

**Federal Election Commission**

**§ 400.42**

is attributable to the opposing candidate who has ceased to be a candidate.

(c) *Party committees.* The national and State political party committees must not make any coordinated party expenditure in excess of the limits in 11 CFR 109.32(b), pursuant to this part, to the extent that such increased limit is attributable to an opposing candidate who has ceased to be a candidate.

**Subpart D—Calculation of Increased Limits for Senate and House of Representatives Candidates**

**§ 400.40 Calculating the increased limits for Senate elections.**

(a) *Applicability.* This section applies to candidates for election to the office of United States Senator.

If the opposition personal funds amount is more than—	But less than or equal to—	The increased limit for contributions by individuals is—	The amount limitation on coordinated party committee expenditures is—
(i) $(\$0.08 \times \text{VAP}) + \$300,000$ ...	$(\$0.16 \times \text{VAP}) + \$600,000$ .....	3 × applicable limit .....	The limitation set forth in 11 CFR 109.32(b).
(ii) $(\$0.16 \times \text{VAP}) + \$600,000$ ..	$(\$0.40 \times \text{VAP}) + \$1,500,000$ ..	6 × applicable limit .....	The limitation set forth in 11 CFR 109.32(b).
(iii) $(\$0.40 \times \text{VAP}) + \$1,500,000$	.....	6 × applicable limit .....	The limitation set forth in 11 CFR 109.32 (b) does not apply subject to the provisions of 11 CFR 400.31(d).

(b) *Procedure.* To calculate the increased limits:

(1) Determine the opposition personal funds amount, as defined in 11 CFR 400.10.

(2) Determine the voting age population (VAP) of the State of the candidate, as defined in 11 CFR 110.18.

(3) Based on the opposition personal funds amount and the VAP, use the following table to determine the increased limits:

**§ 400.41 Calculating the increased limits for House of Representatives elections.**

(a) *Applicability.* This section applies to candidates for election to the office of Representative in, or Delegate or Resident Commissioner to, the Congress.

(b) *Increased limits.* Subject to subpart C of this part, if the opposition personal funds amount exceeds the threshold amount, \$350,000, the following will apply:

(1) The increased limit for contributions by individuals is three times the applicable limit.

(2) The national and State party committee expenditure limitation under 11 CFR 109.32(b) on behalf of the candidate will not apply subject to the provisions of 11 CFR 400.31(e).

**§ 400.42 Effect of increased limits on the aggregate contribution limitations for individuals.**

(a) This section shall apply to all elections covered by this part.

(b) The portions of contributions made under the increased limits pursuant to this part that, when aggregated with previous contributions made by the same individual to the candidate or the candidate's authorized committee in the same election cycle, exceed the contribution limits in 11 CFR 110.1 shall not be aggregated with other contributions made by that same individual for purposes of applying the aggregate contribution limitations for individuals under 11 CFR 110.5. This paragraph (b) applies only to such contributions that are accepted during the period in which the candidate may accept contributions under the increased limits.