
THE AMERICAN CHALLENGE IN THE 21ST CENTURY

SPEECH DELIVERED BY SENATOR JOHN KERRY

SENIOR SENATOR FROM MASSACHUSETTS

At the Sidney Shainwald Public Interest Lecture on March 2, 2012

Thank you. Thank you all very much. I accept the nomination! I have to tell you, this is déjà vu all over again because being with Carolyn, and being introduced by her, is a great reminder of those wonderful days when I was campaigning here, and I am so grateful to so many people that Carolyn was indeed one of the first to step up and stand up. I am forever grateful for that and I have to tell you that her leadership has really been spectacular. It's not the first time we've heard from her, but that question that she asked – “Where are the women?” – was heard across the country and it helped to turn the course of the debate around, so that yesterday we defeated that horrible amendment in the United States Senate. Carolyn was certainly a part of that. So Carolyn, thank you for your long-term friendship and leadership. I really appreciate it.

Thank you all for being here; it is really an honor for me to deliver this discussion. I'm not going to call it a lecture. It just sounds so “bleh”. Everybody's going to go to sleep. You're going to eat while I'm lecturing, and I don't want to lecture you. I want to talk with you, if I may, but I do honor the fact that this is a very special lecture series, and I'm honored to be a part of it.

Sidney Shainwald had a remarkable career as really the person who created consumer awareness, consumerism, and consumer accountability and did such an extraordinary job in changing people's attitude about that. Of course, few other people do personify that movement more than Sybil, the sponsor of this wonderful event. I want to thank her.

For thirty years, she has been a champion, as you heard, and her legal career has focused mostly on women's health issues. So it's very appropriate in the sense of the debate that's going on right now, that we're here today. In addition to her writings and testimony, before Congress and the FDA, she's had a huge impact in raising the nation's awareness of those issues, and so it's already been mentioned by your Chairman of the Board of Trustees that she won that distinguished award –The President's Medal–the first woman ever to win it in 2007. Sybil, thank you. What an honor to be here with you, and thank you for all you do.

May I also say, Dean Crowell, it's a pleasure to be here with you. I am honored by the opportunity to be able to share some thoughts at this podium, and even more so because Ken Feinberg, who is an old pal of mine, called me and asked me about this. There, is a person who personifies public service as much as anybody I've ever met in my life. Ken—he really has done it all. I watched him when he was Ted Kennedy's Chief of Staff. I had the privilege of working with Teddy as a colleague and friend

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for twenty-six of the years I've been in the Senate. I've seen Ken as a federal prosecutor; Court-appointed Master in the Agent Orange litigation, which was particularly near and dear to my heart, as Special Master, as has been mentioned, for the September 11th Victim Compensation Fund. None of these tasks are easy, folks, and the reason he keeps getting them is because he keeps performing so brilliantly in helping people in difficult situations to feel satisfied and treated fairly. It's rare in governance that you get that kind of a streak, and when you have somebody who's batting the way he is, people keep going back to him, so he was the Master for the TARP Executive Compensation after all of that, and administrator of the BP Oil Spill Fund, as well as somehow finding time to be an adjunct professor at six law schools, and somewhere, you know, on the day that he rests, he found time to found a law firm, by himself, called The Feinberg Group. He is really one of the great forces in our democratic constellation. Ken, I am so pleased and happy to be here with you. You are truly a tour de force. Thank you for all you do.

So listen folks, here's the deal, I usually don't go for cheap applause, which is why whenever I come to New York I always tell everybody what a great basketball player Jeremy Lin is. I was, not so long ago, walking through an airport and some guy "fingering" me. I don't know if any of you have been in public life, those of you who are here, when that recognition comes as you're rushing to an airplane and somebody wants to grab you and ask you about how you're going to solve the world's problems, and you sort of want to put your eyes down, pretend you didn't see that they saw you, and you're marching on. This guy gave me no break at all: "Hey, you! You, you, you, you! Anybody ever tell you, you look like that Kerry guy we sent to Washington?" I said, "They tell me that all the time." He said, "Kinda makes you mad, don't it?" So, I come to you with huge humility. I understand that we are at eight percent in the United States Congress and it is, therefore, miraculous that you have invited a sitting elected member of the United States Senate to come and talk to you. I'm grateful for that opportunity, and I want to talk to you in a very serious way about where we find ourselves at this moment in our country.

