voice is drowned out. I hope all Americans can come together with American Promise to help in the urgent, cross-partisan work to bring about fundamental change.”



Olympia Snowe,
U.S. Senator (R) Maine, (1995 – 2013)

Unlimited control of elections and politicians by those with a lot of money is not what free speech means. It is not what the First Amendment – which is for all Americans – means. And, it is not what our federalist system of respecting the States means.

“People of good conscience from all political spectrums must stand up now. What we care about as everyday people is in peril if we don’t get concentrated money out of American politics. We can regain power in a representative democracy through the Constitution with the 28th Amendment.”



Nina Turner,
Former State Senator, President, Our Revolution

The problem is cross-partisan; the solution must be too

The crisis of money undermining our political system has been brewing for some time. Beginning with *Buckley v. Valeo*, in the 1970s, an “activist-minded Supreme Court” (in the words of Justice Lewis Powell) increasingly equated unlimited spending by a new self-selected donor class and the groups they control to influence elections as simply “free speech.” This Constitutional overreach by the Court was supported by Justices appointed by both Democratic and Republican Presidents. It certainly was not a case of conservative versus liberal. Both sides got us into this mess. And principled Supreme Court Justices on each end of the spectrum warned of the consequences and tried to stop the Court’s reckless activism.

¹² *Arizona Free Enterprise Club’s Freedom Club PAC v. Bennett*

Conservatives such as Justice William Rehnquist supported campaign finance limitations and opposed putting American democracy up for sale to the highest bidder through all new judicially created “free speech” rights.

The “Fourteenth Amendment does not require a State to endow a business corporation with the power of political speech...For in a democracy, the economic is subordinate to the political, a lesson that our ancestors learned long ago, and that our descendants will undoubtedly have to relearn many years hence.”

U.S. Supreme Court Justice
William Rehnquist



And liberals such as Justice Harry Blackmun – author of *Roe v. Wade* – opposed campaign finance limits and supported new rights for corporations.

Our elected representatives are forced to face the brunt of this unfair new system created by ill-advised Supreme Court activism. They must spend forty to fifty percent or more of their time raising money. But, the money arms race and the people and issues they care about make them hold their noses and move forward. In the same way, most middle class and wealthy donors long for a day when they are not hounded every election cycle, feeling the need to counter spending by the new self-selecting donor class that the Supreme Court has unleashed on the country.

The problem is not one side of the aisle, nor the many representatives who entered public service to make our country better. The problem is a broken system.

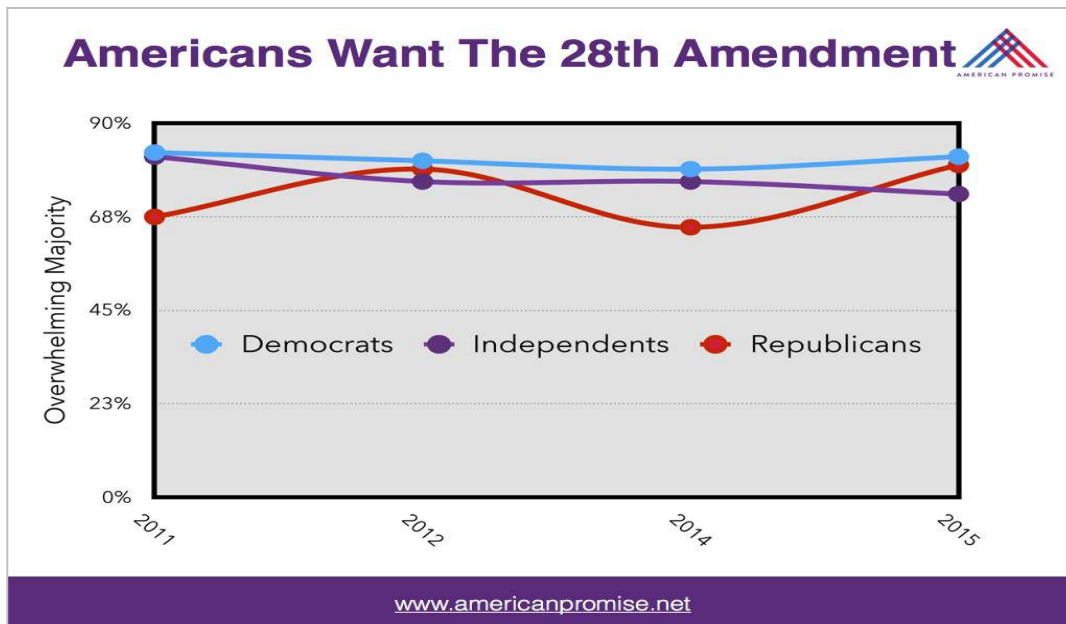
A Constitutional amendment will correct the problem, and create a sound foundation for successful reform and the welcome renewal of our republic. To pass a Constitutional amendment into law, we will have to be united. And we are.

Are Americans Really United?

The issue of a Constitutional amendment to address money in our political system has often been incorrectly portrayed as a partisan issue. We hear that Democrats support an amendment and Republicans must be against it (or the other way around), unimaginatively fueling the easy “conservative” versus “progressive” narrative. Or we hear that Americans are too divided to do the heavy lifting of a Constitutional amendment. Both are wrong.

Across the board, in every state, Americans - regardless of party affiliation or no affiliation - agree that we must pass and ratify the 28th Amendment. Poll after poll,

year in and year out, shows how united Americans are on the call for the 28th Amendment.



Sources ¹³

And, when presented with the chance to vote for a Constitutional amendment to regulate election spending, citizens consistently support it with deep cross-partisan margins.

For example, in **Colorado** and **Montana**, 75% of voters have approved ballot initiatives formally calling for a 28th Amendment.¹⁴ Washington and California joined this list in 2016. Voters in Massachusetts, Wyoming, Florida and many other states are working as we write this report to follow suit.

In total, as of early 2018, nineteen states have formally enacted some form of a 28th Amendment resolution either through citizen ballot initiatives or by legislative action. **Twenty more states had resolutions pending in 2017.** More than 800 cities and towns across the nation have passed 28th Amendment resolutions. These communities have acted regardless of whether they are in so-called “red states” or “blue states,” and when they have done so through the voice of the voters in ballot initiatives, the cross-partisan support is overwhelming, with results of over 80% in favor of a common result.

Many Republican lawmakers have already joined their Democratic counterparts in supporting the 28th Amendment movement. We list more than 100 elected Republicans

¹³ Peter Hart Poll (2010/11) (79% of Americans, including 68 percent Republicans, 82% Independents, 87% of Democrats support an Amendment overturning the Citizens United ruling); AP (2012) (83% of all Americans, including 81% of Republicans, 78% of independents, and 85% of Democrats believe “there should be limits on the amount of money corporations, unions, and other organizations can contribute to outside organizations trying to influence campaigns); Lake Research Partners (2014) (Republicans oppose Citizens United ruling by a 2-1 margin); Bloomberg News (2015) (80% of Republicans and 78% of all Americans support a constitutional amendment overturning the Citizens United ruling.)

¹⁴ [https://ballotpedia.org/Colorado_Corporate_Contributions_Amendment,_Amendment_65_\(2012\)](https://ballotpedia.org/Colorado_Corporate_Contributions_Amendment,_Amendment_65_(2012))

who have taken this stand for the good of the Constitution and the Country in Appendix I. And there are many more in every state ready to lead in rebuilding our republic's Constitutional foundations of distributed powers, equal citizenship, and effective self-government by the people.

Ready for Change

Although citizen support across the country is widespread and truly cross-partisan, in Washington DC, the situation is different. So far, with a few notable exceptions, in Congress the Democrats and Independents have been more vocal and active in co- sponsoring legislation that would lead to the 28th Amendment. That needs to change.

"It is time to accept the historical gravity of our situation. It is time for Americans of all political viewpoints to come together to win the 28th Amendment — and to renew U.S. democracy again."

Doris Kearns Goodwin,
Presidential Historian, Pulitzer Prize-winning Author



Many elected officials in both major parties *do* recognize the need to ensure that Americans have the right to enact campaign finance laws and reasonable limits on money in elections. Only with a Constitutional amendment can we protect the integrity of our elections, our government and reinstate a fair and level playing field for all American citizens. And only with cross-partisan support can we ratify the 28th Amendment.

To succeed, and for the good of the country and our common future, cross-partisan support is not only desirable, it is essential. By design, a Constitutional Amendment can only succeed when Congress unites over a single issue (a 2/3 vote of Congress is 67 Senators and 290 House members) and support is sufficient for ratification in no fewer than 38 States.

"In order to achieve the widest possible distribution of political power, financial contributions should be made by individuals and individuals alone"

Barry Goldwater, U.S. Senator (1953-1965)
Republican nominee for President (1964)



As the Appendix to this Report makes clear, many Republicans in the country support the 28th Amendment and we hope that Republicans in Congress begin to act on that. This requires leadership, independence and work from both Democrats and Republicans in Congress. We have recommendations below for each side of the aisle, and for all Americans to get this done, and we stand ready to assist in any way.

Widespread Republican Support For Addressing the Influence of Money in Politics

Lindsey Graham, U.S. Senator (R-South Carolina) 2003–present

“What I worry about is that we are turning campaigns over to about 100 people in this country, and they are going to be able to advocate their cause at the expense of your cause.”

John McCain, U.S. Senator from Arizona (1987–present), former Republican nominee for President (2008): “What the Supreme Court did is a combination of arrogance, naiveté and stupidity the likes of which I have never seen...**Since when is a corporation a person?** ... This system is not fair to the American people... I grieve right now for the average citizen, for the average voter.”

