out-the-vote drives and generic party advertising,"[915] and (2) the prohibition on corporations and labor unions' using funds in their treasuries to finance "electioneering communications,"[916] which BCRA defines as "any broadcast, cable, or satellite communication" that "refers to a clearly identified candidate for Federal Office," made within 60 days before a general election or 30 days before a primary election. Electioneering communications thus include both "express advocacy and so-called issue advocacy."[917]

As for the soft-money prohibition on national party committees, the Court applied "the less rigorous scrutiny applicable to contribution limits"[918] and found it "closely drawn to match a sufficiently important interest."[919] The Court's decision to use less rigorous scrutiny, it wrote, "reflects more than the limited burdens they [*i.e.*, the contribution restrictions] impose on First Amendment freedoms. It also reflects the importance of the interests that underlie contribution limits—interests in preventing 'both the actual corruption threatened by large financial contributions and the eroding of public confidence in the electoral process through the appearance of corruption.'"[920]

As for the prohibition on corporations and labor unions' using their general treasury funds to finance electioneering communications, the Court applied strict scrutiny, but found a compelling governmental interest in preventing "the corrosive and distorting effects of immense aggregations of wealth that are accumulated with the help of the corporate form and that have little or no correlation to the public's support for the corporation's political ideals."[921] These corrosive and distorting effects result both from express advocacy and from so-called issue advocacy. The Court also noted that, because corporations and unions "remain free to organize and administer segregated funds, or PACs," for electioneering communications, the provision was not a complete ban on expression.[922] In response to the argument that the justifications for a ban on express advocacy did not apply to issue advocacy, the Court found that the "argument fails to the extent that the issue ads broadcast dur-

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[915] 540 U.S. at 123.
[916] 540 U.S. at 204.
[917] 540 U.S. at 190.
[918] 540 U.S. at 141.
[919] 540 U.S. at 136 (internal quotation marks omitted).
[920] 540 U.S. at 136.
[921] 540 U.S. at 205 (quoting Austin v. Michigan State Chamber of Commerce, 494 U.S. at 660).
[922] 540 U.S. at 204.