Money and Messages

How Supreme Court rulings shape election spending

SS24.USG.8a "Summarize the effects of campaign finance rulings by the United States Supreme Court on the election process."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline a spending or contribution rule each ruling changed or preserved, and circle a phrase showing how that rule affects campaigns or voters.

Who Can Pay for an Election Message?

1. Imagine a close Senate race with crowded debates and a flood of advertisements. In 1976, the Supreme Court decided Buckley v. Valeo, a case about federal election law after Watergate. The Court allowed limits on contributions to candidates, reasoning that large direct gifts could create corruption or its appearance. It struck down limits on spending by candidates from their own money and on spending independently to support a candidate, treating those limits as restrictions on political speech. It also upheld a voluntary public financing system for presidential campaigns. The result was a split system: direct gifts could be capped, while independent advocacy could grow without those spending caps.

2. Decades later, a corporation wants to pay for an ad urging voters to reject a candidate, without working with that candidate's campaign. In Citizens United v. FEC (2010), the Court ruled that the government could not ban independent election spending by corporations and labor unions simply because of who was speaking. Corporations still could not make direct contributions to federal candidates, and the Court left disclosure rules in place. This ruling made it easier for organizations to finance independent election messages, including ads paid for through outside groups. Voters could hear more paid messages, while candidates could face heavy spending they did not control.

3. A wealthy donor wants to support several candidates in the same election cycle. In McCutcheon v. FEC (2014), the Court struck down federal aggregate limits on how much one donor could give in total to all federal candidates and party committees. Limits on how much that donor could give to each candidate or committee remained. A donor could therefore spread contributions across more campaigns without hitting an overall federal ceiling, while still obeying each recipient's limit. Taken together, the rulings shape who can pay for election messages, how much money can reach campaigns, and whether spending is controlled by a candidate or an outside group.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Buckley v. Valeo treat direct contributions differently from independent campaign spending, and what effect could that have on an election?

2. How did Citizens United change corporate and union election spending, and what direct funding rule remained?

3. How did McCutcheon affect a donor who wanted to support many campaigns, and what limit still applied?

4. Across these rulings, why might voters encounter more paid election messages even when contributions to each candidate remain limited?

3 YOUR TURN

Your own words

Write a 75 to 100 word election-night news brief about a fictional congressional election season. Include a donor who contributes to several campaigns and a corporation that funds an independent ad; summarize the effects of at least two rulings, what voters might see, and one limit that still applies.

ANSWER KEY

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GRADE 12 · SS24.USG.8a

PART 1 · READ AND MARK

Underline a spending or contribution rule each ruling changed or preserved, and circle a phrase showing how that rule affects campaigns or voters. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Buckley v. Valeo treat direct contributions differently from independent campaign spending, and what effect could that have on an election?	**It allowed limits on direct contributions but struck down limits on independent spending. Outside advocates could spend more even though gifts to candidates remained capped.**
2	How did Citizens United change corporate and union election spending, and what direct funding rule remained?	**Corporations and unions could pay for independent election messages. Corporations still could not contribute directly to federal candidates.**
3	How did McCutcheon affect a donor who wanted to support many campaigns, and what limit still applied?	**The donor could give to more federal candidates and party committees without an overall federal ceiling, but had to obey the limit for each recipient.**
4	Across these rulings, why might voters encounter more paid election messages even when contributions to each candidate remain limited?	**Buckley permitted independent spending without the struck-down caps, and Citizens United allowed corporations and unions to fund independent messages. McCutcheon also let donors contribute across more campaigns, while limits for each recipient remained.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

As polls close in the fictional East Valley House race, voters have seen ads paid for by a corporation acting independently of the candidates. Under Citizens United, the company may fund those messages, but it cannot donate directly to federal candidates. Across several House districts, a wealthy donor has also contributed to multiple campaigns. McCutcheon removed the overall federal ceiling on such contributions, though limits for each candidate still apply. These rulings can increase the money and messages around elections without giving every candidate control over the ads that voters see.

Accept summaries that distinguish independent spending from direct contributions and aggregate limits from limits for each recipient. The news brief may use any two relevant rulings if it accurately explains their effects and identifies a remaining limit.