HOW TO ARGUE
FreedomWorks
HOW TO ARGUE › TAX THE RICH

THE ISSUE:
The Constitution grants Congress the right to levy taxes on Americans under the 16th Amendment. Since 1913, when the amendment was ratified, both political parties have argued who should be taxed and how much. Instead of using taxation as a way to fund the legitimate functions of government, the tax code instead has been used as a tool of social engineering. A popular slogan that has arisen in the past few years among those on the left is “tax the rich.” The idea behind it is that wealthy Americans (the one percent) have ostensibly not “paid their fair share” to society, and must pay higher taxes to redistribute wealth to those less well off in the form of government programs. The most recent iteration proposed is a “wealth tax” levied on the highest earning Americans.

WHAT THE LEFT IS ARGUING:
“Taxing the rich will reduce inequality and help us pay for programs that support the common good, such as the Green New Deal, affordable college, universal health coverage, universal childcare, and more.” – Indivisible East Bay

WHAT DOES TAX THE RICH MEAN?
› Increasing the highest tax rates to 70% – resulting in fewer private sector jobs.
› Instituting a wealth tax – resulting in reduced risk-taking and innovation.
› Reinstating the S.A.L.T. (State and Local Tax) deduction – a bonanza for the wealthy in high tax (democrat) states.
› Increasing corporate tax rates – fueling inflation through higher prices on goods sold.
› Increasing the capital gains tax – disincentivizing people from investing their hard earned money into the economy, money that they have already paid income tax on?

THE LEFT: The rich do not pay their fair share in taxes.

THE TRUTH: This is not true. We already have a progressive tax code. The top 3 percent of tax filers pay 51 percent of individual income taxes. According to the Tax Foundation, the tax code has become even more progressive in the past few decades, with the top 1 percent taking on an increasing percentage of the tax burden relative to the rest of the population. The bottom 47% of households pay 0 in Federal Income tax. Is this fair?

The left presumes that if only the rich paid their fair share, it would alleviate our federal budgetary deficit. America does not have a tax revenue problem, it has a spending problem. Each time there has been a substantial reduction in tax rates, the government actually has collected more in tax revenue. However, budget deficits have grown larger as government creates more spending programs and increases its control over the economy.
THE LEFT: So-called “trickle-down economics” doesn’t work. The rich don’t invest their money in creating better jobs, they keep their money to support their own lavish lifestyle.

THE LEFT: The only way to lift the poor out of poverty – is to redistribute wealth from the rich to the poor which means the rich must pay more to the government.

THE TRUTH: The rich drive economic activity and are crucial for economic growth. Over 90% of Silicon Valley start-ups fail - only the rich can risk investing in enterprises with such poor success. Let’s look at Jeff Bezos or Elon Musk. Both started with nothing. Their risk-taking created whole new industries employing literally millions.

The rich don’t just park money in a savings account - they invest it. Taking this money in taxes kills jobs because it kills investment. As Larry Kudlow puts it, if “you’re taxing wealth you’re really taxing investment...if you tax the upper income, you’re going to damage productivity, investment, real wages will fall and jobs will fall so this is a very negative thing. The far left loves this stuff, class warfare and all the rest of it. Guess what? It doesn’t work.”

THE TRUTH: Taxing the rich will not lift people out of poverty. The economy is not a pie where if one group of people gets more, others get less. Capitalism is the only system in the history of the world that has succeeded in making poor people rich. Government can help by creating a business-friendly environment where it is easy to start a business; reducing regulation so that businesses can thrive; and allowing “the rich” to become even richer so that they have the capital to invest in economic growth. This is what will make the pie larger, so each person gets a bigger slice, instead of just dividing it differently. You cannot make the rich poorer if you want to make the poor richer.
THE LEFT: We need to raise taxes on corporations that do not pay their fair share.

THE LEFT: We need to create a “wealth tax” to prevent the ultra-rich from tax avoidance schemes that allow them to pay less than their fair share.

THE TRUTH: Corporations do not pay taxes. Only people pay taxes. Whether individuals pay taxes directly, or whether they pay in the form of the higher prices corporations charge to cover a corporate tax, individuals fund the government. Every dollar taken out of the private sector is a dollar used less efficiently than it otherwise would be in a free market. For example, “If corporate taxes had been in place in the early-20th century, Henry Ford might not have had the capital to invent the Model T at Ford. What does this mean? In 1989, Jerry Jones bought the money-losing Dallas Cowboys for $149 million and turned the team into a powerhouse, with three Superbowl wins in the 1990s. That encouraged Robert Kraft to buy the New England Patriots for $172 million in 1994. The team is now worth $1.8 billion.” If high corporate tax rates had been in place, it is likely none of these events would have happened. Individuals are not willing to spend their hard earned money if they know that the government will get more of their money than they will. As a result, they will keep it instead of investing in the economy so they can make a profit. However, when the government incentivizes individuals to invest their money, recognizing that individuals spend their money better than the government ever could, society as a whole benefits. The above cases are perfect examples of this practice.

THE TRUTH: No other country has wealth taxes as high as the 2% proposed by U.S. progressives. More than a dozen member-countries of the European Union had a wealth tax at one time; however, most have repealed them. These countries include Austria, Denmark, Finland, France, Germany, Iceland, Ireland, Italy, the Netherlands, Luxembourg, and Sweden. For example, France’s wealth tax lasted 35 years. The French repealed this tax because they estimated that “some 10,000 people with 35 billion euros worth of assets left the country in the past 15 years” for tax reasons. Sweden also saw similar outflows of capital.