Walter Jones, U.S. Representative, 3rd district of North Carolina (1995–present): “The citizen is almost left out (of the political process)...**I feel very strongly that money drives policy and it should not be that way.**”

John Bohlinger, Lieutenant Governor (R-Montana) (2005–2013): “...Republicans and Democrats don't always agree on policy matters, but there's one thing we do agree on, and that is: **corporate money should not influence the outcome of an election.**”

"Buddy" Roemer, Governor, R- Louisiana (1988–1992)

“This is not about one party versus the other, or about one person or another. **It is about systemic and institutional corruption where the size of your check rather than the strength of your need or idea determine your place in line...**”

David Stockman, Director, U.S. Office of Management and Budget under President Reagan (1981–1985): “I think we can only solve it by...a Constitutional Amendment...**nothing is really going to change until we get money out of politics** and do some radical things to change the way elections are financed and the way the process is influenced by organized money.”

Verner Bertelsen, Secretary of State, (R-Montana) (1988–1989): “I am a lifelong Republican and I served as Montana secretary of state from 1988 to 1989...Corporations aren't people and money isn't speech. **CEOs of corporations may choose to personally contribute to political campaigns, but they shouldn't be allowed to use shareholders' money to do so.**”

Catherine Cloutier, State Senator, R-Delaware (2000–present): “The United States of America's **elections should not be permitted to go to the highest bidder**, and yet this is the risk that rises from the ashes of the Citizens United decision.”

Time for Congress to Step Up

Republicans and Democrats in Congress, your constituents have spoken! It is time to find new and better ways to work together to pass the 28th Amendment. Appendix 1 contains a list of hundreds of Republican lawmakers in Congress and state legislatures around the country who have either already voted for 28th Amendment resolutions or voiced their support for a Constitutional amendment to address the issue of money in our politics. Broad support from Democratic lawmakers is evident as well.

Republicans and Democrats at every level, currently in office and after a lifetime of service, have stated publicly again and again that money in politics is a real problem and that we must stem the tide in order to preserve our union.

American Promise is leading a process to build a cross-partisan coalition that is helping identify acceptable language for the 28th Amendment. Constitutional attorneys, scholars, judges, political leaders and citizens across the political spectrum are participating. We ask Democrats and Republicans in Congress to join us.

We ask you to co-sponsor one of the Amendment bills that have already been introduced, and at the same time, work with us to construct an alternative version that all sides can support. This is one of those rare opportunities for a united effort around an issue that so many of us agree needs to be fixed.

We look forward to working together to get the job done.

Time To Act

Constitutional amendments have preserved our republic since the Bill of Rights amendments were ratified in 1791. They have never been achieved by one party, one group or by the politicians alone. They require all American citizens to get in the game. That is what we must do once again. We ask all to join us.

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Appendix I:

Republicans Call for the 28th Amendment

Al Simpson, US Senator, (R- Wyoming) (1979-1997); American Promise Advisory Council - 2016-present

*"People across the nation, regardless of their political affiliation, are making clear that corporations or unions should not be able to spend internal funds to influence elections. I urge you to support the call for a 28th Amendment to the Constitution that restores the fundamental promise of our Republic: government of, by and for the people."*¹

*Money's dominance over politics is a top problem our nation faces. It prevents us from tackling anything else... I am committed to working with Wyomingites and Americans to pass a 28th Amendment to our Constitution so people — not money, corporations, unions or special interests — govern America."*²

Lindsey Graham, U.S. Senator (R-South Carolina) (2003-present)

*"What I worry about is that we are turning campaigns over to about 100 people in this country, and they are going to be able to advocate their cause at the expense of your cause."*³

He added that after the Supreme Court's Citizens United decision that allowed unlimited political spending by groups, stopping that cash flow would require a constitutional amendment.

*"I think there's a way to get there," he said, adding, "that would be a priority for me."*⁴

John McCain, U.S. Senator from Arizona, (1987-present), former Republican nominee for President (2008)

*"What the Supreme Court did is a combination of arrogance, naivete and stupidity the likes of which I have never seen. Russ Feingold and I went over to watch the arguments before the United States Supreme Court. I couldn't believe how little these justices understood about the realities of political campaigns.... They were incredibly naive. **Since when is a corporation a person?**... What it has done is it has unleashed a flood of money...*

"And by the way you know Sheldon [Adelson], the Las Vegas casino owner, who owns a casino also, casinos in Macau, he's contributing I think over \$20 million

right now, so foreign money already is into American political campaigning, in a roundabout way, but it is.

"I promise you this. I promise you there will be huge scandals, because there's too much money washing around, too much of it is you don't know who contributed, and there's too much corruption associated with that kind of money. There will be major scandals.

"We will go out there again, we'll fight again, and we'll continue to fight, because it's not fair to the American people. This system is not fair to the American people... I grieve right now for the average citizen, for the average voter."⁵

~

"I believe that history will show that the Citizens United decision by the United States Supreme Court was one of the worst in history saying that corporations are people and money is speech -- a violation of everything that I believe, certainly in the 20th century what we believed as far as financing of elections is concerned."⁶

~

"We need a level playing field and we need to go back to the realization that Teddy Roosevelt had that we have to have a limit on the flow of money, and that corporations are not people.

"That's why we have different laws that govern corporations than govern individual citizens. And so to say that corporations are people, again, flies in the face of all the traditional Supreme Court decisions that we have made -- that have been made in the past."⁷

~

"I condemn them [SuperPACs] on all sides and I condemn the United States Supreme Court for their naivete in the Citizens vs. United [sic], a decision which is an outrage."⁸

~

Voted in favor of a 28th Amendment to enable regulation of campaign finance⁹

Olympia Snowe, U.S. Senator, Maine (1995-2013); American Promise Advisory Council

"It's one thing to have a vigorous exchange of ideas. But when a select few individuals and organizations 'own the microphone,' the average citizen's voice is effectively drowned out by a cacophony of high-priced media blitzes. This imbalance is compounded by the exploding phenomenon of 'outside' organizations that pour extraordinary financial resources into a state to influence an election not based on the interests of that state, but on the parochial, political objectives of that group. Oftentimes, outside groups spend more on campaigns than the candidates themselves, and that's not right."¹⁰

*"It is essential that Congress revisit the issue of campaign finance reform to counter the massive amounts of third-party advertising that are disproportionately and too often anonymously influencing our elections and fueling the fires of partisan discourse. It must explore and examine new means of achieving this end that will protect First Amendment rights to free speech while preserving the integrity of campaigns and elections."*¹¹

Walter Jones, U.S. Representative, 3rd district of North Carolina (1995-present)

*"The citizen is almost left out (of the political process) ... I feel very strongly that money drives policy and it should not be that way."*¹²

Repeated co-sponsor of 28th Amendment in Congress
Co-Sponsor of H.J. Res 48 (in the 114th and 115th Congress)
Co-sponsored H.J. Res. 21 (in the 113th Congress) and H.J. Res. 88 (in the 112th Congress), identical bills to amend the U.S. Constitution to make it clear that corporations do not have constitutional rights, as if they were people.¹³

John Katko, U.S. Representative, 24th district of New York (2015-present)

Katko said he would support a constitutional amendment to overturn the Supreme Court's 2010 in *Citizens United*, explaining, "The only way you're going to limit [money in politics] is through a constitutional amendment."¹⁴

Jim Leach, U.S. Representative, R-Iowa (1977-2007), Chair, National Endowment for the Humanities (2009-2013), American Promise Advisory Council, 2016-present

"Citizens United has genetically altered our democratic DNA, pushing American politics in an oligarchic, corporatist direction. The Constitution begins 'We the people' not 'We the corporations.'"

"A corporation is an artificial creation of the state, which in turn is a creation of the people. To vest with constitutionally protected political rights an inanimate entity makes mockery of our individual-rights heritage..."

There is great inequality between corporations, no equality of individual and corporate "personhood," and no equality of individuals when one with many corporate ties may have more capacity to influence decision-making than one with none or just a few...

There is no escaping the reality that the precept of corporate personhood pushes American politics in an oligarchic direction...

The court's law-making judgment cannot be challenged by Congress because an activist 5-to-4 majority has presumptuously held that the moneyed speech powers it has granted corporations are protected by the First Amendment...

*moneyed "speech" must not be allowed to weaken the voices of the people. The Constitution begins "We the people. . ." not "We the corporations. . ."*¹⁵

"Buddy" Roemer, Governor, R-Louisiana (1988-1992)

Testimony at a hearing of the U.S. Senate Judiciary Subcommittee on the Constitution, on "Taking Back Our Democracy: Responding to Citizens United and the Rise of Super PACs," July 24th, 2012:

"...it is my belief that Washington DC is not just broken. It is bought, rented, leased, owned by the money givers. Special interests, the bundlers, PACs, Super PACs, lobbyists, the Wall Street bankers, the pharmaceuticals, the corporate giants, the insurance companies, organized labor, the GSE's like Fannie and Freddie, energy companies, on and on and on and on. And this is not about one party versus the other, or about one person or another. It is about systemic and institutional corruption where the size of your check rather than the strength of your need or idea determine your place in line..."

