

Newsletter of
West Virginia
Citizen Action Group

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40 Years of Citizen Action

by Gary Zuckett

Mark your calendar! Our big 40th Anniversary Celebration is coming up on September 12th at the Charleston Woman's Club! We'll be celebrating four decades of consumer protection, environmental and social justice work in West Virginia. It's hard to imagine back to 1974 when David Grubb and friends started what is now the longest continually operated state Citizen Action Group in the country. Commenting last year on the upcoming 40th, David said, "We had no idea back in the 70's that this thing would still be going in 2013. We often had to compare utility bills to see who needed to get paid that week!"

Through the years it's often been a struggle to keep the bills paid. Doing the advocacy work is usually more rewarding than fundraising. That's why we strive to make our awards dinner/fundraiser lots of fun for both staff and guests. Please mark 9-12-14 on your calendar as "A good time for a good cause!"

Alumni Reunion

Over the years, literally hundreds of staff and canvassers have passed through our doors – volunteering on special projects, knocking on doors all over the state. Working out of our Morgantown office – yes at one time we had a Morgantown office (and may yet again). We're hoping that many WV-CAG alumni will make it back for this "reunion". Many of our former CAG'ers are in state government or lawyers or running other non-profits. They pop up wherever we go. We will be doing something a little special for our alumni who show up at the celebration!

Of course, we will be having our silent auction, so we are looking for unique items to fill the tables in September. If you have an item to donate or just drop it off at the office, give us a call, or email Julie@wvcag.org or karan@wvcag.org. Come out and help kick-off the next forty years of WV Citizen Action Group in September!

Lots of Changes in Staffing at CAG

By Gary Zuckett

Those who missed our May "First Friday" office happy hour also missed Norm's retirement party. One of our board members figured out a unique way to toast him at his send off. She toasted up a whole loaf of bread and handed it out to the crowd who then threw it all at him in the front yard! The birds and squirrels were very happy the next day. Norm still stops by to pick up random mail and we'll twist his arm to join us at the Capitol once and awhile during the next legislative session.

As you read from Emmett's article, he took over the operation of EEWV from Stacy Gloss, who was its first director. She got engaged and moved to Indiana to settle in with Charles and just landed work as a Research

Specialist at University of Illinois at Urbana-Champaign. Stacy's organizational skills are still missed here.

Karan is our most recent addition to CAG. See her article for a look into what makes her tick. She'll be working locally on the Woman & Water Campaign; helping with development and whatever else we can talk her into.

This will be the last Capital Eye to be edited by Brooke. She is moving on to other interests after stepping up to the challenges offered here at CAG and doing a great job at whatever task we threw at her from newsletters to press conferences to demonstrations to running a canvass. Her can-do attitude should serve her well in her next position.

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The Future of Our Children is Looking Better

by Brooke Drake

The Our Children Our Future Coalition is ready to begin our third year making waves at the Capitol. Supported by joining over 175 organizations and individuals, including WV-CAG, the coalition has had 12 policy victories in less than 18 months. We look forward to teaming up with more legislators and families to create a brighter future for West Virginia. Kicking off the next season of policy changes are four Regional Policy Workshops. Each workshop will provide training in local policy, advocacy and voter education, followed by two one-hour breakout sessions geared towards specific policy proposals. As a community Sponsor of the campaign, WV-CAG encourages you to attend one of the following workshops:

The [Southern Regional Policy Workshop](#) will be held in Lewisburg on Thursday, July 17. Topics of discussion will include

- Juvenile Justice
- Affordable Housing
- Umbilical Cord Drug Testing
- Domestic Violence Unemployment
- Pseudoephed
- Children's Trust Fund Funding

On Tuesday, July 22, The [Northern Regional Policy Workshop](#) will be held in Clarksburg. There we will learn about

- Solar Hollow
- SNAP/Ramp It Up
- FRN Funding
- Worker-Owned Co-Ops
- Parent Engagement/ PTA
- Workplace Bullying
- VERA
- Home Visiting Expansion



Hurricane will host the [Central Regional Policy Workshop](#) on Thursday, July 24. Proposals on the agenda for that day include

- Solar Hollow
- Medicaid Mental Health Therapy
- Video Cameras for Law Enforcement
- Farmers Market Permits
- Workforce Development
- Ban the Box
- Paid Sick Days/ Family Leave
- Tobacco Tax
- Parental Drug Abuse
- Erin's Law

