



May 4, 2015

Dear Member of Congress:

On behalf of the hundreds of thousands of members of People For the American Way (PFAW), I write to urge you to cosponsor the Democracy for All constitutional amendment (H.J.Res. 22 & S.J.Res. 5).

The flow of big money into our political system—and the associated effects on our democratic processes—has reached a crisis level. In the wake of *Citizens United v. FEC*, 558 U.S. 310 (2010), *McCutcheon v. FEC*, 134 S.Ct. 1434 (2014), and other damaging Supreme Court decisions that have left Congress and the states unable to enact commonsense election spending regulations, American elections have grown increasingly expensive. Indeed, the 2014 elections once again made clear the overwhelming political power of wealthy special interests—to the tune of nearly \$4 billion.ⁱ

Americans have also witnessed an explosion of outside spending in elections since *Citizens United* was decided. Outside spending increased more than 300 percent between the 2008 and 2012 presidential election years.ⁱⁱ And as political entities adapt to a post-*Citizens United*, post-*McCutcheon* landscape, these trends are only getting worse, as evidenced by the experience in the 2014 midterm congressional elections, where outside spending increased nearly 200 percent,ⁱⁱⁱ and the amount of spending from “dark money” social welfare groups and trade associations that do not have to disclose their donors increased nearly 130 percent.^{iv}

The torrent of money into our political system has a profound effect on the democratic process for everyday Americans, whose voices and policy preferences are increasingly being drowned out by those of wealthy special interests. The more campaign cash from wealthy special interests can flood our elections, the more policies that favor those interests are reflected in the national political agenda. On policies like unemployment benefits, minimum wage, and health coverage, our nation’s wealthiest tend to have fundamentally different views than do average Americans.^v Princeton professor Martin Gilens has noted that these views are not equally reflected in policy outcomes, writing: “[W]hen Americans with different income levels differ in their policy preferences, actual policy outcomes strongly reflect the preferences of the most affluent but bear virtually no relationship to the preferences of poor or middle-income Americans.”^{vi} Unsurprisingly, as they see a system increasingly unresponsive to their needs and preferences, the American people are losing faith in our democratic system. For instance, a November 2013 poll found that more than seven in 10 American voters think that our election system is “biased in favor of the candidate with the most money.”^{vii}

This deluge of spending also takes a toll on the effectiveness of individual lawmakers. To reach the average amount it took to win a Senate seat in 2012, a Senator had to raise roughly \$4,600 each day of his or her six-year term, including weekends and holidays; a House member had to raise roughly \$2,000 each day of his or her two-year term to reach the winning average.^{viii} With elected officials so focused on raising money, they inevitably have far less time for listening to their constituents, providing constituent services, and crafting effective public policy.

The Democracy for All constitutional amendment seeks to address the problem of a democracy overwhelmed by big money by restoring to Congress and the states the constitutional authority to regulate the raising and spending of money to influence elections. At present, Congress and the states are constitutionally prohibited from:

- 1) Setting limits on independent expenditures or on contributions to independent election spending entities made by corporations or by individuals;^{ix}
- 2) Barring corporations from spending general treasury funds to independently influence elections;^x
- 3) Setting caps on self-funded campaigns;^{xi}
- 4) Setting aggregate limits on direct contributions by individuals to candidates, PACs and party committees;^{xii}
- 5) Implementing a range of other innovative election reform measures.

The Court has tied the hands of Congress and the states, prohibiting them from setting limits on campaign spending and saying that the only legitimate rationale under the First Amendment for such laws is to counter narrowly defined *quid pro quo* corruption (bribery). The Court has ruled illegitimate any attempt to reduce the ability of the nation's wealthiest and most powerful to buy inappropriate and outsized influence in our elections. This distortion of the Constitution has prevented any meaningful regulation or reform of the way we finance elections in America.

The Democracy for All constitutional amendment would correct the Court's misreading of the First Amendment, and would, in fact, strengthen the First Amendment's core purpose. As Justice Breyer noted in his *McCutcheon* dissent, the interests of the Court in preventing corruption or the appearance of corruption are "rooted in the First Amendment itself ... in the constitutional effort to create a democracy responsive to the people—a government where the laws reflect the very thoughts, views, ideas, and sentiments, the expression of which the First Amendment protects."^{xiii} As such, Justice Breyer urges, "[w]e should see [campaign finance laws] as seeking in significant part to strengthen, rather than weaken, the First Amendment."^{xiv} To restore the First Amendment's contribution to a government whose laws reflect the people's "thoughts, views, ideas, and sentiments,"^{xv} short of changing the composition or the jurisprudence of the Court, we have no choice but to amend the Constitution.

