

Statements and Actions by Colorado Congressional Delegation
Implementation of Amendment 65
As of January 17th, 2013

Senator Michael Bennet:

Statement on December 26th - Sen. Bennet believes we need to reform our campaign finance system. That's why he introduced a constitutional amendment, along with Senator Tom Udall of New Mexico, last November to give Congress and the States the power to regulate campaign finance."

Actions reported by staff by January 17th

- Senator Bennet continues to prioritize the need for bipartisan solutions to improving America's elections. He supports making the money behind ads more transparent and improving the level of discourse in campaign ads.
- Last term, Senator Bennet participated in the DISCLOSE Act taskforce that proposed a bill that would require more transparency in elections. He has also communicated directly with the IRS to encourage better enforcement of statutes that address tax-exempt organizations, to ensure that campaign spending vehicles are not engaging in tax fraud.
- Senator Bennet is aware that Coloradans are concerned with money in government, as exemplified by Amendment 65. In fact, he and Senator Udall (NM) proposed a Constitutional Amendment, S.J. Res. 29, to address the issue more fully.

Senator Mark Udall:

Statement on December 26th - "Sen. Udall certainly supports overturning Citizens United and has been an advocate for bringing additional transparency to secretive political organization that appeared in the wake of the court's decision. For example, he co-sponsored the DISCLOSE Act. That is just one of the numerous bills Congress has considered to address and overturn Citizens United."

Actions reported by staff by January 17th – none

Representative Diana DeGette – District 1:

Actions reported by staff by January 17th

- Has supported the DISCLOSE ACT in the past
- Has fought efforts to weaken current campaign finance system

Representative Jared Polis – District 2:

Statement on December 26th - “I have long supported campaign finance reform to reduce the influence of special interests in politics, including legislation such as the DISCLOSE Act, the Fair Elections Now Act and the Grassroots Democracy Act ... I will look closely at proposals that would overturn the wrongly decided Citizens United decision and weigh their ability to reduce the influence of special interests in our elections while also protecting our cherished right to free speech.”

Actions reported by staff by January 17th:

- Congressman Polis is a supporter of the DISCLOSE Act and cosponsored it last Congress.
- Congressman Polis is an original cosponsor of the trio of campaign finance bills introduced last week in the U.S. House of Representatives. He is the only member of the Colorado House delegation to cosponsor any of them. These bills intend to reduce the influence of big money in campaigns :
 - **Grassroots Democracy Act** - The Grassroots Democracy Act (H.R. 268), sponsored by Rep. John Sarbanes (D-MD), would establish a multiple matching, tiered system of public campaign financing. The legislation would update and expand on the Fair Elections Now Act (FENA) by pairing the matching system with a tax credit and the creation of a people’s fund to deliver a more comprehensive package of reforms. This bill would provide a 5:1 match on grassroots donations if they reject PAC money, and a 10:1 match for those who only accept grassroots donations; provides a proportional match based on the candidate’s level of grassroots support; and would provide a \$50 tax credit/voucher (Title I) available to all voters, opening up new donor populations for participating candidates to court.
 - **Empowering Citizens Act** - The Empowering Citizens Act (H.R. 270), sponsored by Rep. David Price (D-NC) and Rep. Chris Van Hollen (D-MD), would match small individual contributions at a 5-to-1 ratio with public funds; eliminate candidate-specific Super PACs; strengthen the rules on outside groups’ coordination with candidates; prohibit candidates from fundraising for Super PACs; and allow candidates and national parties to respond to outside spending by Super PACs and other groups by permitting parties to make unlimited coordinated expenditures from funds raised in small contributions. The bill has 12 cosponsors.
 - **Fair Elections Now Act (FENA)** - The Fair Elections Now Act (FENA) (H.R. 269), sponsored by Rep. John Yarmuth (D-KY), would provide matching payments to candidates for certain small dollar contributions; establish contribution, expenditure, and fundraising requirements; establish the Fair Elections Fund and a Fair Elections Oversight Board; provide civil penalties for violation of contribution and expenditure requirements; and transfer of a portion of collected civil money penalties into the Fair Elections Fund. It would prohibit use of contributions by a participating candidate for any purposes other than an election campaign and establishment of joint fundraising committees with any political committee other than a candidate's authorized committee. It would also limit coordinated expenditures by political party committees with participating candidates.