Most Americans are pretty derogatory, if not outright hostile, towards public officials, particularly the United States Congress today. It would be stupid for me to come here and have the privilege of sharing with you some thoughts in a lecture series like this, and not just lay it out the way it is. I don't come here to be partisan, but I'm going to tell you facts, and I want you to measure those facts and make your judgments about public life today, and what we're going to have to do to put our

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country back on track. As you saw yesterday, Olympia Snowe, a terrific United States Senator, was driven to the point of exhaustion by a caucus and a process that demanded an orthodoxy of performance and belief that she simply was unwilling to kowtow to. And so, we've lost another moderate, another person for whom "compromise" was not a bad word, another person for whom consensus building was a legitimate enterprise, and a reason to be in public life. The Senate and the country are worse off for losing somebody of this quality. Typically, most of the debate and most of the things you hear about in Washington on television are sort of, you know, the normal who's up, who's down questions. How is this going to affect the election? How is this going to affect who controls the United States Senate? What does this mean for the majority and the minority? Not what does this mean about the country and where are we today in terms of our politics?

So I want to talk to you a little bit about that because I'm fearful for our country. Not because the American people aren't up to the task but because we're mired in a moment where ideology and our own ideological extremism have held us back. We spend a lot of time talking about other countries, particularly the Middle East and places where there is a lot of religious excessive demand, but here in our own country, we have our own fundamentalists. And we have our own excesses of demand today and expectations with respect to the towing of the line. So I think we have to think really carefully about where we're heading and what it is doing to the Nation.

I served on the Super Committee. I did so as a volunteer. I did so willingly, recognizing the dangers and the pitfalls, but I did so because I really think this is a moment – this was a moment – where the country had an opportunity to be able to restore confidence to the American people about the ability of the system to make tough decisions. And, I believe that it was a moment where we needed to do that because one of the things that is holding us back is the absence of confidence. This lack of confidence in the marketplace comes from a lack of confidence of people who decide where to put money, big sums of money, who are not convinced that the body politic of the nation is prepared to make the tough choices – that money will be protected. And so we are holding ourselves back on many different fronts at a time where I think America is sort of ready to burst out and go out in a resurgence of entrepreneurial energy and possibility, and take the world by storm. We're standing in our own way. Let me be very explicit. There are several exhibits of that. I could go through a long, long list, much longer than we have time to be able to talk about here today.

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But, let me begin with something as prosaic as infrastructure. It's not a great word. It's hard to find a replacement for it, and sometimes my staff kills me when I go out and talk about combined sewer overflow or, you know, some of those wonderful concepts. But, let me tell you something, that's how you build a country. That's how our parents and our grandparents built this country for us, and when you drive out on Robert Moses' work product out here, the Triborough Bridge, and other great bridges, or the George Washington, or the Lincoln Tunnel, or any of the tunnels, or when you use the MBTA up in Boston or, you know, go from New York to Washington on the train, all these things, we didn't build them, and we're barely keeping them up. We're living off the investment of our parents and grandparents, and we need to ask ourselves what we're prepared to leave for our children. You know that train, the Acela that goes, which many of you have ridden? It can go one hundred fifty miles an hour. Did you know that? It only goes one hundred fifty miles an hour for eighteen miles of the trip between Washington and New York. Why? Because if it goes too fast over the bridges of the Chesapeake, it will wind up in the Chesapeake. Because if it goes too rapidly under the bridge under the tunnel of Baltimore, the vibrations may shake so badly that the tunnel caves in. Meanwhile, China invested three hundred fifty billion dollars last year in infrastructure, and another two hundred forty billion over the next year or two. Mexico put about two hundred forty billion dollars into infrastructure. Brazil invested three hundred fifty billion in the last four years and is going to put another two hundred fifty billion in the next few years. And, here we are witnessing China putting nine percent of GDP into infrastructure; Europe putting five percent of GDP into infrastructure; and the United States of America is putting less than two percent into infrastructure. Even though the experts, the highway and road and public architects, tell us that just to keep the United States up to snuff, we would have to spend two hundred fifty billion dollars a year for the next forty years. Even now as we struggle in our third week on a highway bill that might summon up some thirty plus billion dollars. Folks, it doesn't work. The United States of America is spending less than two percent of GDP on infrastructure. Despite everybody telling us that another bridge may fall into the Mississippi, or another road may fall apart on us. We don't even have the next generation air control system in place yet, because we're not investing in our future. Now are we preordained to do that? The country that explored space and created technology, and invented solar and wind energy; No, we're not preordained. That's not our destiny. That's a consequence of the absence of willpower and the absence of people engaging in the political process, and holding it accountable, and