*"An appropriate Constitutional Amendment could be required as we work through this complex problem."*¹⁶

John Bohlinger, Lieutenant Governor (R-Montana) (2005-2013)

*"Many people associate the onslaught of Super PACs and dark money contributions from a tiny handful of billionaires with Republican strategists like Karl Rove and conservative donors like the Koch brothers and others. But there is a growing movement in states all across the country of Republicans standing in opposition to Citizens United and the steady erosion of the rights of citizens to enforce common sense regulations on campaign spending through a government that, last time I checked, is of, by, and for the people. All the people; not just a wealthy few. And not the corporations."*¹⁷

~

*"I'm John Bohlinger, Montana's Lieutenant Governor, and I'm a Republican. Now, Republicans and Democrats don't always agree on policy matters, but there's one thing we do agree on, and that is: corporate money should not influence the outcome of an election."*¹⁸

~

At a press conference on May 3rd, 2012 endorsing Montana's ballot initiative I-166, calling for a constitutional amendment: "This is a government of the people, by the people, for the people, and corporations are not people."¹⁹

At the same press conference:

"The Corrupt Practices Act: that was adopted by the people of Montana in 1912, putting some limits and boundaries on the influence of money on the outcome of elections. This is a question that I think goes beyond partisan matters of politics.

*It's not a question of, well, this is a Republican issue or this is a Democrat issue. This is an issue about fair outcomes of elections."*²⁰

Verner Bertelsen, Secretary of State, (R-Montana) (1988-1989)

May 3rd, 2012 endorsing Montana's ballot initiative I-166, calling for a constitutional amendment: *"Without an amendment to the U.S. Constitution, clarifying that corporations are not people, and that money is not speech, policies aimed at cleaning up elections and reducing the undue influence of money in politics will remain under a threat."*²¹

~

Billings Gazette, "Stand against unlimited campaign spending, vote for I-166," October 15th, 2012:

"On your ballot, you'll see state initiative I-166. You should vote FOR it. A vote FOR I-166 shows that you still believe it's people, not corporations, who should call the shots in our political system.

I-166 calls on our leaders to amend the U.S. Constitution and re-institute limits on political spending. It would assert that corporations aren't people, they shouldn't be granted the same rights as people, and they certainly shouldn't be allowed to buy elections.

I-166 is a chance to fight back against the bad Citizens United decision by the U.S. Supreme Court and more recent decisions that threaten to undo Montana's century-old laws against political corruption. It's an initiative supported strongly by Montana Republicans and Democrats alike.

I am a lifelong Republican and I served as Montana secretary of state from 1988 to 1989...

*Corporations aren't people and money isn't speech. CEOs of corporations may choose to personally contribute to political campaigns, but they shouldn't be allowed to use shareholders' money to do so."*²²

Phil Boyle, State Senator, New York (2013-present) and
Kemp Hannon, State Senator, New York (2013-present)

In a jointly written letter to Congress following their votes which made New York the 16th State calling on Congress to amend the Constitution and overturn Citizens United:

"It is vitally important that all Americans maintain faith in their electoral system. We cannot allow exorbitant campaign spending by unions, corporations, and wealthy individuals diminish that faith."

"We believe that the large influx of campaign money relates directly to the U.S. Supreme Court's 2010 Citizens United v. Federal Election Commission decision, among others. The Citizens United decision declared that artificial entities - unions, corporations, and and associations - have the same rights as The People with regard to election spending. This decision effectively topples dozens of state and federal laws - and decades of judicial precedent that allowed regulation of expenditures in political campaigns."²³

Jim Cox, State Representative, R-Pennsylvania (2007-present)

Lead sponsor of **HR 357**. Text: *A Concurrent Resolution calling for a Free and Fair Elections Amendment to the Constitution of the United States via a Convention of States, pursuant to Article V of the Constitution of the United States, to authorize the states to apply disclosure rules and reasonable guidelines on election campaign contributions and expenditures.*

HR 357 Republican sponsors:

Bryan Cutler, State Representative, R-Pennsylvania (2007-present)

Mark Gillen, State Representative, R-Pennsylvania (2011-present)

Rick Irvin, State Representative, R- Pennsylvania (2015-present)

Aaron Kaufer, State Representative, R-Pennsylvania (2015-present)

Christopher Quinn, State Representative, R-Pennsylvania (2016-present)

Jack Rader Jr., State Representative, R-Pennsylvania (2015-present)

Curtis Sonney, State Representative, R-Pennsylvania (2005-present)

Jeff Wheeland, State Representative, R-Pennsylvania (2015-present)

Harry Lewis Jr., State Representative, R-Pennsylvania (2015-present)

Stephen Barrar, State Representative, R-Pennsylvania (1997-present)

Thomas Murt, State Representative, R-Pennsylvania (2007-present)

Dan Moul, State Representative, R-Pennsylvania (2007-present)

Tarah Toohil, State Representative, R-Pennsylvania (2011-present)

Nick Miccarelli, State Representative, R-Pennsylvania (2009-present)

James Santora, State Representative, R-Pennsylvania (2015-present)

Paul Schemel, State Representative, R-Pennsylvania (2015-present)

Garth Everett, State Representative, R-Pennsylvania (2007-present)

Eric Nelson, State Representative, R-Pennsylvania (2016-present)

Adam Harris, State Representative, R-Pennsylvania (2003-present)

Brian Ellis, State Representative, R-Pennsylvania (2005-present)

Kurt Masser, State Representative, R-Pennsylvania (2011-present)

Jesse Topper, State Representative, R- Pennsylvania (2014-present)

David Stockman, Director, U.S. Office of Management and Budget under President Reagan (1981-1985)

On "Moyers & Company," March 9th, 2012 at 31:55

"Now we have an entitled class in this country that is far worse than, remember the 'welfare queens' that Ronald Reagan used to talk about? We now have an entitled class of Wall St. financiers and corporate CEOs who believe the government is there to do... whatever it takes to keep the game going and their stock price moving upward."...

"How do we solve it? I think we can only solve it by... a Constitutional Amendment, so I don't say this lightly, but I think we have to eliminate all contributions above \$100.- and get corporations out of politics entirely. Ban corporations from campaign contributions or attempting to influence elections. Now I know that runs into current 'free speech,' so the only way around it is a Constitutional Amendment to cleanse our political system on a one-time basis from this enormously corrupting influence that has built up. And I think nothing is really going to change until we get money out of politics and do some radical things to change the way elections are financed and the way the process is influenced by organized money." ²⁴

Dan Furphy, State Representative, R-Wyoming (2017-present)

Sponsor of **HJR 0010** urging Congress to propose a constitutional amendment ensuring free and fair elections.²⁵

Tyler Lindholm, State Representative, R-Wyoming (2015-present) Sponsor of HJR 0010

Pat Sweeney, State Representative, R-Wyoming (2017-present) Sponsor of HJR 0010

Dan Zwonitzer, State Representative, R-Wyoming (2005-present) Sponsor of HJR 0010

Michael Mike Madden, State Representative, R-Wyoming (2006-present)

Gary Stevens, President of the State Senate (2009-2012), and State Senator, (R-Alaska) (2003-present)

Kevin Meyer, State Senator, (R-Alaska) (2009-present)

Voted "Yea" on 3/21/12 to pass bill # SJR 13²⁶

Catherine Cloutier, State Senator, R-Delaware (2000-present)

Joined cross-partisan letter of Delaware legislature calling on Congress to pass the 28th Amendment to reverse Supreme Court and permit limitations of money in elections.

"The United States of America's elections should not should not be permitted to go to the highest bidder, and yet this is the risk that rises from the ashes of the Citizens United decision." ²⁷

Chris Steineger, State Senator, (R- Kansas) (1997-2013)

Co-sponsored bill # SCR 1617²⁸

Karen McConnaughay, State Senator, (R-Illinois) (2013-present)

Co-sponsored bill # SJR 27²⁹

Voted with the majority to pass SJR 27 on May 14th, 2013: *"That the rights to influence our political process by big business, by corporations and wealthy individuals, our forefathers never intended for that to trump the rights of us as individuals."*³⁰

Pamela J. Althoff, State Senator, R-Illinois (2003-present)

Co-sponsored bill # SJR 27 and voted with the majority to pass SJR 27 on May 14th, 2013³¹

David Burns, State Senator, R-Maine (2012-present)

Ronald F. Collins, State Senator, R-Maine (2010-present)

Cosponsored SP 548, *Joint Resolution Memorializing The United States Congress To Pass A Constitutional Amendment To Reverse The Ruling Of The United States Supreme Court In Citizens United V. Federal Election Commission*³²

Roger Katz, State Senator, R-Maine (2010-present),

Brian Langley, State Senator, R-Maine (2010-present)

Tom Saviello, State Senator, R= Maine (2010-present)

Edward Youngblood, State Senator, R-Maine (2012-present)

Senators Katz, Langley, Saviello, and Youngblood also voted with the majority to pass SP 548³³

In addition, Senator Youngblood appeared at a rally in support of this resolution, on January 22nd, 2013, as reported in a Bangor Daily News story.

...Youngblood supports a constitutional amendment to overturn Citizens United and has submitted legislation... Youngblood said Tuesday that he expects it will draw Democrats, Republicans and independents as co-sponsors.

