

# ALEC EXPOSED

"ALEC" has long been a secretive collaboration between Big Business and "conservative" politicians. Behind closed doors, they ghostwrite "model" bills to be introduced in state capitols across the country. This agenda—underwritten by global corporations—includes major tax loopholes for big industries and the super rich, proposals to offshore U.S. jobs and gut minimum wage, and efforts to weaken public health, safety, and environmental protections. Although many of these bills have become law, until now, their origin has been largely unknown. With **ALEC EXPOSED**, the Center for Media and Democracy hopes more Americans will study the bills to understand the depth and breadth of how big corporations are changing the legal rules and undermining democracy across the nation.

## ALEC's Corporate Board --in recent past or present

- AT&T Services, Inc.
  - centerpoint360
  - UPS
  - Bayer Corporation
  - GlaxoSmithKline
  - Energy Future Holdings
  - Johnson & Johnson
  - Coca-Cola Company
  - PhRMA
  - Kraft Foods, Inc.
  - Coca-Cola Co.
  - Pfizer Inc.
  - Reed Elsevier, Inc.
  - DIAGEO
  - Peabody Energy
  - Intuit, Inc.
  - Koch Industries, Inc.
  - ExxonMobil
  - Verizon
  - Reynolds American Inc.
  - Wal-Mart Stores, Inc.
  - Salt River Project
  - Altria Client Services, Inc.
  - American Bail Coalition
  - State Farm Insurance
- For more on these corporations, search at [www.SourceWatch.org](http://www.SourceWatch.org).

**DID YOU KNOW?** Corporations VOTED to adopt this. Through ALEC, global companies work as "equals" in "unison" with politicians to write laws to govern your life. Big Business has "a VOICE and a VOTE," according to newly exposed documents. **DO YOU?**

Home → Model Legislation → Public Safety and Elections

### Resolution in Support of the Citizens United Decision

Did you know the NRA--the National Rifle Association--was the corporate co-chair in 2011?

#### Summary

This Resolution emphasizes the importance of first amendment protections of corporations', non-profit advocacy groups', and labor organizations' speech. The resolution warns that **mandatory disclosure** and disclaimer requirements, particularly relating to an organization's source of funding, can be intimidating to such organizations and inhibit free speech.

From CMD: By this, ALEC opposes mandatory disclosure of the funding of groups influencing elections....

#### Resolution

**WHEREAS**, the January 2010 Supreme Court decision in *Citizens United v. Federal Election Commission* restored and affirmed the First Amendment rights of corporations, labor organizations, and nonprofit advocacy groups to engage in political speech in campaigns; and

**WHEREAS**, violations and burdensome restrictions placed upon the above named groups have the effect of chilling speech and are in violation of these organizations' First Amendment rights; and

opposes shareholder approval before a corporate CEO spends corporate money to influence elections, even though the shareholders are the owners of the company...

**WHEREAS**, **shareholder approval** schemes, in which a corporation's shareholders, corporation or nonprofit advocacy organization's board of directors, or labor organization's members are required to give approval of a corporation's independent expenditures, place an onerous burden on these organizations, which serves as a barrier to free speech and is in violation of the Supreme Court's *Citizens United* decision and the First Amendment; and

**WHEREAS**, allowing shareholders to file a civil cause of action against a corporation in dispute of the corporation's political activity functions as a legal threat designed to silence corporate speech; and

extreme rhetoric against the actual owners of a company, the shareholders...

**WHEREAS**, bans on independent expenditures made by any organization that receives either state or federal funds from contracts, grants, incentives, or credits are an arbitrary and unnecessary limit on the right of organizations to exercise their First Amendment freedoms; and

**WHEREAS**, barring independent expenditures from domestic subsidiaries of foreign corporations would unnecessarily duplicate existing federal laws prohibiting foreign influence in federal, state, and local elections; and

From CMD: U.S. corporate subsidiaries of foreign corporations are not really entitled to the same rights as actual U.S. citizen human beings...

**WHEREAS**, creating new bans on independent expenditures from domestic subsidiaries would strip First Amendment rights from American citizens; and

### Who are ALEC's top funders?

**WHEREAS**, disclosure requirements, which go further than what reasonably allows the public and the press to monitor elected officials and the government, **such as those that require an organization to name its top funders**, are both an affront to the right to private association and a danger to members and donors, who become vulnerable to harassment, intimidation, and retribution from those in disagreement with the position of the organization on an issue; and

From CMD: U.S. Supreme Court Justice John Paul Stevens, who was appointed to the nation's highest court by Republican President Jerry Ford, dissented from the extreme decision of the narrow majority in the *Citizens United* case. As he correctly observed: "Although they make enormous contributions to our society, corporations are not actually members of it. They cannot vote or run for office . . . [t]he financial resources, legal structure, and instrumental orientation of corporations raise legitimate concerns about their role in the electoral process. Our lawmakers have a compelling constitutional basis, if not a democratic duty, to take measures designed to guard against the potentially deleterious effects of corporate spending in local and national races."

**WHEREAS**, disclaimers in broadcast, radio, or print advertisements that require an organization to disclose its top funders or repeat the organization's information a specified number of times impose an onerous burden on an organization, which has the effect of chilling speech since organizations are limited in the time or space they are given to express their message; and

The organization knows precisely who its top funders are and it is not onerous to require disclosure to help inform the public.....

**THEREFORE BE IT RESOLVED** that the American Legislative Exchange Council (ALEC) opposes efforts that are outlined above at the federal, state, and local level to undermine the Supreme Court's decision in *Citizens United v. Federal Election Commission*.

Adopted by the Public Safety and Elections Task Force at the Annual Meeting, August 7, 2010. Approved by the ALEC Board of Directors, September 19, 2010.

#### Related Files

[Resolution in Support of the Citizens United Decision](#) (Microsoft Word Document)

**About Us and ALEC EXPOSED.** The Center for Media and Democracy reports on corporate spin and government propaganda. We are located in Madison, Wisconsin, and publish [www.PRWatch.org](http://www.PRWatch.org), [www.SourceWatch.org](http://www.SourceWatch.org), and now [www.ALECExposed.org](http://www.ALECExposed.org). For more information contact: [editor@prwatch.org](mailto:editor@prwatch.org) or 608-260-9713.

From CMD: This Resolution purports to support the U.S. Supreme Court's *Citizens United* decision, but it only does so insofar as that decision allowed unlimited corporate spending on elections; the Resolution ignores the fact that the Court justified unlimited spending on the grounds that "disclosure permits citizens and shareholders to react to the [spending] in a proper way," and that the Court explicitly rejected a claim that disclosure requirements should be overturned. Additionally, this Resolution was adopted in August 2010, before it became apparent that right-wing organizations would abuse the taxcode to avoid disclosing their spending in the 2010 midterm elections. This Resolution suggests that ALEC corporations and politicians had been planning that approach well in advance.

A year before this Resolution (and before the *Citizens United* decision was announced), ALEC passed the "Resolution Supporting Citizen Involvement in Elections" that expressed support for disclosure "as an effective way to combat corruption."