

20TH ANNIVERSARY FOR THE
TRANSPORTATION TRADES DE-
PARTMENT, AFL-CIO

Mrs. MURRAY. Mr. President, I would like to recognize the Transportation Trades Department, AFL-CIO as it marks its 20th anniversary as an advocacy organization for America's transportation workers.

The Transportation Trades Department, TTD, has been an outstanding leader on behalf of the men and women who form the backbone of this critical industry. In the face of repeated economic and security challenges, these workers continue to do all they can to safely and efficiently move passengers and freight across town and across the globe. In these difficult times for the transportation industry and its employees, TTD has effectively brought workers' voices to bear on important policy debates in Washington.

TTD has been one of the leading advocates for a strong investment in our Nation's transportation infrastructure. They have been at the forefront, explaining to policymakers and the American people the need for a stronger, safer, and more efficient transportation network. New transportation investments are the building blocks of economic recovery, as they create skilled, family-supporting jobs. They help rebuild our Nation, facilitating faster and more efficient movement of people and goods. Throughout our Nation's history, strong investments in transportation infrastructure have proven to be a successful strategy to create good jobs and improve the quality of life for the American people.

As chairman of the Senate Transportation, Housing, and Urban Development Appropriations Subcommittee—and as a Senator from a State with many transportation hubs—I have enjoyed a close and productive relationship with TTD. Its leaders and front line workers have always brought a highly knowledgeable and responsible approach to their efforts. TTD has helped workers in such a large, complex industry speak with a clear and effective voice as our Nation seeks to address these important economic and homeland security issues.

I congratulate the Transportation Trades Department, AFL-CIO on this milestone anniversary and look forward to continuing to work closely with our nation's transportation workers.

CITIZENS UNITED v. FEDERAL
ELECTION COMMISSION

Mr. LEAHY. Mr. President, this evening the Senate will proceed to a vote on a well-qualified nominee for the seat vacated by Justice Alito when he was confirmed to the Supreme Court. Two weeks ago, I came to the floor to address one of the latest Supreme Court cases where Justice Alito's vote was both decisive and divisive. The decision in *Citizens United v.*

Federal Election Commission was a 5 to 4, and it illustrates how the change in just one justice on the Supreme Court can have serious consequences for hardworking Americans and for our democracy.

This controversial decision is receiving much attention for its conservative activism, its lack of deference to the elected branches, and its disregard for the rule of law. With the stroke of a pen, five Justices overturned a century of law to permit corporations to overwhelm and distort the democratic process. The five Justices in the activist conservative bloc reached out to grant corporations rights that were once reserved for individual Americans. This divisive decision puts the special interests of big oil, banks and insurance companies ahead of the interests of the American people.

I believe that corporations are not the same as individual Americans. This is certainly true in the context of the rights and freedoms enshrined in our Constitution. Corporations do not have the same rights, the same morals, the same ideals. Corporations cannot vote in our democracy. Corporations do not have the same motivations and interests as individual Americans. This is common sense. Contrary to the preferences of the five Justices who decided the *Citizens United* case, corporations were not part of the "People" who sought to establish a more perfect Union through the ratification of the Constitution and the adoption of the Bill of Rights.

I have heard many Republican Senators praise the *Citizens United* decision as a ringing endorsement for the free speech rights of corporations. Of course, what they fail to mention is that this decision does not just put the rights of corporations on equal footing with individual Americans. The moneyed corporations that can now dominate the airwaves and election discourse will prevent a multitude of individual voices from being heard. The biggest corporations can be the loudest and most dominant. What the Republican supporters of the *Citizens United* decision do not say is that these new rights for corporations come at the expense of our democratic principles by allowing corporate funded megaphones that will drown out the unamplified voices of hardworking Americans.

Two weeks ago, Justice Alito shook his head when President Obama warned Americans about the risks of money from foreign corporations flowing into our elections. But the conservative majority in *Citizens United* did not limit the new "speech rights" it granted corporations to purely American corporations. The corporation before the court in *Citizens United* appears to be domestic, leading some to argue that the precise holding of the case does not apply to foreign corporations. However, the legal rationale articulated by the slim majority will no doubt apply beyond non-profit corporations like *Citizens United*. For example, many observers

have concluded that the decision will apply to labor unions as well, even though no union was before the court in this case. The ambiguity about how this decision could apply to corporations with investors who are not American citizens, or directors who are not American citizens, to subsidiaries of foreign corporations and to multinational corporations threatens to introduce unprecedented foreign influence into our elections.

The court's ruling exacerbates the already existing loophole allowing campaign contributions from American subsidiaries of foreign corporations. Today, an American subsidiary of a multinational corporation is treated as an American corporation under the campaign finance laws. With the newly-expanded ability of corporations to make unlimited independent political expenditures, that right is conferred on U.S. subsidiaries of multinational corporations as well.

How will the Federal Elections Commission be able to police whether the actual source of a campaign contribution comes solely from the domestic entity, and not its foreign affiliations? When a multinational corporation funds a political advertisement, is the FEC expected to audit the foreign and domestic sides of the corporation, to ensure that the source of the contribution came purely from the U.S. subsidiary? How can the FEC ensure that American subsidiaries of foreign corporations do not become a front for foreign interests who want to influence American elections?

The American people do not want the domestic subsidiaries of foreign corporations to be able to drown out their voices during the upcoming campaign season. Saudi Aramco is estimated to be worth \$781 billion dollars. Petro China's estimated net worth is \$100 billion, with profits rivaling Exxon Mobil's in the tens of billions each year. Likewise, Venezuelan oil takes in tens of billions a year. The German insurance company, Allianz, is worth \$2.5 trillion; ING Group is valued at \$2 trillion; HSBC Holdings is valued at almost \$2.5 trillion, with annual sales of almost \$150 billion. Bank of American itself has sales of over \$100 billion a year. The temptation for these powerful corporations to begin exploiting the *Citizens United* decision will be great. Imagine the influence that a small percentage of these profits could buy to sway elections of legislators considering climate change restrictions or reform of the financial services industry.

I fear that the Supreme Court's decision here has invited foreign influence over our political process. Given the vague legal reasoning and disregard for legal precedent that the majority employed to expand corporate power in this case, it is now even uncertain whether those existing restrictions to prevent wholly foreign corporations from contributing directly to the political process can withstand a constitutional challenge.