*"There has to be a way to secure First Amendment rights to speech and still control the amount of dollars spent on campaigns," he said. "It should be plain to everyone after the election we've just had, which broke records for spending, that the system isn't getting better."*³⁴

Rodney Whittemore, State Senator, R-Maine (2010-present)

Voted with the majority to pass SP 548³⁵

Sean Nienow, State Senator, R-Minnesota (2011-present)

Voted with the majority to pass bill # SF 17³⁶

Ron Arthun, State Senator, R-Montana (2011-present)

Edward Buttrey, State Senator, R-Montana (2011-present)

Jennifer Fielder, State Senator, R-Montana (2013-present)

Llew Jones, State Senator, R-Montana (2011-present)

Alan Olson, State Senator, R-Montana (2011-present)

Scott Sales, State Senator, R-Montana (2013-present)

Bruce Tutvedt, State Senator, R-Montana (2009-present)

Chas Vincent, State Senator, R-Montana (2011-present)

Voted "Yea" on bill # SJ 19³⁷

Bill text is on record at: http://leg.mt.gov/bills/2013/senjoint/SJ0019_2.pdf

Kevin Mullin, State Senator, R-Vermont (2003-present),

Vincent Illuzzi, State Senator, R-Vermont (1981-2013),

Diane B. Snelling, State Senator, R-Vermont (2002-present),

Richard Westman, State Senator, Vermont (2011-present), and:

William T. Doyle, State Senator, R-Vermont (1969-present)

Voted in support of bill # JRS 11³⁸

Bob Lynn, Chair, Committee on State Affairs, and State Representative, R-Alaska (2003-present)

Doug Isaacson, State Representative, R-Alaska (2013-present)

Described on press report as supporting bill # HJR 8³⁹

The House State Affairs Committee held a hearing yesterday on House Joint Resolution 8, sponsored by Anchorage Representative Les Gara.

HJR8 asks Congress to amend the U.S. constitution to prohibit corporations and unions from unlimited spending on political campaigns.

Committee chair, Bob Lynn of Anchorage, said that he supports the resolution since companies with a foreign board of directors can influence domestic politics; North Pole Representative Doug Issacson also backed the resolution.⁴⁰

Donald Blakey, State Representative, R-Delaware (2006-present)

Michael Ramone, State Representative, R-Delaware (2008-present)

Joined a majority of state legislators in signing a letter to Congress calling for an amendment

Josh Harms, State Representative, R-Illinois (2012-present)
David Harris, State Representative, R-Illinois (2010-present)
Michael McAuliffe, State Representative, R-Illinois (1996-present)
Sandra Pihos, State Representative, R-Illinois (2002-present)
Robert Pritchard, State Representative, R-Illinois (2003-present)
Pam Roth, State Representative, R-Illinois (2011-present)
Jim Sacia, State Representative, R-Illinois (2002-present)
Michael Tryon, State Representative, R-Illinois (2004-present)
Barbara Wheeler, State Representative, R-Illinois (2012-present)

Voted with the majority of State Representatives to pass bill # SJR 27

Dennis Keschl, State Representative, R-Maine (2010-present)
Co-sponsored SP 548⁴¹
...and also voted with the majority of State Representatives to pass it⁴²

Representative Keschl was also quoted in a Bangor Daily News Story describing his reasons for supporting SP 548.⁴³

In a House floor speech, Rep. Dennis Keschl, R-Belgrade, said, *“Unions, corporations and other wealthy special interest groups should not be able to use their money to drown out the voices of the people.”*

Alexander Willette, Assistant Republican Leader and State Representative, Maine (2010-Present)
Bernard Ayotte, State Representative, R-Maine (2006-present)
Michael Beaulieu, State Representative, R-Maine (2006-present)
Tyler Clark, State Representative, R-Maine (2008-present)
David Cotta, State Representative, R-Maine (2006-present)
Larry Dunphy, State Representative, R-Maine (2010-present)
Brian Duprey, State Representative, R-Maine (2012-present)
James Gillway, State Representative, R-Maine (2010-present)
Lance Harvell, State Representative, R-Maine (2009-present)
Jon Kinney, State Representative, R-Maine (2012-present)
Gary Knight, State Representative, R-Maine (2006-present)
Sharri MacDonald, State Representative, R-Maine (2012-present)
Joyce Maker, State Representative, R-Maine (2010-present)
Richard Malaby, State Representative, Maine (2010-present)
Don Marean, State Representative, R-Maine (2012-present)
Matt Pouliot, State Representative, R-Maine (2012-present)
Roger Reed, State Representative, R-Maine (2012-present)
Beth Turner, State Representative, R-Maine (2011-present)

Tom Tyler, State Representative, R-Maine (2012-present)
Amy Volk, State Representative, R-Maine (2010-present)
Windol Weaver, State Representative, R-Maine (2006-present)
Corey Wilson, State Representative, R-Maine (2012-present)
Ellen Winchenbach, State Representative, R-Maine (2012-present)
Steve Wood, State Representative, R-Maine (2010-present)

Voted with the majority of State Representatives to pass SP 548⁴⁴:

Ron George, State Delegate, R-Maryland (2007-present)

Joined a majority of state legislators in signing a letter to Congress calling for an amendment

Liz Bangerter, State Representative, R-Montana (2011-present)

Voted in favor of bills # HJ 10 (in 2011) and # HJ 6 (in 2013)⁴⁵

Lila Walter Evans, State Representative, R-Montana (2011-2013)
Daniel Salomon, State Representative, R-Montana (2011-present)
Bob Wagner, State Representative, R-Montana (2009-2013)

Voted in favor of bill # HJ 10⁴⁶

Christy Clark, State Representative, R-Montana (2011-present)
Steve Gibson, State Representative, R-Montana (2011-present)
Sarah Laszloffy, State Representative, R-Montana (2013-present)
Dennis Lenz, State Representative, R-Montana (2013-present)
Jesse O'Hara, State Representative, R-Montana (2007-present)
Nicholas Schwaderer, State Representative, R-Montana (2013-present)
Ray Shaw, State Representative, R-Montana (2013-present)
Kirk Wagoner, State Representative, R-Montana (2013-present)
Jeffrey Welborn, State Representative, R-Montana (2009-present)

Voted in favor of bill # HJ 6⁴⁷

David Bickford, State Representative, R-New Hampshire (1996-2006, 2008-2010, 2012-present)
Timothy Comerford, State Representative, R-New Hampshire (2008-present)
Susan Emerson, State Representative, R-New Hampshire (2000-2002, 2004-present)
Carolyn Gargas, State Representative, R-New Hampshire (2000-present)
Richard Gordon, State Representative, R-New Hampshire (2012-present)
James Grenier, State Representative, R-New Hampshire (2012-present)
Stephen Holmes, State Representative, R-New Hampshire (2012-present)
Daniel Itse, State Representative, R-New Hampshire (2000-present)
David Kidder, State Representative, R-New Hampshire (2004-present)
Herbert Richardson, State Representative, R-New Hampshire (2002-2006, 2008-present)

Voted with the majority on May 15, 2014 to pass bill # SB307⁴⁸
And voted with the majority on March 20th, 2013 to pass bill # HCR 2⁴⁹

James Belanger, State Representative, New Hampshire (2010-present),
Ronald Belanger, State Representative, New Hampshire (1992-present),
Regina Birdsell, State Representative, New Hampshire (2010-present),
Gene Charron, State Representative, New Hampshire (2004-present),
Lars Christiansen, State Representative, New Hampshire (1996-present)
Gary Daniels, State Representative, New Hampshire (1996-2000, 2006-present)
Ralph Doolan, State Representative, New Hampshire (2012-present)
Robert Elliot, State Representative, New Hampshire (2006-present)
Beverly Ferrante, State Representative, New Hampshire (2008-present)
Donald Flanders, State Representative, New Hampshire (2000-present)
Jack Hayes, State Representative, New Hampshire (2012-present)
Laura Jones, State Representative, New Hampshire (2010-present)
Priscilla Lockwood, State Representative, New Hampshire (1998-present)
Robert Luther, State Representative, New Hampshire (2010-present)
David Murotake, State Representative, New Hampshire (2012-present)
Robert Nigrello, State Representative, New Hampshire (2012-present)
Elisabeth Sanders, State Representative, New Hampshire (2004-present)
John Sedensky, State Representative, New Hampshire (2008-present)
Steven Smith, State Representative, New Hampshire (2010-present)
Kevin St. James, State Representative, New Hampshire (2012-present)
Jordan Ulery, State Representative, New Hampshire (2004-present)
Karen Umberger, State Representative, New Hampshire (2008-present)
Kenneth Weyler, State Representative, New Hampshire (1990-2008, 2010-present)

Voted with the majority on May 15, 2014 to pass bill # SB307⁵⁰

Susan Emerson, State Representative, New Hampshire (2000-2002, 2004-present),
Richard Gordon, State Representative, New Hampshire (2012-present),
Stephen Holmes, State Representative, New Hampshire (2012-present),
Herbert Richardson, State Representative, New Hampshire (2002-2006, 2008-present)

Voted with the majority on March 20th, 2013 to pass bill # HCR 2⁵¹

Jack Ciattarelli, State Assembly Member, New Jersey (2011-present)

Voted with the majority on October 18th, 2012 to pass bill # AR 86⁵²

Don Tripp, State Representative, New Mexico (1999-present)

Voted with the majority on January 31st, 2012 to pass bill # HM 4⁵³

Michael Montesano, State Assembly Member, New York (2010-present)

Joined a majority of State Assembly Members in signing a June 2014 letter to Congress calling for an amendment⁵⁴

Co-sponsored bill # K 1016⁵⁵

Clifford Crouch, State Assembly Member, New York (1995-present)

Chad Lupinacci, State Assembly Member, New York (2013-present)

David McDonough, State Assembly Member, New York (2002-present)

Joined a majority of State Assembly Members in signing a June 2014 letter to Congress calling for an amendment⁵⁶

Dan Moul, State Representative, Pennsylvania (2007-present)

Mark Mustio, State Representative, Pennsylvania (2003-present)

RoseMarie Swanger, State Representative, Pennsylvania (2007-present)

Co-sponsored bill # HR 556⁵⁷

Bob Faehn, former State House Majority Leader and former State Representative, South Dakota (2005-2011)

Co-sponsored bill # HCR 1018⁵⁸

Mark Kirkeby, former State Representative, South Dakota (2007-2012; State Senator, 2013-present)

Voted for bill # HCR 1018⁵⁹

Dennis Devereux, State Representative, Vermont (2007-present),

Adam Howard, State Representative, Vermont (2009-2013)

Patti Komline, State Representative, Vermont (2005-present)

Oliver Olsen, State Representative, Vermont (2010-2013)

Kurt Wright, State Representative, Vermont (2001-present)

Voted with the majority to pass bill # JRS 11⁶⁰

Mike Hope, State Representative, Washington State (2009-present)

Co-sponsored bill # HJM 4001⁶¹

Jan Angel, State Representative, Washington State (2009-present)

Voted for bill # HJM 4001⁶²

John Ellem, State Delegate, West Virginia (2000-present)

Co-sponsored bill # HR 8 in 2012⁶³

Delegate Ellem is also quoted in a press report describing his reasons for supporting bill # HR 9, in 2013.

