

FEDERAL ELECTION COMMISSION

Press Office
999 E Street, N.W., Washington, DC 20463
Phone: 202-694-1220 Toll Free: 800-424-9530
www.fec.gov



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Contact: Judith Ingram
Julia Queen
Christian Hilland

Court of Appeals Issues Opinion in *Independence Institute v. FEC*

WASHINGTON – A panel of the United States Court of Appeals for the District of Columbia Circuit today issued an [Opinion and Dissenting Opinion](#) and [Judgment](#) in *Independence Institute v. FEC* (USCA Case 14-5249). The majority opinion held that the Independence Institute’s as-applied challenge to the definition of “electioneering communication” in the Bipartisan Campaign Reform Act (BCRA), and BCRA’s disclosure requirements for such communications, should have been decided by a three-judge district court pursuant to BCRA’s special judicial review provision. The court reversed the previous judgment of the United States District Court for the District of Columbia and remanded the case to that court, instructing it to initiate procedures to convene a three-judge district court.

The Federal Election Commission (FEC) is an independent regulatory agency that administers and enforces federal campaign finance laws. The FEC has jurisdiction over the financing of campaigns for the U.S. House of Representatives, the U.S. Senate, the Presidency and the Vice Presidency. Established in 1975, the FEC is composed of six Commissioners who are nominated by the President and confirmed by the U.S. Senate.

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