A wealth tax is an administrative burden that will require a huge expansion of the IRS to administer and enforce. From assessing an individual’s wealth (including assets, real estate, IP, pension rights, businesses, artwork, etc.) to pouring over complex financial reporting, the wealth tax proposal becomes too big for a bureaucracy to handle efficiently. It’s one reason so many European countries eliminated it.
KEY STATISTICS:
WHO PAYS FEDERAL TAXES

★ In 2020, 61% of Americans or 100 million households paid $0 in federal income tax.

★ The Tax Policy Center estimates that 57% of Americans will pay $0 in federal income tax in 2021.

★ In 2019, the second year since the passage of President Trump’s Tax Cuts and Jobs Act, the top 1 percent of taxpayers paid a 25.6 percent average individual income tax rate, which is more than seven times higher than taxpayers in the bottom 50 percent (3.5 percent).

★ In 2019, the top 1 percent paid a greater share of individual income taxes (38.8 percent) than the bottom 90 percent combined (29.2 percent).

★ In 2021, revenues from the corporate income tax hit an all time high at $370 billion.
# HOW TO ARGUE FOR THE PEOPLE ACT

## THE ISSUE:

In 2019, Democrats drafted the “For the People Act,” or H.R.1, as a massive election overhaul bill, which, at the time, had little to no chance of actually becoming law. Fast-forward to 2021, and the once-empty threat of moving control of elections from the states to the federal government has become real. Republicans are now trying to defend some of the most basic principles of our form of government: decentralized elections and protection of privacy.

### WHAT THE LEFT IS ARGUING:

“Our democracy is rigged to privilege the white and wealthy, and it has been from the start. Originally built to exclude everyone besides land-owning white men, our democracy today still works to exclude people of color, poor people, disabled folks, and immigrants. Recent elections have shown this play out in stark terms: thousands of voters—disproportionately low-income and people of color—have been systematically prevented from casting ballots because of strict voter ID laws, voter roll purges, and other suppressive tactics...” – Indivisible’s Why Democracy Reform Matters

## WHAT DOES THE FOR THE PEOPLE ACT (H.R.1) MEAN?:

- The Constitution prescribes that states have full authority over the time, place, and manner of their elections; this legislation would end state-run elections as we know it. Congress would be in charge of the election laws, heretofore determined by 50 different state legislatures.
- Ends signature and notarization verification for absentee voters which means there is no way for the state to determine if the person who filled out the absentee ballot is the person who actually voted.
- Requires same day voter registration on election day and ends voter identification laws. Without voter ID laws, anyone could walk into a polling place, sign a statement saying who they are, and automatically be able to vote.
- Upon release from prison, every felon’s right to vote is automatically restored.
- Requires states to register every person to vote whose name appears in a state run data system. This means voters can be added who are already registered to vote solely because they are in the state’s DMV records, welfare, or Medicaid records. The state would also be required to register to vote individuals who have made a conscious choice that they do not want to be registered to vote.
- Requires states to allow ballot harvesting. In many states, only close family members or caregivers are allowed to submit absentee ballots for others. Under this bill, anyone, including partisan political organizations, can collect absentee ballots and submit them to the state.
- Prevents states from drawing their own congressional maps. Currently, districts are drawn by state legislatures which means constituents have the ability to vote out state representatives whose gerrymandering they do not like. The For the People Act mandates an unelected, unaccountable redistricting commission to be set up in every state.
- Provides candidates with a 6-to-1 taxpayer-funded subsidy for small-dollar campaign contributions to get “corporate” or “dark” money out of politics. This provision requires taxpayers to fund political campaigns that they disagree with.
- Requires organizations that spend $10,000 or more on campaign disbursements in an election cycle to reveal all of their donors who have given $10,000 or more to the organization. Campaign disbursement is defined broadly, such that organizations will be forced to reveal many of their donors. This will have a chilling effect on donations to the political process, and hence, free speech.
**THE LEFT:** Minorities are denied access to voting because of their race. The For the People Act will give them the opportunity to participate in the election process and curb racist voter suppression laws.

**THE LEFT:** Dark money and foreign money corrupts our elections. The For the People Act brings transparency to the funding of campaigns by forcing political organizations to reveal their donors.

**THE LEFT:** Foreign Money is lurking in our political system swaying our elections. We need transparency on who is buying advertisements on social media and TV.

**THE TRUTH:** All this bill will do regarding minorities is undermine their confidence in our elections. It would disallow common sense voter integrity laws like not allowing same day voter registration, and not requiring voter identification, which is actually supported by the vast majority – nearly 70% – of black voters.

**THE TRUTH:** In the name of rooting out corruption, this bill’s “transparency” requirements expose millions of Americans to harassment for their political views. Similar requirements were held unconstitutional on free speech grounds by the Supreme Court in 1958 when it sided with the NAACP. In that case, the Court prevented states from mandating public disclosure of members of civil rights organizations in order to stop the civil rights movement.

**THE TRUTH:** The For the People Act would require all websites to store sensitive information on anyone who buys an “electioneering communication”, defined as any message relating to any political matter of national importance. These public databases would be expensive to maintain, and with the broad definition of “electioneering communication”, the obvious intent is to prevent websites from running advertisements at all. The bill does nothing to distinguish between foreign or domestic money lurking in our political system and, instead, requires burdensome data collection in the hope that individuals will be deterred from purchasing advertisements to express their views.
THE TRUTH: According to Rasmussen polling, “[j]ust one out of four voters (26%) believe that the right person was declared the winner in both of the last two presidential elections.” In order for elections to generate confidence, Americans must be certain that only those legally allowed to vote are voting. The easiest way to accomplish this is through simple identification requirements similar to the ID required to buy alcohol, cigarettes or Sudafed. It is not logical to believe that people on the margins of our society do not engage in other activities that require identification and would be unable to vote if ID were required. Polling shows that 76% of Americans believe voter ID should be required.

