

**Federal Election Commission**

**§ 400.40**

the candidate's authorized committee must inform the national and State committees of their political party and the Commission, by facsimile machine or electronic mail, of this information within 24 hours of reaching 100% of the opposition personal funds amount.

(2) *Responsibilities of the national and State committees of the political party.* A national or State political party committee must not make, pursuant to this part, a coordinated party expenditure in connection with a candidate's general election campaign in excess of the expenditure limitations under 11 CFR 109.32(b) if the sum of the amount of that expenditure plus the aggregate amounts described in paragraph (c)(1) of this section and the aggregate amounts described in paragraph (c)(2) of this section with regard to that candidate is greater than 100% of the opposition personal funds amount.

**§ 400.32 Effect of the withdrawal of an opposing candidate.**

(a) *Applicability.* (1) This section applies to all elections covered by this part.

(2) This section applies when an opposing candidate, whose expenditures from personal funds allowed another candidate the benefit of increased limits pursuant to this part, ceases to be a candidate. For purposes of this section, an opposing candidate ceases to be a candidate as of the earlier of the following dates:

(i) The date on which the opposing candidate publicly announces that he or she will no longer be a candidate in that election for that office and ceases to conduct campaign activities with respect to that election; or,

(ii) The date on which the opposing candidate is, or becomes, ineligible for nomination or election to that office by operation of law.

(b) *Candidates.* A candidate and a candidate's authorized committee must not accept any contribution under the increased limits, pursuant to this part, to the extent that such increased limit 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.

(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:

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).