



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**STATEMENT OF VICE CHAIR ANN M. RAVEL AND  
COMMISSIONER ELLEN L. WEINTRAUB ON *McCUTCHEON v. FEC***

April 2, 2014

Today, the Supreme Court issued its opinion in *McCutcheon v. FEC*. We will, of course, respect the decision but are troubled by the plurality's narrow view of how the political system works. Limiting campaign finance regulation solely to those laws that are intended to prevent the "direct exchange of an official act for money"<sup>1</sup> ignores the reality that megadonors exert enormous influence over not only the individual candidates who receive their contributions, but all legislators who seek to have their own party in power.

This decision will not increase the number of voices able to participate in the political debate. Instead, it amplifies the voices of the few to the detriment of the many. The Court's ruling will empower only those wealthy donors who have the resources to make political contributions exceeding the aggregate biennial limit of \$123,200 – more than twice the median household income in this country.<sup>2</sup> In fact, only 646 donors reached the biennial limit during the 2012 cycle.<sup>3</sup> At a time when average citizens believe that they are shut out of the political process, we are disappointed that the Court has instead magnified the influence of a tiny minority of wealthy players.

We are nevertheless encouraged by the Court's focus on transparency. We share the Court's opinion that "[w]ith modern technology, disclosure now offers a particularly effective means of arming the voting public with information."<sup>4</sup> We also welcome the guidance to Congress and the FEC to strengthen transfer and earmarking rules.<sup>5</sup> We hope that Congress and our colleagues will take the Court's suggestions seriously and join us in enacting new measures to ensure adequate disclosure and secure the integrity of our campaign finance system.

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<sup>1</sup> *McCutcheon v. FEC*, 572 U.S. \_\_\_, Slip Op. at 2-3 (2014).

<sup>2</sup> U.S. Census Bureau, Household Income 2012 (Sept. 2013), at <https://www.census.gov/prod/2013pubs/acsbr12-02.pdf> (median U.S. household income for 2012 was \$51,371).

<sup>3</sup> Bob Biersack, *McCutcheon's Multiplying Effect: Why an Overall Limit Matters* (Sept. 17, 2013), at <https://www.opensecrets.org/news/2013/09/mccutcheons-multiplying-effect-why.html>.

<sup>4</sup> *McCutcheon* at 36.

<sup>5</sup> *Id.* at 33-35.