THE TRUTH: No one disputes that there is still racism in our society. However, using this reality as an excuse to grab more power for politicians in Washington accomplishes the opposite of racial equity. The real way to address racism is to allow the American people — minorities included — to retain power over their own lives, instead of allowing self-interested politicians to act on their own behalf in the name of racial equity.

THE TRUTH: The For the People Act forces American taxpayers to subsidize campaigns and advertisements with which they disagree, violating the First Amendment and attacking the rights of politically involved voters. The small donor matching system also allows the government to choose which candidates are worthy of federal dollars, creating potential bias in which candidates are chosen for matching funds. Further, as Sen. Ted Cruz pointed out, under this program, his campaign could have received millions of dollars during the last election cycle, and no Democrat would want their tax dollars going toward a campaign like his.

THE LEFT: The problems that plague our democracy reflect our long-standing, unresolved problems when it comes to race. And since those problems are rooted in racism and white supremacy, the solutions must be rooted in racial equity. The For the People Act is a transformative package that will move us closer to a more inclusive, multiracial democracy. (Demos.org)

THE LEFT: The For the People Act creates a small donor matching system for federal elections that would give small donors like you and me big power.

THE LEFT: We don’t need to require that voters show their IDs. This is an undue burden on those at the margins of our society.

KEY POLLING: PROVISIONS IN THE FOR THE PEOPLE ACT

★ 72% oppose preventing states from cleaning up their voter rolls less than six months ahead of an election
★ 65% oppose limiting the ability of states to determine if someone is registered elsewhere
★ 79% support requiring photo identification for voting
★ 59% oppose prohibiting states from requiring proof of citizenship when registering to vote
HOW TO ARGUE › FILIBUSTER

THE ISSUE:
The filibuster is a Senate rule that allows a minority in the senate to delay a vote on a bill until 60 senators vote for it. Not in the Constitution, the filibuster was first used in 1837 and amended in 1917 to allow unlimited debate to be closed off with a 2/3 majority vote. It was written to protect the rights of the minority so that only a super-majority (2/3) could close debate and call for a vote. With a current Senate that is split 50-50, calls to “eliminate the filibuster” have grown louder and louder since, unless Senate rules are changed, Democrats will be unable to pass much of their agenda through Congress.

WHAT THE LEFT IS ARGUING:
“The filibuster is undemocratic: it empowers the minority to block the will of voters and of the American public, and it will be used by Republicans to block every single progressive priority, even in the best-case scenario where Democrats control the House, Senate, and White House... As long as the filibuster remains in place, Mitch McConnell (or his successor) will use it to block democracy reforms, climate change legislation, the Dream Act, Medicare for All, debt-free college, equal pay, gun violence prevention legislation, an increase to the minimum wage, universal pre-k, and any other progressive priority you can name.” - Indivisible, Eliminating the Filibuster

WHAT DOES ELIMINATING THE FILIBUSTER MEAN?
› The filibuster differentiates a direct democracy from a republic. Eliminating it intentionally changes our form of government: “A republic if you can keep it” (Ben Franklin)
› As bills grow longer and more complex, the filibuster allows the Senate to delay votes until each bill is given the proper attention it deserves.
› The filibuster is a key provision of the checks and balances between the House and the Senate. Eliminating it renders irrelevant the bicameral structure of our legislative branch.
› Eliminating the filibuster puts us on the path to becoming a direct democracy which is the mob rule that the Father of the Constitution, James Madison, warned about extensively.

THE LEFT: The filibuster is inherently undemocratic and not required under the Constitution.

THE TRUTH: If the filibuster is “undemocratic,” then Senators intended for it to be that way. In fact, the filibuster is “pro-republic” by giving power to the minority party’s views. The Senate, recognizing the dangers of direct democracy and mob rule, designed a republican system that ensures the minority opinion is granted a voice in Congress through procedures like the filibuster.

THE LEFT: The filibuster is a racist relic of Jim Crow used primarily by Republicans to stop legislation they do not like.

THE TRUTH: In 2020 alone, Democrats used the filibuster more than 300 times to block conservative bills. The filibuster is merely a tool used to defend minority views; it does not have an ideological bent.
**THE LEFT:** The filibuster is an arcane legislative rule born in the US Senate before the Civil War, and leaves the United States behind other nations in enacting good policy.

**THE TRUTH:** Filibustering has existed for thousands of years. It existed in the Roman Republic and was included in their original Senate rules. The filibuster was used in Rome the same way it’s used today, as a tool to ensure that powerful parties and legislators don’t abuse their power by silencing minority opinions. The filibuster is also built into the rules for the legislative bodies of Hong Kong, South Africa, South Korea and Canada, as well as the British House of Commons.

**THE LEFT:** The filibuster makes the country ungovernable.

**THE TRUTH:** Quite to the contrary, the filibuster is a large part of what makes our unique form of government work. Requiring compromise, or at least encouraging deliberation and engagement of minority viewpoints, results in better-thought-through legislation. As James Madison wrote, “[t]he accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny.”

**THE LEFT:** Democrats have long advocated for eliminating the filibuster and regard it as a threat to democracy.

**THE TRUTH:** Prominent Democrats – including Chuck Schumer – have flip-flopped on this issue as is politically convenient. In April 2005, he said, “It is the Senate where the Founding Fathers established a repository of checks and balances. It is not like the House of Representatives where the majority leader or the Speaker can snap his fingers and get what he wants.” Now that the checks and balances require scrutiny of his agenda, though, the tune has changed.