While amending the Constitution is unquestionably a weighty matter—only warranted in rare and compelling circumstances—this is one of those moments in our nation's history. The American people and their elected officials are increasingly speaking out about the need for an amendment. As of April 30, H.J.Res. 22 had 108 cosponsors,^{xvi} and S.J.Res. 5 had 40 cosponsors.^{xvii} The building momentum in Congress for an amendment mirrors the robust grassroots organizing taking place across the country at the state and local levels. Since the landmark *Citizens United* decision, 16 states and more than 650 municipalities, including large cities like New York, Los Angeles, Chicago and Philadelphia, have gone on record supporting congressional passage of a constitutional amendment to be sent to the states for ratification. Transcending political leaning and geographic location, voters in states and municipalities that have placed amendment questions on the ballot have routinely supported these initiatives by large margins.^{xviii} Five million American have signed their names to the amendment support petitions circulated by dozens of reform groups.^{xix} The momentum to address the issue of big money in politics grows stronger by the day.

The Democracy for All constitutional amendment sets a framework for addressing this problem. It provides, in a simple and straightforward way, that Congress and the states have the authority to regulate and limit the raising and spending of money on elections. It gives Congress and the states the power to enact appropriate legislation to implement and enforce the amendment. And it provides the important clarification that nothing in the amendment should be construed to abridge the freedom of the press.

Importantly, Democracy for All also rejects the current Court's misguided interpretation that the only basis for campaign finance regulation is to address corruption in the form of *quid quo pro* bribery.^{xx} In fact, in addition to preventing corruption, there are multiple rationales that justify campaign finance regulation, including but not limited to: leveling the electoral playing field; advancing the fundamental principle of equality for all; and protecting the integrity of the governmental and electoral processes. These are concepts incorporated in the proposed amendment, which provide guidance for a new post-amendment campaign finance jurisprudence to be developed by the Court.

The time to amend the Constitution to put our democracy back in the hands of "We, the People" is now. Moneyed interests have overwhelmed the political process, leaving everyday Americans struggling to have their voices heard over the roar of massive political spending. This is not the democracy the American people want, and it is certainly not the democracy envisioned by our founders.

We urge Representatives to contact Representative Deutch ([Joel Richard](#), x53001) and Senators to contact Senator Udall ([Matt Nelson](#), x46621) to cosponsor the Democracy for All constitutional amendment. Thank you to members of Congress who have already registered their support.

We all need to work together to restore our democracy to one that is truly of, by, and for the people.

Sincerely,



Marge Baker
Executive Vice President for Policy and Program

ⁱ *OpenSecrets.org* by the *Center for Responsive Politics*, "Estimated Cost of Election 2014," accessed on February 18, 2015: <https://www.opensecrets.org/overview/cost.php>.

ⁱⁱ *OpenSecrets.org* by the *Center for Responsive Politics*, "Total Outside Spending by Election Cycle, Excluding Party Committees," accessed on February 18, 2015: https://www.opensecrets.org/outsidespending/cycle_tots.php.

ⁱⁱⁱ *Id.*

^{iv} *OpenSecrets.org* by the *Center for Responsive Politics*, "Outside Spending by Nondisclosing Groups, Cycle Totals, Excluding Party Committees," accessed on February 11, 2015: <https://www.opensecrets.org/outsidespending/disclosure.php>.

^v *Demos*, "Stacked Deck": <http://www.demos.org/stacked-deck-how-dominance-politics-affluent-business-undermines-economic-mobility-america>.

^{vi} Martin Gilens, *Public Opinion Quarterly*, "Inequality and Democratic Responsiveness": <http://qipsr.as.uky.edu/sites/default/files/Gilens-Inequality%20and%20Democratic%20Responsiveness-POQ.pdf>.

^{vii} Jeff Harrelson and Ben Tulchin, *MFour Research and Tulchin Research*, “National Voter Survey Findings (Insider Analysis)”: https://represent.us/wp-content/uploads/2013/12/RepresentUs_FullAnalysis.pdf.

^{viii} Russ Choma, *OpenSecrets.org* by the *Center for Responsive Politics*, “Election 2012: The Big Picture Shows Record Cost of Winning a Seat in Congress”: <http://www.opensecrets.org/news/2013/06/2012-overview/>.

