



NATIONAL VOTING RIGHTS INSTITUTE
27 School Street, Ste. 500
Boston, MA 02108
(617) 624-3900
(617) 624-3911 (fax)
<http://www.nvri.org>



Vermont Public Interest Research Group
141 Main Street, Ste 6
Montpelier, VT 05602
802-223-5221
www.vpirg.org

NEWS RELEASE

FOR IMMEDIATE RELEASE

CONTACT: Brenda Wright and Stuart Comstock-Gay,
National Voting Rights Institute, 617 624 3900, ext. 13/16
Paul Burns, VPIRG, 802 223 4095, ext. 4095

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U. S. SUPREME COURT TO REVIEW CAMPAIGN SPENDING LIMITS

COURT TO CONSIDER EVIDENCE THAT UNLIMITED CAMPAIGN FUNDRAISING FOSTERS CORRUPTION, MONOPOLIZES CANDIDATES' TIME

WASHINGTON, DC – The U.S. Supreme Court has agreed to review the constitutionality of Vermont's limits on campaign spending, setting the stage for a possible sea change in the way American political campaigns are financed. The case will give the Court its first opportunity in nearly 30 years to revisit its 1976 decision in *Buckley v. Valeo*, which struck down congressional spending limits on First Amendment grounds.

“This case is about law catching up with political reality,” said Brenda Wright, managing attorney for the National Voting Rights Institute (NVRI) and lead counsel for the Vermont groups defending the state's limits. “When Buckley was decided, the cost of campaigns was relatively modest. Thirty years later, it's clear the fundraising arms race has turned our officeholders into full-time fundraisers and undermined the public's faith in government. We hope this case will allow states to protect the integrity of their elections through reasonable limits on campaign spending.”

A decision by the justices that campaign spending limits can be constitutional would clear the way for state and local governments across the nation to pass their own limits on the amounts that may be spent by candidates seeking public office. The U.S. Congress would also be free to adopt such limits for candidates for federal office.

Last year, the United States Court of Appeals for the Second Circuit ruled that Vermont's mandatory campaign spending limits may be permissible under the First Amendment,

finding that Vermont had established two compelling governmental interests justifying the limits: “preventing the reality and appearance of corruption and protecting the time of candidates and elected officials.” It also ruled, however, that the case should go back to the district court to address the question of “whether there are less restrictive means” for Vermont to achieve these goals.

A broad range of range of groups and individuals on both sides of the Vermont case asked the Court to review the matter. Supporters of the law include the state of Vermont and a coalition of Vermont voters, candidates and public interest groups led by NVRI and Vermont Public Interest Research Group (VPIRG). A broad coalition of United States Senators, state attorneys general, former US Senators Bill Bradley and Alan Simpson and others filed a series of amici briefs supporting the law and asking the Court to review the Second Circuit decision.

Paul Burns, Executive Director of VPIRG, lauded the Court’s decision. “Vermont enacted spending limits to ensure that the political process belongs to everyone, not just the wealthiest interests. With spending limits, officeholders can focus on the public's needs, instead of spending their time on fundraising and the demands of big contributors.”

Opponents of the law include the Vermont Right to Life Committee and the Vermont Republican State Committee.

Last November, the nation watched the most expensive election cycle in United States history, with overall candidate spending reaching nearly \$2 billion. "It's time to end the wealth primary in American elections and let candidates compete on their ideas, not the size of their war chests," said NVRI Executive Director Stuart Comstock-Gay.

Many of the briefs urging the Court to hear the *Landell* case argued that today's system of unlimited campaign spending undermines the integrity of the nation’s elections.

A group of sitting U.S. Senators led by Sen. Jack Reed (D-RI) argued in their brief to the Court, "[T]he accumulated experience of Members of Congress, reinforced by empirical evidence, is that the dominance of money in politics continues to threaten the public's faith in the legitimacy of government and in the elections that choose whom shall govern..."

Former U.S. Senators Bill Bradley (D-NJ) and Alan Simpson (R-WY) emphasized in a separate brief the importance of campaign spending limits for "[p]reserving the time of elected officials from the burdens of constant fundraising..." "The record in the case," the former senators state, "demonstrates that Vermont's campaign expenditure limits serve the compelling government interest of protecting the integrity of our system of representative democracy."

The Vermont case is the third test case in the past decade to revisit the question of the constitutionality of mandatory campaign spending limits. In 1997, a federal appeals court in Cincinnati struck down such limits in Cincinnati's local elections, and last year, a

federal appeals court in Denver struck down such limits in Albuquerque's local elections.

The National Voting Rights Institute joined the Vermont Attorney General's office in defending Vermont's campaign spending limits. The Institute previously served as defense counsel in the prior two test cases emerging from Cincinnati and Albuquerque.

The cases the Court agreed to review today are *Randall v. Sorrell*, No. 04-1528, *Vermont Republican State Committee v. Sorrell*, No. 04-1530, and *Sorrell v. Randall*, No. 04-1697. The Court's order granting *certiorari* – in addition to all case documents, analyses of the case, news coverage and press statements – will be posted on the NVRI website (www.nvri.org).

The National Voting Rights Institute is a non-partisan, nonprofit organization that seeks full and meaningful political participation for all, regardless of income. The Boston-based organization pursues its mission through litigation and public education.

With over 10,000 members statewide, VPIRG is Vermont's largest environmental and consumer watchdog organization. For more than 30 years, VPIRG has brought the voice of the public to critical public policy debates to help protect Vermont's environment, people and locally based economy.