



# HOSTILE TAKEOVER

Corporate Money in Politics



# WHAT IS A CORPORATION?



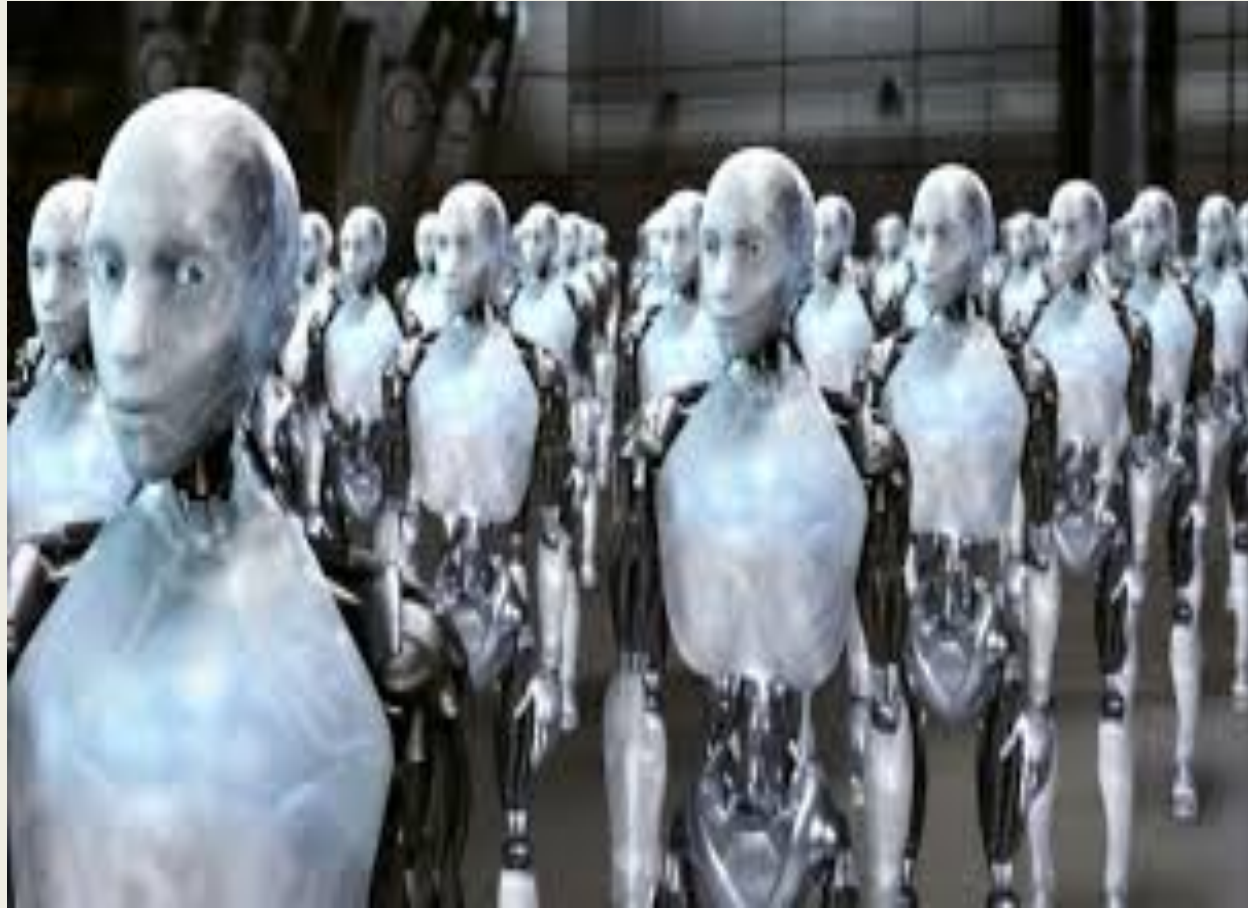
# Fiduciary Duty:

Directors and officers of **corporations** owe **fiduciary duties** to **corporate** stockholders and to the **corporate** business entity itself. ...

Basically, **fiduciary duties** in a **corporate** setting require directors to apply their best business judgment, to act in good faith, and to promote the best interests of the **corporation**.