^{ix} *SpeechNow.org v. FEC*, 599 F.3d 686 (D.C. Cir. 2010). Available at [http://www.cadc.uscourts.gov/internet/opinions.nsf/4B824DD5C7D7C4EF85257807005A9A46/\\$file/08-5223-1236837.pdf](http://www.cadc.uscourts.gov/internet/opinions.nsf/4B824DD5C7D7C4EF85257807005A9A46/$file/08-5223-1236837.pdf). See also <http://www.scotusblog.com/case-files/cases/speechnow-org-v-fcc/> for case history and media analysis.

^x *Citizens United v. FEC*, 588 U.S. 310 (2010). Available at <http://www.supremecourt.gov/opinions/09pdf/08-205.pdf>. See also <http://www.scotusblog.com/case-files/cases/citizens-united-v-federal-election-commission/> for case history and media analysis.

^{xi} *Buckley v. Valeo*, 424 U.S. 1, 51-54 (1976). Available at http://www.law.cornell.edu/supct/html/historics/USSC_CR_0424_0001_ZO.html#424_US_1n65ref.

^{xii} *McCutcheon v. FEC*, 134 S.Ct. 1434 (2014). Available at http://www.supremecourt.gov/opinions/13pdf/12-536_e1pf.pdf. See also <http://www.scotusblog.com/case-files/cases/mccutcheon-v-federal-election-commission/> for case history and media analysis.

^{xiii} *McCutcheon v. FEC*, 134 S.Ct. 1434, 1468 (2014).

^{xiv} *Id.*

^{xv} *Id.*

^{xvi} *Congress.gov* by the *Library of Congress*, “Cosponsors: H.J.Res.22 — 114th Congress (2015-2016),” accessed on May 1, 2015: <https://www.congress.gov/bill/114th-congress/house-joint-resolution/22/cosponsors?pageSort=lastToFirst>.

^{xvii} *Congress.gov* by the *Library of Congress*, “Cosponsors: S.J.Res.5 — 114th Congress (2015-2016),” accessed on May 1, 2015: <https://www.congress.gov/bill/114th-congress/senate-joint-resolution/5/cosponsors?pageSort=lastToFirst>.

^{xviii} *United For The People*, “State and Local Support,” accessed on April 24, 2015: <http://united4thepeople.org/state-and-local-support/>.

^{xix} *People For the American Way*, “On Eve of Fifth Anniversary of Citizens United, Advocates Reach 5 Million Signatures Calling to Overturn Decision”: <http://www.pfaw.org/press-releases/2015/01/eve-fifth-anniversary-citizens-united-advocates-reach-5-million-signatures-ca>.

^{xx} See *McCutcheon v. FEC*, 134 S.Ct. 1434 (2014). See also Richard Hasen, *Reuters*, “Opening the political money chutes,” <http://blogs.reuters.com/great-debate/2014/04/07/opening-the-political-money-chutes/>.

Dear Senator,

On behalf of U.S. PIRG, we are writing to urge you to **co-sponsor the Democracy for All Amendment (S.J. Res. 5), which would overturn Citizens United and related cases to allow Congress to place common sense limits on campaign contributions and expenditures.**

The Supreme Court's 2010 *Citizens United* ruling opened the floodgates for unlimited special interest money in our elections, drowning out the voices of average Americans and leading to a loss of public faith in our democracy. Often the money is funneled through dark money organizations, keeping the source of the campaign cash secret so it can be spent without any accountability.

The 2012 elections reflected the dominant role big money has come to play in our elections. A U.S. PIRG-Demos [study](#) showed the top 32 Super PAC donors, giving an average of \$9.9 million each, matched the \$313 million that President Obama and Mitt Romney raised from all of their small donors combined—that's at least 3.7 million people.

The 2014 elections were the most expensive midterms in history and were no different when it came to big money dominance. According to the Center for Responsive Politics, Super PACs raised \$695,488,908 in the 2014 election cycle and, more important to note, 63% of that money came exclusively from the top 1% of donors.

The problem is clear to voters across party lines. According to a poll commissioned by Every Voice, a large majority of voters think special interest groups, lobbyists and campaign contributors have the most influence over how a member of Congress votes. Only 11 percent of Democratic voters and 15 percent of Republican voters believe constituents have the most influence over a member's votes.

