

IN THE SUPREME COURT OF THE UNITED STATES

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No. 24-621

NATIONAL REPUBLICAN SENATORIAL COMMITTEE, ET AL., PETITIONERS

v.

FEDERAL ELECTION COMMISSION, ET AL.

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ON WRIT OF CERTIORARI  
TO THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

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MOTION OF FEDERAL RESPONDENTS FOR DIVIDED ARGUMENT

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Pursuant to Rule 28 of the Rules of this Court, the Solicitor General, on behalf of federal respondents, respectfully moves for divided argument in this case. Federal respondents respectfully request that the Court allot 15 minutes to petitioners and 15 minutes to respondents, and that the Court divide the remaining 30 minutes between the Court-appointed amicus curiae and intervenors in accordance with any motion they may file. Federal respondents also respectfully request that petitioners be allowed to open and close the argument. Counsel for petitioners consents to this motion.

This case presents the question whether 52 U.S.C. 30116(d), the federal statute that limits the amount of money a political party may spend on an election campaign in coordination with a candidate, violates the Free Speech Clause. The court of appeals rejected petitioners' constitutional challenge to that statute. The government acquiesced in certiorari and conceded that the statute violates the Constitution. This Court granted the petition for a writ of certiorari, appointed an amicus curiae to defend the court of appeals' judgment, and granted the motion of the Democratic National Committee, et al., for leave to intervene to defend the judgment.

The government has a substantial interest in the resolution of this case. The government is a party to the litigation and is responsible for enforcing the challenged statute. The government also has a substantial interest in campaign-finance jurisprudence more generally. Division of argument will therefore materially assist the Court in its consideration of this case.

The government has presented argument in previous cases where the Court has appointed an amicus to defend the judgment below. See, e.g., Riley v. Bondi, 145 S. Ct. 2190 (2025) (No. 23-1270); Hewitt v. United States, 145 S. Ct. 2165 (2025) (No. 23-1002); Parrish v. United States, 145 S. Ct. 1664 (2025) (No. 24-275); Erlinger v. United States, 602 U.S. 821 (2024) (No. 23-370). The same course is warranted here.

Respectfully submitted.

D. JOHN SAUER  
Solicitor General  
Counsel of Record

AUGUST 2025