**IT IS THE SENATE WHERE THE FOUNDING FATHERS ESTABLISHED A REPOSITORY OF CHECKS AND BALANCES.**

**KEY POLLING: FILIBUSTER**

- Less than a majority, **ONLY 41%** of likely U.S. voters say they SUPPORT changing the Senate rules to eliminate the filibuster
- Nearly a majority, **49%** of of likely U.S. voters OPPOSE eliminating the filibuster
- **11%** of likely U.S. voters are UNSURE about eliminating the filibuster

**FILIBUSTER?**

- **49%** KEEP IT
- **11%** UNSURE
- **40%** OPPOSE
HOW TO ARGUE › THE GREEN NEW DEAL

THE ISSUE:
With the stated intention of addressing “climate change,” Democrats have proposed a series of bills that would make substantial changes to our energy sector. This energy overhaul is being pursued under the Green New Deal, which is a set of energy policies that include phasing out fossil fuels as a source of energy, providing federal government incentives to states that use solar, wind, and hydropower, increasing taxes on carbon emissions, and limiting the production of energy from oil and natural gas. The Biden Administration has already reduced production of fossil fuels in the U.S. through Executive Orders. Because wind and solar options are insufficient to meet demand, energy prices, along with our dependence on other countries for energy, have skyrocketed.

WHAT THE LEFT IS ARGUING:
“We must keep global warming below 1.5 degrees Celsius... This will require the largest expansion of clean, renewable energy, emissions reductions, climate resilience, and sustainable resource use in history.”
- Indivisible’s Platform for Climate Justice

WHAT DO THE LEFT’S POLICIES TO ADDRESS CLIMATE CHANGE (GREEN NEW DEAL) MEAN?:
- The Green New Deal fundamentally undermines our energy sector and the thousands of jobs that it supports while at the same time furthering our dependence on other governments, many of them unfriendly to us.
- Estimates are that it would take more than $5 trillion just to switch from coal, nuclear and natural gas to 100% renewables.
- Limiting coal, oil, and natural gas production does not eliminate demand for these energy sources; it simply shifts their production overseas. For example, California, which recently implemented a Clean Energy Standard similar to the Biden plan, has regularly been forced to import energy from neighboring states due to lack of production. This effect would be seen on a much larger scale, were the Green New Deal adopted for the entire nation.
- Biden’s executive order from January 2021 undid much of what was moving us toward energy independence:
  - Paused oil and gas drilling leases on federal lands and water “to the extent possible”
  - Re-joined the Paris Climate Accords
  - Halted the construction of the Keystone XL pipeline
KEY POLLING:
ENERGY AND THE ENVIRONMENT

★ 51% of voters said Biden’s cancellation of the Keystone XL pipeline is a bad idea.
★ ONLY 36% of voters think cancelling Keystone XL is a good idea.
★ 67% of Americans said they would oppose the Green New Deal if it increased federal spending by trillions of dollars.
★ 77% of voters support increased production of oil and natural gas resources in the U.S. Americans said they would oppose the Green New Deal if it increased federal spending by trillions of dollars.
★ 73% of voters agree that federal government regulations could contribute to increased costs for gasoline to consumers agree that access to domestic oil and natural gas resources could help strengthen America’s energy security.
★ 64% of voters oppose higher taxes that could decrease investment in energy production and reduce energy development in the U.S.
THE LEFT: America is one of the leading contributors to climate change and pollution, so we are responsible for curbing it.

THE LEFT: President Trump was wrong to leave the Paris Climate Accord and it is a good thing for our economy and country that President Biden re-joined it.

THE LEFT: Nuclear energy and natural gas are not clean nor are they reliable sources of energy.

THE LEFT: Federal mandates are the only way to transition our energy grid to renewable energy and will not slow our progress toward becoming an energy independent nation.

THE LEFT: Transitioning our entire energy grid to renewable energy by 2030 is not only feasible, but imperative.

THE TRUTH: Actually, China is responsible for more than 27% of total global emissions. The U.S. comes in at less than half of that, accounting for 11% of the global total. India is responsible for 6.6%, and the 27 nations in the EU account for 6.4%. Curbing global emissions is an international problem and the U.S. can do little to address this without forfeiting our economic competitiveness for little to no gain.

THE TRUTH: “Producing energy was one of the building blocks of the Trump plan to revitalize the American economy. The jobs created (6.8 million Americans work in the energy sector and accounted for 7 percent of job growth nationwide in 2019) as well as the national security impact of energy independence were inconsistent with an agreement that restricted US economic growth. Rather than simply continue the charade that solar and wind power are economically viable, Trump acknowledged the reality that fossil fuels will be a necessary transition for some time in the future.”

THE TRUTH: According to the Department of Energy, nuclear power provides 52% of America’s clean energy and is the most reliable energy source in America. According to the Energy Information Administration, burning natural gas for energy results in fewer emissions of nearly all types of air pollutants and carbon dioxide than burning coal or petroleum.

THE TRUTH: The vast majority of energy producers, driven by market forces that seek cleaner energy, are already transitioning to primarily renewable sources of their own accord. More importantly, these energy companies are transitioning in more practical ways that don’t threaten energy security or independence. Mandates only force companies to set aside their internal goals to make sound environmental changes in order to abide by strict, expensive, and bureaucratic environmental regulations.

THE TRUTH: A full transition to 100 percent renewable energy by 2030 is a pipe dream. The federal permitting process for renewable power plants shows a massive backlog which, by itself, would thwart a total and immediate transition. Beyond permits, limits on grid infrastructure, financing, product availability, and technical capabilities are massive hurdles to “going green” before the end of the decade.
HOW TO ARGUE › D.C. STATEHOOD

THE ISSUE:
For years, the left has been pushing for statehood for Washington, D.C. The bills in Congress, H.R. 51 and S. 51, would reduce the size of the federal district to a small strip of land that includes the U.S. Capitol Building, the White House, and the National Mall. The remaining portions of what is currently the city of Washington would become its own separate state with voting representation. While Washington D.C. is currently represented by a non-voting representative in the House of Representatives, and two non-voting senators in the U.S. Senate, these bills would give those members the right to vote in Congress.