The call for a solution is also clear. To return control of our elections to average constituents, we need an amendment to correct the Supreme Court's misguided interpretation that money is speech protected under the First Amendment and reestablish the principle of protecting political equality. The drumbeat of support for this amendment has been heard loud and clear. 16 states and over 650 municipalities have gone on record against the flood of big money in our elections and called on their congressional delegations to pass the amendment and send it back to the states to be ratified.

According to a Lake Research Partners poll of likely 2014 voters, over half of voters favor this amendment and this finding is consistent across party lines. Only 25% of voters were opposed. Importantly, voters overwhelmingly reject the idea that this amendment is an assault on free speech. A majority believe that our current system allows the voices of a few – those using million-dollar megaphones – to drown out the many, and that an amendment is necessary to realize fundamental First Amendment values and ensure our democracy is of, by, and for the people.

The amendment is an essential solution to a daunting problem that is going to take many years to pass. **The clearest way to show your support for the amendment is to sign on as a co-sponsor of S.J. Res. 5.** We urge Senators to contact Senator Udall (Matt Nelson, x46621) to sign on.

Sincerely,

Dan Smith
Democracy Campaign Director
U.S. Public Interest Research Group (U.S. PIRG)
202.461.3822
dsmith@pirg.org

Alaska PIRG • Arizona PIRG • California PIRG • Colorado PIRG • Connecticut PIRG • Florida PIRG • Georgia PIRG • Illinois PIRG • Indiana PIRG • Iowa PIRG • Maryland PIRG
Massachusetts PIRG • PIRG in Michigan • Missouri PIRG • Montana PIRG • New Hampshire PIRG • New Jersey PIRG • New Mexico PIRG • New York PIRG
North Carolina PIRG • Ohio PIRG • Oregon State PIRG • Pennsylvania PIRG • Rhode Island PIRG • Texas PIRG • Vermont PIRG • Washington PIRG • Wisconsin PIRG

Printed on recycled paper

May 6, 2015

Dear Member of Congress:

The U.S. Supreme Court's decisions in recent years in *Citizens United v. FEC*, *McCutcheon v. FEC*, and other cases have subjected our democracy to a tidal wave of corporate and special interest money in elections. This unlimited campaign spending seriously threatens our democracy and silences the voices of average Americans. As Justice Breyer wrote in his dissent in *McCutcheon*, "where enough money calls the tune, the general public will not be heard."

Because our government is becoming too dominated by big money interests to be responsive to the needs of everyday Americans, Common Cause urges you to cosponsor the Democracy for All Amendment, H.J. Res. 22.

This constitutional amendment, which has more than 100 cosponsors, would re-establish the ability of Congress and the states to pass common-sense guidelines for election spending. It can help to ensure that our elected officials pay more attention to the people who elect them rather than their campaign donors. The amendment would overturn *Citizens United v. FEC*, *McCutcheon v. FEC*, and the 1976 *Buckley v. Valeo* ruling and restore First Amendment values of democratic self-government.

If the wealthiest Americans and corporations can drown out the voices of ordinary Americans, we cease to be a democracy. In fact, a 2014 Princeton study analyzing 1,800 different policy initiatives over a 20+ year period concluded that we have now become an oligarchy in which "economic elites and organized groups representing business interests" wield the most power.

We cannot fully address the many challenges our country faces—jobs and the economy, energy independence, housing security, and many others—until we solve the root issue of money dominating politics. Passing a constitutional amendment is a critical way to elevate the voices of everyday Americans so that everyone, not just the wealthy few, can be heard. To date, 16 states and 500+ localities representing more than 100 million Americans have called on Congress to pass an amendment to get big money out of politics.

Amending the Constitution should only be done in the rarest of circumstances. However, America has reached a tipping point in which big-moneyed interests exert control over all levers of government. Instead of being of, by, and for the corporations and ultra-wealthy, American democracy needs to turn to an era of, by, and for the people. We strongly urge you to cosponsor H.J. Res. 22, the Democracy for All Amendment, so that ordinary Americans will again have a voice in our democracy. If you have any questions or would like to cosponsor the Democracy for All Amendment, please contact Joel Richard (joel.richard@mail.house.gov or x53001) in Congressman Deutch's office.

Sincerely,

Miles Rapoport
President
Common Cause



Support the Democracy for All Constitutional Amendment (S.J. Res. 5/H.J. Res. 22)

May 7, 2015

Dear Member of Congress,

On behalf of the more than 170,000 bipartisan members and supporters of the American Association of University Women (AAUW), I **urge you to cosponsor the Democracy for All constitutional amendment (S.J. Res. 5/H.J. Res. 22) introduced by Sen. Tom Udall (D-NM) and Rep. Ted Deutch (D-FL).**

Since AAUW's founding in 1881, women have made great strides toward equality, but we are still fighting to ensure women's voices are heard in the political process. That's why AAUW supports a constitutional amendment to get big money out of our elections and restore the First Amendment rights of everyday people across the country.