Last but not least, the [Eastern Regional Policy Workshop](#) will take place on Tuesday, July 29, in Martinsburg. Please join us to discuss

- Foster Kids Bill of Rights
- Buy American
- Erin's Law
- Perinatal Dental Visits
- Substance Abuse Funding

I would greatly appreciate support at the July 24 event in Hurricane and the July 29 event in Martinsburg. There, I will help to present Erin's Law (www.erinslaw.org) with the hopes that this will be passed in the 2015 legislative session. This law was originally the work by Erin Merryn, a survivor of childhood sexual abuse. In addition to teaching children how to protect themselves from bullies and predators, passing this law would be a first step in systematically teaching parents and teachers the signs of abuse so we don't have to rely on young victims to speak up. Please join us for these presentations as well as the Symposium on September 9th and 10th. Also, please contact your representatives, teachers, and unions to ask them to support the passage of Erin's Law.

Please contact ssmith@wvhealthykids.org for more information on how to get involved with the OCOF campaign.

<~~Senate President Kessler at Our Children Our Future Vigil, one day before budget cuts were unanimously restored by House and Senate.

Be “Part of the Solution” this Election

by Gary Zuckett

GOTV (Get Out The Vote) and Voter Registration (VR) campaigns are not just for political parties and candidates' campaigns. At WV-CAG and WV Citizen Action Education Fund we are now gearing up to motivate voters to “vote their values” by appealing to their interests in progressive issues such as protecting our water supply, promoting energy efficiency, protecting women and families (see Karan’s article on Women & Water), getting corporate money out of elections and all manner of environmental and social justice issues. We don’t say “vote for candidate X , or against candidate Y,” but we register and activate voters who agree with our issues. This is the crux of non-partisan Civic Engagement (CE). Our 2014 CE campaign is now getting rolling and there is room on this bus for just about anyone who wants to see positive results coming out of the fall elections. Please consider becoming a part of the solution to a progressive 2014 election cycle!

What can you do?

We’re assembling a team of volunteers for a number of critical components of a successful CE Campaign:

Voter Registration – We can send you the post card forms used to register voters in WV. It takes less than five minutes to register a new voter. Are your friends and neighbors registered? You know, the ones who agree with you on many of the important issues? If they’re not get them to sign up! This is an off-year election with few high-profile races, and a low turnout is expected so every vote counts! Everyone has several friends who have

moved, remarried and changed their name, or otherwise never got around to updating their registration. Go out, ask them, and get ‘um registered!

Voter Engagement – Once we get them registered, we’ll need to get them fired up on our issues. This will take phone calls to ID voters who agree with our progressive values. New technology now makes this easier with web-based dialing from accurately targeted lists. The old phone banks where everyone crams into the same room at the same time to make calls can now be expanded to anywhere a volunteer has a phone, computer, and internet. You can now volunteer to make calls from home with a short training on this 21st century process. How about it? Can you volunteer to make calls to get folks out to vote? If so we need you between now and November!

The activist, Eldridge Cleaver said, “There is no more neutrality in the world. You either have to be part of the solution, or you’re going to be part of the problem.” We need folks who are looking for positive solutions to our many civic problems to step forward and put some time in between now and November.

It was our own Senator Byrd who asked, “Where is the outrage?” and scolded Americans for “standing passively mute” when he was actively opposing the Bush war machine about to invade Iraq. Help us make Senator Byrd proud of WV in November – become part of the solution – give us a call and we’ll get you started!

Paid Family Leave Campaigns Active in Washington and Coming to Charleston

On Wednesday, June 25th citizens from several labor, faith and civic groups including WV-CAG met with Sen. Joe Manchin’s state director, Mara Boggs, to voice support for the [Family Leave Act](#) (S. 1810/H.R. 3712). If passed, the Family Leave Act would set up a fund for workers to tap into for paid leave when a family member gets hurt or sick and time off is needed to deal with the emergency or provide home care for a family member.

Many families these days are only a paycheck away from serious financial problems and taking unpaid leave, even if return to their job is guaranteed under the FMLA (Family Medical Leave Act), can lead to utility cut offs, auto repossessions or homelessness. Americans should not

have to choose between their jobs and caring for their families.

