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*Shaun McCutcheon v. Federal Election Commission* challenges the constitutionality of federal limits on the total an individual can contribute to federal candidates, political parties, and political action committees (PACs).

### **McCutcheon v. FEC: Three Potential Outcomes**

1. The court could reject McCutcheon's argument outright, thereby maintaining existing limits on aggregate contributions.
2. The court could accept McCutcheon's argument and eliminate all aggregate limits, thereby abolishing the \$123,200 biennial limit as well as the separate sub-limits for candidates and political and party committees.
3. Third, the court could adopt a **hybrid option**, which would preserve aggregate limits on donations to political parties and PACs but eliminate others, such as those to candidates.

### **Any Ruling Favorable to the Plaintiff in *McCutcheon* Would Allow Individuals to Make Vastly Larger Contributions Via Joint Fundraising Committees (JFCs)**

- **\$75,800** is the amount that President Obama solicited for his JFC in the 2012 cycle. In theory, an individual could have contributed as much as \$117,000 to a JFC in 2012.
- **\$2.5 million** is the amount a single donor could contribute to a joint fundraising committee even if the court maintains aggregate limits on donations to party committees but eliminates aggregate limits on contributions to candidates.
- **\$5.9 million** is the amount a single donor could contribute to a joint fundraising committee if the Supreme Court eliminates all aggregate limits on campaign contributions.

### **The Hybrid Option Would Also Effectively Enable Donors to Vastly Exceed Legal Limits via Candidate to Party Transfers**

- If the court chooses the hybrid option described above, joint fundraising committees and the elected officials who administer them could solicit checks of at least \$2.5 million from major donors. The vast majority of these contributions would be distributed to House and Senate candidates in increments of \$5,200. However, because candidates could transfer their share of contributions to party committees, party leaders would likely pressure candidates to redirect that money to back party committees. **Public Citizen calculated that transfers from candidates in uncompetitive races to party committees would be \$1.8 million per \$2.5 million "max donor."**
- **\$74 million.** The amount that candidates in uncompetitive races could transfer to the national party committees combined, assuming that each party has 40 "max donors" under the new rules.
- **24 times.** The amount by which a \$2.5 million donor would effectively be exceeding the legal limit when candidates in uncompetitive races collectively transfer \$1.8 million to party committees.

**Conclusion: Any Ruling that Erodes Current Aggregate Limits Would Exacerbate the Likelihood of Large Contributions, which the Supreme Court Has Historically Construed as Heightening the Risk of Corruption.**