WHAT THE LEFT IS ARGUING:
"More than 700,000 mostly Black and Brown people currently live in the shadow of the United States Capitol, but have neither a vote in Congress nor equal protection under law because D.C. is not a state. Congress must act now to correct this blight on our democracy and send legislation for D.C. statehood to President Biden’s desk in his first 100 days. The lack of statehood was born out of the moral stain of slavery and persists through desperate political games to suppress Black and Brown political power and progress.” MoveOn.org

WHAT D.C. STATEHOOD MEANS:
› James Madison warned in Federalist 43 that putting the District in a state would bring the “imputation of awe or influence”. Madison was rightly concerned that if the District was placed in a state, that state would exercise substantial influence over the federal legislature giving it more power than any other state. This is one of the main reasons why the Founders did not place the District in a state, and instead gave full legislative authority over the District to Congress.

› Under Article I, Section 8 of the Constitution, Congress has full legislative authority over DC. If DC were to become a state, Congress would no longer be able to exercise this authority, it could only treat DC as it does other states. However, constitutionally, Congress cannot cede its own power.

› The 23rd Amendment, ratified in 1961, gives the federal District the same amount of electoral college votes as is given for the least populous states like Wyoming and Vermont. The Congress that ratified the 23rd Amendment recognized that it could not grant DC electoral college votes through legislation, even though Congress enjoys full legislative authority over DC. A constitutional amendment is required to give DC statehood.

› If DC were to become a state, the 23rd Amendment would still be law. There would be electoral college votes left for individuals who live in the White House, federal buildings, and the Capitol. In effect, the president’s family members could all list their residence as the White House and have full control over the District’s electoral college votes.

› If DC constitutionally became a state, it would exercise unprecedented influence. With a population just over 700,000 residents, DC is far from being even the nation’s most populous city, let alone state. It ranks 20th behind New York City, Phoenix, Houston, Chicago, Los Angeles, among others. Should those cities also be granted statehood and electoral college representation?
THE LEFT: Making D.C. a state is the only way to ensure voting representation for minorities and other currently disenfranchised groups living in D.C. Not doing this is racist and unfair.

THE LEFT: Democrats want D.C. statehood because residents of D.C. deserve representation in Congress - not for political advantage of adding Democrat congressional votes.

THE LEFT: As H.R. 1 states, “There are no constitutional, historical, fiscal, or economic reasons why the Americans who live in the District of Columbia should not be granted statehood.”

THE LEFT: Republicans don’t want residents of D.C. to have voting representation, as part of Maryland or otherwise. They wouldn’t stand for one new Democrat member of the House.

THE LEFT: Regardless of the political outcome, D.C. statehood is the right thing to do. Our country needs to make sure that currently disenfranchised voters have the right to participate in our democracy.

THE TRUTH: If the goal of the left is truly to ensure individuals living in DC get voting representation, there is an easy solution. The residential land of D.C. could be retroceded into Maryland, giving all residents full voting representation - a solution which has precedent in Virginia. In July 1846, Congress passed legislation to allow Arlington and Alexandria to retrocede into Virginia. In March 1847, the Virginia General Assembly accepted the retrocession. The same process could happen in Maryland.

THE TRUTH: The left’s unwillingness to entertain the option of retrocession alone speaks directly to the political motives of Democrats on this issue. Democrats could compromise with Republicans on retrocession and allow residents of D.C. to vote in Maryland. Instead, they are holding DC voters hostage until they get two new Senators and one new member of the House of Representatives. It’s entirely a partisan political exercise.

THE TRUTH: There are clear constitutional reasons why the District of Columbia should not be granted statehood. The most prevalent constitutional reason it cannot become a state is the existence of the 23rd Amendment (see above), and the most prevalent historical reason is Federalist 43 (see above). While H.R. 51 does call for the repeal of the 23rd Amendment, legislation passed by Congress alone cannot repeal it. For a constitutional amendment to be ratified, it must receive a ⅔ vote in both the House and Senate, and ¾ of the states must approve it, which makes repeal of the 23rd Amendment highly unlikely. A constitutional amendment has not been ratified since 1992.

THE TRUTH: There is broadly supported legislation in the House led by Republicans to retrocede the residential parts of D.C. into Maryland: The District of Columbia-Maryland Reunion Act, H.R. 472. It has 25 cosponsors in addition to its lead sponsor from 19 different states, including Virginia.

THE TRUTH: According to the progressive organization MoveOn.org, the push for D.C. statehood is explicitly tied to eliminating the legislative filibuster. It states, “We can no longer let politics overpower the will of the people. Congress has a rare opportunity... to grant D.C. statehood this session and must find the courage to pass it through the Senate with 51 votes.” In other words, representation for D.C. is a weapon to upend the filibuster, which is the only protection the minority has from the domination of the majority.
How to Argue - Court Packing

The Issue:
Following the confirmation of Justices Gorsuch, Kavanaugh, and Barrett to the Supreme Court under President Trump, democrats have increasingly decried the conservative makeup of our nation’s highest court. In response to this pressure from the left, President Biden -- along with Speaker Nancy Pelosi and Senate Majority Leader Chuck Schumer -- has expressed interest in “reforming” the Supreme Court through various means. The crux of their “reforms” is commonly known as “court packing,” or adding justices to the Supreme Court, increasing the long-standing number of nine.

What the Left Is Arguing:
“There is no concrete or constitutional reason for there to be only 9 justices... The three conservative justices that Donald Trump nominated, who now make up a 6-3 conservative majority, represent an urgent threat not just to progressive legislation, but to our democracy. Urgent threats require urgent solutions. In this case, that means we need to add seats to the Supreme Court.” – Indivisible.

