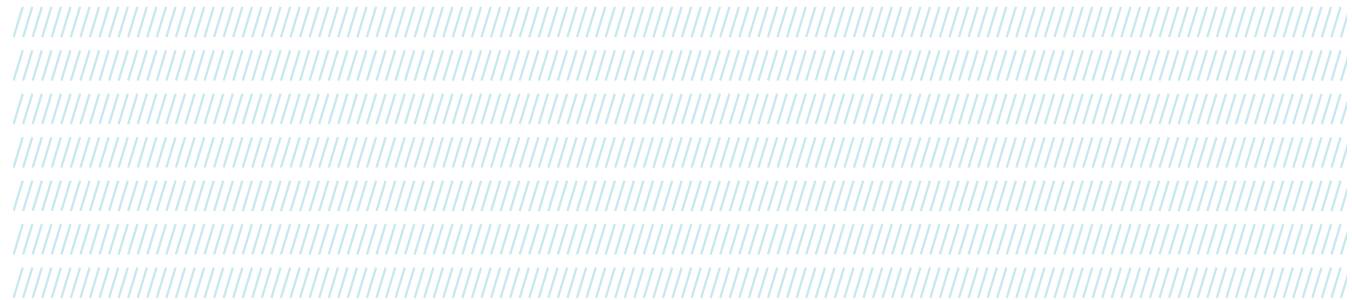

Supreme Court Shakes Up Midterm Spending in *NRSC v. FEC*

By Meredith K. McCoy



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The U.S. Supreme Court shook up the 2026 midterms this week, striking down limits on how much political parties may spend in coordination with their nominees. The decision gives parties new leverage over super PACs and other groups barred from coordinating with candidates. While unlikely to significantly diminish the role of super PACs, the ruling will change how candidates, parties, super PACs, and donors raise and spend money this cycle—and is likely to have a trickle-down effect in states with similar coordination limits.

The case, *National Republican Senatorial Committee v. Federal Election Commission*, challenged the constitutionality of so-called coordinated party expenditure limits, which capped how much party committees could spend in coordination with their federal nominees. In a 6-3 ruling, the Court agreed, holding that the limits unjustifiably burden parties' speech and associational rights under the First Amendment and "inflict a stifling effect on the ability of the party to do what it exists to do."

The upshot of the ruling is that parties may now spend unlimited amounts coordinating with candidates on messaging, targeting, timing, and other core campaign considerations—which they can do at discounted advertising rates on television and radio that are unavailable to super PACs. At the same time, the ruling left untouched the limits on how much donors may contribute to parties, so super PACs, which can raise unlimited funds, will likely maintain a fundraising advantage over parties. Many donors will also continue to gravitate toward organizations focused on specific candidates or run by trusted political operatives. Still, the decision may shift the balance of power in federal elections slightly back toward political parties, potentially benefiting the Republican Party—which currently enjoys a significant cash-on-hand advantage over the Democrats.

What Were Coordinated Party Expenditure Limits?

Under the Federal Election Campaign Act (FECA), federal candidates may accept only limited "hard money" contributions from party committees, ranging from \$5,000 to \$62,000. Prior to this week's ruling, coordinated party expenditure limits offered parties a separate, larger avenue of support: up to these caps, a party could pay vendors directly for campaign expenses and coordinate with the candidate on strategy, messaging, timing, and targeting. As of 2026, these limits ranged from \$65,300 to just over \$4 million per House or Senate race.

As initially conceived, the parties' ability to coordinate with campaigns gave them a significant advantage over outside groups, which could spend unlimited amounts independently but not coordinate with campaigns. That edge has eroded over time, however, as the courts' rulings in *Citizens United* and other cases allowed super PACs to accept unlimited contributions. At the same time, the FEC has permitted outside groups to lean into loopholes that allow them to lawfully align their strategy with candidates. Over time, these changes have increasingly led donors to redirect their giving from parties to super PACs.

What the Court Said

With its ruling this week, SCOTUS found shifts in the legal framework and practical reality of modern campaigns to be highly relevant. *NRSC v. FEC* is not the first time the coordinated party expenditure limits have been challenged. They were most recently upheld in 2001 under the rationale that these caps were important to preventing circumvention of candidate contribution limits by stopping donors from giving to parties to cover candidates' bills. But the majority in *NRSC* minimized these concerns, concluding that federal law already contains less restrictive safeguards, including the FECA's existing contribution limits, prohibitions against donors earmarking party contributions for certain candidates, and ample disclosure requirements.

What It Means for Campaigns and Donors

As noted above, the Court's ruling will immediately allow parties to spend unlimited amounts in coordination with their federal nominees. Significantly, the parties will also be able to stretch that money in ways super PACs may not. Federal communications law requires television and radio stations to offer candidates the lowest available rate for advertising in the weeks before their election. This benefit is not available to other advertisers, but in recent guidance from the FCC, the agency [clarified](#) that when parties buy advertising in coordination with a candidate, parties are entitled to the same "lowest unit charge." Thus, with the cap on coordinated party expenditures lifted, party committees will be able to buy more advertising in tandem with their candidates, at a fraction of what it would cost other groups. Expect parties to expand their advertising footprint in competitive races accordingly.

Super PACs will continue to have their appeal and likely remain major players in federal elections. The NRSC ruling left contribution limits to candidates, parties, and traditional PACs untouched, so parties continue to face a structural fundraising disadvantage relative to super PACs. In practice, this will also place an effective limit on parties' coordinated spending, as they will only be able to spend what they can raise under the hard money limits. And many donors will still prefer a super PAC's bespoke, issue- or candidate-specific focus and the control of trusted political advisors to broad-based party support. Thus, although party spending is likely to rise, it is unlikely to overtake or displace super PAC spending.

Expect party committees to revisit budgets, allocation procedures, vendor arrangements, and candidate-facing protocols in light of their new flexibility. Candidates and donors should reassess whether upcoming activity is best routed through the campaign, the party, a joint fundraising committee, or an outside group.

The Bigger Picture

Although the NRSC ruling challenged federal campaign finance law, it will likely change the landscape at the state and local levels as well. The concept of a separate cap for coordinated party expenditures is not found in state law, but 31 states restrict party coordination with campaigns in some way at the state or local level. The Court's reasoning that federal coordination limits do not survive constitutional scrutiny is likely to invite challenges to those state and local restrictions as the 2026 cycle accelerates, and jurisdictions should expect to field questions from parties and candidates about permissible coordination.

Venable's Political Law Group has deep federal, state, and local campaign finance experience. If you have questions about these developments or how they may impact your work, please contact Venable's [Political Law Practice Group](#).

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