Outside interests spent more than \$170 million in the 2014 federal midterm races.¹ Of those expenditures, nearly 63 percent came from Super PACs, and about 27 percent from "dark money" social welfare groups and trade associations that do not have to disclose their donors.² Most Americans want limits on individual contributions to political campaigns as well as limits on spending by outside groups on political advertising.³

Women in particular are concerned about campaign finance reform. Although women are the majority of registered voters, studies show they are less likely to make political contributions.⁴ That shouldn't surprise us given the gender pay gap which negatively impacts women's incomes. If money remains the most respected and effective form of speech, women become even more marginalized. Also, women list fundraising as the biggest barrier to running for elected office.⁵ We need to take money out of the decision whether to run for office so more qualified women throw their hats into the race.

A constitutional amendment is the best way to meet this urgent need and address the root problem created by the Supreme Court decision in *Citizens United*. This decision allows outside interests to spend unlimited amounts of money on political elections with little to no transparency or accountability. The Democracy for All constitutional amendment simply restores the ability of Congress and state legislatures to regulate the raising and spending of money in elections.

American women fought too hard for their votes to count. Congress needs to get big money out of our elections—and put the focus back on the people—by passing a Democracy for All constitutional amendment. We urge Representatives to contact Rep. Deutch (Joel Richard, x53001) and Senators to contact Sen. Udall (Matt Nelson, x46621) to cosponsor the Democracy for All constitutional amendment (S.J. Res. 5/H.J. Res. 22).

Cosponsorship and votes associated with this issue may be included in the AAUW Action Fund *Congressional Voting Record*. Please do not hesitate to contact me at 202.785.7720, or Erin Prangley, associate director of government relations, at 202.785.7730, if you have any questions.

Sincerely,



Lisa M. Maatz
Vice President of Government Relations

¹ Opensecrets. (2014). Outside Spending. www.opensecrets.org/outsidespending/fes_summ.php.

² Ibid.

³ CBS News. (May 21, 2014). Americans' View of Congress: Throw 'em out. www.cbsnews.com/news/americans-view-of-congress-throw-em-out/.

⁴ Johnson, Sharon. (July 14, 2014). "Campaign Ad Spending Rises as Obstacle to Women." womensenews.org/story/campaign-trail/140714/campaign-ad-spending-rises-obstacle-women

⁵ Mcgreggor, Jenna. (May 21, 2014). "Why More Women Don't Run for Office." Washington Post. www.washingtonpost.com/blogs/on-leadership/wp/2014/05/21/why-more-women-dont-run-for-office/



Dear members of the U.S. Senate and House of Representatives,

Our political system is drowning in big money—but there is a movement all across the country to save our democracy, and we need your help.

I write on behalf of MoveOn.org and our 8 million members to urge you to cosponsor the Democracy for All constitutional amendment (H.J.Res. 22 & S.J.Res. 5). This amendment would grant Congress and the states the authority to regulate and limit the raising and spending of money on elections—and give Congress and the states the power to enact appropriate legislation to implement and enforce such regulations.

It's a simple and direct solution to the problems of money in politics that were multiplied many times over by the Supreme Court's decisions in *Citizens United v. FEC* and *McCutcheon v. FEC*. Since those decisions opened the floodgates of unregulated political spending, we've seen an already fragile system become even further compromised. As spending on elections increases dramatically, a small handful of the wealthiest Americans control a growing percentage of the campaign donations—locking out millions upon millions of regular Americans from our democracy.

Money isn't speech. Corporations aren't people. And our democracy should not be for sale to the highest bidders.

Our current system is a disservice to constituents, and it also hurts lawmakers, many of whom have to spend their time chasing dollars rather than pursuing public policy and advocating for their districts. We know many legislators would like to see this situation change—which is why we hope you're prepared to do something about it.

Democracy for All is a clear, elegant amendment that is one part of the earth-shaking momentum we need to generate to transform our nation's politics. Sixteen states and more than 650 municipalities have now endorsed congressional passage of a constitutional amendment tackling the disease of money in politics. Five million Americans have signed onto petitions calling for the same. Now, it's your turn.

