

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

REPUBLICAN NATIONAL COMMITTEE,
310 First Street, S.E.
Washington, D.C. 20003;

MIKE DUNCAN, as Republican
National Committee Treasurer,
310 First Street, S.E.
Washington, D.C. 20003;

REPUBLICAN PARTY OF COLORADO,
1776 South Jackson Street,
Suite 210
Denver, CO 80210;

REPUBLICAN PARTY OF OHIO,
211 South Fifth Street
Columbus, OH 43215;

REPUBLICAN PARTY OF NEW MEXICO,
2901 Juan Tabo N.E.
Suite 116
Albuquerque, NM 87112;

DALLAS COUNTY (IOWA) REPUBLICAN
COUNTY CENTRAL COMMITTEE,
800 Vine Street
P.O. Box 22
Dallas Center, IA 50063

Plaintiffs,

v.

FEDERAL ELECTION COMMISSION,
999 E Street, N.W.
Washington, D.C. 20463

Defendant.

CASE NUMBER 1:02CV00874

JUDGE: Colleen Kollar-Kotelly

DECK TYPE: 3-Judge Court

DATE STAMP: 05/07/2002

APPLICATION FOR THREE-
JUDGE COURT AND
MEMORANDUM OF
SUPPORTING POINTS AND
AUTHORITIES

Plaintiffs Republican National Committee ("RNC"), Mike Duncan, Republican Party of Colorado, Republican Party of Ohio, Republican Party of New Mexico, and the Dallas County (Iowa) Republican County Central Committee request, pursuant to Section 403(a)(1) of the Bipartisan Campaign Reform Act of 2002, 28 U.S.C. § 2284, and Local Rule of Civil Procedure 9.1, an Order convening a three-judge court.

Plaintiffs filed this action May 7, 2002, to challenge the Bipartisan Campaign Reform Act of 2002 ("BCRA") on grounds that it is unconstitutional. Section 403(a) of the BCRA provides that actions "brought for declaratory or injunctive relief to challenge the constitutionality of any provision of this Act or any amendment made by this Act, . . . shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code." 116 Stat. 113-14.

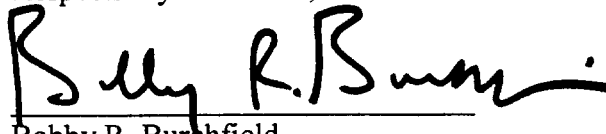
A three-judge court already has been convened in connection with several other challenges to the BCRA, *see, e.g., McConnell v. FEC*, Civil Action No 02-582; *NRA v. FEC*, Civil Action No. 02-581, *Echols v. FEC*, Civil Action No. 02-633, *Chamber of Commerce v. FEC*, Civil Action No. 02-751, *NAB v. FEC*, Civil Action No 02-753, *AFL-CIO v. FEC*, Civil Action No. 02-754, and *Paul v. FEC*, Civil Action No. 02-781, each of which has been consolidated around the *McConnell* action. *See* Order Consolidating Cases (filed April 24, 2002) (attached hereto as Exhibit A). In a separate Motion, filed contemporaneously with this

Application, plaintiffs have requested that the Court consolidate this action also around the *McConnell* action.

OF COUNSEL:

Thomas J. Josefiak
Chief Counsel
Charles R. Spies
Deputy Counsel
REPUBLICAN NATIONAL COMMITTEE
310 First Street, S.E.
Washington, D.C. 20003

Respectfully submitted,



Bobby R. Burchfield
(D.C. Bar No. 289124)
COVINGTON & BURLING
1201 Pennsylvania Ave., N.W.
Washington, D.C. 20004
(202) 662-6000

Benjamin L. Ginsberg
(D.C. Bar No. 370658)
PATTON BOGGS LLP
2550 M Street, N.W.
Washington, D.C. 20037
(202) 457-6000

Michael A. Carvin
(D.C. Bar No. 366784)
JONES, DAY, REAVIS & POGUE
51 Louisiana Ave., N.W.
Washington, D.C. 20001
(202) 879-3939

Attorneys for Plaintiffs

May 7, 2002.