February 25, 2013 - Supreme Court Leaves Ban on Direct Corporate Contributions Alone, Denies Cert in Danielczyk

Today, the Supreme Court declined to hear a challenge to the century-old federal ban on corporate contributions to candidates and political parties in U.S. v Danielczyk. Despite a clearly activist and deregulatory bent on campaign finance matters under Chief Justice John Roberts, the High Court let stand a circuit court decision upholding the ban.

“We are pleased the Court chose not to revisit the century-old corporate contribution ban, which is an important bulwark against use of the corporate form to circumvent the contribution limits and to funnel corporate money directly into campaign coffers. But the Court’s record on campaign finance matters remains abysmal and its fingerprints are all over the disastrous flood of money into our elections that has followed its Citizens United decision,” said Campaign Legal Center Senior Counsel Tara Malloy. “Today’s decision does nothing to mitigate the Court’s disturbing decision last week to revisit the aggregate contribution limits passed in the wake of the Watergate scandals, which if overturned would enable individual to make contributions of one-two- or even three-million dollars to buy influence in Washington. But at least today the Court has decided to stay its deregulatory hand.”

The Tillman Act, which originally banned corporate political contributions, was signed into law by President Teddy Roosevelt in 1907 in the midst of an era marked by political corruption and campaign finance scandals. Repeatedly since then, the ban has been upheld by the Supreme Court (most recently in 2003 in FEC v Beaumont).

The case, U.S. v. Danielczyk, was a criminal matter involving numerous allegations of campaign finance violations, including that the defendants illegally directed corporate contributions to Hillary Clinton’s 2008 Presidential campaign.

In July 2012, the U.S. Court of Appeals for the Fourth Circuit upheld the longstanding ban on corporate political contributions.

To read the amicus brief filed by the Campaign Legal Center and Democracy 21 in the Fourth

Circuit Court of Appeals, click here .

To read the decision of the Fourth Circuit Court of Appeals, click here .