USAction, our national affiliate has collected scores of stories of workers caught in this bind in its [report](#): “No One Should Have to Choose Between Job and Family” which we delivered to Sen Manchin’s office during the meeting on the 25th.

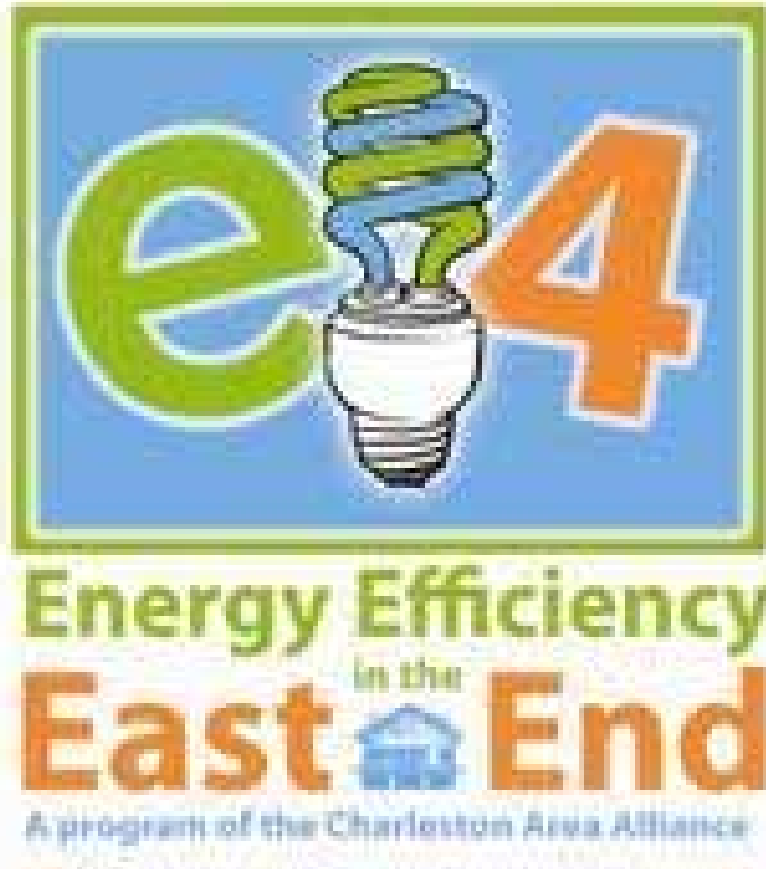
A West Virginia campaign is also shaping up to push for changes in state law to make employers with over 50 employees provide paid sick leave. This is still in the formative stages so stay tuned for more in our next newsletter.

The East End is More Energy Efficient than Ever!

By Brooke Drake

Energy efficiency has taken over the East End! After May and June's e4 canvass, hundreds are saving money by decreasing unnecessary consumption. CAG and many of

our neighbors are using lawn signs to advertise the block-by-block competition to see which block saves the most energy. AEP is already scheduling in-home assessments, bringing free light bulbs to East End residents, and offering specific advice about how their home can become more energy efficient. If you live in an AEP service area and want to sign up for their free home energy audit, call 888-446-7719



E4 started in 2013 as a community-led competition and had about 80 participants in the neighborhood. After our canvass, we raised that number to over 350! The East End showed a strong outpouring of support that we think can spread to other parts of the state.

I was pleased to lead the first WV-CAG issue canvass in Charleston since the 1990s. It was great to see the community come together over a single topic. We had several canvassers who surprised themselves with their own abilities. It was an honor to interact with leaders of tomorrow. Thank you to all the community members involved in this experience, including the organizers and canvassers.

If you want to learn more about how to be part of e4, or if you are interested in doing something like e4 in your town, contact Emmett Pepper at emmett@eewv.org or 304-346-5891.

Why Vote? Because You Can.

by Brooke Drake

West Virginia consistently has one of the lowest voter turnout rates in America. Young adults and minorities are even less likely to show up to the ballot. With this on top of our high incarceration rate, there's no wonder why we're being represented by people who don't look out for regular citizens' interests.

