SUPREME COURT OF THE UNITED STATES

No. 02–403

FEDERAL ELECTION COMMISSION, PETITIONER *v.* CHRISTINE BEAUMONT ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

[June 16, 2003]

JUSTICE THOMAS, with whom JUSTICE SCALIA joins, dissenting.

I continue to believe that campaign finance laws are subject to strict scrutiny. *Federal Election Comm'n* v. *Colorado Republican Federal Campaign Comm.,* 533 U. S. 431, 465–466 (2001) (THOMAS, J., dissenting) *(Colorado II)*; *Colorado Republican Federal Campaign Comm.* v. *Federal Election Comm'n,* 518 U. S. 604, 640 (1996) (THOMAS, J., concurring in judgment and dissenting in part) *(Colorado I).* See also *Nixon* v. *Shrink Missouri Government PAC,* 528 U. S. 377, 427 (2000) (THOMAS, J., dissenting). As in *Colorado II*, the Government does not argue here that 2 U. S. C. §441b survives review under that rigorous standard. Indeed, it could not. "[U]nder traditional strict scrutiny, broad prophylactic caps on . . . giving in the political process . . . are unconstitutional," *Colorado I,* 518 U. S., at 640–641, because, as I have explained before, they are not narrowly tailored to meet any relevant compelling state interest, *id.,* at 641–644; *Nixon*, *supra*, at 427–430. See also *Colorado II*, *supra*, at 465–466. Accordingly, I would affirm the judgment of the Court of Appeals and respectfully dissent from the Court's contrary disposition.