A CORPORATION  
IS **NOT** MORAL  
AND  
IS **NOT** IMMORAL



A CORPORATION IS  
**AMMORAL**



# CORPORATIONS ARE: MONEY MAKING MACHINES

- A Corporation is a legal construct, created by humans, to carry out business.
- Public Corporations have a legal duty to: MAXIMIZE PROFITS
- Failure to do so by the Executive Board would lead to TERMINATION and possible LEGAL LIABILITY for a Breach of Duty.
- A Corporation **MUST** make the profit driven decision.
- A Corporation will be legally **BOUND** to serve Shareholder interests
- A Corporation will be legally BOUND put their interests above the **PUBLIC INTEREST!!**

SOMETIMES THEY ARE *DUTY BOUND*  
TO CRUSH US







THE  
MACHINES  
HAVE  
TAKEN  
OVER  
AMERICA

## INDUSTRIAL REVOLUTION TIMELINE

### First

Water and steam power is used to create mechanical production facilities.



1800

1784: First mechanical loom

### Second

Electricity lets us create a division of labor and mass production.



1900

1870: First assembly line

### Third

IT systems automate production lines further.



2000

1969: First programmable logic controller

### Fourth

IoT and cloud technology automate complex tasks.



Today

# HOW DID WE GET HERE?

# The PROBLEM

Buckley v. Valeo (1976) – MONEY IS SPEECH

The Court struck down limits on independent expenditures (i.e., expenditures by other groups or individuals than candidates and political parties).

Bribe a sporting official? **ILLEGAL – 5 years**

Prostitution? **ILLEGAL – 2 years**

Unlimited \$\$ to influence an election? **LEGAL**





# The PROBLEM

First National Bank of Boston v. Bellotti (1978)

CORPORATE PERSONHOOD

Get arrested? NO

Political speech? YES

Dissent:

The only purpose uniting all shareholders, White argued, is to make a profit.

Rehnquist "all natural persons ... remain as free as before to engage in political activity."

# The DONOR Class of 2010

- .26% of Americans gave \$200 or more to any federal candidate
- .05% of Americans gave the maximum amount to any federal candidate
- .01% of Americans gave \$10,000 or more to federal candidates
- Unlimited Independent Expenditures

# The Problem



- Citizens United v. FEC (2010)
- The federal law, had prohibited any corporation (or labor union) from making an "electioneering communication" (defined as a broadcast ad reaching over 50,000 people in the electorate) within 30 days of a primary or 60 days of an election, or making **any expenditure advocating the election or defeat of a candidate at any time**. The court found that these provisions of the law conflicted with the [United States Constitution](#).
- A CORPORATION!!!

# The RESULT

- Elected Officials Spend 30-70% of their time FUNDRAISING from CORPORATIONS and the DONOR CLASS
- 132 Americans gave 60% of the Super PAC money
- 50% of Senate will leave to become PAC lobbyists with a salary increase of 1,452%
- In the last 5 years alone, the 200 most politically active companies in the US spent \$5.8 billion influencing our government with lobbying and campaign contributions.
- Those same companies got \$4.4 trillion in taxpayer support — earning a return of 750 times their investment.

## 10-YEAR SPENDING TO INFLUENCE U.S. GOVERNMENT, BY INDUSTRY

### PHARMACEUTICAL

\$**2.16** BIL.

### ENERGY

\$**2.93** BIL.

### DEFENSE

\$**1.26** BIL.

### FINANCE

\$**4.29** BIL.

### AGRIBUSINESS

\$**1.21** BIL.

### COMMUNICATIONS

\$**3.50** BIL.



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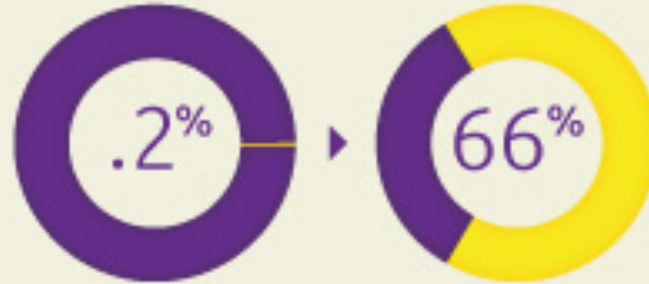


## MONEY WINS ELECTIONS



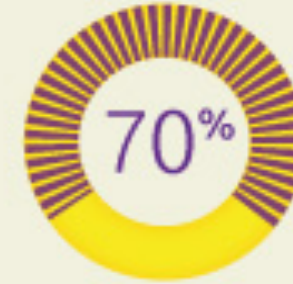
91% of the time, the candidate with the most money wins the election.