We urge all House members to contact Representative Deutch and all senators to contact Senator Udall to cosponsor the Democracy for All constitutional amendment—and join the growing chorus of members of Congress who have joined the cause.

The fight to reclaim our democracy is one of the defining challenges of our generation. We look forward to standing shoulder to shoulder with you in the work that's yet to come.

Thank you for all you do.

A handwritten signature in black ink that reads "Anna Galland". The signature is written in a cursive, flowing style.

Anna Galland
Executive Director
MoveOn.org Civic Action

MoveOn.org Civic Action
1442 Walnut St, #358
Berkeley, CA 94709
www.moveon.org



May 11, 2015

Dear Member of Congress:

On behalf of the 7,000,000 participants in the Daily Kos community, I write to urge you to cosponsor the Democracy for All constitutional amendment (H.J.Res. 22 & S.J.Res. 5).

The flow of money into our political system—and the associated effects on our democratic processes—has reached a crisis level. In the wake of *Citizens United v. FEC*, 558 U.S. 310 (2010), *McCutcheon v. FEC*, 134 S.Ct. 1434 (2014), and other damaging Supreme Court decisions that have left Congress and the states unable to enact election spending regulations, American elections have grown increasingly expensive.

The Democracy for All constitutional amendment seeks to address the problem of a democracy overwhelmed by big money. It provides, in a simple and straightforward way, that Congress and the states have the authority to regulate and limit the raising and spending of money on elections. It gives Congress and the states the power to enact appropriate legislation to implement and enforce the amendment. And it provides the important clarification that nothing in the amendment should be construed to abridge the freedom of the press.

While amending the Constitution is unquestionably a weighty matter, the American people and their elected officials are increasingly speaking out about the need for an amendment. As of May 11, 2015, H.J.Res. 22 had 111 cosponsors, and S.J.Res. had 39 cosponsors. The building momentum in Congress for an amendment mirrors the robust grassroots organizing taking place across the country at the state and local levels. Since the landmark *Citizens United* decision, 16 states and more than 650 municipalities, including large cities like New York, Los Angeles, Chicago, and Philadelphia, have gone on record supporting congressional passage of a constitutional amendment to be sent to the states for ratification. Transcending political leaning and geographic location, voters in states and municipalities that have placed amendment questions on the ballot have routinely supported these initiatives by large margins.

Five million Americans have signed their names to petitions in support of the amendment circulated by dozens of reform groups. The momentum to address the issue of big money in politics grows stronger by the day.

We urge Representatives to contact Representative Deutch (Joel Richard, x53001) and Senators to contact Senator Udall (Matt Nelson, x46621) to cosponsor the Democracy for All constitutional amendment. Thank you to members of Congress who have already registered their support. We all need to work together to restore our democracy to one that is truly of, by, and for the people.

Sincerely,

Chris Bowers,
Executive Campaign Director, Daily Kos



1600 20th Street, NW • Washington, D.C. 20009 • 202/588-1000 • www.citizen.org

May 19, 2015

To the Members of the U.S. Senate and the U.S. House of Representatives,

We know that America will never deliver on its promise if our election system is dominated by Big Money. We are writing today on behalf of our 400,000 members and supporters to urge you to support the Democracy for All Amendment – S.J. Res. 5 and H.J. Res 22, a constitutional amendment to establish that Congress and the states have the power to regulate and limit campaign spending.

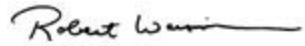
This amendment would overturn the U.S. Supreme Court’s 2010 ruling in *Citizens United v. FEC*, which unleashed a flood of outside money into our elections, including hundreds of millions of dollars of Dark Money – donated by deep-pocketed corporations and individuals whose identities will never be revealed to the public. The amendment also would overturn the Supreme Court’s *McCutcheon v. FEC* decision, which was issued last year and which eliminated the cap on the total amount an individual can contribute to candidates, political parties and political committees. And the amendment would overturn the court’s 1976 *Buckley v. Valeo* ruling, which established the doctrine colloquially known as “money equals speech.” By overturning these court rulings, the amendment restores the right of Congress and the states to regulate election spending in a content-neutral way.

The Supreme Court held in *McCutcheon* that the only legitimate rationale for limiting campaign spending is to prevent quid pro quo corruption – essentially, bribery. But the American people understand quite well that, while quid pro quo corruption is a serious issue, the problem with Big Money domination of our elections is far more profound. It tilts the entire government to favor Big Money donors. It denies regular people an equal say in determining the future of our country.