What Does Court Reform (Court Packing) Mean?:
- The Founders established the judicial branch with the intent that it be a non-partisan body, removed from political whims. This is why the justices do not stand for election, but rather hold office for “good behavior”, and cannot have their salary diminished during their service. See U.S. Const. art. III, § 1.
- To allow an increase in the number of Justices would make it part of the political system, since each president would have the court he or she desired simply by appointing more justices who share their political views. This will result in a never-ending cycle of justices being added to the Court and will ultimately undermine public confidence in the legitimacy of our legal system.
- The Founders intended for the Supreme Court to be a check against the immense power of the President and Congress, which is impossible if its size and format is subject to changes by the party in power.
- The last time “court packing” was an issue was in 1937, when President Roosevelt proposed adding an additional justice to the Court for every justice who was 70 years of age or older. If adopted, Roosevelt would have been able to add 6 justices. Roosevelt’s reason for adding justices to the Court was simple: in a series of cases, the Court held that many of his New Deal programs were unconstitutional. He wanted that to change. Roosevelt’s plan was defeated by his own party, when the Democrat controlled Senate voted to reject it by a vote of 70-20.

Key Polling: Supreme Court Reform
- 65% of registered voters oppose President Biden backing Congressional Democrats’ plan to increase the Supreme Court from nine to thirteen members.
- Only 31% support this, and 4% weren’t sure.
- 95% of Republicans oppose court packing.
- Among Independents, court packing is unpopular.
- 72% say the President should not support the court-packing scheme and 22% support it.
- In a November 2021 poll, 66% of respondents opposed amending the Constitution to change the structure of the Supreme Court.
- 65% of respondents also opposed the idea of adding seats to the Supreme Court to change its ideological balance.
IF ANYTHING WOULD MAKE THE COURT LOOK PARTISAN, IT WOULD BE THAT – ONE SIDE SAYING, ‘WHEN WE’RE IN POWER, WE’RE GOING TO ENLARGE THE NUMBER OF JUDGES.

ASSOCIATE JUSTICE RUTH BADER GINSBURG | 1933-2020

THE LEFT: Data For Progress has promoted increasing the number of justices from 9 to 13 because the country has grown and the court should grow along with it. The number of justices has been changed 7 times in our history and there is no reason the Court should remain at 9.

THE TRUTH: Even current Supreme Court Justice Stephen Breyer and the late Justice Ruth Bader Ginsberg opposed court packing, with Ginsburg stating: “If anything would make the court look partisan, it would be that -- one side saying, 'when we’re in power, we’re going to enlarge the number of judges, so we would have more people who would vote the way we want them to.”

Originally, the size of the Supreme Court followed how many lower federal circuit courts there were because the justices engaged in a practice called “circuit riding” where they sat on circuit courts in addition to the Supreme Court. As Congress expanded the number of circuit courts, they also expanded the size of the Supreme Court. In 1869, there were nine circuit courts, and nine justices on the Supreme Court. The number of justices has remained at nine ever since. Although the number of federal circuit courts today stands at 13, because the justices no longer engage in “circuit riding, there is no rationale to enlarge the Supreme Court.
**THE LEFT:** Allowing President Biden to nominate some Supreme Court justices would even out the lack of balance that resulted from the three confirmations during the Trump presidency.

**THE TRUTH:** History shows that a justice’s vote on a particular case does not necessarily reflect the ideology of the president who appointed him or her. This is borne out in the decisions of Chief Justice Earl Warren, Justice William Brennan, Justice Harry Blackmun, Justice David Souter, and many others. Most recently, Chief Justice John Roberts has certainly not ruled as George W. Bush likely thought he would when he appointed him, as, for example, Roberts was the deciding vote in upholding the constitutionality of the Affordable Care Act or ObamaCare.

**THE LEFT:** It makes sense that President Biden should be the one to expand the Supreme Court, and his new Executive Order establishing a Presidential Commission on the Supreme Court is the right way to approach this issue.

**THE TRUTH:** As a Senator, Joe Biden proclaimed that court-packing “was a bone-head idea...It was a terrible, terrible mistake to make it and to put it into question for an entire decade the independence of the most significant body...the Supreme Court of the United States of America.” Joe Biden was right when he was a Senator that court packing was a mistake - and appointing a Commission to get political cover from hardball partisan tactics is disingenuous.

**THE LEFT:** Every single issue we care about comes down to the courts. To unrig our courts, we need to pass bold, structural reform including Supreme Court expansion.

**THE TRUTH:** Much of the blame for the increased role of courts in recent decades is due to Congress’ increasing inability (or lack of desire) to pass legislation that is clear in its intent. The murkiness of legislation and the executive branch’s broad interpretation of such legislation has led to constitutionally-dubious policies. Thus, more matters land in the Supreme Court whose job it is to interpret the matter according to the Constitution and federal statutes.

**THE LEFT:** This is not a partisan effort for Democrats. They would support reforms to the Supreme Court including an increase in the number of justices regardless of who is in office.

**THE TRUTH:** According to a nationwide survey conducted by Mason-Dixon Polling & Strategy, 90% of Democrats openly admitted that if President Trump had been reelected and had proposed the same Supreme Court expansion plan (from nine justices to thirteen), they would oppose the plan. The left’s attempt to pack the court is clearly nothing more than a push to make the court more favorable to the more blatantly unconstitutional parts of their agenda.

