



FOR IMMEDIATE RELEASE – October 5, 2016

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CAMPAIGN CONTRIBUTION LIMITS UNDER FIRE IN MONTANA
Legal Advocacy Group Says American
Political Equality is at Stake

Free Speech For People, a national non-profit legal advocacy and public education organization, is continuing to help defend Montana’s existing campaign contribution limits under fire from some of the same activists who served as architects of the Supreme Court’s infamous 2010 *Citizens United v. FEC* decision.

The organization submitted today a “friend of the court” brief to the US Court of Appeals for the Ninth Circuit, arguing that Montana’s campaign contribution limits should be upheld to protect the constitutional promise of political equality for all. The amicus brief is available here: www.freespeechforpeople.org/lair.

In *Lair v. Motl*, plaintiffs allege that Montana’s campaign contribution limits are unconstitutionally low and violate the First Amendment. The case, which was filed in September 2011, is now back before the Ninth Circuit Court of Appeals, following a federal district court ruling striking down the state’s longstanding limits.

Joining Free Speech For People in the filing of this brief are: the Honorable James C. Nelson, a retired Justice of the Montana Supreme Court and a member of Free Speech For People’s Board of Directors; the Indian Law Resource Center; the American Independent Business Alliance, and the American Sustainable Business Council.

“While the Supreme Court and the Ninth Circuit have recently focused campaign finance jurisprudence on corruption,” their brief argues, “the Supreme Court has long recognized political equality as a constitutionally protected interest in the voting rights context. Consequently, this court should acknowledge that, in addition to the anti-corruption interest, Montana’s contribution limits also serve the compelling interest of ameliorating the excesses of the wealth-based financial influence system that, left unchecked, devalues the votes of the non-wealthy, and in particular, people of color, women and the young, in derogation of fundamental constitutional values.”

“For 40 years, since the Supreme Court’s 1976 *Buckley v. Valeo* decision, the legal arguments for limiting big money in politics have been compelled to focus on ‘corruption.’ And Montana’s campaign contribution limits do prevent corruption. But the danger of big contributions to politicians isn’t just about corruption. It’s about equal citizenship: one person, one vote, and no extra ‘votes’ from wealthy funders. Our brief puts that front and center.” — Ron Fein, Legal Director, Free Speech For People

“Small and medium-sized businesses are hurt, when the largest companies dominate politics,” said David Levine, Co-founder and CEO of the American Sustainable Business Council, which represents more than 200,000 business owners, executives and investors through its national member network. “The Ninth Circuit’s ruling provides special support to the immense political power of giant, multinational corporations in the same way that it delivers special power to wealthy campaign contributors. Our entire economy suffers when small and medium-sized businesses are excluded from the policy-making process.”

— Bob Keener, American Sustainable Business Council