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Statement of Congressman Chris Van Hollen

House Joint Resolution 8

House Rules and Executive Nominations Committee

February 29, 2016

I wholeheartedly support HJ Res 8, the Democracy Amendment Resolution, which calls for a convention of the states to address the topics of strengthening the Constitutional guarantee of voter rights by limiting Constitutional political rights to natural persons, and authorizing Congress and the states to regulate contributions and expenditures intended to influence elections.

I believe a Constitutional Convention is warranted only under the narrowest of circumstances -- where there is a pressing matter of supreme national importance and where that matter is not likely to be resolved through an act of Congress. That test is met in this case. The Citizens United decision is already harming our democracy, but there is little chance of congressional action in the foreseeable future.

At the same time, I would urge the Maryland General Assembly to rescind earlier resolutions that do not meet that test -- such as the Balanced Budget Resolution. The Great Recession, and the necessary emergency actions taken by the federal government to prevent a depression, revealed the dangers of that earlier resolution.

The Citizens United decision took an already broken campaign finance system and made it even worse. For years, I have been working in Congress to try to repair the damage. I am the sponsor the DISCLOSE Act that was designed to create sunlight that, in the words of Justice Brandeis, would provide a disinfectant to the special interest money that has been flooding our elections in the wake of *Citizens United*. The DISCLOSE Act passed the House of Representatives in 2010 but failed in the Senate. For over five years now, it has not received further consideration.

Moreover, I have supported a number of resolutions for constitutional amendments to overturn *Citizens United* and reverse the flood of dark outside money that has been designed to anonymously influence our elections. Unfortunately, no such measure has come to a vote in the House of Representatives, and there is no foreseeable prospect of action.

I agree with the sponsors of this bill that we need to reverse the flood of big money pouring into elections from Super PACs, as well as the stream of secret outside money that is a corrupting influence in our elections. We should seek to inspire citizens to organize, mobilize, and speak out on these issues, and we should continue to exert pressure at every possible point until there is meaningful reform.

I applaud the work of over 3,000 Maryland volunteers who participated in the "Get Money Out" campaign. I believe this vital grassroots movement can create the momentum to refresh our democracy and limit the influence of big money in elections.

I am aware of the concern that a convention of the states strategy under Article V is unprecedented. However, I believe that the benefits of stimulating public awareness and elevating the gravity of this critical issue outweigh the dangers. Certainly, amendments proposed by a convention would have to be ratified by 38 states. That remains a formidable protection against unwise amendments from whatever source.

Thank you for your consideration of my views, and I am hopeful that you will issue a favorable report on this Resolution.