

Per Curiam

COMMON CAUSE ET AL. v. SCHMITT ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

No. 80-847. Argued October 7, 1981—Decided January 19, 1982*
512 F. Supp. 489, affirmed by an equally divided Court.

Archibald Cox argued the cause for appellants in No. 80-847. With him on the briefs were *Michael L. Burack*, *Louis R. Cohen*, *Roger M. Whitten*, *Kenneth J. Guido, Jr.*, and *Ellen G. Block*.

Jan W. Baran argued the cause for appellees in both cases and filed a brief for appellees Schmitt et al. *Roderick M. Hills*, *Robert K. Burgess*, *Robert B. Shanks*, and *Edward Sonnenschein, Jr.*, filed a brief for Americans for an Effective Presidency, appellee in No. 80-847. *J. Curtis Herge* filed a brief for Fund for a Conservative Majority, appellee in No. 80-1067.

Charles N. Steele argued the cause for the Federal Election Commission, intervenor-appellee in No. 80-847 and appellant in No. 80-1067. With him on the briefs were *Kathleen Imig Perkins* and *Richard B. Bader*.†

PER CURIAM.

The judgment is affirmed by an equally divided Court.

JUSTICE O'CONNOR took no part in the consideration or decision of these cases.

*Together with No. 80-1067, *Federal Election Commission v. Americans for Change et al.*, also on appeal from the same court.

†Briefs of *amici curiae* urging affirmance were filed by *Phillip A. Lacovara*, *Gerald Goldman*, *Ronald A. Stern*, *Charles S. Sims*, and *Arthur B. Spitzer* for the American Civil Liberties Union; and by *Wayne T. Elliot* and *Allen R. Hiron* for the Southeastern Legal Foundation, Inc.