

**United States Senate Committee on the Judiciary  
Subcommittee on the Constitution, Civil Rights, and Human Rights**

**“The Fair Elections Now Act:  
A Comprehensive Response to *Citizens Untied*”  
Tuesday, April 12, 2011**

**Sen. Dick Durbin (D-IL)  
Chairman**

\*As Prepared for Delivery

On November 19, 1863, Abraham Lincoln stood before 10,000 Americans to formally dedicate the Soldiers National Cemetery.

President Lincoln was not the main speaker that day. That honor belonged to Edward Everett, the former Secretary of State who spoke for more than two hours.

In about two minutes, President Lincoln delivered the Gettysburg Address, one of the most famous speeches in American history.

President Lincoln paid respect to the soldiers who died at Gettysburg and challenged their survivors to uphold the principle for which they sacrificed -- a “government of the people, by the people, and for the people.”

My guess is that President Lincoln would be very disappointed if he were alive today and aware of the outsized influence that special interests have on Congress.

Senators and Congressmen are forced to spend so much time chasing campaign donations that Congress has become more responsive to lobbyists and corporate donors than it is to everyday Americans.

Some argue that our government of, by, and for the people has morphed into one that is bought and paid for by special interests.

Our fellow citizens see the corrosive impact that special interest money is having on our political system – and they don’t like it one bit.

Recent surveys confirm that Americans are losing faith in Congress.

- 8 out of 10 Americans surveyed in February believe that Members of Congress are “**controlled**” by the people who fund their campaigns.
- 7 out of 10 Americans believe that “most members of Congress [are] **willing to sell their vote** for either **cash or a campaign contribution**.”

Let me be clear: the overwhelming majority of people serving in American politics are good, honest people who are guided by the best of intentions.

The problem is that we are stuck in a terrible, corrupting system. This system creates a perception among average Americans that politicians are corrupted by big money interests.

This system has only been made worse by the Supreme Court's decision in *Citizens United*.

In that decision, which ignored decades of precedent, a divided Supreme Court held that corporations and unions can spend as much money as they want to influence congressional elections.

That is exactly what they did in 2010.

- Last year, **a record \$4 billion was spent on federal elections** by outside organizations, political parties, and congressional campaigns
- Outside groups spent **500%** more on congressional campaigns than they did just four years earlier.
- The amount of money these lobbyists and corporations are willing to spend is **expected to increase dramatically in 2012**.

Big money donors, corporations, and lobbyists are spending tens of millions of dollars to elect candidates. So, no one should be surprised to see these folks walking the halls of Congress after Election Day – hoping to cash in on their investment.

This flood of campaign spending from big corporations and special interest lobbyists is drowning out the voice of everyday Americans – and crippling Congress's ability to solve problems.

The Supreme Court may strike another blow in favor of special interests this term when it rules on the Arizona campaign finance law.

Clearly, it is time for Congress to step in.

Transparency is critical. We need to know which special interests are donating to candidates, and how much they are giving. But our system is in desperate need of comprehensive reform.

That is why I introduced the Fair Elections Now Act with 12 of my Senate colleagues.

Our bill will allow candidates to get out of the fundraising business and focus on responding to the needs of their constituents.

The voluntary system created by the Fair Elections Now Act will allow Congressional candidates to run competitive campaigns without raising a dime from special interest lobbyists or corporations.

Qualified candidates will receive grants, matching funds, and television vouchers to help run their campaigns.

In return, these candidates will agree to only accept campaign donations of \$100 or less from citizens in their state.

Fair Elections candidates will be able to say, “I didn’t take a dime from special interests lobbyists. I am beholden to no one but you and I will represent only your interests.”

Not one penny of taxpayer money will be used to fund the Fair Elections system. We’d pay for Fair Elections by asking businesses earning more than \$10 million a year in federal contracts to pay a fee of one-half of one-percent, up to \$500,000 per year.

The Fair Elections Now Act will amplify the voice of everyday Americans and it will finally help break the gridlock preventing Washington from solving our nation’s biggest problems.

You might wonder why it’s so hard to cut a defense program the Pentagon doesn’t even want or why Congress can’t get rid of tax benefits for corporations shipping jobs overseas.

Unfortunately, the answer is clear.

For every program, tax break, or government contract, there is usually a lobbyist on deck ready to pounce when their client’s pet project is threatened.

Members of Congress thinking about whether to cut a program often have to ask these very same lobbyists for contributions during campaign season.

It’s a vicious cycle in a corrupting system. And it needs to end.

Lobbyists and special interest donors won’t have that kind of influence over candidates participating in the Fair Elections system.

Restoring government of, by and for the people requires reforming the way we finance congressional campaigns.

The Fair Elections Now Act is the ideal vehicle for that reform.