

of the Fourteenth Amendment. Age is not a suspect classification under the Equal Protection Clause, and the ADEA is “so out of proportion to a remedial or preventive object that it cannot be understood as responsive to, or designed to prevent, unconstitutional behavior.”

Kimel v. Florida Bd. of Regents, 528 U.S. 62 (2000).

Justices concurring: O'Connor, Scalia, Kennedy, Thomas, Rehnquist, C.J.

Justices dissenting: Stevens, Souter, Ginsburg, Breyer

126. Act of May 11, 1976 (Pub. L. 94–283, § 112(2), 90 Stat. 489; 2 U.S.C. § 441a(d)(3))

The Party Expenditure Provision of the Federal Election Campaign Act, which limits expenditures by a political party “in connection with the general election campaign of a [congressional] candidate,” violates the First Amendment when applied to expenditures that a political party makes independently, without coordination with the candidate.

Colorado Republican Campaign Comm. v. FEC, 518 U.S. 604 (1996).

Justices concurring: Breyer, O'Connor, Souter

Justices concurring in part and dissenting in part: Kennedy, Scalia, Thomas, Rehnquist, C.J.

Justices dissenting: Stevens, Ginsburg

127. Act of May 11, 1976 (Pub. L. 92–225, § 316, 90 Stat. 490, 2 U.S.C. § 441b)

Provision of Federal Election Campaign Act requiring that independent corporate campaign expenditures be financed by voluntary contributions to a separate segregated fund violates the First Amendment as applied to a corporation organized to promote political ideas, having no stockholders, and not serving as a front for a business corporation or union.

FEC v. Massachusetts Citizens for Life, Inc., 479 U.S. 238 (1986).

Justices concurring: Brennan, Marshall, Powell, Scalia

Justice concurring specially: O'Connor

Justices dissenting: Rehnquist, C.J., White, Blackmun, Stevens

128. Act of October 1, 1976 (title II, 90 Stat. 1446); Act of October 12, 1979 (101(c), 93 Stat. 657))

Provisions of appropriations laws rolling back automatic pay increases for federal officers and employees is unconstitutional as to Article III judges because, the increases having gone into effect, they violate the Security of Compensation Clause of Article III, § 1.

United States v. Will, 449 U.S. 200 (1980).

129. Act of October 19, 1976 (Pub. L. 94–553, § 101(c), 17 U.S.C. § 504(c))

Section 504(c) of the Copyright Act, which authorizes a copyright owner to recover statutory damages, in lieu of actual damages, “in a