## A FEW DONORS DOMINATE



Two-thirds of political donations come from just 0.2% of Americans.

## CONGRESS BEGS DONORS



Members of Congress spend 30 to 70% of their time fundraising.

As the cost of winning elections explodes, politicians of both political parties become ever more dependent on the tiny slice of the population who can bankroll their campaigns.

To win a **Senate seat in 2014**, candidates had to raise **\$14,351 every single day**. Just .05% of Americans donate more than \$10,000 in any election, so it's perfectly clear who candidates will turn to first, and who they're indebted to when they win.

# WHAT DOES THAT DO TO OUR ELECTEDS????

# WHY DON'T WE TALK ABOUT THIS MORE?

Where is the MEDIA?

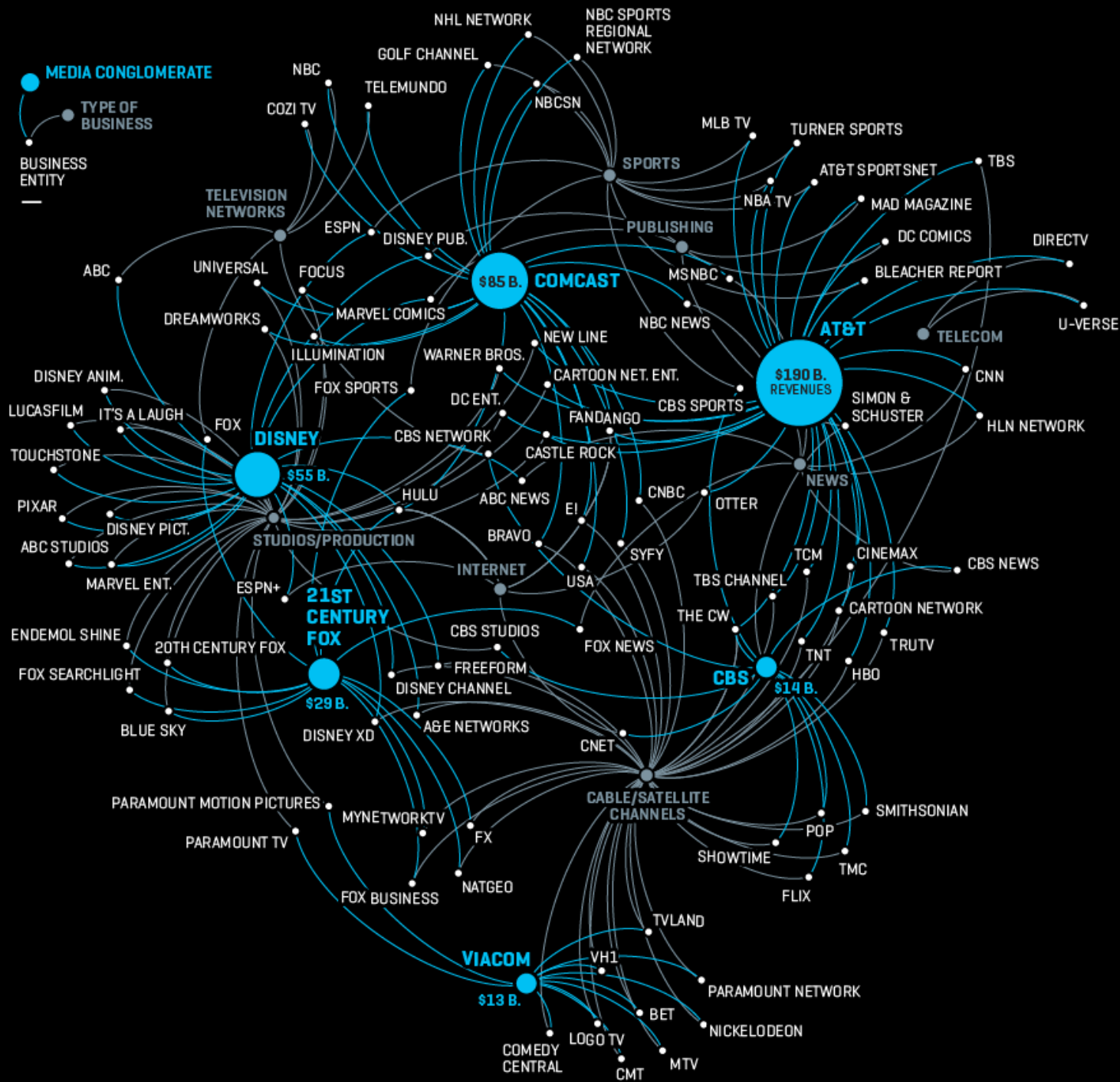
Phil Donahue

Jesse Ventura

Ashley Banfield

Cenk Uygur

# MSNBC FIRINGS

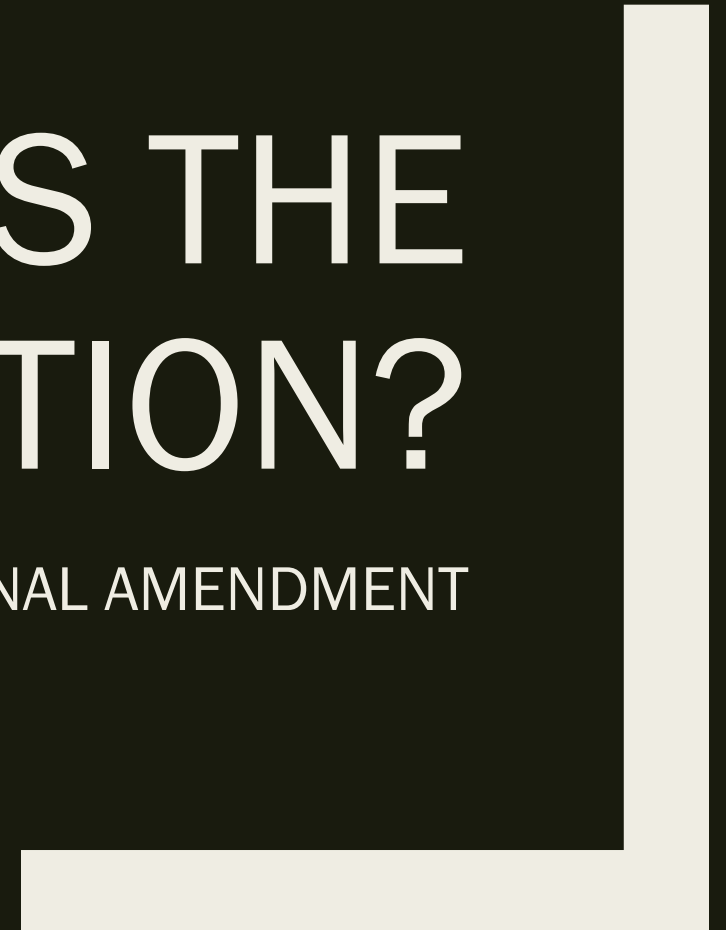


# Let's talk about something else.....

- The Illusion of CHOICE
- Capitalism at its WORST
- Starkest example of the Corporate take over of America
- Profit Driven Communications = Slanted Communications
- Financial Incentives in their political power

