

campaign equaled
\$4,000,000 – \$3,000,000, or \$1,000,000.

Variable (d)—Miller Campaign

As of June 30, 2003, Rogers's authorized committee had received contributions in connection with the primary election totaling \$11,000,000 and Rogers's aggregate contributions from personal funds totaled \$10,000,000. Accordingly, as of June 30, 2003, variable (d) in the formula for the Miller campaign equaled \$11,000,000 – \$10,000,000, or \$1,000,000.

Plugging the above numbers into the applicable formula ($a - b - ((c - d) \div 2)$), the opposition personal funds amount for the Miller campaign as of June 30, 2003, was \$7,000,000, calculated as follows:

$$\begin{aligned} & \$10,000,000 - \$3,000,000 - \\ & ((\$1,000,000 - \$1,000,000) \div 2) = \\ & \$7,000,000. \end{aligned}$$

Opposition Personal Funds Amount—Hyer Campaign

To calculate the opposition personal funds amounts for the Hyer campaign as of July 16, 2003, the following formula had to be used: $a - b - ((c - d) \div 2)$, where:

(a) Represented the greatest amount of expenditures from personal funds made by the opposing candidate (Rogers) in the same election;

(b) Represented the greatest amount of expenditures from personal funds made by Hyer in the same election;

(c) Represented the aggregate amount of the gross receipts of Hyer's authorized committee, minus any contributions by Hyer from personal funds, during any election cycle that may be expended in connection with the primary election, as determined on June 30 of the year (2003) preceding the year in which the general election was to be held (2004); and

(d) Represented the aggregate amount of the gross receipts of Rogers's authorized committee, minus any contributions by Rogers from personal funds, during any election cycle that may be expended in connection with the primary election, as determined on June 30, 2003.

Variable (a)—Hyer Campaign

Considering each variable in turn, as of June 30, 2003, Rogers had made aggregate expenditures from personal funds in the amount of \$10 million. So, as of that date, variable (a) in the formula for the Hyer campaign equaled \$10,000,000.

Variable (b)—Hyer Campaign

As of June 30, 2003, Hyer had not made any expenditures from personal funds. Accordingly, as of that date, variable (b) in the formula for Hyer's campaign equaled \$0.

Variable (c)—Hyer Campaign

As of June 30, 2003, Hyer's authorized committee had received contributions in connection with the primary election totaling \$1,000,000 and Hyer's aggregate contributions from personal funds totaled \$0. Accordingly, as of June 30, 2003, variable (c) in the formula for the Hyer campaign equaled \$1,000,000 – \$0, or \$1,000,000.

Variable (d)—Hyer Campaign

As of June 30, 2003, Rogers's authorized committee had received contributions in connection with the primary election totaling \$11,000,000 and Rogers's aggregate contributions from personal funds totaled \$10,000,000. Accordingly, as of June 30, 2002, variable (d) in the formula for the Hyer campaign equaled \$11,000,000 – \$10,000,000, or \$1,000,000.

Plugging the above numbers into the applicable formula ($a - b - ((c - d) \div 2)$), the opposition personal funds amount for the Hyer campaign as of June 30, 2003, was \$10,000,000, calculated as follows:

$$\begin{aligned} & \$10,000,000 - \$0 - ((\$1,000,000 - \\ & \$1,000,000 \div 2) = \$10,000,000. \end{aligned}$$

Both Miller and Hyer notified their national and state party committees and the Commission of their calculations, as required by 11 CFR 400.30(b).

Calculating the New Contribution Limits for the Miller and Hyer Campaigns

After calculating the new opposition personal funds amount, the Miller and Hyer campaigns recalculated the new individual contribution limits as follows:

Contribution Limit—Miller Campaign

Because the opposition personal funds amount of \$7,000,000 was greater than:

$$\begin{aligned} & \$4,568,000 = (\$0.16 \times 24,800,000 \text{ (VAP} \\ & \text{of New Franklin)}) + \$600,000 \end{aligned}$$

But less than or equal to:

$$\begin{aligned} & \$11,420,000 = (\$0.40 \times 24,800,000 \text{ (VAP} \\ & \text{of New Franklin)}) + \$1,500,000 \end{aligned}$$

Miller determined that the new increased contribution limit for the Miller campaign was:

$$\begin{aligned} & \$12,000 = 6 \times \$2,000 \text{ (the applicable} \\ & \text{limit).} \end{aligned}$$

Contribution Limit—Hyer Campaign

Because the opposition personal funds amount of \$10,000,000 was greater than:

$$\begin{aligned} & \$4,568,000 = (\$0.16 \times 24,800,000 \text{ (VAP} \\ & \text{of New Franklin)}) + \$600,000 \end{aligned}$$

But less than or equal to:

$$\begin{aligned} & \$11,420,000 = (\$0.40 \times 24,800,000 \text{ (VAP} \\ & \text{of New Franklin)}) + \$1,500,000 \end{aligned}$$

Hyer determined that the new increased contribution limit for the Hyer campaign was the same as the old increased contribution limit:

$$\begin{aligned} & \$12,000 = 6 \times \$2,000 \text{ (the applicable} \\ & \text{limit).} \end{aligned}$$

Calculating the New Proportionality Provision Amount for the Miller and Hyer Campaigns

Before calling to solicit contributions under the new increased limits, however, both the Miller and Hyer campaigns sought to determine the maximum amount they could accept before being in danger of exceeding 110 percent of the new opposition personal funds amount in violation of the proportionality provision (11 CFR 400.31).

Proportionality Provision Amount—Miller Campaign

Taking into account the new opposition personal funds amount (\$7,000,000), the Miller campaign determined that the new proportionality provision amount was \$7,700,000, calculated as follows:

$$1.10 \times \$7,000,000 = \$7,700,000$$

As of July 16, 2003, the Miller campaign had received \$4,500,000 in contributions, \$1,500,000 from contributors plus the \$3,000,000 contribution from Miller's personal funds. Of the \$1,500,000, the Miller Committee received \$500,000 under the increased limits. Only this \$500,000 of her committee's gross receipts counted towards the proportionality provision limit. Accordingly, the Miller campaign determined that it could receive another \$7,200,000 (\$7,700,000 limit – \$500,000 already received) in contributions under the increased limit without violating the proportionality provision.

Proportionality Provision Amount—Hyer Campaign

As of July 16, 2003, the Hyer campaign had received \$1,000,000 in contributions, \$400,000 of which was received under the increased limits, well short of the old \$5,500,000 maximum proportionality provision amount. Taking into account the new opposition personal funds amount