

MEDIA MENTION

Michael Toner Discusses Campaign Finance Case Pending Before Supreme Court

The Washington Times

January 23, 2014

Michael E. Toner, co-chair of Wiley Rein's Election Law & Government Ethics Practice, was quoted on January 16 in a *Washington Times* article about the impact a case currently before the U.S. Supreme Court could have on the federal campaign finance system.

The Court is currently weighing *McCutcheon v. Federal Election Commission*, which is a constitutional challenge to the individual biennial contribution limit to federal candidates and committees. Under current law, individuals are allowed to contribute up to \$123,200 to all federal candidates and committees combined per election cycle, including up to \$48,600 to candidates and up to \$74,600 to political parties and PACs.

While some analysts are predicting that if the Supreme Court strikes down the aggregate contribution limit big donors who have already reached the aggregate limit will jump at the opportunity to give more money to their preferred candidates and committees, Mr. Toner isn't convinced that will necessarily be the case. "It's always hard to predict what these donors are going to do, there are a lot of variables that we can't know," he told *The Times*. "We've lived with these variables for so long, who's to say how the donors will react[]?"

Mr. Toner, a former FEC chairman, made clear that the Court's decision could benefit donors who regularly give large amounts to each national political party committee. However, he thinks it is unclear how big an impact such a ruling would have on the campaign finance system. "How many donors are out there ... are willing to cut these huge checks for each of the committees every year?" asked Mr. Toner. "How big a pool is that going to be?"

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