Delegate John Ellem, R-Wood, dusted off the history books and pointed out the Dutch East India Company, the first multi-national corporation, was created to do big business and had powers to declare war and to try, imprison and execute people. But, Ellem said, times have changed.

*"It was a tool," he said. "Corporations existed before the 1st Amendment. They existed before our constitution. Since a corporation is a tool for commerce, I strongly believe being a tool we created, we have the power, we as the legislative body, and the Supreme Court has chimed in on it, but we have the right to impose restrictions."*⁶⁴

Bill Hamilton, State Delegate, West Virginia (2003-present)

Co-sponsored bill # HR 8⁶⁵

Michael Abbott, State Representative, R - New Hampshire
Marc Abear, State Representative, R - New Hampshire
Patrick Abrami, State Representative, R - New Hampshire
Glen Aldrich, State Representative, R - New Hampshire
Mary Allen, State Representative, R - New Hampshire
Keith Ammon, State Representative, R - New Hampshire
Lino Avellani, State Representative, R - New Hampshire
Brad Bailey, State Representative, R - New Hampshire
Richard Barry, State Representative, R - New Hampshire
David Bates, State Representative, R - New Hampshire
Philip Bean, State Representative, R - New Hampshire
Steven Beaudoin, State Representative, R - New Hampshire
James Belanger, State Representative, R - New Hampshire
Barbara Biggie, State Representative, R - New Hampshire
Skylar Boutin, State Representative, R - New Hampshire
Martin Bove, State Representative, R - New Hampshire
Michael Brewster, State Representative, R - New Hampshire
Duane Brown, State Representative, R - New Hampshire
John Burt, State Representative, R - New Hampshire
Frank Byron, State Representative, R - New Hampshire
John Carr, State Representative, R - New Hampshire
Francis Chase, State Representative, R - New Hampshire
Rick Christie, State Representative, R - New Hampshire
Ed Comeau, State Representative, R - New Hampshire

Allen Cook, State Representative, R - New Hampshire
Anne Copp, State Representative, R - New Hampshire
Glenn Cordelli, State Representative, R - New Hampshire
Michael Costable, State Representative, R - New Hampshire
Karel Crawford, State Representative, R - New Hampshire
David Danielson, State Representative, R - New Hampshire
Stephen Darrow, State Representative, R - New Hampshire
Glen Dickey, State Representative, R - New Hampshire
Patricia Dowling, State Representative, R - New Hampshire
Jess Edwards, State Representative, R - New Hampshire
J. Tracy Emerick, State Representative, R - New Hampshire
Elizabeth Ferreira, State Representative, R - New Hampshire
Robert Fesh, State Representative, R - New Hampshire
Dennis Fields, State Representative, R - New Hampshire
Lisa Freeman, State Representative, R - New Hampshire
William Friel, State Representative, R - New Hampshire
Larry Gagne, State Representative, R - New Hampshire
Betty Gay, State Representative, R - New Hampshire
Richard Gordon, State Representative, R - New Hampshire
John Graham, State Representative, R - New Hampshire
Robert Graham, State Representative, R - New Hampshire
Dennis Green, State Representative, R - New Hampshire
James Grenier, State Representative, R - New Hampshire
Barbara Griffin, State Representative, R - New Hampshire
Gerald Griffin, State Representative, R - New Hampshire
Mary Griffin, State Representative, R - New Hampshire
Joseph Guthrie, State Representative, R - New Hampshire
Joseph Hagan, State Representative, R - New Hampshire
Carolyn Halstead, State Representative, R - New Hampshire
Bonnie Ham, State Representative, R - New Hampshire
Peter Hansen, State Representative, R - New Hampshire
Michael Harrington, State Representative, R - New Hampshire
Steve Hellwig, State Representative, R - New Hampshire
Erin Hennessey, State Representative, R - New Hampshire
Gregory Hill, State Representative, R - New Hampshire
Richard Hinch, State Representative, R - New Hampshire
J.R. Hoell, State Representative, R - New Hampshire
Kathleen Hoelzel, State Representative, R - New Hampshire
Gary Hopper, State Representative, R - New Hampshire
James Horgan, State Representative, R - New Hampshire
Werner Horn, State Representative, R - New Hampshire
Raymond Howard, State Representative, R - New Hampshire
John Hunt, State Representative, R - New Hampshire
Daniel Itse, State Representative, R - New Hampshire
John Janigian, State Representative, R - New Hampshire
Jason Janvrin, State Representative, R - New Hampshire

Tiffany Johnson, State Representative, R - New Hampshire
Thomas Kaczynski, State Representative, R - New Hampshire
Phyllis Katsakiores, State Representative, R - New Hampshire
Aboul Khan, State Representative, R - New Hampshire
John Klose, State Representative, R - New Hampshire
Walter Kolodziej, State Representative, R - New Hampshire
Frank Kotowski, State Representative, R - New Hampshire
Bill Kuch, State Representative, R - New Hampshire
Neal Kurk, State Representative, R - New Hampshire
Robert L'Heureux, State Representative, R - New Hampshire
Rick Ladd, State Representative, R - New Hampshire
Timothy Lang, State Representative, R - New Hampshire
Richard Lascelles, State Representative, R - New Hampshire
Thomas Laware, State Representative, R - New Hampshire
John Leavitt, State Representative, R - New Hampshire
Donald LeBrun, State Representative, R - New Hampshire
Mariellen MacKay, State Representative, R - New Hampshire
Norman Major, State Representative, R - New Hampshire
Richard Marple, State Representative, R - New Hampshire
Henry Marsh, State Representative, R - New Hampshire
William Marsh, State Representative, R - New Hampshire
Carolyn Matthews, State Representative, R - New Hampshire
Michael McCarthy, State Representative, R - New Hampshire
Mark McConkey, State Representative, R - New Hampshire
James McConnell, State Representative, R - New Hampshire
Carol McGuire, State Representative, R - New Hampshire
Betsy McKinney, State Representative, R - New Hampshire
Mark McLean, State Representative, R - New Hampshire
Charles McMahon, State Representative, R - New Hampshire
Jody McNally, State Representative, R - New Hampshire
Troy Merner, State Representative, R - New Hampshire
David Milz, State Representative, R - New Hampshire
Michael Moffett, State Representative, R - New Hampshire
Craig Moore, State Representative, R - New Hampshire
Josh Moore, State Representative, R - New Hampshire
Sean Morrison, State Representative, R - New Hampshire
John Mullen, State Representative, R - New Hampshire
Keith Murphy, State Representative, R - New Hampshire
Jim Nasser, State Representative, R - New Hampshire
Steve Negron, State Representative, R - New Hampshire
Bill Nelson, State Representative, R - New Hampshire
Robert Nigrello, State Representative, R - New Hampshire
Jeanine Notter, State Representative, R - New Hampshire
John O'Connor, State Representative, R - New Hampshire
John O'Day, State Representative, R - New Hampshire
Lynne Ober, State Representative, R - New Hampshire

Russell Ober, State Representative, R - New Hampshire
Bill Ohm, State Representative, R - New Hampshire
Jason Osborne, State Representative, R - New Hampshire
Sherman Packard, State Representative, R - New Hampshire
Reed Panasiti, State Representative, R - New Hampshire
Howard Pearl, State Representative, R - New Hampshire
Anthony Pellegrino, State Representative, R - New Hampshire
David Pierce, State Representative, R - New Hampshire
Joseph Pitre, State Representative, R - New Hampshire
John Plumer, State Representative, R - New Hampshire
Andrew Prout, State Representative, R - New Hampshire
Andrew Renzullo, State Representative, R - New Hampshire
Skip Rollins, State Representative, R - New Hampshire
Claire Rouillard, State Representative, R - New Hampshire
Laurie Sanborn, State Representative, R - New Hampshire
Frank Sapareto, State Representative, R - New Hampshire
Stephen Schmidt, State Representative, R - New Hampshire
Matthew Scruton, State Representative, R - New Hampshire
Kevin Scully, State Representative, R - New Hampshire
Brian Seaworth, State Representative, R - New Hampshire
Carl Seidel, State Representative, R - New Hampshire
Steven Smith, State Representative, R - New Hampshire
Kathleen Souza, State Representative, R - New Hampshire
Peter Spanos, State Representative, R - New Hampshire
Matthew Spencer, State Representative, R - New Hampshire
Franklin Sterling, State Representative, R - New Hampshire
Victoria Sullivan, State Representative, R - New Hampshire
Michael Sylvia, State Representative, R - New Hampshire
John Sytek, State Representative, R - New Hampshire
Dave Testerman, State Representative, R - New Hampshire
Robert Theberge, State Representative, R - New Hampshire
Douglas Thomas, State Representative, R - New Hampshire
Franklin Tilton, State Representative, R - New Hampshire
Peter Torosian, State Representative, R - New Hampshire
Richard Tripp, State Representative, R - New Hampshire
Chris True, State Representative, R - New Hampshire
Leonard Turcotte, State Representative, R - New Hampshire
Timothy Twombly, State Representative, R - New Hampshire
Jordan Ulery, State Representative, R - New Hampshire
Karen Umberger, State Representative, R - New Hampshire
Herbert Vadney, State Representative, R - New Hampshire
Peter Varney, State Representative, R - New Hampshire
Kevin Verville, State Representative, R - New Hampshire
Michael Vose, State Representative, R - New Hampshire
Scott Wallace, State Representative, R - New Hampshire
Thomas Walsh, State Representative, R - New Hampshire

