

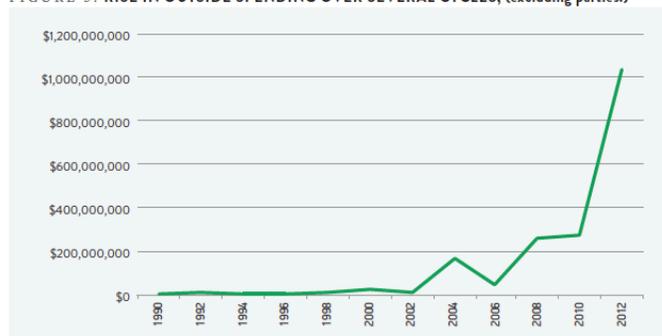
## **S. J. RES. 19, A CONSTITUTIONAL AMENDMENT TO ADDRESS THE BROKEN CAMPAIGN FINANCE SYSTEM**

*Cosponsors as of 5/15/14: Bennet, Reid, Harkin, Durbin, Schumer, Shaheen, Whitehouse, Tester, Boxer, Coons, King, Murphy, Wyden, Franken, Klobuchar, Udall (CO), Reed, Johnson (SD), Menendez, Blumenthal, Heinrich, Merkley, Feinstein, Begich, Cardin, Gillibrand, Hagen, Mikulski, Baldwin, Markey, Warren, Walsh, Brown, Hirono, Carper, Murray, Schatz, Sanders, Rockefeller, Stabenow*

While the 2010 *Citizens United* decision sparked a renewed interest in the need for campaign finance reform, the Supreme Court set our nation on a path towards a broken system many years ago. In 1976, when the Court held in *Buckley v. Valeo* that restricting independent campaign expenditures violates the First Amendment right to free speech, it conflated money with speech, and made clear that our nation's policymakers will often be elected based on their ability to raise money or the size of their personal fortunes, rather than the quality of their ideas or dedication to public service.

The *Buckley* and *Citizens United* decisions, among others, demonstrate the Court's willingness to rule broadly and ignore longstanding precedent to declare our campaign finance laws unconstitutional. These misguided decisions have allowed spending on political campaigns to rapidly get out of control. The only way to truly fix the problem is to first amend the Constitution.

FIGURE 3: RISE IN OUTSIDE SPENDING OVER SEVERAL CYCLES, (excluding parties.)



Source: Center for Responsive Politics, [http://www.opensecrets.org/outsidespending/cycle\\_tots.php](http://www.opensecrets.org/outsidespending/cycle_tots.php); U.S. PIRG, Demos analysis of Sunlight Foundation Data

### **THE UDALL CONSTITUTIONAL AMENDMENT:**

- Would overturn *Buckley* and subsequent bad decisions by granting Congress the express authority to regulate and limit the raising and spending of money for federal political campaigns and allow states to regulate campaign spending at their level;
- Includes the authority to regulate and limit independent expenditures, like those from Super PACs;
- Would not dictate any specific policies or regulations, but instead would allow Congress to pass campaign finance reform legislation that withstands constitutional challenges;
- Expressly provides that any regulation authorized under the amendment cannot limit the freedom of the press.