A Call for the New Hampshire Senate to Pass House Concurrent Resolution 2 calling for a Constitutional Amendment to Overturn *Citizens United v. Federal Election Commission*

On January 21, 2010, the U.S. Supreme Court unleashed a flood of corporate money into our political system by ruling that, contrary to longstanding precedent, corporations have a First Amendment right to spend unlimited amounts of money to promote or defeat candidates. The decision in this historic case – *Citizens United v. Federal Election Commission* – overturned a century of campaign finance law and stands to deal a devastating blow to our democracy unless we act.

**The impact of *Citizens United* and Money in Politics in New Hampshire**

- In the 2012 New Hampshire gubernatorial race, outside groups spent $19 million, almost 5 times what the candidates spent themselves.\(^1\)
- 72% of New Hampshire residents oppose the *Citizens United* ruling (81% Democrats, 70% Independents, 64% Republicans). 69% of New Hampshire residents support a constitutional amendment that limits campaign contributions and spending (75% Democrats, 73% Independents, 61% Republicans).\(^2\)
- Over $5 million was spent on the election by outside sources in New Hampshire's second Representative District in 2012; a stark contrast to the $124,711 spent in 2008 and more than twice as much as 2006.\(^3\)
- The New Hampshire House of Representatives has already passed a resolution calling for Congress to overturn *Citizens United* by a bipartisan vote of 189-139. Momentum is building for the resolution's passage in the State Senate.

**Americans Are Outraged by the Court’s Decision**

- Nearly nine in ten Americans (88%) say that big companies have too much power in Washington D.C.\(^4\)
- Eight in ten respondents oppose the court’s decision in *Citizens United*.\(^5\)
- Republicans, Democrats and Independents who have heard about *Citizens United* believe by an almost 4-to-1 margin that the ruling is having a negative effect.\(^6\)
- 83% of Americans (85% of Democrats, 81% of Republicans and 78% of Independents) think there should be limits on how much money corporations can give in elections. And 90% of those with incomes over $100,000 support such limits.\(^7\)
- By a 5-1 margin, Americans agree that “there would be less corruption if there were limits on how much could be given to super PACs.” Only 14% disagree with this proposition. 75% of Republicans and 78% of Democrats agree.\(^8\)
- 66% of small business owners view the *Citizens United* ruling as bad for the ability of small businesses to compete. Only 9% say it is good for small business.\(^9\)

**Since the Court’s Decision, Corporate Expenditures Have Soared**

- Spending by outside groups rose 251% in 2012 over the previous presidential election cycle.\(^x\)
- In the 2012 election, the largest super PAC spent an astounding $142 million.\(^xi\)
• Super PACs, which were created after an appeals court applied Citizens United, have collectively spent more than $631 million during the 2012 election cycle. Overall outside spending was over $1.25 billion.\textsuperscript{x}\textsuperscript{i}

• Outside spending made a big difference in the 2010 congressional elections; outside groups backed the winners in 58 of the 74 contests in which power changed hands.\textsuperscript{x}\textsuperscript{ii}

• The 2012 election was the most expensive in history, costing more than $7 billion.\textsuperscript{x}\textsuperscript{iv}

\textbf{Why a Constitutional Amendment}

• A constitutional amendment is the long-term solution to fully reverse the court’s ruling, restore our rights and assert that democracy is for people, not corporations.

• A corporation is not a person. It does not vote and should not have such tremendous influence over elections; nor should the ultra-wealthy.

• Our elected officials cannot support the well-being of society when they fear that millions of dollars of corporate money will go to defeating them in the next election if they defy corporate interests.

\textbf{Support is growing quickly for an amendment}

• So far, more than 2 million people have signed petitions in support of an amendment. At least 125 members of Congress have declared their support.

• More than 100 national organizations – groups concerned about civil rights, the environment, climate change, open government and workers’ rights – have endorsed the call for a constitutional amendment (\texttt{www.United4ThePeople.org}).

• Fourteen states - California, Connecticut, Colorado, Hawaii, Illinois, Maine, Maryland, Massachusetts, Montana, New Jersey, New Mexico, Rhode Island, Vermont, West Virginia - and the District of Columbia have called for an amendment; resolutions have been introduced or passed in more than 30 states.


\textsuperscript{2}Granite State Poll, April 18, 2013


\textsuperscript{4}Harris Interactive (1 Jun 2011) Big Companies, PACs, Banks, Financial Institutions and Lobbyists Seen by Strong Majorities as Having Too Much Power and Influence in DC. Retrieved from \texttt{http://www.harrisinteractive.com/NewsRoom/HarrisPolls/tabid/447/mid/1508/articleId/790/ctl/ReadCustomDefault/Default.aspx}


\textsuperscript{8}Brennan Center for Justice (24 April 2012). “National Survey: Super PACs, Corruption, and Democracy.” Retrieved 19 June 2012, from \texttt{http://www.brennancenter.org/content/resources/national_survey_super_pacs_corruption_and_democracy}