James Webb, State Representative, R - New Hampshire`
David Welch, State Representative, R - New Hampshire
Natalie Wells, State Representative, R - New Hampshire
Kenneth Weyler, State Representative, R - New Hampshire
Brenda Willis, State Representative, R - New Hampshire
Dan Wolf, State Representative, R - New Hampshire
Terry Wolf, State Representative, R - New Hampshire
Kurt Wuelper, State Representative, R - New Hampshire

Voted in favor of bill #HB1524 in February 2018⁶⁶

Sander Rue, State Senator, R-New Mexico
James Dines, Sate Representative, R-New Mexico
Sarah Maestas Barnes, Sate Representative, R-New Mexico
James Smith, Sate Representative, R-New Mexico

Voted in favor of bill #HJM10 in February 2018⁶⁷

Notes, Appendix I

- ¹ http://www.americanpromise.net/who_we_are#ap_advisory_council
- ² <http://bit.ly/tribunesimpson>
- ³ <http://wapo.st/2F0IV7G>
- ⁴ <http://cnn.it/2oB3wmU>
- ⁵ Reuters, March 28th, 2012: <http://www.youtube.com/watch?v=GNZU-vlfAs0>
- ⁶ MSNBC, The Daily Rundown, August 27, 2014 <http://on.msnbc.com/2EWeiz0> at 8:50
- ⁷ PBS NewsHour, June 14th, 2012: <http://to.pbs.org/2CqZwPd>
- ⁸ PBS NewsHour, June 14th, 2012 at 9:56 <http://to.pbs.org/2CqZwPd>
- ⁹ "Meet the Press," January 29th, 2012 at 9:40 <http://nbcnews.to/2CNkcMS>
- ¹⁰ Snowe, *Fighting for Common Ground: How We Can Fix the Stalemate in Congress*, pp. 258-259
- ¹¹ Snowe, p. 260
- ¹² Trump Should Follow Clinton's Lead on Citizens United. <http://bit.ly/JonesCharlotteObserver>
- ¹³ <http://bit.ly/Cong113HJR21> and <http://bit.ly/2FbOkqE>
- ¹⁴ <http://bit.ly/SyracuseKatkoDeploreMoneyPolitics> speaking with the editorial board of The Syracuse Post Standard, October 31st, 2016
- ¹⁵ <http://bit.ly/GlobeOct142012DemocracyforSale> Boston Globe, "Democracy For Sale," October 14, 2012
- ¹⁶ <https://www.judiciary.senate.gov/imo/media/doc/CHRG-112shrg86915.pdf> <http://www.judiciary.senate.gov/pdf/12-7-24RoemerTestimony.pdf>
- ¹⁷ <http://bit.ly/TheHill20130609Bohlinger>
- ¹⁸ <http://youtu.be/ditFMj2EhUQ>
- ¹⁹ <http://youtu.be/opemPbg2gkw>
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- ²¹ <http://youtu.be/opemPbg2gkw>
- ²² <http://bit.ly/VernerBertelsenBillingsGazette20121015>
- ²³ <http://www.ny4democracy.org/wp-content/uploads/2016/06/Republican-Amendment-Letter.pdf>
- ²⁴ <http://billmoyers.com/segment/david-stockman-on-crony-capitalism/>
- ²⁵ <http://legisweb.state.wy.us/2017/Introduced/HJ0010.pdf>
- ²⁶ <http://bit.ly/AlaskaSJR13in27thLeg>
- ²⁷ <http://united4thepeople.org/wp-content/themes/united/resolutions/DE.pdf>
- ²⁸ http://www.kslegislature.org/li/b2011_12/measures/documents/scr1617_00_0000.pdf
- ²⁹ http://bit.ly/IllinoisSJR27_2013_98th
- ³⁰ <http://www.dailyherald.com/article/20130417/news/704179644/>
- ³¹ http://bit.ly/IllinoisSJR27_2013_98th
- ³² <http://www.mainelegislature.org/LawMakerWeb/sponsors.asp?ID=280048833>
- ³³ <http://www.mainelegislature.org/LawMakerWeb/rollcalls.asp?ID=280048833>
- ³⁴ <http://bit.ly/EdYoungbloodBangorNews20130122>
- ³⁵ <http://www.mainelegislature.org/LawMakerWeb/rollcalls.asp?ID=280048833>
- ³⁶ <http://www.senate.leg.state.mn.us/journals/2013-2014/20130502048.pdf>
- ³⁷ <http://bit.ly/MontanaSJO019RollCall2013>
- ³⁸ <https://legislature.vermont.gov/bill/status/2012/J.R.S.11>
- ³⁹ http://www.legis.state.ak.us/basis/get_bill_text.asp?hsid=HJR008A&session=28
- ⁴⁰ <http://radiokenai.net/>
- ⁴¹ <http://www.mainelegislature.org/LawMakerWeb/sponsors.asp?ID=280048833>
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- ⁴⁴ <http://bit.ly/MaineSP548RollCall>
- ⁴⁵ <http://bit.ly/MontanaHJ10> & <http://bit.ly/MontanaHJ6>
- ⁴⁶ <http://bit.ly/MontanaHJ10>
- ⁴⁷ <http://bit.ly/MontanaHJ6>
- ⁴⁸ <http://legiscan.com/NH/rollcall/SB307/id/364694>
- ⁴⁹ http://bit.ly/NH_HCR2_2013_RollCall
- ⁵⁰ <http://legiscan.com/NH/rollcall/SB307/id/364694>
- ⁵¹ http://bit.ly/NH_HCR2_RollCall
- ⁵² <https://org2.salsalabs.com/o/7003/images/NJ%20AR86%20roll%20call%2010-18-12.pdf> Roll call also available

<http://www.njleg.state.nj.us/bills/BillView.asp>
⁵³ <http://www.nmlegis.gov/Sessions/12%20regular/votes/HM004HVOTE.pdf>
⁵⁴ <http://www.ny4democracy.org/wp-content/uploads/2014/06/AssemblyLetter.pdf>
⁵⁵ <http://assembly.state.ny.us/leg/?bn=K01016&term=2011>
⁵⁶ <http://www.ny4democracy.org/wp-content/uploads/2014/06/AssemblyLetter.pdf>
⁵⁷ http://bit.ly/Penn_HR556_2012
⁵⁸ http://sdlegislature.gov/Legislative_Session/Bills/Bill.aspx?Bill=HCR1018&Session=2010
⁵⁹ http://legis.sd.gov/Legislative_Session/Bills/RollCall.aspx?Vote=7679&Session=2010
⁶⁰ <https://legislature.vermont.gov/bill/status/2012/J.R.S.11>
⁶¹ <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=4001&year=2013>
⁶² <http://apps.leg.wa.gov/billinfo/summary.aspx?bill=4001&>
⁶³ http://www.legis.state.wv.us/Bill_Text_HTML/2012_SESSIONS/RS/Bills/hr8%20intr.htm
⁶⁴ <http://www.statejournal.com/story/21820476/wv-house-resolution-seeks-to-overturn-citizens-united> The text of HR 9 is on record at: http://www.legis.state.wv.us/Bill_Text_HTML/2013_SESSIONS/RS/Bills/hr9%20intr.htm
⁶⁵ http://www.legis.state.wv.us/Bill_Text_HTML/2012_SESSIONS/RS/Bills/hr8%20intr.htm
⁶⁶ http://bit.ly/NH_HB1524RollCall
⁶⁷ <https://legiscan.com/NM/rollcall/HJM10/id/700683> & <https://legiscan.com/NM/rollcall/HJM10/id/696669>

Appendix II:

Republican critics of the Supreme Court's decisions about money in politics

Historic Republican critics of unchecked corporate power and corporate participation in politics, predating Citizens United

Rob McKenna, Attorney General of Washington State (2005-2013),
Mark Shurtleff, Attorney General of Utah (2001-2013)
Lawrence G. Wasden, Attorney General of Idaho (2003-present)

In an amicus brief before the U.S. Supreme Court in *American Tradition Partnership v. Bullock*, filed by twenty-two state Attorneys General including Republicans McKenna, Shurtleff, Wasden.¹

"In particular, the amici States believe that the Court should reexamine the assertion in Citizens United that independent expenditures, no matter their size or circumstances, rarely cause corruption or the appearance of corruption of federal officeholders, as well as the holding that the federal law at issue in that case could not be supported, in whole or in part, by government interests in preventing distortion of political campaigns and protecting shareholders from the use of corporate funds for political communications they do not support."

"The States have regulated corporate participation in politics for over a century."

"The States' legislative responses [to the Citizens United decision], however, evidence their continuing interest in ensuring that corporate expenditures do not threaten the integrity of their democratic processes."

"The States have a compelling interest in preventing domination of state and local elections by nonresident corporate interests."

"...the anti-corruption interest is not the only cognizable government interest that can support restrictions on campaign expenditures: a polity also has a compelling interest in regulating electoral influence by nonresidents."