One opportunity is that we are one of very few states that allow ex-felons to vote. This fact is little known because so few organizations provide voter registration services. There is no extra letter of appeal necessary, and no extra steps to take. Ex-felons simply fill out a voter registration form like every other legitimate citizen- because that's exactly what they are. Ideally, once an offender has completed their parole, and officially regain their right to vote, their parole officer would explain this to them and

provide them with a voter registration form. The Department of Health and Human Resources is tasked with this service, but it is rarely focused upon.

Several groups are coming together to efficiently tackle the voter engagement problem West Virginia is facing. The Our Children Our Future Voter Empowerment Team will be presenting at all four Regional Policy Workshops to outline ideas for getting people to the polls. We will discuss how to register, educate, motivate, and activate voters for the next election cycle. Please join us July 17th in Lewisburg, July 22nd in Clarksburg, July 24th in Hurricane, or July 29th in Martinsburg. Contact Rachel@wvfree.org for more information.

Help Us Raise the Roof

By Gary Zuckett, Director

First the good news – our WV-CAG office, located in the 1930's era brick home on Charleston's East End was paid off this spring! We now own it!

Now the not so good news – that original 1930's era tile roof is shot and leaking all over and needs to be replaced. We've ordered architectural-grade shingles and will have the underlying wood repaired in places. This will cost Citizen Action around \$7000.

Join our summer fundraising campaign to Help us Raise the Roof!

Please take a minute and go to www.wvcag.org and click on the donate button to make a quick and easy donation to help keep us dry as we fight for your rights here in the state capitol. Donors who want to make a tax-deductible contribution can go to our Citizen Action Education Fund page at www.wvcaef.org. For those who prefer to mail donations, send them to WV-CAG, 1500 Dixie St, Charleston, WV 25311.

WV Citizen Action spent its first twenty-seven years in our founder, David Grubb's office at 1324 Virginia Street. In spring of 2001, we purchased our present home on Dixie Street with the help of the Dunn Foundation. It took most of the summer to upgrade the wiring, install internet cables,

paint & remodel inside and out and tear down the old garage in the back. We finally moved in a few weeks before the infamous September 11th attack on the Twin Towers. It's hard to imagine we've been here 13 years now.

With a new roof over our heads, we'll be all set to keep up the fight for another 30 to 40 years!

Thanks so much to all for your past support! It has made a tremendous difference for WV-CAG and for West Virginia!



Meet Our Staff: Karan Ireland

Karan Ireland joined West Virginia Citizen Action Group in May after months of working alongside us in the aftermath of the January 9 Freedom Industries chemical spill. She was one of the original organizers of the local citizen response to the crisis that became the new CAPE (Citizens Actively Protecting the Environment) group. Though Karan's professional background has been primarily in the fields of Marketing and Human Resources, she has been an advocate for social justice since 1988 when she began volunteering for Catholic Social Services in Columbus, Ohio as an English as a Second Language (ESL) aide.

"I started helping with the ESL class during high school. Many of the students were political refugees, but from widely disparate backgrounds. Where they came from or what they believed didn't matter to Sister Clarice, the 90 year-old nun who taught the class- she treated everyone with dignity and respect. I learned from her that our purpose is to be of maximum service to others. That's why I am an activist and an advocate."

Karan will be working as a Program Associate on development, communications, and on water-related projects.

Connecting West Virginians to Energy Savings

by Emmett Pepper

“Energy efficiency” is the umbrella term for the actions that people can take to minimize the amount of energy used to accomplish the things for which they need energy. The key to energy efficiency is for the person using a tool (or appliance, or building) to still get full functionality out of the tool. The most obvious example is a person needing to see: she will only need a light on when she is within range of the light, so a sensor that can detect when someone is in the room can turn off a light to switch when it is unneeded. CAG’s Energy Efficient West Virginia (EEWV) program has primarily focused on residential and commercial opportunities for increasing efficiency, but has also done some work on industrial energy efficiency. It is particularly important to make homes more energy efficient because high home electric bills hit working class families the hardest.

One way to look at the challenge of making West Virginia homes more energy efficient is to categorize the deficiencies in three areas: the demand for energy efficient upgrades, the supply of companies who can make the upgrades, and the connections between demand and supply. EEWV has worked on all three deficiencies, but has mostly focused on building the connections between supply and demand by fighting for utilities enacting energy efficiency programs. Through this effort, American Electric Power (AEP) has agreed to implement several energy efficiency programs, including a rebate program for energy efficient products and free in-home energy assessments.

