

ALERT ALERT

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**US SUPREME COURT TO HEAR CHALLENGE
TO BCRA HARD MONEY INCREASES**

The United States Supreme Court yesterday accepted for review the case of *Adams v. FEC* in which plaintiffs, represented by NVRI, are challenging the hard money increases in the Bipartisan Campaign Reform Act of 2002 (BCRA) on equal protection grounds. The Court accepted the *Adams* case along with 11 other appeals related to various provisions of the new law. The Court scheduled a special sitting for September 8, 2003, to hear the arguments in this historic set of cases. This will mark the most thorough review of federal campaign finance law since the Court's 1976 *Buckley v. Valeo* decision.

The *Adams* plaintiffs argue that by raising the individual hard money limits from \$1,000 to \$2,000 -- and up to \$12,000 in races involving a self-funded candidate -- the BCRA opens the floodgates to donations from the wealthy and makes it impossible for candidates without large networks of maximum donors to run for office. The lower court refused to recognize this as an injury that the law can redress. By accepting review of this case, the Supreme Court has agreed to consider the effect of rising campaign finance inequalities on the voting rights of non-wealthy candidates and their supporters.

Evidence discovered in the *Adams* case has already put the spotlight on practices that allow the largest donors to channel hundreds of thousands of dollars to their favorite candidates. NVRI subpoenaed documents from the Bush 2000 campaign on its "Pioneer" program, in which individuals promised to raise over \$100,000 each from family, friends and associates. (To see the documents and analysis, go to <http://www.tpj.org/pioneers/newpioneers>.) The documents attracted broad press interest, with reports from *The New York Times*, *Washington Post*, *Dallas Morning News* and papers across the country. As if to confirm the *Adams* plaintiffs' contentions about the effect of the increased limits, Bush campaign sources, later in May, announced that in the 2004 elections the campaign would seek "Rangers" promising to double the Pioneers' target and raise at least \$200,000 each. Democratic presidential hopefuls are also taking in larger chunks of cash under the new law, as a study from the U.S. Public Interest Research Group (U.S. PIRG) shows. As reported in *The New York Times*, U.S. PIRG's analysis of disclosure reports from the first quarter of 2003 finds that candidates raised about 40 percent more than they would have under the former limits, and that a full eighty percent of funds raised came from donors giving more than \$1,000. (To see the data, go to www.pirg.org/democracy and click on "newsroom.")

As facts on the ground bear out the predictions made in the *Adams* lawsuit, NVRI continues to hope that the Supreme Court will safeguard the right of all voters to participate meaningfully in politics regardless of wealth. The "jurisdictional statement" urging the Supreme Court to take up the case is posted on the NVRI web site (www.nvri.org). In addition to pursuing the appeal of this case in the Supreme Court, NVRI will also serve as counsel for *amici* in defense of the BCRA's ban on unlimited "soft money" contributions to political parties.