"And nonresident corporations, due to their large aggregations of wealth and discrete economic interests, present the greatest risk of domination or distortion of state and local elections by nonresidents."

Jon Huntsman, former Governor of Utah (2005-2009), former U.S. Ambassador to China (2009-2011)

Slate, January 6th, 2012:

"Of course corporations are not people," joked Huntman [sic]. "Who would say such an outlandish thing!"²

KSL.com, August 7th, 2012:

"The party has become a holding company for super PACs," he said, describing the Citizen's United Supreme Court case, which opened the door to unlimited, secret money in campaigns as disastrous.

Huntsman said he longed for the party of Lincoln, who elevated "the notion of individual liberty," of Roosevelt (Teddy, not Franklin), who stood up to too-large corporations "in the name of fairness and equality" and Eisenhower "who built our infrastructure."³

Ron Paul, former U.S. Representative, 22nd then 14th district of Texas (1979-1985; 1997-2013)

In an interview while campaigning for the presidency in August, 2011:

Interviewer: *"What did you make of Mitt Romney's statement that corporations are people yesterday?"*

Ron Paul: *"Well obviously, they are not. People are individuals, they're not groups and they're not companies. **Individuals have rights, they're not collective.** You can't duck that. So individuals should be responsible for corporations, and they shouldn't be a new creature so-to-speak. Rights and obligations should be always back to the individual."⁴*

Warren Rudman, late former U.S. Senator from New Hampshire (1980 -1993)

In a column he wrote in the Washington Post, published February 3rd, 2010, "Republicans losing their way on campaign finance reform"

"...laws limiting corporate money in federal elections and requiring strict disclosure of campaign funds... were dealt a serious blow by [the] Supreme Court decision in Citizens United v. Federal Election Commission. That such a rash and immoderate ruling could come from a chief justice once committed to respecting precedent, and win praise from leaders of my party, is beyond my comprehension..."

*Supreme Court opinion notwithstanding, corporations are not defined as people under the Constitution, and free speech can hardly be called free when only the rich are heard."*⁵

Trevor Potter, former Commissioner (1991-1995), Federal Election Commission

In a video interview with Bill Moyers, "Trevor Potter on Fighting Big Money in the 2012 Election":

"...the Citizens United decision,... that I and I think many other people think was a big mistake..."

"It seems to me that the Supreme Court majority and Citizens United ignored, essentially, a hundred years of American history, going back to date Theodore Roosevelt and his first clarion call, that big money and Wall Street not dominate the presidential election. And his urging of Congress to limit corporate contributions..."

"So to say that the right thing to do in a democracy is have a corporation spend money in ways that will give them the most profit, never mind what happens to anyone else or the rest of the country. It is, I think, an example of why you don't really want corporations participating directly in elections."

"They have a very narrow interest. Which is supposed to be their shareholders. But we want voters and citizens to have a broader interest. To think about the next generation, to think about the greater good. There's an interesting quote from the head of Exxon in a new book out on Exxon where he says, 'Exxon is not a U.S. corporation, we do not act in the best interest of the United States.'"

*"Well, it is a U.S. corporation, but what he meant is, they have shareholders all over the world, they have investments all over the world, and it's not his job to do things that are good for America, it's his job to do things that are good for his international shareholders."*⁶

~

Featured in a video by The Atlantic, "Stephen Colbert's Lawyer Explains the Danger of SuperPACs":

Interviewer: *"How radically would you say that the campaign finance landscape has changed since the Citizens United decision?"*

Potter: *"I think it's safe to change that today we're probably at the lowest place I have seen in my legal career." ...*

Interviewer: *“What concerns you about the idea of unlimited corporate donations in politics?”*

Potter: *“I think the fundamental belief here is that citizens, who are, after all, voters, should be the ones participating in election advocacy because you and I have a whole range of reasons to vote for someone or to give to a candidate. But in theory, in law, in reality, a corporation only has one reason, which is to maximize their profits.”⁷*

Lisa Murkowski, U.S. Senator, Alaska (2002-present)

In Washington Post Op-Ed by Senators Murkowski and Ron Wyden (D-OR), published December 27th, 2012, “Our states vouch for transparent campaign financing”:

“Take it from two United States senators from both sides of the aisle who have decades of experience in public life: Campaign-finance rules have a tremendous impact on the public policy agenda in Congress. Contrary to the popular perception, the prospect of getting — or not getting — a check from an individual or political action committee does not drive the typical decision on Capitol Hill. But decision-making is often colored by the prospect of facing \$5 million in anonymous attacks ads if a member of Congress crosses an economically powerful interest.”

“This influx of unregulated political cash stemming from the Supreme Court’s 2010 Citizens United decision spawned a particularly vitriolic political cycle. Groups on both sides dumped some \$6 billion into tearing down candidates for public office. The anonymity of much of this spending encourages ads that lower the level of political discourse and makes it harder, not easier, for Americans to make informed decisions. Most of all, this spending ensured that those elected in November would carry that pressure for strict and absolute partisanship back to Washington, hobbling our efforts to govern for another two years.”

“The resulting political gridlock is preventing progress in a number of areas — apparent in the “fiscal cliff” negotiations — but most significantly on fundamental campaign-finance reforms...”

Along with many Americans, we are uncomfortable with the Citizens United decision. Unlimited corporate and individual spending is corrosive to democracy and undermines the political process...”⁸

Newt Gingrich, former Speaker, U.S. House of Representatives (1995-1999), and former U.S. Representative (1979-1999)

In a guest appearance on The Colbert Report, November 13th, 2012:

Gingrich: *"I think super PACs as such are in fact very dangerous in the long run. When you see Mayor Bloomberg put a million seven hundred thousand into a democratic district in California to beat somebody, there's something fundamentally, profoundly wrong about what's happening, and it's happening in both parties and in the long run it's going to be very negative and very destructive of our system."...⁹*

~

Gingrich: *"I had one billionaire, a good friend and a person who's deeply passionate about..."*

Colbert: *"Great friend to have. Billionaires are some of the best friends to have."*

Gingrich: *"I'd love to have had ten or 15. Romney had about 26. It turned out 26 billionaires beat one. This was a great revelation to us. So I think Romney..."*

Colbert: *"That would make a great reality show: Billionaire Fight"*

Gingrich: *"There you go. We just had it. It was called the election."¹⁰*

Richard Posner, Judge, U.S. Court of Appeals for the Seventh Circuit (1981-present), nominated by President Reagan

Speaking at the University of Chicago Law School on July 12th, 2012, as reported in The Daily Beast in this piece, which also describes Posner as "the most influential conservative judge outside the Supreme Court":

"Our political system is pervasively corrupt due to our Supreme Court taking away campaign-contribution restrictions on the basis of the First Amendment."

"wealthy people essential[ly] bribe legislators" [with campaign contributions]¹¹

Robert Dold, U.S. Representative, 10th district of Illinois (2011-2013)

The New York Times, "Mauled by Ads, Incumbents Look to Declaw Outside Groups," October 23, 2012:

"I think what we're going to find as history takes a look is that the Citizens United case diluted the voice of the average voter with the amount of advertising from outside groups. There are going to be those that say that was a good thing, but I do think the people of the 10th District deserved better."¹²

Michael Steele, former Chairman, Republican National Committee (2009-2011)

In a RepublicReport.org video posted April 6th, 2012:

*"I think that there's going to be a movement if you will to somehow fix or correct this market that we currently have for campaign finance with respect to Citizens United. And I'm fine with that."*¹³

Sue Kelly, former U.S. Representative, 19th District of New York (1995-2007)

Quoted on her appearance at Boston University on September 24th, 2012:

"I think the money situation is corrupting the political process," Kelly said in response to a student question about flaws in American politics. *"There's so much money [in politics] now."*

Kelly referred to the Citizens United Supreme Court case, in which the court ruled that the First Amendment prevents the government from limiting the amount of money corporations or unions can spend on political campaigns.¹⁴

Artur Davis, former U.S. Representative, 7th district of Alabama (2003-2011); Republican since 2012

Interviewed in The Washington Times, October 2nd, 2012:

*"I remain of the opinion that the Supreme Court got it wrong in Citizens United. The Court's conceit that the financing of independent expenditures creates no appearance of corruption or influence peddling, while direct contributions do, is the kind of distinction that only a court whose members have never run for so much as city council could contemplate. While I recognize that most conservatives disagree, I subscribe to an older view that preserving trust in public institutions is a conservative value in its own right. I think over time, conservatives will lament the ruling, as the left invariably uses it to maximize its own special interest influence."*¹⁵

Jim Clancy, Chairman (2013-present), and previously Commissioner (2010-2013), Texas Ethics Commission

Interviewed in The Texas Tribune, February 5th, 2013:

TT: *"What has Citizens United meant for the watchdog role of the Ethics Commission?"*

Clancy: *"Citizens United created uncertainty for the people who have to follow our rules. There are a lot of very good, well-intentioned people trying to find out what to do in certain circumstances. One of challenges we have is that those people who come to us, who try to disclose, are typically the ones who are fined. People who don't report, who ignore the disclosure system, those folks are rarely involved. The reason why you see a real pushback when you start talking about some expanded powers, more disclosure, more fines, is because there's a feeling that those people who try to comply are punished for doing so."*¹⁶

Michael Ellis, President, Wisconsin State Senate (1982-present)

Quoted in the Appleton Post-Crescent, Ellis cited one of his longtime crusades — campaign finance reform:

*"We've had roadblocks because of the Supreme Court decision," he said. "Citizens United shifts pressure from individuals to collectivisms. Collectivisms can spend as much as they want, rendering the individual citizen of our state null and void. We have to do what we can within the confines of the Supreme Court decision."*¹⁷

