



One Bromfield Street, Third Floor
Boston, Massachusetts 02108
Phone: (617) 368-9100
Fax: (617) 368-9101
Email: nvri@nvri.org
Website: www.nvri.org

FOR IMMEDIATE RELEASE
May 7, 2002

CONTACT: Ann Brown, (301) 951-8018
Amy Bunch, (301) 593-2870

**COALITION OF VOTERS, CANDIDATES, AND PUBLIC
INTEREST GROUPS FILE CHALLENGE TO HARD MONEY
INCREASES IN MCCAIN-FEINGOLD CAMPAIGN REFORM LAW**

**LAWSUIT ALLEGES THAT THE HARD MONEY LIMIT INCREASES HURT THE
NON-WEALTHY AND VIOLATE THE EQUAL PROTECTION CLAUSE**

**COALITION SEEKS TO REINSTATE LOWER LIMITS
ON POLITICAL CONTRIBUTIONS**

[**NOTE TO PRESS:** The plaintiffs and their attorneys will hold a press conference to announce this filing, and make the complaint available to reporters on Tuesday, May 7, 2002, at 10:00am in the West Room of the National Press Club in Washington.]

WASHINGTON, D.C. – A coalition of non-wealthy voters, candidates, and public interest groups filed on Tuesday a constitutional challenge in federal court in Washington to the hard money limit increases in the recently-passed McCain-Feingold campaign reform law. The lawsuit alleges that the increases in the hard money contribution limits discriminate against non-wealthy voters and candidates based on their economic status in violation of the Equal Protection Clause in the United States Constitution.

For nearly three decades, federal campaign finance law has prohibited individuals from contributing more than \$1,000 to a congressional or presidential candidate in any primary or general election. A provision of the McCain-Feingold law, known formally as the Bipartisan Campaign Reform Act, raises individual limits to \$2,000 per donor in federal races, thereby doubling the amount of hard money in the political system. Hard money accounts for more than 80 percent of the funds raised by federal candidates and parties and comes predominantly from the wealthiest one percent of the nation's population. A separate provision, the Millionaire Amendment, raises individual limits to the range of \$6,000 to \$12,000 per donor in races involving self-funded candidates.

“The hard money increases in the Bipartisan Campaign Reform Act will further diminish the role of ordinary voters in deciding who runs for federal office and who ultimately wins elections,” says Derek Cressman, Democracy Program Director for the State Public

Interest Research Groups (State PIRGs). “We are challenging this bad aspect of the new law even while supporting the soft money regulations,” Cressman adds. CALPIRG, MASSPIRG, and New Jersey PIRG Student Chapters, along with the National Association of State PIRGs (U.S. PIRG), serve as the lead organizational plaintiffs in the lawsuit.

U.S. Senator Mitch McConnell (R-KY) and others have already filed challenges to the Bipartisan Campaign Reform Act, alleging violations of the First Amendment. Senator McConnell and others argue that corporations and wealthy donors should be permitted to make unlimited donations to political parties. In contrast, the plaintiffs in this new lawsuit support the ban on soft money but challenge, for the first time, the increases in the hard money contribution limits on equal protection grounds.

“Thirty-six years ago, the United States Supreme Court struck down the poll tax, a barrier which had existed for decades,” says Stephanie Wilson, executive director of the Fannie Lou Hamer Project, another plaintiff in the case. “The increased contribution limits will act like a modern-day poll tax, blocking low and moderate income voters from equal participation in the political process. Equal protection demands that this new barrier now come down.” The Fannie Lou Hamer Project, named after the legendary civil rights worker from Mississippi, is a national grassroots organization dedicated to redefining campaign finance as a civil rights issue of our time.

A special three-judge federal court has been assigned to hear all of the challenges to the Bipartisan Campaign Reform Act, with direct review by the United States Supreme Court. These consolidated cases will mark the first time in 27 years that the Supreme Court will review the constitutionality of a campaign reform law passed by the U.S. Congress. Today’s filing ensures that the nation’s highest court will hear arguments made on behalf of non-wealthy voters and candidates focusing on political equality principles grounded in the Equal Protection Clause.

Victoria Gray Adams serves as the lawsuit’s lead plaintiff. Ms. Adams is one of the original founders, with Fannie Lou Hamer, of the Mississippi Freedom Democratic Party, which challenged the seating of Mississippi’s all-white delegation at the Democratic National Convention in 1964. In 1965, Ms. Adams, Ms. Hamer, and another civil rights worker, Annie Devine, became the first African-American women in history to be seated on the floor of the U.S. House of Representatives. Ms. Adams is joined by other individual voter and candidate plaintiffs from across the country. In addition, ACORN, an advocacy organization representing low and moderate-income voters throughout the nation serves as another organizational plaintiff.

The Boston-based National Voting Rights Institute, which specializes in campaign finance litigation, serves as the lead counsel for the plaintiffs. The Washington, D.C. office of Hale and Dorr LLP serves as local counsel.