

February 14, 2012

The Honorable Lamar Smith, Chairman
The Honorable John Conyers, Ranking Member
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

The Honorable Trent Franks, Chairman
The Honorable Jerrold Nadler, Ranking Member
House Judiciary Subcommittee on the Constitution
H2-362 Ford House Office Building
Washington, DC 20515

Dear Chairmen Smith and Franks and Ranking Members Conyers and Nadler:

We are writing to request that the House Judiciary Committee hold hearings this year on the need to amend the Constitution to remedy the damage done to our nation by the Supreme Court's decision in *Citizens United v. Federal Election Commission* and related cases. That decision, along with prior and subsequent cases, have unleashed a flood of corporate and special interest money that threatens to undermine the integrity of our elections and our democracy.

In *Citizens United*, the Court ruled that corporations are guaranteed the same free speech rights as real people to influence elections, thereby ruling that governmental restrictions on corporate spending to influence elections are invalid and unconstitutional. As to that astounding principle, Justice Stevens noted in his dissent that the framers "had little trouble distinguishing corporations from human beings, and when they constitutionalized the right to free speech in the First Amendment, it was the free speech of individual Americans that they had in mind."

Congress may pass legislation to try to mitigate the effects of this decision, for example to provide for public disclosure of election expenditures. But such measures, while beneficial, cannot undo the harm done by the Court in *Citizens United v. FEC*. Only amending the Constitution can fully secure the American people's authority to regulate corporate influence in our elections and restore our democracy.

So far in the 112th Congress, there have been 13 constitutional amendment resolutions about this issue introduced in the House and Senate. While these resolutions vary in scope and approach, they all were introduced because of the growing realization that the problems created by *Citizens United* and related decisions are so immense and so fundamental that they can only be addressed through constitutional remedies.

Americans have become increasingly distressed at the toxic effects of unrestrained corporate and special interest money that is influencing our political system. Fully 92% of the American people believe that the extent of corporate influence on our political system is a problem. Just one month after the *Citizens United* decision, polling revealed that eighty percent of Americans opposed the ruling.

As activists have mobilized and protested across the country on the occasion of the second anniversary of the Court's decision, and as city and county councils and state legislatures take up and pass resolutions calling for amending the Constitution to reverse *Citizens United*, it is time for Congress to explore in earnest the range of resolutions that have been introduced to undo the harmful effects of the Court's decision.

We urge you to use this session of the 112th Congress to advance the very healthy and critical debate about how the Constitution should be amended to return our democracy to the people.

Sincerely,

350.org
A New Way Forward
African American Ministers in Action
Alliance for Democracy
Americans for Democratic Action
Backbone Campaign
Campaign for America's Future

Center for Biological Diversity
Center for Environmental Health
CivicSponsor
Codepink
Coffee Party
Common Cause
Communications Workers of America
Consumer Action
Consumer Watchdog
Democrats.com
Earthworks
East Bay Citizens for Action
Ethical Markets
Food Empowerment Project
Free Speech for People
Friends of the Earth
Greenpeace
Indiana Alliance for Democracy
Institute for Policy Studies - Global Economy Project
International Forum on Globalization
Liberty Tree Foundation for the Democratic Revolution
Main Street Alliance
Maryknoll Office for Global Concerns
Move to Amend
MoveOn
National Education Association
Oil Change International
People For the American Way
Pesticide Action Network North America
Public Campaign
Public Citizen
Rebuild the Dream
Roots Action
Story of Stuff
Sum of Us
The Other 98%
U.S. PIRG
United Republic
We the People Campaign
Where's Our Money
Wisconsin Democracy Campaign
Wolf PAC
Working Families Win

cc: House Judiciary Committee, Members