America faces great and serious challenges – putting people back to work, addressing deepening inequality, averting catastrophic climate change, fixing our schools, ensuring quality and affordable health care for all, and much more. Our country has the wealth and wherewithal, and the creativity and conscience, to meet these challenges. But we will fall short unless we repair our democracy.

An overwhelming majority of the American people believe Big Money has too much influence over our elections, oppose *Citizens United* and support a constitutional amendment to restore our democracy. More than 5 million people have signed petitions supporting an amendment. Sixteen states and the District of Columbia, and 650 towns and counties have officially called for a constitutional amendment through resolutions or similar measures. Responding to the rising demand from the public, last fall, 54 U.S. senators voted to support the Democracy For All amendment.

We do not lightly call for amending our great Constitution. But we know as well that there can be no greater constitutional purpose than ensuring the functioning of our democracy. We urge you in the strongest terms to support the Democracy for All Amendment – S.J. Res. 5 and H.J. Res 22, so that it quickly becomes the 28th Amendment to our Constitution.

A handwritten signature in cursive script that reads "Robert Weissman".

Robert Weissman
President, Public Citizen



702 H Street NW Suite 300
Washington DC 20001
tel: 202.462.1177 fax: 202.462.4507
greenpeace.org

June 1, 2015

Dear Member of Congress:

On behalf of Greenpeace and its supporters, I write to urge you to cosponsor the Democracy for All constitutional amendment (H.J.Res. 22 & S.J.Res. 5).

Citizens United v. FEC, 558 U.S. 310 (2010), *McCutcheon v. FEC*, 134 S.Ct. 1434 (2014), and other damaging Supreme Court decisions have left Congress and the states unable to enact common sense election spending regulations. As a result, American elections have grown increasingly expensive, while average citizens have become increasingly cynical about their government's ability to serve anyone but those interests rich enough to contribute enormous amounts to campaigns, Super PACs, party committees and politically active non-profits.

The 2014 elections demonstrated, once again, the overwhelming campaign contributions made by wealthy special interests—to the tune of nearly \$4 billion.ⁱ This torrent of money – much of it coming from big polluters -- not only has a profound effect on the democratic process for everyday Americans, whose voices and policy preferences are increasingly being drowned out by those of wealthy special interests, but it also takes a toll on the effectiveness of individual lawmakers, who are required to focus so much of their time on raising money that they have less time to listen to their constituents, provide constituent services, and craft effective public policy that protects public health and the environment.

Climate change is a salient example of the outsized influence of special interest money and Congress' failure to address issues of highest national importance. For nearly a decade, the Pentagon and many national security experts have repeatedly warned that climate change is a “threat multiplier” with many potential consequences, including the aggravation of conditions conducive to terrorism.ⁱⁱ Yet dozens of fossil fuel moguls have so polluted our democratic discourse by dumping millions of dollars into campaigns that many members of Congress won't even seriously discuss which policies would most effectively reduce this threat to our nation's future.ⁱⁱⁱ

The Democracy for All constitutional amendment seeks to address the problem of a democracy overwhelmed by big money. It restores the Congress' authority to regulate and limit the raising and spending of money on elections. It gives Congress and the states the power to enact appropriate legislation to implement and enforce the amendment, while making clear that nothing in the amendment should be construed to abridge the freedom of the press.

While amending the Constitution is unquestionably a weighty matter, the American people and their elected officials are increasingly speaking out about the need for an amendment. As of June 1, 2015, H.J.Res. 22 had 126 cosponsors,^{iv} and S.J.Res. 5 had 39 cosponsors.^v The building momentum in Congress for an amendment reflects massive grassroots support for bold action, as demonstrated by the 16 states and more than 650 municipalities that have gone on record in support a constitutional amendment since the infamous *Citizens United* decision. Transcending political leaning and geographic location, voters in states and municipalities that have placed



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greenpeace.org

amendment questions on the ballot have routinely supported these initiatives by large margins.^{vi} In addition, over five million Americans have signed petitions in support of the amendment.^{vii}

We are urging Representatives to contact Representative Deutch ([Joel Richard](#), x53001) and Senators to contact Senator Udall ([Matt Nelson](#), x46621) to cosponsor the Democracy for All constitutional amendment bill. We also thank members who have already registered their support.

We all need to work together to restore our democracy to one that is truly of, by, and for the people.