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demanding that people do more than simply offer six-word bromides or slogans during political campaigns and pretend that that's adequate to the task.

Now, I have proposed, and I have Republican support for this: Kay Bailey Hutchison, Senator Lindsey Graham of South Carolina, we have put together an infrastructure bank bill. It is geared and carefully tailored to address all of the conservative reservations that exist about the potential of another entity of some kind sponsored by the government. It is totally independent. It will be an independent entity in order to avoid the consequences of Fannie Mae or Freddie Mac, we have structured it to not give grants but only loans. Loans only for revenue producing projects in energy, or in water, or in transportation. Loans that will repay themselves, and so that the fund itself will become self-financing. To prevent any potential for any kind of abuse like Fannie Mae or Freddie Mac, it will not issue stock and it will not be for profit. For ten billion dollars of investment, we could excite six hundred fifty billion dollars of infrastructure investment in the United States, each billion dollars producing somewhere between a low of twenty seven thousand and a high of thirty five thousand jobs for Americans. Work the math on that. Six-hundred billion, each billion worth thirty five thousand or so jobs, you're talking twenty million plus jobs over the next ten years. We don't have to be an unemployed nation. We don't have to be sitting around struggling the way we are today with the deficit, but we're not witnessing a Congress or a country that is prepared to embrace real decisions.

Energy. Energy is a six trillion dollar market. That's what's waiting out there. China gets it. China's going to spend three to one over us next year on clean energy projects. The United States of America invented solar technology. We invented wind turbine technology. We did it at the Bell Labs fifty years ago. A few years ago, five percent of the solar panels of the world were being built in China. Today, as we're here, over sixty five percent are being built in China, and the United States does not have one company. The country that invented the technology doesn't have one company in the top ten in the world. And because of the gridlock in Congress, we have not renewed the tax incentives that are in place for wind and solar, the 1603 Program, and therefore, there will be no new startups in the United States in the next year for wind and turbine technology. They're going to be laying off people, folks, unless people get their act together.

We don't even have an energy grid in the United States of America. We have a great big gaping hole in the center of the country. We have a grid on the East coast. We have a grid on the West coast. We have a grid in Texas; it has its own grid. Then you

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have a sliver of a line that goes through Chicago, out towards the Dakotas, and a gaping hole in the middle, so you can't produce solar thermal clean energy down in Arizona and sell it in Minnesota or North Dakota when it's cold and where they could use it and produce electricity cheaper. You can't sell wind power from the Cape in Massachusetts to the South, and so forth. This is absurd. And we profess to be a modern nation, and a world leader. Well, let me just tell you, the World Economic Forum has just come out with its latest report on competitiveness among the G-20 countries. We have, once again, for the third year in a row, been downgraded. We have gone from first and we are now fifth among the G-20 countries, and on the slide because we don't invest in infrastructure, because we won't be smart, and because we don't build an energy grid.