Right now, EEWV is disputing the sale of the Mitchell Power Plant near Moundsville to Wheeling Power. A subsidiary of AEP owns the plant and wants to sell it to another of AEP’s subsidiaries, Wheeling Power. Wheeling Power provides electricity to Marshall and Ohio Counties. AEP tried to sell Mitchell to its subsidiary Appalachian Power (APCo) last year, but, because APCo operates in both Virginia and West Virginia, Virginia’s regulators were able to say “no,” and did so. This year, AEP has switched tactics and are seeking permission from the West Virginia Public Service Commission (PSC) to sell Mitchell to Wheeling Power, which only falls under West Virginia jurisdiction. Since the PSC treats Wheeling and Appalachian Power as one company for purposes of setting electric rates in West Virginia, the sale will affect more than 400,000 customers across the service areas for the two subsidiaries. EEWV is asking the PSC to reject this transfer or at least require AEP to increase its energy efficiency programs to help connect consumers to ways they can save money and energy.

EEWV is also working to increase demand and supply for energy efficient upgrades. This summer, EEWV initiated a pilot project to expand the [E4 program](#) to increase demand for energy efficiency upgrades. EEWV is also working with colleges, homebuilders, and others to facilitate increasing the number of options for property owners wishing to upgrade efficiency in their buildings. By continuing our work to increase energy efficiency in each of these areas, EEWV is helping create good-paying construction jobs and reducing West Virginians’ utility bills and carbon emissions: a win-win-win.

Meet Our Staff: Emmett Pepper

Emmett Pepper joined WV-CAG in April after working with his predecessor, Stacy Gloss, for over a year on the



E4: Energy Efficiency in the East End program. Emmett worked on grassroots environmental campaigns for nine years, mostly in New York, and Connecticut, when he decided to go to law school at the American University Washington College of Law, specializing in environmental and energy law. After taking the bar exam, he served as Writ Clerk for the West Virginia Supreme Court of Appeals starting in 2012, before rejoining the nonprofit world to run CAG’s Energy Efficient West Virginia program. “This was not like in the Godfather Part III, where Michael Corleone says ‘Just when I thought I was out, they pull me back in,’” jokes Emmett. “I was looking for a way to get back to fighting for sustainable energy policy, and EEWV is the perfect way for me to utilize my legal training and grassroots experience.” Emmett is working to make West Virginia more energy efficient by representing CAG at the Public Service Commission, working with community leaders, and advocating to local and state governments.

Comments Needed on Water Quality Standards Rule ~ Make Your Voice Heard! DEP Proposal Could Improve Kanawha River

The following information and recommended talking points on the proposal to remove the Category A use exemption on the Kanawha River were provided by our friends at the [WV Rivers Coalition](#).

Now through July 21 citizens have an opportunity to submit written comments on a proposed water quality rule affecting the Kanawha River.

State water quality standards are developed to help protect and preserve water quality necessary to meet and maintain designated or assigned uses, such as swimming, recreation, public water supply, and/or aquatic life. DEP has proposed two site specific revisions to its existing rule:

Removal of the Water Use Category A (public water supply use) exemption for the Kanawha River main stem, Zone 1; and

Addition of a copper water effect ratio (WER) for the Charleston Sanitary Board wastewater treatment plant discharge to the Kanawha River. [Proposed rule posted here](#). Charleston Gazette [article discussing the proposed rule here](#).

Our Message:

We support the proposed removal of the Category A use exemption for the Kanawha River. This change puts us on a path toward ensuring a cleaner Kanawha River and a more secure drinking water supply.

Years ago, a portion of the Kanawha River was exempted from Clean Water Act protections for the Category A/ Public Water Supply use. Category A describes waters which, after conventional treatment, are used for human consumption. This means that dischargers to the Kanawha River and its tributaries are not held accountable to ensure that the river is clean enough to serve as a raw water intake for a public water system. DEP is now proposing to remove this exemption and to treat the Kanawha River like it treats all other waters in West Virginia.

The likely impact of the change is that, over time, water pollution control permits for chemical plants and other dischargers may need to be strengthened to ensure that strict Category A standards are met in the Kanawha River.

Additional field monitoring will be required in the Kanawha River to determine whether Category A standards are being met. If the river proves to be sufficiently clean, then one outcome may be for West Virginia American Water to propose a secondary intake in the Kanawha River.

