

Reform we have to first pass it to find out what is in it.

Still, these features of our Constitution perform an important role in preventing one faction of Americans from dominating another.

President Obama is not the first to become frustrated with the checks and balances built into our constitutional system.

In fact, at the dawn of the 20th century, an entire philosophical movement developed around the idea that our Constitution had become outmoded, that its focus on individual rights was no longer applicable to the modern age.

I mentioned in my previous remarks about the President's unconstitutional appointments that it was Theodore Roosevelt who started to change the way Presidents viewed power.

It is worth noting that President Obama recently gave a speech in Osawatimie, KS, the site of Teddy Roosevelt's famous "New Nationalism" speech.

That speech marked the beginning of Roosevelt's break with the incumbent Republican president, William Howard Taft.

Roosevelt then went on to challenge Taft in the 1912 election on the Progressive Party ticket.

In that speech, which President Obama commemorated, Roosevelt described his New Nationalism as "... impatient of the impotence which springs from overdivision of governmental powers." Throw the Constitution out the window.

He went on to say that, "This New Nationalism regards the executive power as the steward of the public welfare."

An even more explicit description of the progressive view of the Constitution was written by the ultimate winner of the 1912 presidential election, Woodrow Wilson.

In his Constitutional Government, Wilson wrote,

The makers of the Constitution constructed the federal government upon a theory of checks and balances which was meant to limit the operation of each part and allow to no single part of organ of it a dominating force; but no government, can be successfully conducted upon so mechanical a theory.

Leadership and control must be lodged somewhere . . .

It seems strange we have made it for 225 years under our Constitution.

He then goes on to describe at length why he feels the President is where this "leadership and control" should ultimately be lodged.

This philosophy advocates a concentration of power in order to more effectively act on behalf of "the people," at the expense of representing the diverse views of Americans.

It is contrary to the founding principles of our Nation and foreign to the realities of American civic life.

We are a large nation with tremendous variety in both geography and people.

No one man can claim to speak on behalf of all Americans, which is why we have a Congress in the first place.

The voices of all Americans deserve to be heard through their elected representatives and the rights of each American must be respected.

As the State motto of Iowa goes, "Our liberties we prize, and our rights we will maintain."

We must not let short term partisan interests trump those enduring constitutional principles.

The Senate, and the whole Congress, has a solemn duty to defend its constitutional role.

The PRESIDING OFFICER. The Senator from Michigan.

MICHIGAN'S 175TH ANNIVERSARY

Ms. STABENOW. Mr. President, I rise today to congratulate my State of Michigan on its 175th anniversary of statehood. On Thursday, January 26, 1837, President Andrew Jackson signed into law the bill granting Michigan statehood. The bill was surprisingly controversial. At the time, Michigan and Ohio had been embroiled in an argument called the Toledo war. Before Michigan was granted statehood it had to surrender its claim over Toledo. But in exchange we got the Upper Peninsula of Michigan, one of the most beautiful places in the entire country—I would say in the entire world. So I think we won that trade.

Twenty-four years later President Lincoln would exclaim, "Thank God for Michigan," when Michigan troops arrived to defend Washington, DC, during the Civil War. Around the turn of the century, the auto industry took off in Michigan. Henry Ford paid the workers \$5 a day to build the Model Ts so they could afford to buy the cars they made. That was viewed as revolutionary at the time. Those workers not only created the middle class in this country—and we are very proud it started in Michigan with our workers—but they made America an international superpower.

During World War I, Michigan factories built boats and vehicles that helped turn the tide in Europe. During World War II, Michigan's role became even more important. Auto plants were rapidly converted to military use, building tanks and jeeps and bombers. The Nation's first freeways were built in Michigan to connect our factories in Detroit with those in other parts of the State. The iconic image of Rosie the Riveter saying, "We can do it" was based on a real woman named Rose Monroe who worked at the Willow Run factory in Michigan.

After the war, Michigan experienced incredible growth, becoming the home of our American middle class. Only California and Florida saw greater population growth than Michigan in the postwar years. Manufacturing took off across the State and eventually across the country. Farms saw greater increases in production with the inven-

tion of new machinery and the adoption of increased specialization. We built the Mackinac Bridge connecting our two beautiful peninsulas, an engineering marvel that remains one of the largest suspension bridges in the world. Of course, Motown Records and all the wonderful musicians who have come since then gave the world some of the most wonderful music and the best musicians who have ever lived.

