

105TH CONGRESS
2D SESSION

H. R. 4869

To amend the Federal Election Campaign Act of 1971 to prohibit all disbursements by foreign nationals in connection with campaigns for election for Federal, State, and local office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1998

Mr. LEACH introduced the following bill; which was referred to the Committee on House Oversight

A BILL

To amend the Federal Election Campaign Act of 1971 to prohibit all disbursements by foreign nationals in connection with campaigns for election for Federal, State, and local office, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds as follows:

5 (1) Section 319 of the Federal Election Cam-
6 paign Act of 1971 prohibits the making, solicitation,
7 acceptance, and receipt of contributions from foreign
8 nationals in connection with political campaigns.

1 (2) The purpose of section 319 is to ensure that
2 all elections in the United States are free from any
3 financial influence from foreign sources.

4 (3) The plain language of section 319, as in ef-
5 fect prior to the date of the enactment of this Act,
6 states clearly that the prohibition applies not only in
7 connection with campaigns for elections for Federal
8 office but elections for all State and local offices in
9 the United States.

10 (4) A recent ruling by the United States Dis-
11 trict Court for the District of Columbia (United
12 States of America v. Yah Lin “Charlie” Trie, Crimi-
13 nal No. 98–0029, October 9, 1998) that the prohibi-
14 tion against political contributions by foreign nation-
15 als applies only to donations of so-called “hard
16 money” and not to donations of what is commonly
17 referred to as “soft money”, has created uncertainty
18 as to the proper application of section 319.

19 (5) In order to ensure the successful enforce-
20 ment of the ban against the use of foreign money to
21 influence political campaigns, it is critical that any
22 uncertainty as to the scope of section 319 as re-
23 flected in the ruling described above be addressed by
24 Congress.

1 **SEC. 2. BAN ON DISBURSEMENTS OF SOFT MONEY BY FOR-**
2 **EIGN NATIONALS.**

3 (a) PROHIBITION ON ALL DISBURSEMENTS BY FOR-
4 EIGN NATIONALS IN CONNECTION WITH FEDERAL,
5 STATE, AND LOCAL ELECTIONS.—Section 319 of the Fed-
6 eral Election Campaign Act of 1971 (2 U.S.C. 441e) is
7 amended—

8 (1) in the heading, by striking “CONTRIBU-
9 TIONS” and inserting “CONTRIBUTIONS AND DIS-
10 BURSEMENTS”;

11 (2) in subsection (a), by striking “contribution”
12 each place it appears and inserting “contribution or
13 disbursement”; and

14 (3) in subsection (a), by striking the semicolon
15 and inserting the following: “, including any con-
16 tribution or disbursement to a political committee of
17 a political party and any contribution or disburse-
18 ment for an independent expenditure;”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 this section shall apply with respect to contributions and
21 disbursements made on or after the date of the enactment
22 of this Act.

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