There was a public hearing on this proposal on Tuesday, July 1, and there was a good turnout of folks to show support:

[The Charleston Gazette](#), [Charleston Daily Mail](#), [WCHS](#), [WSAZ](#), and [WV Public Radio](#) all did stories on the event.

DEP will accept written comments until 5 p.m., July 21, 2014. No comments will be accepted after that time. Comments may be submitted to the following address:

Kevin R Coyne
Water Quality Standards Program
WV Department of Environmental Protection
601 57th St., S.E.
Charleston, WV 25304

Comments also may be e-mailed to dep.comments@wv.gov and will be made part of the rulemaking record. Copies of the proposed rule are available from the Secretary of State's office and at www.dep.wv.gov/wqs. Hardcopies of this information may also be obtained by calling Kevin Coyne at (304) 926-0499, ext. 1110.

WV Groups Host Investigative News Team & Screen 'Triple Divide'

By Julie Archer



Last month our Surface Owners' Rights Organization joined with WV-CAG, North Central WV Democracy for America, the Ohio Valley Environmental Coalition, WV Rivers Coalition and the WV Chapter of the Sierra Club to host two screenings of the documentary film 'Triple Divide'. The documentary is the feature debut of journalists Joshua Pribanic and Melissa Troutman, pictured above at Clarksburg screening.

"Triple Divide is about how water and energy connect us all," said Troutman. An investigative documentary about impacts from fracking in the Marcellus Shale of Pennsylvania, 'Triple Divide' has been called "a bombshell" and will tour the United States from June thru November.

"Triple Divide's namesake, the triple continental divide in Pennsylvania, is one of four highly unique watersheds in North America. It's where three major rivers begin and flow to separate ends of the continent, providing drinking water for millions of people and hundreds of communities downstream.

According to Pribanic and Troutman, 'Triple Divide' reveals how one state's 'world-class regulations' fail to protect people, communities, and the environment. They believe it offers an opportunity for people on any side of the issue to come together and discuss solutions. To increase the ability to track human and environmental health complaints, Public Herald started the #Fileroom project, which it plans to discuss and gather data for during the tour as well. Academy Award-nominated actor Mark Ruffalo co-narrates the documentary.

For those who missed it, visit <http://TripleDivideFilm.org> to learn more about the film, get information on future screenings or schedule a screening in your community.

Thanks to Josh & Melissa, all our co-hosts – with special thanks to the Unitarian Universalist Congregation of Charleston and Paul Dalzell for use and help with the facilities for the Charleston screening – and everyone who turned out to see the film.

Save the Date: Wellness & Water III in Charleston, Oct. 3-4, 2014

Planning is underway for the third Wellness & Water conference in Charleston, October 3-4, 2014. Starting with the first event in September 2012, these gatherings have provided opportunities for members of environmental organizations and allied groups like our Surface Owners' Rights Organization (WV-SORO), and other concerned citizens to gather for networking and information sharing opportunities around issues related to fossil fuel extraction.

This year's event will kick off with live entertainment and social events on Friday, October 3, followed by a full day of plenary speakers, panelists and workshops addressing drinking water impacts and health problems associated with mountaintop removal coal mining, unconventional

gas well drilling, and chemical manufacturing and storage on Saturday, October 4.

Confirmed speakers include [Goldman Environmental Prize](#) winners Helen Slottje (2014) and Maria Gunnoe (2009); Dr. Rahul Gupta, Director of the Kanawha-Charleston Health Department and Dr. Michael McCawley of the WVU School of Public Health.

More details coming soon. In the meantime, visit http://www.wvsoro.org/updates/2013/07_29.html to learn more and watch video presentations from past events.

WV-CAG Concerned About NORMs, Drill Cutting Rules Filed

By Norm Steenstra & Julie Archer

A major issue concerning the huge increase in Marcellus shale drilling is its waste disposal. NORMs (naturally occurring radioactive materials) are widely present in the Marcellus Shale. What to do with the huge volumes of waste generated is a major concern for landowners and state environmental organizations. Last year, with the stroke of a pen, WV Department of Environmental Protection (DEP) Secretary Randy Huffman declared that drilling waste was exempt from tonnage limits in state municipal landfills. As a result of this arbitrary act, seven landfills experienced up to a fourfold increase in truck traffic and waste tonnage. The DEP seemingly also ignored the state law that prohibits the dumping of ANY radioactive material in a landfill.

