

Supreme Court to Consider Aggregate Limit on Individual Contributions, Important to Plan Ahead and Track Contributions in Interim

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The United States Supreme Court recently agreed to hear arguments in a case challenging the aggregate limit on individual contributions to federal political committees. The Court will hear *McCutcheon v. FEC* during its October 2013 Term, with a decision likely to come sometime in 2014. In the interim, it is important for active contributors to adhere to the aggregate contribution limit by planning and tracking their political contributions.

The Federal Election Campaign Act limits the amount that an individual may contribute in the aggregate during a two-year election cycle to all federal candidates, political party committees and political action committees (PACs). For the 2013–2014 election cycle, the individual aggregate contribution limit is \$123,200. Of this amount, no more than \$48,600 may be contributed to all federal candidates, and no more than \$74,600 may be contributed to federal PACs and political party committees. There is an additional sub-limit, which limits an individual's aggregate contributions to federal PACs and the federal accounts of state, local and district political party committees to \$48,600. Individual contributions to Super PACs do not count toward the \$123,200 aggregate contribution limit.

During the 2011–2012 election cycle, many active contributors found compliance with the aggregate contribution limit to be daunting. The major presidential joint fundraising committees, for example, solicited contributions that would “max out” an individual's PAC and party committee aggregate contribution limit. Active contributors who wanted to support these presidential joint fundraising committees first had to track their prior contributions to PACs and political party

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committees in order to determine their ability to contribute to these entities.

Although the door is open for the Supreme Court in the *McCutcheon* case to overturn the aggregate contribution limit, individuals should adhere to the limit while the *McCutcheon* case is pending. Now is a great time for active contributors to begin tracking and planning their federal political contributions for the 2013-2014 election cycle. Wiley Rein can assist with tracking active contributors' individual political contributions and managing any related compliance issues.