Bill Brock, Former Chairman, Republican National Committee, (1977-1981)

Quoted in Bloomberg View, May 25, 2014:

*"Bill Brock, one of the most successful chairmen of the Republican National Committee, has said the problem goes well beyond bribery: 'The appearance of corruption is corrosive and is undermining our democracy.'"*¹⁸

Vance McAllister, U.S. Representative, 5th District of Louisiana, (2013-present)

Quoted in Think Progress, June 10, 2014:

*"Money controls Washington," according to Congressman Vance McAllister (R- LA), who also told an audience of Louisiana accountants that Congress is caught in a "steady cycle of voting for fundraising and money instead of voting for what is right."*¹⁹

Jack Danforth, U.S. Senator, Missouri (1976 – 1996)

In remarks at the Truman Presidential Library on receiving the Harry S. Truman Public Service Award in June 2015:

"I believe that the Supreme Court's decision in Citizens United undermines our republican form of government and should not stand. That's a long shot,

*because overruling it would require a dramatic change by the Court, which I don't foresee, or a Constitutional amendment which is exceptionally difficult. But, however difficult, we shouldn't foreclose thinking about campaign finance reform."*²⁰

Historic Republican Critics of Unchecked Corporate Power and Corporate Participation in Politics, predating Citizens United

Theodore Roosevelt, President of the United States, 1901-1909

In his "New Nationalism" speech, 1910:

"For every special interest is entitled to justice, but not one is entitled to a vote in Congress, to a voice on the bench, or to representation in any public office. The Constitution guarantees protection to property, and we must make that promise good. But it does not give the right of suffrage to any corporation."

"The true friend of property, the true conservative, is he who insists that property shall be the servant and not the master of the commonwealth; who insists that the creature of man's making shall be the servant and not the master of the man who made it. The citizens of the United States must effectively control the mighty commercial forces which they have called into being."

*"There can be no effective control of corporations while their political activity remains. To put an end to it will be neither a short nor an easy task, but it can be done."*²¹

William Rehnquist, Chief Justice of the U.S. Supreme Court, 1986-2005

In his dissent in the case *First National Bank of Boston v. Bellotti*, 1978:

"Nevertheless, we concluded soon thereafter that the liberty protected by that [fourteenth] Amendment 'is the liberty of natural, not artificial persons.' Northwestern Nat. Life Ins. Co. v. Riggs, (1906)."

"... Congress of the United States, and the legislatures of 30 other States of this Republic have considered the matter, and have concluded that restrictions upon the political activity of business corporations are both politically desirable and constitutionally permissible. The judgment of such a broad consensus of governmental bodies expressed over a period of many decades is entitled to considerable deference from this Court. I think it quite probable that their judgment may properly be reconciled with our controlling precedents, but I am certain that under my views of

the limited application of the First Amendment to the States, which I share with the two immediately preceding occupants of my seat on the Court, but not with my present colleagues, the judgment of the Supreme Judicial Court of Massachusetts should be affirmed."

"Since it cannot be disputed that the mere creation of a corporation does not invest it with all the liberties enjoyed by natural persons, United States v. White, (1944) (corporations do not enjoy the privilege against self-incrimination), our inquiry must seek to determine which constitutional protections are "incidental to its very existence." Dartmouth College, supra, at 636."

"Although the Court has never explicitly recognized a corporation's right of commercial speech, such a right might be considered necessarily incidental to the business of a commercial corporation."

"It cannot be so readily concluded that the right of political expression is equally necessary to carry out the functions of a corporation organized for commercial purposes. A State grants to a business corporation the blessings of potentially perpetual life and limited liability to enhance its efficiency as an economic entity. It might reasonably be concluded that those properties, so beneficial in the economic sphere, pose special dangers in the political sphere."

"Furthermore, it might be argued that liberties of political expression are not at all necessary to effectuate the purposes for which States permit commercial corporations to exist. So long as the Judicial Branches of the State and Federal Governments remain open to protect the corporation's interest in its property, it has no need, though it may have the desire, to petition the political branches for similar protection. Indeed, the States might reasonably fear that the corporation would use its economic power to obtain further benefits beyond those already bestowed."

*"The free flow of information is in no way diminished by the Commonwealth's decision to permit the operation of business corporations with limited rights of political expression. All natural persons, who owe their existence to a higher sovereign than the Commonwealth, remain as free as before to engage in political activity. Cf. Maher v. Roe, (1977)."*²²

Barry Goldwater, U.S. Senator, Arizona (1953-1965), Republican nominee for President (1964)

In his seminal book, *The Conscience of a Conservative*:

*"In order to achieve the widest possible distribution of political power, financial contributions to political campaigns should be made by individuals and individuals alone. I see no reason for labor unions – or corporations – to participate in politics. Both were created for economic purposes and their activities should be restricted accordingly."*²³

Notes, Appendix II

- ¹ <http://on.ny.gov/2F8Gm1o>
- ² <http://slate.me/2GPY72H>
- ³ <http://www.ksl.com/?nid=757&sid=21601347>
- ⁴ <http://www.youtube.com/watch?v=s-xFexgH76g> in an interview while campaigning for the presidency in August, 2011; Originally transcribed at RonPaul.com:
<http://www.ronpaul.com/2011-08-17/ron-paul-corporations-are-not-people/>
- ⁵ <http://wapo.st/2ow8KB1>
- ⁶ http://bit.ly/TrevorPotter_BillMoyers_2012_09_21
- ⁷ <http://theatl.in.tc/2Cqv8UV> September 19, 2012
- ⁸ <http://wapo.st/2HU8pQS>
- ⁹ <http://thecolbertreport.cc.com/episodes/ws071h/november-13--2012---newt-gingrich>
- ¹⁰ http://bit.ly/Colbert_Newt_november-13-2012_part_2 at 3:00
- ¹¹ <http://thebea.st/2t3doLE>
- ¹² <http://nyti.ms/2CKHinj>
- ¹³ <http://youtu.be/almNDsdGe-o>
- ¹⁴ http://bit.ly/FreePress_SueKelly_2012_09_24
- ¹⁵ http://bit.ly/WaTimes_Communities_2012-10-02_ArturDavis
<http://communities.washingtontimes.com/neighborhood/conscience-realist/2012/oct/2/artur-davis-ron-paul-citizens-united-and-public-se/>
- ¹⁶ http://bit.ly/JimClancy_TexasTribune_2013_02_05
- ¹⁷ http://postcrescent.newspapers.com/browse/The%20Post-Crescent_772/2012/04/22
- ¹⁸ <https://bloom.bg/2GQcVyk>
- ¹⁹ http://bit.ly/ThinkProgress_2014-06-10_VanceMcAllister
- ²⁰ <http://www.ci.independence.mo.us/userdocs/CityCouncil/TrumanAward/2015-AwardAcceptanceRemarks.pdf>
- ²¹ <http://teachingamericanhistory.org/library/index.asp?document=501>
- ²² <http://caselaw.findlaw.com/us-supreme-court/435/765.html>
- ²³ <https://press.princeton.edu/titles/8388.html> page 5

Appendix III: Constitutional Amendments Are How Americans Keep Our Republic

Constitutional amendments are not easy, nor should they be. Under Article V of the Constitution, amendments must be proposed by 2/3 of Congress (or alternatively, convention called by 2/3 of the States, to date, never used) and ratified by 3/4 of the States. They often require the reversal of Supreme Court decisions (eight of our constitutional amendments did that). And they challenge and overturn powerful entrenched interests and threaten oligarchs, from the slaveholders to the largest corporations and “robber barons” that controlled the United States Senate before the 17th Amendment, which implemented the direct election of US Senators by the people.

“We need to rescue the First Amendment rights of Americans from a growing Oligarchy. The nation’s Founders based our Republic on the balance of interests to be argued for through competing free speech. Allowing unlimited and secret or veiled campaign contributions to be used as a giant blow horn actually destroys the free speech of individuals that our Constitution should protect.”

John Pudner, Executive Director, Take Back Our Republic

Nearly every generation of Americans has lived up to the challenge of the using Constitutional amendment process to keep our republic. Indeed, constitutional amendments tell the story of America. They are how we have resolved and won our most epic struggles and aspirations.

- ✓ The Bill of Rights (1st - 10th Amendments)
- ✓ The end of slavery and a new promise of liberty and equality for all Americans (13th - 15th Amendments)
- ✓ The right of women to vote, and later, men and women over 18 (19th and 26th Amendments)
- ✓ The election by the people of United States Senators (17th Amendment)
- ✓ Civil rights and the end of the poll tax (24th Amendment)
- ✓ Federalism and checks on concentrated power, overreaching and corruption threats of the federal government (10th - powers reserved to states and people, 11th - no suing states in federal courts)
- ✓ Repeal of prohibition (21st Amendment)
- ✓ Term limits for the President (22nd Amendment)
- ✓ Congressional pay raises (27th Amendment)

Our Pocket Constitutions have thirty-four pages of text. Roughly half (16 pages) of that text was not part of the Constitution that the nation’s founders signed in September 1787. These pages contain our twenty-seven amendments (so far).

Americans ratified the First Amendment in 1791 and the Twenty-Seventh two hundred years later in 1992, with

amendments in between across every generation. There's no doubt that passing a constitutional amendment is a heavy lift, but when our republic is at risk, as it is today from the threat concentrated money, we revere our Constitutional founders by using the mechanisms they enshrined in the Constitution to correct course.

Americans today must again rise to the challenge of protecting our republic and win the 28th Amendment to correct the concentrated power, disenfranchisement, and corruption that results from unlimited money of the few driving our elections and representatives.