

IN THE SUPREME COURT OF THE UNITED STATES

MITCH McCONNELL et al.,
Appellants,

v.

FEDERAL ELECTION COMMISSION et al.,
Appellees.

On Appeal From The United States
District Court For The District Of Columbia

JURISDICTIONAL STATEMENT

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QUESTIONS PRESENTED

1. Whether the district court erred by upholding portions of the "soft money" provision (section 101) of the Bipartisan Campaign Reform Act of 2002 (BCRA), Pub. L. No. 107-155, 116 Stat. 81, because it constitutes an invalid exercise of Congress' power to regulate elections under Article I, Section 4, of the Constitution; violates the First Amendment or the equal protection component of the Fifth Amendment; or is unconstitutionally vague.
2. Whether the district court erred by upholding portions of the "electioneering communications" provisions (sections 201, 203, 204, and 311) of BCRA, because they violate the First Amendment or the equal protection component of the Fifth Amendment, or are unconstitutionally vague.
3. Whether the district court erred by holding nonjusticiable challenges to, and upholding, portions of the "advance notice" provisions of BCRA (sections 201 and 212), because they violate the First Amendment.
4. Whether the district court erred by holding nonjusticiable challenges to, and upholding, the "coordination" provisions of BCRA (sections 202, 211, and 214), because they violate the First Amendment.
5. Whether the district court erred by holding nonjusticiable challenges to, and upholding, the "attack ad" provision of BCRA (section 305), because it violates the First Amendment.

(ii)

PARTIES TO THE PROCEEDINGS

The appellants here, who were plaintiffs in two of the eleven cases consolidated in the district court, are Senator Mitch McConnell; Southeastern Legal Foundation, Inc.; Representative Bob Barr; Center for Individual Freedom; National Right to Work Committee; 60 Plus Association, Inc.; U.S. d/b/a Pro English; the National Association of Broadcasters; and Thomas E. McInerney.

The appellees here, who were defendants or intervenor-defendants in the district court, are the Federal Election Commission; the Federal Communications Commission; the United States of America; Senator John McCain; Senator Russell Feingold; Representative Christopher Shays; Representative Martin Meehan; Senator Olympia Snowe; and Senator James Jeffords.

(iii)

STATEMENT PURSUANT TO RULE 29.6

None of the appellants has a parent corporation, and no publicly held company owns 10% or more of the stock of any of the appellants.

TABLE OF CONTENTS

	Page
QUESTIONS PRESENTED	i
PARTIES TO THE PROCEEDINGS	ii
STATEMENT PURSUANT TO RULE 29.6	iii
TABLE OF AUTHORITIES	v
INTRODUCTION	1
OPINIONS BELOW	2
JURISDICTION	2
PERTINENT CONSTITUTIONAL AND STATUTORY PROVISIONS	2
STATEMENT OF THE CASE	3
THE QUESTIONS PRESENTED ARE SUBSTANTIAL	12
CONCLUSION	26

TABLE OF AUTHORITIES

Page

CASES

Buckley v. Valeo,

424 U.S. 1 (1976) passim

California Democratic Party v. Jones,

530 U.S. 567 (2000) 16

Citizens Against Rent Control/Coalition for Fair Housing v.

Berkeley, 454 U.S. 290 (1981) 13

Colorado Republican Fed. Campaign Comm. v. FEC,

518 U.S. 604 (1996) 14, 15, 23

Davis v. Bandemer,

478 U.S. 109 (1986) 18

Eu v. San Francisco County Democratic Cent. Comm.,

489 U.S. 214 (1989) 13

Ex parte Siebold,

100 U.S. 371 (1879) 16

FEC v. Massachusetts Citizens for Life, Inc.,

479 U.S. 238 (1986) 18, 19, 20

FEC v. National Conservative Political Action Comm.,

470 U.S. 480 (1985) 14

New York Times Co. v. Sullivan,

376 U.S. 254 (1964) 25

Oregon v. Mitchell,
400 U.S. 112 (1970) 16

Perry v. Sindermann,
408 U.S. 593 (1972) 25

Police Dep't of Chicago v. Mosley,
408 U.S. 92 (1972) 17

Rosenberger v. Rector & Visitors of Univ. of Va.,
515 U.S. 819 (1995) 25

Schaumburg v. Citizens for a Better Env't,
444 U.S. 620 (1980) 13

Watchtower Bible & Tract Society of N.Y., Inc. v. Village of
Stratton, 536 U.S. 150 (2002) 22

STATUTES

Bipartisan Campaign Reform Act of 2002,
Pub. L. No. 107-155, 116 Stat. 81 2, 4, 12

Federal Election Campaign Act,
Pub. L. No. 92-225, 86 Stat. 3 (1972)
(codified as amended at 2 U.S.C. §§ 431-455) 3

Federal Election Campaign Act,
Pub. L. No. 93-443, 88 Stat. 1263 (1974) 3

Federal Election Campaign Act,
Pub. L. No. 94-238, 90 Stat. 475 (1976) 3

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1961) 16