Representative Scott Tipton – District 3:

Statement on December 26th – “While Congressman Tipton empathizes with the decision of Colorado voters and shares some of the same frustrations with campaign finance, the Supreme

Court has already settled the matter by defining freedom of speech to include corporations and unions, allowing them to make campaign contributions.”

Actions reported by staff by January 17th

- The Congressman is not on the committees that oversee these issues and at this point is not planning on introducing anything.
- He is waiting to take a position on these bills.

Representative Cory Gardner – District 4:

Statement on December 26th - “I completely understand why the American people are frustrated with our current campaign finance system. It lacks transparency and accountability. Any fix that Congress looks at must not restrict speech.”

Actions reported by staff by January 17th - none

Representative Doug Lamborn – District 5:

Statement on December 26th - “Corporations and unions are entitled to the same freedom as individuals to speak out, especially when the government has the power to tax, regulate, and even destroy them.”

Actions reported by staff by January 17th

- "I respect the views of Colorado voters on campaign finance. However, this issue has been settled by the courts and I am not inclined to introduce or support legislation attempting to limit freedom of speech as the Supreme Court has defined it. I believe that corporations and unions are entitled to the same freedom as individuals to speak out, especially when the government has the power to tax, regulate, and even destroy them."

Representative Mike Coffman – District 6:

Actions reported by staff by January 17th - none

Representative Ed Perlmutter – District 7:

Statement on December 26th - The 2010 and 2012 elections demonstrated how outside groups will spend millions of dollars without disclosing their donors or their interests. That’s wrong, and it’s time to take action.”

Actions reported by staff by January 17th:

- Since passage of Amendment 65 in Colorado, Rep. Perlmutter signed on as a cosponsor of H.J. Res. 90 from Rep. Ted Deutch of Florida and H.J. Res. 88 from Rep. Jim McGovern of Massachusetts during the 112th Congress. Both of these proposed Constitutional Amendments would overturn parts of the *Citizens United* decision regarding corporations spending money in elections and the unlimited raising and spending of money in elections.
 - HJRes 90 is an amendment to the US Constitution that says Congress and the States have the authority to regulate campaign spending. The Supreme Court's ruling in *Citizens United* in part indicated Congressional or state efforts to regulate campaign contributions and expenditures may violate free speech. This amendment ensures Congress and states have the authority to enact reasonable

parameters to ensure more transparency and accountability in our elections without infringing on individuals' free speech rights.

- HJRes 88 establishes that corporations are not considered "people" under the Constitution, and as such are subject to reasonable regulation through their elected State and Federal representatives consistent with the powers of Congress and the States under the Constitution. The amendment also addresses the Supreme Court's ruling in *Citizens United* indicating corporations may be considered people.
- Beginning in November, Rep. Perlmutter joined the Election Reform Taskforce led by Rep. John Larson from Connecticut. Amending the Constitution is one of several options this taskforce is looking at to combat the *Citizens United* decision and restore transparency, accountability and fairness to American elections.
- Rep. Perlmutter recently cosponsored the Disclose Act in the 113th Congress, as well as smart reforms to our voter registration system and increase efforts to reduce problems at the polls.

Reporting:

- All statements are from December 26th Colorado Springs Gazette article unless otherwise noted - <http://www.gazette.com/articles/amendment-148932-colorado-november.html#ixzz2IG1DoS8t>
- All actions were provide from congressional staff between January 14th and January 17th unless otherwise noted.