Education. Two-thirds of the jobs that are going to be produced in America, according to a study by Georgetown University, are going to be requiring college graduates. We have gone from number one in the world, in the number of our citizens who are graduating from college, to number sixteen. In 1970, fifty percent of all of the engineering and science degrees held by anybody were held by the United States of America, by our citizens. Today, it has dropped to fifteen percent. The world is changing, and we're not changing with it. We're going backwards. We're going into this kind of crazy ideological ozone layer. It's bizarre. You know, we're seeing a presidential race on the other side that is a traveling reality gong show television. It's bizarre. I mean we're just not coping. It ain't real.

The leading candidate on their side has offered what for the economy of our country? A twenty percent tax cut. Well, let me say something about that for a minute. I served, as I mentioned a moment ago, on that Super Committee. I had real hopes, not a deep belief, but real hopes that we could get a deal. Why? Because, the country needs a deal desperately, because we're borrowing 40 cents of every dollar that we're spending. Revenues today, are currently at 15 percent of GDP, while spending is at about twenty three or twenty four percent, and neither is sustainable. Spending is at a sixty-year high. Revenues are at a sixty-year low. The three groups that have tried to cope with this thus far were the Simpson-Bowles Commission, the Rivlin-Domenici Commission, and the bipartisan Gang of Six in the Senate sitting there today. Three Republicans, three Democrats, all of whom agreed that the only way to deal with the deficit sustainable issue and put America on track and do this in a balanced way, so that we don't cut growth, but we continue to put some austerity in place. The only way to do it was to do it by a fair balance. Every one of those groups

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I just mentioned said, “You have to get a four trillion dollar deal in reductions, two trillion of it coming from revenue, and two trillion of it coming from cuts.” That’s fair. That’s what we tried to do.

On the Super Committee, we actually went further than that. We said, “You know what, we know the Republicans are in a tough place,” and I’m not here to be partisan, but I’m just telling you the facts here. We know they’ve got Grover Norquist out there. We know it’s going to be difficult. So we negotiated with ourselves for the opening hand, and we didn’t go for two trillion. We offered them 1.3 trillion of revenue thinking this was a really fair way to start. Rejected within hours: “Too much revenue. We can’t do 1.3 trillion of revenue.” Well guess what, my friends? We balanced the budget four times in the 1990s, and when we balanced the budget four times in the 1990s, in a bipartisan way, we had twenty-one percent of GDP as revenue. Twenty-one percent was revenue to GDP. It was at twenty-one percent. That’s how we balanced it, and we had a surplus at the end of that, you all remember. A 5.6 trillion dollar surplus was handed to George W. Bush. In fact, Alan Greenspan was complaining that we were paying down the debt too fast. So, we all know what happened. I’m not going to go through the in-betweens, except to summarize it by saying we had two credit card wars and two credit card tax cuts, neither of which were affordable or ever paid for, and yes, we went into a big deficit. Not hard to understand.

So here we are today trying to say, how do we deal with it? Well guess what? If your revenues are at fifteen percent of GDP and your spending is at twenty three percent, you’ve got to come at it both ways. That’s what we tried to do, but oh no, they wouldn’t take 1.3 trillion. Then we went down to one trillion. They wouldn’t take one trillion. We went to nine hundred and fifty because they said, “You’ve got to get that T-word out of there. If you get the T-word out of there, we might be able to do it.” So we took the T-word out, and guess what? We got an N-word: “No.” And so we went to six hundred and fifty. “No. Too much revenue, our guys will never go for six hundred and fifty in revenue.” Finally, Pat Toomey, the Senator from Pennsylvania, offered up three hundred and fifty billion in revenue that would come by changing deductions; limiting the deductions for the wealthiest one percent of Americans and in that way, we would get more revenue. Well three hundred and fifty doesn’t get you very far when you’re trying to do four trillion, and everybody else has said you need two trillion, so our guys said, “We’re not going to cut

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Medicare, Medicaid, and do all these other hard things for three hundred and fifty billion. You know, we'll do some." So that's where we were.

