

04-1581 WISCONSIN RIGHT TO LIFE, INC. V. FEC

DECISION BELOW: Civ. No. 04-1260, 5/10/05, unpublished

LOWER COURT CASE NUMBER: 04-1260

QUESTION PRESENTED:

1. Whether as-applied challenges are permitted to the prohibition on corporate disbursements for electioneering communications at 2 U.S.C. § 441b after *McConnell v. FEC*, 540 U.S. 93 (2003).
2. If so, whether the prohibition on electioneering communications is unconstitutional as applied to the facts of this case, and particularly (a) the three particular grass-roots lobbying broadcast communications sponsored by Wisconsin Right to Life, Inc. here and/or (b) grass-roots lobbying communications generally, as carefully defined, with any communications to be funded either from a general corporate account or, alternatively, from a separate bank account to which only qualified individuals may donate, as defined in 2 U.S.C. § 434(f)(2)(E).

CERT. GRANTED 9/27/2005