



Comparing the For the People Act (HR1) to the We the People Amendment (HJR 48)

Do We Need a Constitutional Amendment Despite HR 1?

Concerned citizens frequently ask Move To Amend members "why do we need an amendment to our Constitution now that the House of Representatives has passed HR 1, the "For the People Act?" Here's why:

What is HR 1?	What is HJR 48?
<p>HR 1 is legislation that, if enacted, would significantly reform our political system. It would (incomplete list--the bill is lengthy):</p> <ul style="list-style-type: none">--Expand voter registration and voting access making internet, same-day, and automatic voter registration available, limiting removal of voters from voter rolls, and requiring paper ballots--Establish independent, non-partisan redistricting commissions--Enhance election security by protecting voter rolls and improving cybersecurity--Regulate campaign spending by expanding the ban on foreigners contributing to our elections and increasing disclosure of campaign contributions--Create an alternative campaign funding system for some federal offices involving federal matching of small contributions--Require additional ethics rules to all three branches of government such as a code of ethics for all federal judges and justices, prohibiting House members from serving on the board of a for-profit entity, and additional conflict-of-interest rules for federal employees and the White House	<p>HJR 48, the "We The People" Amendment drafted by Move To Amend, is a proposed amendment to the US Constitution. It would:</p> <ul style="list-style-type: none">--Establish that the rights protected by the Constitution of the United States are the rights of natural persons only. Artificial entities such as corporations have no constitutional rights and are subject to regulation by Federal, State, or local law. The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.--Federal, State and local government shall regulate, limit, or prohibit contributions and expenditures, including a candidate's own contributions and expenditures, to ensure that all citizens have access to the political process, and that no person gains from personal wealth substantially more access or ability to influence in any way the election of any candidate for public office or any ballot measure. Campaign contributions and expenditures shall be disclosed. The courts shall not interpret the spending of money to be constitutionally protected speech.--Nothing in this amendment shall be interpreted to abridge freedom of the press.

--Mandates candidates for President and Vice-President to submit 10 years of tax returns.

How Are HR 1 and HJR 48 Alike?

--Both measures seek to fundamentally reform our election and campaign finance systems.

--Both require approval of Congress.

Is HR 1 "Better" Than HJR 48?

--No. But it is much more detailed, and covers many more specific areas of law. The two measures are complementary.

How Are They Dissimilar?

--HR 1 is legislation. To become law requires majority approval by Congress and the President's approval, or--if vetoed by the President--two-thirds approval by Congress.

--HJR 48 is a proposed constitutional amendment. To be adopted requires two-thirds approval by Congress and ratification by three-quarters of the states, or, if two-thirds of the states call for a constitutional convention that proposes an amendment, then ratification by three-quarters of the states.

-- The Courts could invalidate HR 1, in whole or in part. The Courts could not invalidate an amendment because the Constitution supersedes laws passed by Congress.

--HR 1 does not fully address the issues of Big Money and Corporate Power/corporate rights in our democracy. HJR 48 clearly says corporations and other artificial entities do not have the same rights as people and that money is not constitutionally-protected speech.

Is HJR 48 "Better" Than HR 1?

--In one sense, yes. Only HJR 48 addresses both the rights of corporations and Big Money. And only HJR 48 clearly mandates these changes.

--Move to Amend applauds HR 1 for its many necessary reforms. But without a constitutional amendment to eliminate corporate constitutional rights and "money equals speech" all of HR 1's reforms could be overruled by the courts.

