

Talking Points for Discussion with Board Members

1) Are you familiar with Citizens United Supreme Court decision?

If **NO**: In 2010, the U.S. Supreme Court, in the Citizens United v. The Federal Elections Commission case, agreed by a close 5 to 4 decision that corporations should have the same rights to speech and political contributions that the U.S. Constitution gives to people. The Court ruled that corporations and labor unions, like individual citizens, are endowed with free speech rights that can be exercised through political expenditures, and that limiting such **speech** is unconstitutional.

Then NO or YES: I'm with a national movement to our Restore our Republic from the corrupting influence of big money in politics. United To Amend is a grass-roots national movement, with partners all across the country, seeking a Constitutional Amendment clarifying that "*only human beings have constitutional rights*", and "*money is **not** speech,*" effectively reversing the Supreme Court decision in Citizens United.

2) Discuss the Constitutional Amendment:

The Amendment has two equally important components. First, it seeks to end the legal fiction that a corporation is a person, which gives corporations and unions the same rights and protections that human beings have. Second, the amendment seeks to **end the Court** conveniently-created **myth** that money is speech, which allows corporations to spend unlimited amounts on our elections. This enables them to drown out the voices of ordinary citizens - through the access and media exposure their big money buys. Moreover, it shackles them to do the bidding of their funders if they want to win their next election.

The rights unjustly granted to a corporation as persons by the Citizens United decision include:

1st Amendment: Free Speech rights given to corporations permit them to advertise potentially dangerous products over the objections of communities. And it allows them to not have to identify important negative things about their products and services.

4th Amendment: Search and Seizure rights have been used by corporations to avoid subpoenas for unlawful trade and price fixing, and to prevent citizens, communities and regulatory agencies from stopping corporate pollution and other assaults on human beings.

5th Amendment: Takings, Double Jeopardy, and Due Process rights have provided that corporations must be compensated for property value lost (e.g., future profits) when regulations are established to protect homeowners or communities. A community can be sued if they prevent profits that a corporation seeks in their community.

14th Amendment Due Process and Equal Protection rights were originally enacted to free slaves from oppression. However, these have gradually and continually been extended to corporations by the courts. Corporations have used these rights to build chain stores and erect cell towers against the will of communities and have used them to oppose tax and other public policies favoring local businesses over multinational corporations.

3) **Bring up other discussion points** that resonate with you or that you think will resonate with the board members:

a) A Non-partisan movement:

This is a non-partisan movement, since every single citizen, no matter what party they support, is equally affected by the big money in politics.

An Associated Press poll reported Sept. 16, 2012 in the Los Angeles Times revealed that 83% of Americans -- including 81% of Republicans, 78% of independents, and 85% of Democrats -- want limits on the amount of money corporations, unions, and other organizations can spend to influence our elections. These numbers have been slowly increasing since then. The citizens understand that this is undermining their Republic

b) Support for Amendment has already passed in 22 states:

Twenty-Two state legislatures have now called on Congress to pass an amendment to allow for control of money in politics. These include Hawaii, New Mexico, Vermont, Rhode Island, Maryland, California, Massachusetts, Connecticut, New Jersey, Colorado, Montana, West Virginia, Maine, Illinois, Delaware, Oregon, New York, Washington, Nevada, New Hampshire, Alaska and Virginia.

In Wisconsin, 170 municipalities so far have called for a state vote to support a call for the amendment. Where the resolution was offered as a referendum in many municipalities, an average of 81% of voters have voted YES to passing the resolution. And nationally over 840 communities have passed similar resolutions.

c) Foreign money is influencing our elections:

Most huge corporations these days are multi-national, so some of the money is coming from corporations that may be owned by foreign investors. Foreign companies do not honor the needs and rights of any nation's people. Foreign investors should have no influence on elections in the United States.

d) Our politicians are trapped and need our help to get free of money chains:

Politicians are now spending more time on fund-raising (40% to 70% of their time) than on their duties of governing. Once elected, they are indebted to organizations or individuals who funded their campaigns. These donations buy the access, attention, and action of politicians who are supposed to represent **We the People** – but no longer do.

Our politicians have gradually gotten into a trap of being beholden to corporate and wealthy individual funders. They are seldom able to win an election unless huge amounts of money are spent on their behalf to get them elected. After the elections these donors expect favorable legislation, dismantling of protective laws, rights to overrule local sovereignty, and many other political supports that are contrary to the needs of citizens. If the large donors didn't think they would receive favorable legislation, they wouldn't spend millions of dollars to support candidates.

Our politicians are unable to free themselves from this trap, because if they support legislation to end the money influence, their wealthy donors will withdraw support and instead use it to support candidates more favorable to their views. And, regular citizens cannot afford to run for a seat in government.

e) The lack of representation of We The People hurts small businesses:

Since the primary purpose of most corporations is to maximize profit, they often have a direct interest in weakening regulations that protect workers, communities, **smaller businesses**, education, and the environment. Because they can often easily outspend political candidates who wish to preserve such regulations, their voices are the ones our politicians hear. This creates an uneven playing field for small-business owners because it allows large corporations to strongly influence the outcome of rules and laws. Corporate lawyers and lobbyists often actually write new laws, which invariably favor their businesses, usually to the detriment of small businesses and consumers.

A poll by the Salt Lake Tribune, commissioned by the American Sustainable Business Council, found that 66% of small-business leaders said the Citizens United decision has hurt them, and 88% said money has a negative role in politics.

f) The representation of funders instead of people hurts local municipalities:

United To Amend understands that **local communities, like [your Municipality name]**, should be able to pass laws protecting their people, economies, and environments. However, this ability is being stripped from local municipalities by our state politicians who represent those who fund their campaigns. Examples of stripped power in Wisconsin include:

- the special interests (telecommunications corporations) slipped legislation into a past budget bill so now towns don't have the right to regulate placement of cell phone towers in their towns
- recent mining legislation passed in by our legislature now restricts towns' abilities to govern zoning on local mining operations
- legislation was passed that disallows towns from protecting their water from the mega-farms being built in many local communities across WI
- over 160 laws have been passed behind closed doors between 2010 and 2017 which weaken and remove local control and sovereignty to protect citizens health and rights.