



P.O. Box 2723
Portland, OR 97208-2723
503/283-1922
503/283-1877 (fax)
www.commoncause.org/oregon

June 25, 2013

To: Senate Rules Committee
From: Kate Titus, Common Cause Oregon
Re: Support for HJM 6

Common Cause supports HJM 6 urging Congress to pass a constitutional amendment that *unlimited campaign spending is not free speech* and that *corporations are not people with constitutional rights*.

Unlimited Campaign Spending is Not Free Speech

Long before casting our ballots on Election Day, powerful interests have worked to narrow our choices. In order to be seen as “viable,” a prospective candidate must demonstrate the financial backing necessary to compete with other big-spending candidates. Big donors unduly influence what issues are discussed in campaigns, which legislation gets taken up in Congress, and who government ultimately is accountable to. Once in office, legislators must continue to spend as much or more time fundraising as legislating.

Americans want fair, common sense rules with reasonable limits on candidate spending and on what any one donor can give to influence the outcome of an election. But federal courts have ruled that limiting big money in politics to create a level playing field violates the First Amendment. The Court has mistaken freedom of speech with freedom of spending.

Corporations are Not People with Constitutional Rights

We create structures of incorporation with special powers and privileges for specific purposes. These incorporated entities – be they for-profit or non-profit – carry out important roles in society. But few would argue that corporations should have unlimited power or replace real people in running our democracy. Even as we use the legal shorthand of “corporate personhood,” it is absurd to argue that corporations are actual people. Yet a series of Supreme Court rulings has left us in just that predicament. The result is that some extraordinarily massive corporations are now able to have overwhelming influence over our political process and resulting public policy, sinking huge amounts of money into elections and lobbying, and using “free speech” rights to overturn state and local public interest laws in court.

Americans still believe in democracy not plutocracy. The Supreme Court simply got it wrong concluding that an artificial entity, which only exists due to a state charter, has a “right” to spend unlimited amounts of its general treasury funds to advance political ideas its shareholders, customers or members may not even agree with. We don’t have to let corporations drown out the voices of real people in our democracy. We can and should limit the powers we have granted corporations to their intended purpose.

Support for a Constitutional Amendment

Around the country and here in Oregon, there is tremendous support for such a constitutional amendment. Everywhere voters have had a chance to vote on the matter – including in 4 local Oregon communities – there has been *at least 70%* support. In Oregon, aside from these 4 ballot measures, 10 city councils – from Baker City to Port Orford – have passed local resolutions, and more are in progress. Roughly 400 other communities around the country have also passed resolutions, as have 15 other states. Common Cause stands with the broader coalition in urging your support and leadership to pass HJM6.