

Supreme Court Denies Anti-abortion Group's Appeal Over PAC Status

The Supreme Court on Monday refused to review a challenge to federal regulators' method for determining which political groups need to register as political action committees and reveal their donors.

Without comment, the court declined to hear the appeal of The Real Truth About Abortion, an anti-abortion group that had sued in 2008 to challenge numerous Federal Election Commission rules that govern disclosures of political spending.

The case is one of several challenging the disclosure and reporting requirements for political groups in the wake of *Citizens United v. Federal Election Commission*, a 2010 Supreme Court case that removed limits on what companies and unions can spend to support or oppose political candidates.

Previously known as The Real Truth About Obama, Real Truth About Abortion said that it planned to educate voters in 2008 about the policy positions of then-U.S. Sen. **Barack Obama**, a supporter of abortion rights.

But the nonprofit group refrained, under the risk of being deemed a political action committee (PAC) by regulators and subject to a federal investigation, according to the lawsuit.

It said the FEC's multi-part test to assess whether a group's "major purpose" is to engage in federal campaign activity, qualifying it as a PAC, was too vague and chilled more political speech than necessary.

A federal judge in 2011 rejected the challenge, and a unanimous three-judge panel of the U.S. 4th Circuit Court of

Appeals affirmed that decision in June. It called the commission's methods "a sensible approach to determining whether an organization qualifies for PAC status."

James Bopp, who represents the Real Truth About Abortion, is the same lawyer who brought the Citizens United case.

The case is *The Real Truth About Abortion Inc. v. Federal Election Commission*, U.S. Supreme Court, No. 12-311.

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