On the final day, I offered them – I want you to hear what I offered them – I offered them, on behalf of us Democrats, a deal. Their problem was they wanted the Bush tax cuts to be made permanent. That was their biggest bottom line, red line of negotiation, and that included the upper one percent. We had to continue the Bush tax cuts for the upper one percent. Well you can't balance the budget if you do that. You can't get there. You can't take it all out of just twelve percent of the budget, which is discretionary. So, I came to them and I said, "Look, let's do something for the country. Let's offer America the vision of a Committee that actually was successful. Let's show the people that we could come together and at least avoid sequester, at least put in front of them the 1.2 trillion reduction that's the bottom line that avoids sequester, and here's how we do it: You've offered three hundred and fifty billion in Pat Toomey's proposal, we'll take it. And, we'll provide the difference in the 1.2 trillion by doing what we have to do with entitlements, Medicaid, Medicare. Some tough things we're prepared to do in order to be successful."

But we went further than that. We offered them the following: We said, "Look, you want the Bush tax cuts made permanent. We don't. If we're not going to agree on that, why don't we, at least for the sake of success, agree simply to postpone that decision. Let's guarantee you a vote on the Bush tax cuts next December," – right now, this December of this year, it would have been – "and we will send tax instructions to the Committee, the tax committees. We will send them instructions that require them to hold the individual tax rate in America at thirty four percent – lower than it is today, done by broadening the base, obviously, getting rid of some of the deductions. And on the corporate side, we will offer America a twenty five percent corporate rate and deal with the repatriation of our funds from abroad, so that we can get our economy moving and excite the nation. All you have to do is agree to vote on that and we'll give you expedited procedure, no filibuster possible, and we'll even give you an even-steven number of people on the conference committee, so the fact that we're in the majority in the Senate can't jam you." How fair can you be? And they said: "No." And do you know why they said no? Because of Grover Norquist and the Pledge, and the fact that they'd had this pushback from their base on even what Pat Toomey had offered, and they were afraid in the end that the upper one percent might be exposed to double jeopardy of attacks if we didn't get rid of the tax cut at the end of the year. So you know where we are today?

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We're cruising towards this collision at the end of the year. And, if something isn't done, the taxes are going to go up on every American on December 31st of this year, when the Bush tax cuts automatically expire.

Well that actually gives me hope, and I want to end on an up note, a hopeful note here. I believe that because of this dynamic, this tax Sword of Damocles being held over our head at the end of this year, I think once this election is done, and people have seen the fundamental bankruptcy of going back to the same old, same old proposals, and we get through the election, I believe we're going to be in a position to change what is happening in the Congress. Now, I just want to talk about that for a moment, then end up here. Why are we stuck? Why is this the way it is today? Why does Olympia Snowe leave? Why are we gridlocked the way we are on this energy program, or on infrastructure, or anything constructive? Well, I'll tell you in very simple terms. Certain people in the leadership in the United States Congress have made a decision that their primary objective is not fixing the economy; it is defeating this president, and they have decided to do everything possible to gridlock everything, in order that we all look bad, and then people throw everybody out, and they'll come into power. It is the most depressingly small-minded, venal, unpatriotic kind of thing I've ever seen in my life, but it's real. What I'm saying is real. You can go back and read the quote of Mitch McConnell who, not once, but twice, on national television said his primary objective was making sure Barack Obama was a one-term president, despite the fact, incidentally, that the stock market had a ninety percent increase since March of 2009; 3.6 million jobs have been created; TARP has been paid back; General Motors is now the largest manufacturer of automobiles in the world; and you can run down a long list of pluses, all of which have been done against the greatest obstructionism that I have ever seen in the history of the United States Congress.

In the nineteenth century, there was something like twenty total filibusters in the entire century. Between 1933 and World War II, there were two filibusters. In the '60s, there were three or four: Civil Rights Bill, a couple of others, Voting Rights Act. Today, we have over one hundred filibusters every session. Just to get a judge approved, they force us to go through the counter-filibuster procedure. The average number of days now to get a federal judge approved is one hundred thirty six days from the day they're reported out of the committee until the day they finally vote on the floor of the Senate. Under George Bush, it was thirty days. And, when we finally get the vote on these judges, it's one hundred to nothing, or ninety eight to two. It's

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delay for the sake of delay, for the sake of obstructionism, all at the expense of the larger choices that our nation faces.