Taking the approach “if we don’t test for radioactivity it must not be radioactive”, the DEP has acknowledged that it has not tested the horizontal drilling cuttings, something that was supposed to be done in the course of the studies mandated by the Horizontal Well Act. WV-CAG and other groups confronted the DEP and brought the issue to the legislature’s attention during the legislative session. The good news is that the practice of burying the waste on or near the drilling site, while not strictly prohibited by law, is no longer being permitted. So what does one safely do with it? The not so good news is that, with the blessing of the Legislature, the DEP continues to allow landfills to accept the waste while it “studies” the radioactivity issue. (See Summary of HB 107 on page 6 in the [Legislative Wrap-Up edition of the Capital Eye](#) for more details).

HB 107 requires the DEP to report to the Joint Legislative Oversight Commission on Water Resources and the Legislature’s Joint Committee on Government and Finance its findings regarding the characteristics of leachate collected from solid waste facilities receiving drill cuttings and drilling waste; the potential negative impacts



Photo Credit: Bill Hughes

on the surface water or groundwater resources associated with the collection, treatment and disposal of this leachate; the technical and economic feasibility and benefits of establishing additional and/or separate disposal locations which are funded, constructed, owned and/or operated by the oil and gas industry; and viable alternatives for the handling, treatment and disposal of drill cuttings. The report is due July 1, 2015. In addition, the legislature has mandated that the DEP develop rules to establish limits for radiation, as well as other unique toxins associated with drill cuttings and drilling waste including, but not limited to heavy metals, petroleum-related chemicals, (benzene, toluene, xylene, barium, chlorides, radium and radon). These rules are out for public comment, and the DEP will hold a public hearing on them on July 30 at its headquarters in Charleston. Listen to Bill Hughes’s interview on Pittsburgh’s NPR station [The Allegheny Front](#). Stay tuned to our Action Alerts for more details. If you’re reading the print version of the *Capital Eye* and aren’t receiving our alerts, visit http://www.wvcag.org/action_alerts/ or e-mail julie@wvcag.org to subscribe.

Money in Politics Fix: Constitutional Amendment

by Dan Taylor, OHVEC

In early April, another disappointing ruling came down from the U.S. Supreme Court under Chief Justice Roberts, in which big money scored a major victory against average citizens. In *McCutcheon v. FEC*, the court struck down limits on individual contributions to political campaigns and party committees during an election cycle.

The floodgates are now open for the captains of industry and heads of multinational corporations to influence elections however they see fit with their wealth. Much was said of money as speech during the case, but what about the free speech of the average citizen, which is drowned out by all the industry money? The only trickle-down of wealth to be had now is the trickle-down of campaign cash to politicians, who are supposed to be representing all of their constituents, not just those with money.

The limit had been \$123,200 in aggregate, but now, according to the public policy group Demos, “one wealthy donor would be permitted to contribute more than \$3.5 million to a single party’s candidates and party committees (plus a virtually unlimited amount to supportive PACs).”

Supreme Court Justice Stephen Breyer, in his dissent, states, “(This) decision eviscerates our nation’s campaign finance laws, leaving a remnant incapable of dealing with the grave problems of democratic legitimacy that those laws were intended to resolve.”

After the *Citizens United* decision in 2010 and the recent *McCutcheon* decision, the campaign finance laws enacted after the Watergate scandal to crack down on political corruption are rapidly disappearing. Fred Wertheimer, from Democracy 21, states that this decision “overturned 40 years of national policy and 38 years of judicial precedent.”

But, we can fight back! There are several bills that deserve our attention, such as HR 270, the Empowering Citizens Act, which would, Wertheimer says, “repair the presidential public financing system, create a similar financing system for congressional races, prevent individual candidate Super PACs and strengthen the rules prohibiting coordination between outside spending groups and candidates.”

There is also HR 148, the Disclose Act, which has been around since 2010 and would do much to shed light on who is giving to whom and fix loopholes in current campaign finance disclosure law.

The Government By the People Act (HR 20) and the Fair Elections Now Act (S 2023), similar House and Senate bills, could give more influence to small donors instead of large corporate donors, so that fundraising is more democratic. This would encourage those who aren’t wealthy and connected to run for Congress, giving average folks a chance to set the agenda in Washington.