The last few years have been tough on all of us in Michigan, but we have been through tough times before, and every time we have come back stronger than ever. We may be 175 years old, but one would not know it. Our economy is growing stronger and more nimble than ever. Great sacrifices have gotten us to this point as we have moved through great recessions and changes in a global economy. I am very proud of everyone in Michigan who is working hard and bringing things back.

Our auto companies have made an incredible comeback. G.M. is, once again, the world's largest automaker. Ford is investing billions of dollars in Michigan plants, and Chrysler is reminding the country that the very best cars and trucks are imported from Detroit. I am so grateful for all the sacrifice and hard work of our workers who have helped get our companies to this point.

It was great to hear President Obama talk so much about the future of Michigan's economy in his State of the Union speech. We are diversifying to support new technologies and new businesses. The President invited a Michigan worker, Bryan Ritterby, who lost his job in the furniture business at age 55 and was able to get retrained and have a new job at a wind turbine factory on the west side of the State. He said, "I am proud to be working in the industry of the future." That came about because of the concerted effort of all of us working together not only to help General Motors and Chrysler but to focus on a manufacturing strategy of the future to make things in America.

The President talked about our leadership with clean energy manufacturing and advanced battery technology. In fact, Michigan is now No. 1 in new clean energy patents. We are doing so much in innovation. In fact, the U.S. Patent and Trademark Office is opening a new office in Detroit in July, which is the first satellite office in the country. I am proud to have offered the provision to name it the Elijah McCoy Patent Office, after an African-American inventor whose high-quality products and innovations gave rise to the expression, "the real McCoy."

On Michigan's 175th anniversary, there are so many reasons I am proud to represent our beautiful Great Lakes State, from our incredible waters to our tradition of manufacturing, to our great diversity in agriculture. We make and grow products in Michigan. We don't have a middle class in this country, we don't have an economy unless we do that, and Michigan is, once

again, leading the way. I am most honored to serve the great people of Michigan who are, without a doubt, the toughest, friendliest, hardest-working people in the country.

The author John Steinbeck once wrote of a trip he took to Michigan. He said, "It seemed to me that the Earth was generous and outgoing here in the heartland, and, perhaps, its people took a cue from it." In fact, our people have.

Today, as we celebrate Michigan's 175th birthday, we have an incredible history to be proud of and an incredible future to look forward to.

Mr. LEVIN. Mr. President, the State of my birth, the State I am honored to represent in the Senate, the great State of Michigan celebrates its 175th birthday today. This landmark occasion is cause to reflect on Michigan's contributions to the greatness of our nation.

Michigan has never failed to excite imaginations. The great Civil War historian Bruce Catton, a Michigan native, once wrote that Michigan has always been less about the present than about our voyage to the future, "to the fantastic reality that must lie beyond the mists." From the first European explorers who yearned to learn what they would find on the far lakeshore or around the next river bend, to the scientists and engineers who today are charting the technologies that will define our world for decades to come, Michigan has always helped to answer America's burning question: What comes next?

To a large degree, that voyage of discovery has always been about the growth of America's economy and the prosperity of her people. The lumber that built great cities in New York and Chicago came from our forests. The ores that fed the Industrial Revolution came from our Copper Country and Iron Mountains. The cars that put the world on wheels, and helped build America's middle class, came from our factories—as did the bombers and tanks that helped win World War II. And today, the exploration of new technologies in energy and transportation is helping to shape America's economy so that we can prosper in an extraordinarily competitive global marketplace.

Our State's identity is inextricably linked to the jewels that surround us: the Great Lakes. Their waters provide the drinking water that sustains us. They drive our economy. They help move goods to and from the far corners of the globe. They bring visitors to our shores. And they are a treasure trove of memories—of families sharing a picnic on the beach, of a kayaker's solo paddle through the mists of early morning, of a youngster's first successful cast of a fishing line or of a sunset walk along the water. We are custodians of the largest store of fresh water on the globe, and throughout our history, Michiganians have sought to exercise that responsibility with gratitude and care.