Sincerely,

Rachel Rye Butler
Democracy Campaigner

ⁱ *OpenSecrets.org* by the *Center for Responsive Politics*, “Estimated Cost of Election 2014,” accessed on February 18, 2015: <https://www.opensecrets.org/overview/cost.php>.

ⁱⁱ Department of Defense, *Quadrennial Defense Review 2014*, page 30. http://www.defense.gov/pubs/2014_Quadrennial_Defense_Review.pdf; National Security Strategy (Washington, D.C.: Office of the President of the United States, 2010), pgs 8, 47.; CNA, “National Security and the Accelerating Risks of Climate Change,” 2014. Available at <https://www.cna.org/reports/accelerating-risks>

ⁱⁱⁱ See Greenpeace, “The Kingpins of Carbon and Their War on Democracy,” available at <http://www.greenpeace.org/usa/Global/usa/planet3/PDFs/Kingpins-of-Carbon.pdf>

^{iv} *Congress.gov* by the *Library of Congress*, “Cosponsors: H.J.Res.22 — 114th Congress (2015-2016),” accessed on June 1, 2015: <https://www.congress.gov/bill/114th-congress/house-joint-resolution/22/cosponsors?pageSort=lastToFirst>.

^v *Congress.gov* by the *Library of Congress*, “Cosponsors: S.J.Res.5 — 114th Congress (2015-2016),” accessed on June 1, 2015: <https://www.congress.gov/bill/114th-congress/senate-joint-resolution/5/cosponsors?pageSort=lastToFirst>.

^{vi} *United For The People*, “State and Local Support,” accessed on April 24, 2015: <http://united4thepeople.org/state-and-local-support/>.

^{vii} *People For the American Way*, “On Eve of Fifth Anniversary of Citizens United, Advocates Reach 5 Million Signatures Calling to Overtune Decision”: <http://www.pfaw.org/press-releases/2015/01/eve-fifth-anniversary-citizens-united-advocates-reach-5-million-signatures-ca>.



June 1, 2015

RE: Support S. J. RES.5 and H.J. RES.22 to Address America's Broken Finance System

Dear Senators and Representatives:

On behalf of the 2.4 million Sierra Club members and supporters, we are supportive of Senators Tom Udall's S.J. Res.5 and Representative Theodore Deutch's H.J. RES.22. Both rightfully named the Democracy for All Constitutional Amendment, they will move towards fixing our broken campaign finance systems. The Supreme Court has handed down multiple bad decisions that have weakened the first amendment and given more power to corporations and polluters than to everyday citizens. I strongly encourage all members of Congress to co-sponsor these common sense amendments.

For at least the last decade, it has been abundantly clear that the people responsible for polluting our air, our water, and our climate with toxic contamination are many of the same ones responsible for polluting our democracy with hundreds of millions of dollars in toxic money. Fortunately, big money campaign donors are not getting away with this corruption of our democracy without the American people putting up a fight. In a recent poll by Greenberg Quinlan Rosner, results showed 91 percent of respondents want elected officials to "reduce the influence of money in political elections."

Working alongside reform minded members of the Congress, a diverse and broad coalition of environmental groups, good government groups, and unions are standing up to champion reform and advance bipartisan legislative solutions to make Congress more responsive to the interests of average Americans – not just the super wealthy and corporate interests. The Democracy for All Amendments in the House and Senate are one of the critical steps to repairing our democracy.

The House and Senate Democracy for All Amendments would strengthen the First Amendment by overturning *Buckley v. Valeo* and *Citizens United* and by granting Congress the express authority to set common sense limits on what individuals and corporations can spend on politics. Congress could regulate and limit the raising and spending of money for federal political campaigns and allow states to set limits for campaign spending at the state level. It includes the authority to regulate and limit independent expenditures, like those from Super PACs but expressly provides that any regulation authorized under the amendment cannot limit the freedom of the press. These amendments are broad

in the fact that it would not dictate any specific policies or regulations, but instead would allow Congress to pass reform legislation later.

We understand that calling to amend our great Constitution is a huge undertaking and we do not come by it lightly. However, we know that there can be no greater constitutional purpose than ensuring the functioning of our democracy and the participation of all citizens. We urge Congress to support and move S.J.Res.5 in the Senate and H.J. RES.22 in the House of Representatives, so that it quickly becomes the 28th amendment to our Constitution.

Sincerely,

A handwritten signature in black ink that reads "Michael Brune". The signature is written in a cursive, flowing style.

Michael Brune
Executive Director