So I just say to all of you, this has to change, obviously, but you're the ones who are going to have to help us change it. That's what it comes down to. I hear people complaining, saying, "God, Congress is broken. We've got to change the rules." This and that. Folks, we're operating under the same rules we operated under when Tip O'Neill cut deals. These are the same rules we had when Trent Lott, and George Mitchell, and Bob Dole, and Tom Daschle and people made deals. Same rules we had when we balanced the budget in the 1990s. It's not the rules. It's the people. It's the people, and part of the process outside of the Congress. Citizens United is the single most destructive decision since Dred Scott, and it is threatening our democracy. Ever since I came to Congress, I've been passionate about the need to change the financing of our campaigns, but even more so today than ever before the agenda of our nation is being stolen by those who choose to participate with large sums of money, and obviously that's the people who have the money. The vast majority of America can participate through the Internet and they do, thank God, to a certain degree, but when you see tens of millions and hundreds of millions spent and the way it's being spent to distort the agenda and the process we're all in trouble.

So I close by saying to you that consumer interest, citizen interest, our nation's interest, are as critical as any time I've ever seen it. As Chairman of the Foreign Relations Committee, I travel a lot, obviously. I am seeing a difference in the way leaders are talking to us now, and I've talked at length with Secretary Clinton about this, and she agrees completely. Our leverage is altered by this. People look at us and wonder. I've had people ask me, "Well if we were to do this, how do we know you can deliver? How do we know Congress is going to get it done?" Even on Iran. This is affecting some judgments in the Middle East about what we're able to get people to agree to. And there are other people who look at us now and they say, I tell you it's affected the conversation in Pakistan and Afghanistan, where openly, people say, "Well the United States is withdrawing now. They're going to reduce their presence in the world. They're in the decline." I have heard those words: "The United States is in the decline." And, you know, the ascendancy: China, India, Brazil, Mexico, South Korea. Well they're raging ahead without this kind of political ideological gridlock.

We've got to make this year a moment of enormous accountability, and we've got to change what we're doing and bring this accountability to the table. I think it's

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appropriate in the context of Sidney's life and what it stood for in terms of the consumer and consumer empowerment because really, we have the power. We don't exercise it very well. The truth is, you know, in 1970, when I came back from Vietnam, the first thing I did was not protest the war; it was, in fact, become involved in Earth Day. Twenty million Americans came out of their homes and said, "We don't want to see the Cuyahoga River lit on fire. We don't want to see the Woburn Well making people die of cancer. We don't want to see Love Canals," and so forth. Those twenty million people did more than just come out; they translated it into political power. They organized, and they targeted the twelve worst votes in Congress, labeled them the "Dirty Dozen" and guess what? In the 1972 election, seven of the twelve lost their seats. So what happened? Every survivor started to quake and say, "Whoops, this environmental thing has voting power," and all of the sudden, we passed the Clean Air Act, the Safe Drinking Water Act, the Marine Mammal Protection Act, the Coastal Zone Management Act, and we created the EPA. We didn't even have an EPA in America. Remember, this is only X number, eight or ten years, after Rachel Carson wrote *Silent Spring*. This was new, and we made it happen. Now, big money comes in and prevents us from taking coal-fired power plants offline, or holding people accountable on global climate change. People don't even want to believe the science, and so forth. So that's why fighting back is so critical.

As you contemplate how you're going to do it, and why it is so important in these next months, I just want you to remember this is not a new fight. In the 1800's, when Ben Franklin walked out of that hall in Philadelphia, and walked down the steps late at night, when they had finished their grinding work on writing the Constitution for our nation, and deciding what we would be, a woman came up to him on the steps, and this is recorded, and she looked at him, and she said, "Tell us, Dr. Franklin. What do we have? A monarchy or a republic?" He looked at her, and he said, "A republic. If you can keep it." That's our mission.

Thank you all very, very much.