Michiganians have left an indelible mark on history, a mark that reaches far beyond our borders. The cry "Remember the Raisin!" rallied American troops to win the War of 1812, and Custer's shout, "Come on, you Wolverines!" helped turn the tide at Gettysburg. From W.K. Kellogg's cereal to Thomas Edison's light bulb to Henry Ford's assembly line, Michigan innovators have shaped the world around us. Michiganians helped to run the Underground Railroad and to lead the fight for civil rights. A Michigan woman, Sojourner Truth, changed the world by asking, "Ain't I a woman?" And a Michigan man in the White House, Gerald Ford, helped heal the wounds of division in the dark days of Watergate.

Michigan has given the world remarkable artists, from the poems of Philip Levine to the sounds of Motown. Michigan has given the world Magic Johnson's smile, Joe Louis's power and Derek Jeter's leadership.

Michiganians look back with pride on these 175 years. And we look forward with hope and anticipation to that always-approaching future that Bruce Catton described, to the fantastic reality that awaits our State in the years ahead. I hope my colleagues will join me in celebrating the 175th anniversary of Michigan statehood and the greatness ahead for our State.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Rhode Island.

CITIZENS UNITED ANNIVERSARY

Mr. WHITEHOUSE. Mr. President, representing a State that is coming up on our 350th anniversary, I am delighted to salute the great State of Michigan on its 175th anniversary.

I rise to note the anniversary of an unfortunate event that is undermining the very core of our cherished democracy. This past Saturday marked the 2-year anniversary of the Supreme Court's disastrous 5-to-4 decision in a case called *Citizens United v. the Federal Election Commission*. With that feat of judicial activism, the conservative block of the Supreme Court gnawed a hole in the dike protecting our elections integrity, overturned the will of Congress and the American people, and allowed unlimited, anonymous corporate money to flood into our elections.

Senator MCCAIN recently called this "one of the worst decisions in history." Senator SCHUMER said, at the time, "One thing is clear; the conservative block of the Supreme Court has predetermined the outcome of the next election; the winners will be the corporations."

It is no secret around here that big corporate interests long have had oversized influence in the legislative and executive branches. But *Citizens United* supersedes that influence so it threatens to overrun our elections. Here is how my home State newspaper, the *Providence Journal*, explained it:

The ruling will mean that, more than ever, big-spending economic interests will determine who gets elected. More money will especially pour into relentless attack campaigns. Free speech for most individuals will suffer because their voices will count for even less than they do now. They will simply be drowned out by the big money.

This election year already confirms those fears. Senator MCCAIN noted earlier this month—and I will quote him again:

I predicted when the United States Supreme Court, with their absolute ignorance of what happens in politics, struck down [the McCain-Feingold finance] law, that there would be a flood of money into campaigns, not transparent, unaccounted for, and this is exactly what is happening . . . and I predict . . . that, in the future, there will be scandals because there is too much money washing around political campaigns now that nobody knows where it came from and nobody knows where it's going.

Senator MCCAIN got it right. Look at Iowa, New Hampshire, and South Carolina. This election cycle has been the coming-out party for the super-PACs, the so-called "evil twins" of candidates' campaigns.

Why evil twins? Because unlike candidates' campaigns, super-PACs can accept unlimited corporate cash. Unlike candidates' campaigns, super-PACs can hide the identities of who is funding them until long after the voting is over. Unlike candidate's campaigns, super-PACs can run vicious and misleading advertisements without anyone being accountable to the voters.

Super-PACs supposedly cannot coordinate their activities with the candidates' campaigns, but we all know this is pure fiction. In practice, they are run by close confederates of the candidates, fueled by the same donors and acting in perfect harmony with the campaigns and it is out of control. Through the date of the New Hampshire primary, super-PACs spent over \$14 million, far more than the candidates' campaigns did themselves. Here is the problem: Corporations are not people. By refusing to acknowledge this, the *Citizens United* opinion has undermined the integrity of our democracy, allowing unlimited corporate money to drown out ordinary citizens' voices.

This is not just some unfortunate side effect of a longstanding right enshrined in our Constitution. This is new and novel. The Founders certainly did not consider corporations to be citizens of our democracy. Corporations are not even mentioned in the Constitution once. Indeed, private business corporations were actually rare at our Nation's founding.

As Justice Stevens noted in his dissent in *Citizens United* it is:

Implausible that the Framers believed 'the freedom of speech' would extend equally to all corporate speakers, much less that it would preclude legislatures from taking limited measures to guard against corporate capture of elections.

So there is no case to support the *Citizens United* decision if one is an "originalist."