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*COURT PACKING “WAS A BONE-HEAD IDEA... IT WAS A TERRIBLE, TERRIBLE MISTAKE...”*

– SENATOR JOE BIDEN
HOW TO ARGUE › IMMIGRATION JUSTICE

THE ISSUE:
Immigration has been part of America's fabric for more than two centuries. Throughout history, the U.S. government has increased and decreased levels of immigration, consistent with the will of the American people through their congressional representatives. While our immigration laws have not been updated in decades, our economy has dramatically changed and our immigration needs have also changed.

There is general consensus in Congress that immigration remains a good thing for the country; however, the lack of enforcement of immigration laws and the lack of security at our southern border has caused tensions between the parties regarding how to move forward with reforming our immigration system in a bipartisan manner.

WHAT THE LEFT IS ARGUING:
“While harsh immigration enforcement is sadly not new, the Trump administration’s all-out assault on immigrants—especially people of color—was unprecedented in its cruelty, pervasiveness, and disregard for human rights and legal protections.” They also outline specific immigration reforms, including “an end to immigration detention,” “legalization,” “sweeping enforcement reforms,” and “rethinking DHS.” – Indivisible, A Focus on Immigrant Justice

WHAT DOES IMMIGRATION JUSTICE MEAN?:
The Biden Administration has used executive orders to reverse the majority of immigration policies put in place by President Trump, policies that produced less human and drug trafficking, fewer illegal border crossings, and better tracking of who is coming into the country. Orders such as the following:

› Reinstated “catch and release,” which means that illegals who are apprehended are not held for trial, but are released on their promise that they will return for trial at a date in the future. Most never do, which makes the job of the Department of Homeland Security demoralizing and difficult. and apprehensions from illegal crossings.
› Eliminated the “Remain in Mexico” policy, which required aliens to wait in Mexico until their asylum claims are assessed and processed.
› Revoked funds that Congress explicitly authorized to build the southern border wall, violating the separation of powers by usurping the power of the purse given to Congress.
› Incentivized illegal immigration by strengthening the Deferred Action for Childhood Arrivals program, allowing illegal immigrants to obtain benefits under the Earned Income Tax Credit and Additional Child Tax Credit, and providing relief to those who are here illegally.
› Proposed sending American taxpayer dollars to Central American countries to address the “root causes” of why people leave those countries to come to the U.S., instead of using those dollars to enforce immigration laws that currently exist in our own country.
**THE LEFT:** Immigration and Customs Enforcement and Customs and Border Protection do more harm than good and are inherently racist. They must be defunded in order to welcome immigrants to our nation.

**THE TRUTH:** Republicans care a great deal about determining who we should be admitting to the country legally as well as how we should be dealing with illegal immigration. In general, the left believes that immigrants should be admitted on the basis of family relationships; conservatives and libertarians believe immigration should be on the basis of what is good for our country (i.e. a merit-based selection system). Dealing with those who break our laws, Republicans have supported immigration policies that reduce crime and human trafficking, and that strengthen our legal immigration system including cracking down on visa overstays and strengthening work visa programs.

**THE LEFT:** The only people coming to our country via the southern border are truly seeking asylum or refuge, or want to work for a better life here. We should have open borders.

**THE TRUTH:** Federal law enforcement agencies that provide for our protection at the southern border require the funding that enables them to do the job they are tasked with. Enforcing immigration laws has nothing to do with race, but everything to do with promoting the rule of law. The rule of law is one of the traits that makes America an example to follow for other countries.

Instead of seeking to defund these agencies, Congress must allocate more resources to address the record numbers of people flowing to and over the border, including unaccompanied minors and adult illegal aliens.

**THE LEFT:** Those coming to our country, legally or illegally, do not pose a threat to American citizens. They are simply looking for a better life.

**THE TRUTH:** In President Biden’s first five months, CBP arrested 1,413 alien drug smugglers (386 last year), 40 alien murderers (3 last year), 353 alien sex offenders (156 last year), and 1,118 aliens for DUIs (364 last year). This increase is undeniable and it is the role of the federal government to protect the safety of its citizens.

**THE LEFT:** While border state residents may be suffering some disruption, the majority of Americans remain unaffected by immigrants crossing our southern border.

**THE TRUTH:** The Biden administration has used American taxpayer dollars to fly illegal immigrants to non-border states for processing since the border is overrun. Those who end up in non-border states often put an extraordinary drain on resources allocated to funding the social safety net. For example, according to a Center for Immigration Studies survey, “about 45% of ‘illegal aliens’ in Colorado are on government aid, including 41% on food stamps and 27% on Medicaid.” In rural Colorado alone, the 190,000 ‘illegal aliens’ cost the economy an estimated $1.1 billion each year, according to a report from the Federation for American Immigration Reform.
THE LEFT: Building the wall does not work.

THE TRUTH: Building the wall is part of an “all-of-the-above” strategy that is needed to deter illegal immigration. Our strategy should include state-of-the-art technology at ports of entry, additional manpower, and an increase in field operation resources to survey the nearly 2,000 mile U.S. southern border. After parts of the wall were constructed in the Yuma sector, illegal entries in the area plummeted over 87% in 2020 compared to 2019. Moreover, in 2019, there was a permanent barrier deployed in the Sanchez Canal that resulted in illegal entries decreasing by more than 1,000 per month. In short, an “all-of-the-above” strategy deters illegal immigration.

KEY STATS ON THE BORDER

★ The U.S. Customs and Border Protection (CBP) data shows that from February 2021 through October 2021, federal law enforcement agencies encountered at least 1.6 million aliens trying to enter the country illegally. Now compare this 1.6 million number that happened under the Biden administration to the numbers when President Trump was in office.

★ The same CBP data shows that from October 2019 to January 2021, federal law enforcement agencies encountered 1.6 million individuals. It is important to note that roughly the same amount of aliens tried to enter the country illegally in a 9-month span under Biden versus a 30-month span under Trump.

