

June XX, 2013

Senator Jeanne Shaheen, Senator Kelly Ayotte  
Representative Carol Shea-Porter, Representative Ann McLane Kuster  
United States Congress  
Washington, DC 20510

Dear Senator Shaheen, Senator Ayotte, Representative Shea-Porter and Representative McLane Kuster,

We, the Undersigned Members of the New Hampshire Legislature, call upon you and your colleagues in the U.S. Congress to pass and send to the states for ratification a constitutional amendment to overturn the United States Supreme Court's *Citizens United v. Federal Election Commission* ruling and related cases.

New Hampshire prides itself on being informed, independent and free to make its own choices. These Supreme Court rulings have deprived New Hampshire and other states of the power to regulate the massive influx of outside spending on our elections, including the potential for undisclosed spending from foreign sources. This is not a partisan issue, but a fundamental threat to our democracy and to our nation.

For example, in the 2012 election cycle, over 19 million dollars were spent by outside spenders on our gubernatorial race, compared to only 5 million dollars by our candidates themselves. Many of us also faced outside and often undisclosed spending in our races, typically in the form of negative advertising. We are equally concerned at this type of spending on the federal level, where over \$7 billion was spent on the 2012 election cycle, and where 47 individuals spent over 130 million dollars in an attempt to influence the outcome of the election.

We are concerned that the voices of New Hampshirites will be drowned out by a small number of wealthy individuals and large special interests. As a virtually volunteer legislative body, New Hampshire has made sure that our legislature is truly of and by the people and we are

wary of the influence of large outside spenders. In the words of Warren Rudman, late former Republican U.S. Senator from New Hampshire, the "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."

By a three to one margin, the people of New Hampshire support a constitutional amendment to limit campaign contributions and spending. Fourteen other states have already called for a constitutional amendment, including the rest of New England.

There is no more critical foundation to our government than citizens' confidence in fair and free elections. The *Citizens United* ruling directly undermines this confidence and was issued in the absence of any evidence or searching inquiry, in denial of the plain fact that unbridled and opaque spending in politics harms American democracy.

Article V of the United States Constitution empowers the people, the states, and our Congress to use the constitutional amendment process to expand and defend our democracy. We, the people, have used this important power twenty-seven times in our history, including seven times to reverse egregious Supreme Court decisions. The time has now come to do it again.

As Members of the New Hampshire Legislature, and reflecting the will of our state's citizens, we call upon the U.S. Congress to pass and send to the states for ratification a constitutional amendment that overturns the *Citizens United* ruling, makes clear the right of our elected representatives and of the American people to safeguard fair elections, and clarifies that first amendment rights were established for people, not corporations, incorporated unions, or other artificial entities.

Very truly yours,