

Constitutional Amendment Talking Points

Who am I?

Am I a constituent? If so, that has to be said up front.

I am a member of Texans United to Amend, a grassroots network of citizens across Texas, dedicated to removing the corrupting influence of money from politics via a Constitutional Amendment.

What do I want?

- a. I want Sen. _____ to support SCR 2, which requests Congress to propose an amendment.
- b. I want Rep. _____ to support HCR 21, which requests Congress to propose an amendment.
- c. I want Rep. _____ to support HJR 94, which calls for an Article V Convention to propose an amendment.

Why a Constitutional Amendment?

The Supreme Court's *Citizens United* ruling gutted existing federal and state laws regarding spending in elections. This included over 100 years of effective campaign finance laws right here in Texas. Montana challenged the ruling all the way to the Supreme Court, which declined to hear the case. Our founders knew that even an elected government could find a way to turn its back on We the People, so they gave US the final say when they devised the process to amend the Constitution.

But isn't amending the Constitution almost impossible?

The bar for amending the Constitution was intentionally set high because this instrument is at the core of our government and must not be subject to political whim. But the founders knew equally well that amending the Constitution must not be **prevented**, so they devised two ways to do it. Lawmakers are making use of both methods with the following three resolutions that are currently moving through the Texas Legislature:

(1) **Through the U.S. Congress. In Texas, Senate Concurrent Resolution 2 & House Concurrent Resolution 21** request that Congress prepare an amendment. Although Congress is not required to comply, it probably WILL if enough states and cities pass such resolutions. Twelve states and over 300 municipal governments nationwide have passed similar resolutions, including Austin.

(2) **An Article V Convention called by state legislatures. House Joint Resolution 94** calls for an Article V Convention. When 34 states echo this call, Congress MUST call a convention to propose an amendment. California, Minnesota, and Massachusetts have followed Texas' lead and have filed similar resolutions; Arkansas and Vermont will file soon.

No matter how an amendment is prepared, it must be ratified by the legislatures of 38 states to become part of the U.S. Constitution.

The Constitution has been amended 27 times. Do you know the last time it was amended?

- a. In 1992, it was amended to prevent Congressional salary increases from taking effect until the beginning of the next term.
- b. In 1971, it was amended to give 18-year-olds the right to vote.
- c. Since 1950, six amendments have been ratified. It can be done and it will be done because we are again facing a crisis that can only be remedied this way.

Why should Texas Legislators support these resolutions?

The Supreme Court's *Citizens United* ruling struck down laws restricting corporate and union spending in elections and overturned decades of effective, bipartisan election laws.

Over 10,000 Texans have signed our petitions to reverse *Citizens United* and ask Congress to amend. There are 20 groups in Texas working to pass local resolutions that ask Congress to prepare an amendment. Austin is the first Texas city to pass such a resolution. We believe Texas should be among the states calling on Congress to amend and that Texas should be the first state to call for an Article V Convention.

What is the problem?

When corporations make unlimited campaign donations, we get corporate welfare at the expense of public programs. We get backroom deals and crony capitalism instead of transparency, concealing these deals from citizens.

Congress is caught between serving their constituents and serving their donors. They cannot solve the nation's problems with this conflict of interest. The proof is that Congress has a 9% favorability rating.

Over \$6 billion was spent in the 2012 election, with most of it coming from powerful corporations and wealthy individuals.

Despite disclosure rules, it is possible for political action committees (PACs) to hide the identity of donors. These anonymous campaign donations can provide cover for foreign and multinational corporations to influence our elections and legislation.

What do the polls say?

87% of Americans feel it is extremely important that we reduce corruption in the federal government. (Gallup poll)

70% of Americans believe Super PAC spending will lead to corruption. (Brennan Center poll)

73% of respondents agreed that "there would be less corruption if there were limits on how much could be given to Super PACs." (Brennan Center poll)

68% agreed that a company that spent \$100,000 to help elect a member of Congress could successfully pressure him or her to change a vote on proposed legislation.

79% of Americans support passage of an amendment to overturn *Citizens United* and codify that corporations do NOT have the same rights as people, thus giving Congress the authority to limit the amount of money corporations can spend on elections. (Hart Research poll)

Finally, you've made your case, answered questions as best you can, and now you need to close the deal by directly asking....

1. We are asking Senator _____ to support SCR 2, and would like to know his/her position.
2. We are asking Representative _____ to support HCR 21, and would like to know his/her position.
3. We are asking Representative _____ to support HJR 94, and would like to know his/her position.