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Tuesday, April 2, 2002
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Members of Congress File Papers to Defend Campaign Finance Reform Law in Court

Washington, DC -- Six congressional sponsors of the newly enacted campaign finance reform law filed papers today in federal court to intervene in the two separate lawsuits challenging the constitutionality of the law filed last week by Senator Mitch McConnell and the NRA.

Senators John McCain, Russ Feingold, Olympia Snowe, and James Jeffords, and Representatives Christopher Shays and Marty Meehan, moved to intervene in the cases as parties defending the Bipartisan Campaign Reform Act of 2002, which President Bush signed into law on March 27, 2002. Senators McCain and Feingold and Representatives Shays and Meehan were the lead sponsors of the new law. Senators Snowe and Jeffords were the principal authors of the provisions in the law concerning sham issue ads, which are a primary focus of the lawsuits filed by opponents of the legislation. A provision in the new law specifically gives Members of Congress the right to intervene in any lawsuit challenging its constitutionality.

The intervention papers were filed today by a legal defense team representing the Members on a pro bono basis, managed and coordinated by the Washington based law firm of Wilmer, Cutler & Pickering and senior partner Roger Witten. (See March 27th release for full list of legal defense team members.)

"We are intervening today in the NRA and McConnell cases to defend the constitutionality of all aspects of the new campaign finance law," the Members of Congress said.

"We look forward to working closely with the Department of Justice, which we expect will take the lead in defending this vitally important legislation in court, as the Justice Department traditionally does in cases where challenges are made to the constitutionality of an Act of Congress.

"We will vigorously defend this landmark legislation that Congress enacted after a seven year legislative battle to strengthen the confidence of the American people in our political system and help restore the integrity of our democracy."

The memorandum of law submitted by the legal defense team to the court today in support of the Members' motion to intervene states:

"[The] sponsors will show that the provisions challenged by the plaintiff are constitutional, and that the Act affirmatively promotes and enhances core First Amendment values. As the legislative record reflects, the American electorate is losing confidence in the democratic process because of the specter of actual and

apparent corruption created by "soft money" and other campaign finance abuses, and because of the climate of evasion of legitimate regulation that has come to characterize our political system."

"By closing loopholes in current law and prohibiting clearly identifiable abuses, the Reform Act encourages renewed citizen confidence and participation in all aspects of our democracy, thereby strengthening First Amendment values. At the same time, the Act ensures that candidates, parties and citizens have robust opportunities to exercise their fundamental rights of expression and association."

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