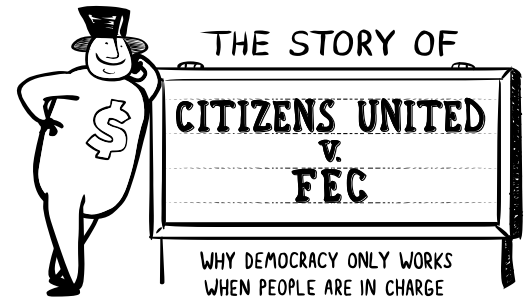

FREQUENTLY ASKED QUESTIONS (FAQ)



Q: Why should I care about the Citizens United v. FEC ruling?

A: In this landmark case, the U.S. Supreme Court decided that it is unconstitutional to limit how much money corporations can spend to influence elections. Why? They said limits would violate the First Amendment guarantee of free speech. Since the 2010 ruling, corporations have spent \$300 million to influence election results. This money has been used to run ads and engage in other activities to sway us – the voters– to support candidates who serve the interests of those corporations. Since the interests of corporations rarely match up with the interests of individuals like you and me, that's a real concern!

Q: What was the Citizens United v. FEC case about?

A: Citizens United is an organization that accepted corporate funding to produce a 90-minute movie attacking Hillary Clinton called "Hillary: The Movie." Shortly before the 2008 presidential elections, Citizens United wanted to air the movie as a video-on-demand, but was afraid the FEC would forbid them from doing so, because campaign finance rules prohibited TV attack ads funded by outside groups. Citizens United challenged the ban in court. Originally, the Citizens United v. FEC case involved a narrow, technical question about campaign finance law: *Was a video-on-demand program enough like a TV ad that it should be prohibited from airing shortly before an election?* However, the Supreme Court expanded the case to consider a much broader question: *Did decades of campaign finance rules violate the First Amendment?*

Q: Wait, so Citizens United were the bad guys, with a name like Citizens United?

A: That's right! Citizens United is actually a conservative group that advocates pulling the United States out of the United Nations, cutting Social Security, stripping funding from public broadcasting, among other extremist positions. The group's name makes it sound like it's about democracy when actually it's about corporatocracy!

Q: What did the Supreme Court decide in Citizens United v. FEC?

A: In a 5-4 ruling, the court overturned previous campaign finance rules and cases. It held that corporations have a First Amendment right to spend unlimited amounts to support or oppose candidates for elected office.

THE STORY OF CITIZENS UNITED v. FEC FAQ

Q: So, what does that mean?

A: The ruling means that corporations can and are spending a ton of money to support or defeat particular candidates – at least \$300 million during the 2010 midterm elections, and probably a LOT more in 2012. It means that things people like you and me want – jobs, healthcare, and a clean environment – will take a backseat to what corporations want.

What kinds of things do corporations want? They want to do away with laws that restrict their activities – laws that protect public health and safety, workers' rights, and clean air and water. For example, oil companies want to block laws that protect our climate; manufacturers want trade agreements that undermine product safety rules and enable corporations to ship jobs overseas. And big multinational corporations often seek subsidies and bailouts.

Q: What are the implications beyond how much corporations spend to influence elections?

A: In November 2010, unprecedented spending by corporations and deep-pocketed individuals significantly influenced the makeup of the Congress.

Going forward, elected officials will think twice about challenging the business agenda.

Those who stand up against corporations will face the prospect of huge funding against them in the next election. In other words, if Stella the City Council member doesn't vote in favor of the developer who wants a building permit, she has to worry that developer will go all out to defeat her.

Simply by threatening to spend an enormous amount of money, corporate lobbyists will have unprecedented leverage over elected officials. As a result, it is going to be much harder to advance a public interest agenda on any issue affecting corporations – whether the issue is healthcare, climate change, reining in Wall Street, protecting workers' rights, stopping consumer rip-offs, promoting a just trade policy, and much more.



THE STORY OF CITIZENS UNITED v. FEC FAQ

Q: Can't Congress overturn or fix the decision?

A: Congress cannot overturn the decision, because the decision is based on the constitutional protections of the First Amendment.

A key option to help address the Citizens United v. FEC mess is public financing of federal elections— which would at least give candidates a base of decent funding to offset whatever corporations choose to spend. Public Citizen is working, with many others, to promote a fair election system that would provide public financing of candidates. Other legislative approaches also could minimize the damage, like requiring disclosure of the sources of political spending, and requiring that a majority of shareholders must approve any corporate electoral-related expenditure. But there's no way to fully escape the damage from this decision unless it is reversed. Hence the need for a constitutional amendment.

Q: What would a constitutional amendment do?

A: It would overturn the decision in Citizens United v. FEC by establishing that corporations do not have the same First Amendment rights as individuals. The First Amendment was intended to protect the rights of real, live humans like you and me, not to extend those same protections to corporations. Public Citizen and allies are leading the campaign to re- establish this obvious and important principle.

Q: Is amending the Constitution politically possible?

A: Yes. Amending the Constitution is supposed to be hard, and no one should be under any illusions about its difficulty. But it's an achievable goal, as the history of the Constitution makes clear. The 23rd and 26th Amendments (establishing voting rights for District of Columbia residents and setting the minimum voting age at 18 years old) were passed by Congress and ratified in under a year.

Right now, there is enormous anger and anti-corporate sentiment in this country. Eighty-five percent of Americans feel that corporations have too much power in our democracy and people have too little. This issue even unites folks across party lines!

The key to success will be a strong foundation of popular support for the amendment. It's time to get organized and take our democracy back from corporations. This is the first and most important step in making real progress on all the issues that living breathing people care most about.