Most important, there is the movement for a constitutional amendment to fix all of this mess and overturn both the *Citizens United* and *McCutcheon* decisions by saying that limits were necessary to fight against special interests and big donors having too much influence on elections. If we have to spell out that money is not speech and that corporations are not people, then let’s buckle in for the fight to take back our democracy instead of handing it over to large industry and corporations.

Dan works on clean elections issues for OVEC and is co-coordinator (along with WV-CAG’s Julie Archer) of [WV Citizens for Clean Elections](#). The coalition is working on strengthening campaign finance disclosure laws in West Virginia and expanding public campaign financing as a way for ordinary citizens to have a greater voice in the political process, both as candidates and contributors. To get involved, contact Dan at dan@ohvec.org or 304-522-0246, or Julie at julie@wvcag.org or 304-346-5891.

As part of the coalition’s work on judicial public financing, Dan and Julie will be representing WV at the upcoming [The Fair Courts State Summit](#), July 28 -30 in Washington, DC. The summit is a first-of-its-kind event bringing together a diverse assembly working to insulate courts from political pressure, boost public support for judicial independence, protect the courts’ ability to deliver justice and guard people’s rights, and ensure diversity among those who become judges. Building on the growing momentum in this area, the summit will expand advocates’ understanding of fair courts issues within the broader political landscape and enhance their organizing and strategy skills. In addition the summit is engaging new constituencies working at the state and national levels, whose success with their own issues depends on access to fair courts. The conference is sponsored by our national partners Justice at Stake and the Brennan Center for Justice, as well as Wellstone Action and the Piper Fund, longtime funders our clean elections work.

Advocates for a Safe Water System Want Your Opinion!

Several groups that worked hard during the water crisis are still at it. CAG has a few members involved with Advocates for a Safe Water System (ASWS) who is compiling data from a survey about what you want from your water. Please fill out the survey at <https://www.surveymonkey.com/s/6HT5B66> so we can know how best to fight for the people's water! Thank you!

Brooke Drake is Moving Forward

This time last year, Brooke was a restaurant server with no experience in politics. Dozens of online organizing trainings, several on camera interviews, and a few major electoral victories later, and CAG will send her off into the world. With high hopes of positive change brought on by motivated activists, optimism never leaves her mind. It's been a great year and we all know Brooke and CAG will cross paths again in the future.

“It is one thing to decry the rat race...that is the good and honorable work of moralists. It is quite another thing to quit the rat race, to drop out, to refuse to run any further -- that is the work of the individualist. It is offensive because it is impolite; it makes the rebuke personal; the individualist calls not his or her behavior into question, but mine.”

~Paul Gruchow

CAG Partners with WV FREE for Women and Water Campaign

By Karan Ireland

WV-CAG has embarked on Women and Water, a joint campaign through WV FREE and in partnership with other leaders to deal with family-based issues brought on by the recent chemical spill and the ensuing water crisis. The goal of the campaign is to develop effective messaging to help shift the public conversation around environmental and reproductive justice issues and to effect positive change through grassroots mobilization and civic engagement.

West Virginia CAG has been named the lead coordinating partner in this campaign and, as such, will convene and facilitate several meetings with groups like: Ohio Valley Environmental Coalition; Sierra Club; WV Healthy Kids and Families; West Virginia Rivers Coalition; and many more. The initial campaign meeting took place on June 17th at the WV FREE office in Charleston.

Look for more about this exciting project in the months to come!

Good News!

In response to calls from [West Virginians for Democracy](#) and WV Citizens for Clean Elections, both our Senators, Jay Rockefeller and Joe Manchin, have joined Senator Tom Udall (D-NM) and 41 others in sponsoring [S.J. Res. 19](#), a constitutional amendment that would grant Congress and the states the power to regulate the raising and spending of money in federal and state elections. It's a simple fix to a major problem. If you haven't already, please all or email them to thank them for their support.

Sen. Rockefeller –
call (202) 224-6472 or [click here](#) to email

Sen. Manchin –
call (202) 224-3954 or [click here](#) to email



West Virginia Citizen Action Group

1500 Dixie Street

Charleston, WV 25311

“Action for a change.”



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