★ From February 2021 to October 2021, under President Biden’s watch, CBP reports seizing at least 378,000 pounds of drugs, including fentanyl, cocaine, methamphetamine, heroin, and marijuana. Drugs keep pouring into the country and President Biden and Vice President Harris have done nothing to stop the drug cartels.

AT THE SOUTHERN BORDER

![Graphs showing increased apprehensions, fentanyl seizures, and kids in custody under Biden compared to previous administrations.](attachment://graphs.png)
HOW TO ARGUE ›
BLACK LIVES MATTER & CRITICAL RACE THEORY

THE ISSUE:
As identity politics plays a larger and larger role in our discourse, the left maintains that slavery, a shameful part of our national history, continues to influence American society by promoting white privilege and preventing racial equality. The topic of race—long present in American life—has seeped into every political discussion from election security and education to climate change and COVID-19. The Black Lives Matter (BLM) movement believes that equality of opportunity is insufficient and that the test of whether or not the nation is racist should be measured by equality of outcome. Similar to the movement for Critical Race Theory (CRT), BLM uses the accusation of racism as a tool to gain the power they need to implement their own agenda.

✖ WHAT THE LEFT IS ARGUING:

CRITICAL RACE THEORY, once an ivory tower theoretical groundwork, now informs a massive social movement known as Black Lives Matter. According to critical race theorists, "this fruitful dialectic between an academic theory and a grassroots social uprising is what frightens the custodians of the status quo who are fighting tooth and nail to protect and preserve their race and class privileges. It is class warfare, pure and simple. Those who identify as ‘white’ wish to protect the privileges they automatically obtain by merely being ‘white,’ and categorically oppose any critical awareness of the terror they systematically and consistently inflict on those who are subjected to their power.” –Hamid Dabashi, Columbia University professor and proponent of CRT.

› WHAT DO BLACK LIVES MATTER AND CRITICAL RACE THEORY MEAN:

› BLACK LIVES MATTER – “A global organization in the US, UK, and Canada, whose mission is to eradicate white supremacy and build local power to intervene in violence inflicted on Black communities by the state and vigilantes.” - Black Lives Matter
  • Sanctions violence and looting as just retribution for centuries of white domination
  • Holds that law enforcement is inherently racist and calls for defunding the police entirely
  • Partners with organizations that call for prison abolition and “progressive restructuring of tax codes at the local, state, and federal levels to ensure a radical and sustainable redistribution of wealth.”

› CRITICAL RACE THEORY: “A school of thought that holds that major institutions in the U.S. are inherently racist and constructed by their nature to perpetuate white supremacy...”
  • CRT teaches that all Americans are either the oppressor or the oppressed depending on their race. CRT proponents believe that children in grade school need to learn CRT, despite the fact that they have yet to develop the critical thinking skills necessary to analyze different frameworks of thought and to distinguish education from indoctrination.
**THE LEFT:** The Black Lives Matter movement seeks to create racial equality in America.

**THE LEFT:** Supporting BLM is not anti-police. It simply seeks to hold police accountable and ensure justice for all.

**THE LEFT:** Banning critical race theory is nothing but hiding the truth and teaching a dishonest, white-washed version of American history.

**THE LEFT:** Education shouldn’t shy away from hard topics and an understanding of America’s history of racial prejudice is an important part of our history.

**THE LEFT:** Donating to Black Lives Matter is an effective way of combating racism in America.

**THE TRUTH:** Although BLM is associated with racial equality, co-founder of BLM Patrisse Cullors openly stated in her own video, “I do believe in Marxism.” Furthermore, “[i]ts demands for equality also include mental health, the LGBT community and voting rights”—all of which are far beyond the simple scope of ending racism.

**THE TRUTH:** Advocates of BLM do support defunding the police. In May 2020, the organization wrote “[w]e call for a national defunding of police. We demand investment in our communities and the resources to ensure Black people not only survive, but thrive. If you’re with us, add your name to the petition right now and help us spread the word.” These comments are anti-law enforcement. BLM proposes nothing to hold police accountable, nothing to help keep communities safe, and nothing to ensure justice for all.

**THE TRUTH:** Banning CRT does not mean that the history of race relations in our country and the realities of racism that still exist should not be taught. It simply means not teaching students that, if they are not a person of color, they are contributing to racism by just existing. “Make no mistake: there is racism in America. It must be addressed and thwarted at every turn... But CRT denies the great progress of America, which many courageous Americans have fought to achieve.” (Washington Times)

**THE TRUTH:** “Social justice propagandists have suggested that even toddlers are ‘not too young to talk about race.’ But the reality is, teaching CRT in K-12 classrooms is just about as close to indoctrination as it gets. When educators teach kids to think about everything through the lens of race during crucial years of development, when their ability to think for themselves has yet to be refined, it has the unintended consequence of dividing people even further.” (Daily Caller)

**THE TRUTH:** BLM does not have a history of being good stewards. Co-founder of BLM, Patrisse Cullors, bought four “high-end” homes worth $3.2 million, sparking controversy and distrust over how the organization spends its dollars. The organization also raised $90 million in 2020, but ended the year still with more than $60 million. Even those who believe in the BLM mission can give their donations to organizations who are more responsible in using their money for real reform.
KEY POLLING:
BLACK LIVES MATTER AND CRITICAL RACE THEORY:

★ In May 2021, fewer than half (48%) of Americans held a favorable view of the BLM movement, DOWN FROM 61% one year prior (May 2020)

★ “Some 46% of U.S. adults think race relations have worsened over the past five years, and only 30% expect them to improve in the next five years.” (Morning Consult-Politico)

★ Nearly TWICE as many Americans believe teaching CRT in public schools will make race relations worse (43%) as believe it will make race relations better (24%)