



**Testimony of Becky Straus, Legislative Director  
In Opposition to HJM 5 and HJM 6  
House Committee on Rules  
April 10, 2013**

Chair Garrett and Members of the Committee:

I apologize that I have a committee conflict and am unable to testify before you this afternoon. Thank you for your consideration of this written testimony.

HJM 5

In the wake of the 2010 *Citizens United* decision, advocates have responded with a wide variety of proposed amendments. Each of these amendments are very likely to have consequences beyond the scope of their intent and the ACLU is opposed to *any* amendment to the Constitution that would undermine protections for freedom of expression, association and the right to petition government for redress of grievances. Each proposed amendment would negatively affect these freedoms in an attempt to undo the damage of *Citizens United* and other U.S. Supreme Court decisions. And for that reason we urge you to refrain from moving forward with this Memorial.

Protecting the integrity of the electoral process is essential to the maintenance of a free society, including the ability of that society to defend fundamental civil liberties like free expression. The ACLU of Oregon believes that meaningful reform of campaign financing can only be accomplished through a combination of public financing of candidate campaigns and strong disclosure requirements for all significant contributions and expenditures – not by undermining the First Amendment.

HJM 6

In calling for an amendment that says statutory entities would have no constitutional rights, HJM 6 would have a host of unintended consequences that could jeopardize the privacy of all Americans. For example, if a corporation is denied constitutional rights, the government would not need a search warrant to search the records of corporations that hold very private information about Americans.

Public concern over the skyrocketing costs of political campaigns is understandable. But stricter limits on contributions and expenditures are not the answer. Not only are they unconstitutional, but they actually risk resulting in a less egalitarian and more corrupt system of campaign financing.

In an effort to solve one problem, HJM 6 would expose us to many others and we respectfully urge that you reject the Memorial.

Thank you for your consideration of our position. Again, I apologize that I cannot testify in person today. Please feel free to contact me at any time with questions or comments.