# WHAT IS THE SOLUTION?

A CONSTITUTIONAL AMENDMENT



# A LIVING DOCUMENT

- We are DUE for an Amendment
  - 1992 – *Congressional Salaries (27<sup>th</sup>)*
  - 1971 – *Voting age 18*
  - 1965 – *When President is sick or Crazy ( Trump?)*
  - 1962 – *Voting Rights*
  - 1960 – *Presidential Term Limits*
  - 1933 – *Ends Prohibition*
  - 1932 – *Date of Inauguration*
  - 1919 – *Woman’s right to vote (19<sup>th</sup>) WHOOP WHOOP!!*
  - 1917 – *Prohibition*
  - **1912 – *Vote for Senators – 17<sup>th</sup> Amendment – Let’s come back to this***
  - 1909 – *Income Tax*

# When Congress lets you down: A Living Document Part II

## Article V



## Framers got your back:

- 2/3 of State Legislatures call for a Convention
- 3/4 of State Legislatures ratify the Amendment
- **1912 – Vote for Senators – 17<sup>th</sup> Amendment – THANKS FRAMERS!**



# MY SUFFRAGETTES

- Seven Years of activism
- Snowball Effect
- State by state then Amendment
- Start small
  - *Democracy Dollars*
  - *Vouchers*
  - *Rank Choice*
  - *Clean Elections Camp*
  - *American Anti-Corruption ACT*



**VICTORY**