

A BILL

To abolish the Federal Election Commission, repeal section 306 of the Federal Election Campaign Act of 1971, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Election Commission Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) The Federal Election Commission (FEC) administers and enforces federal campaign finance law, including contribution limits, disclosure requirements, and public funding of presidential campaigns.

(2) The functions of the FEC are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(3) By regulating the conduct of campaigns for federal office, the FEC intrudes upon the authority of the States over elections, which Article I, Section 4 commits in the first instance to “the Legislature” of each State, and which Article II, Section 1 commits, for the appointment of presidential electors, to each State “in such Manner as the Legislature thereof may direct.”

(4) By limiting and policing political contributions, expenditures, and speech, the FEC infringes the freedom of speech, the freedom of the press, and the right of the people peaceably to assemble, secured by the First Amendment, which provides that “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

(5) By subjecting speakers to administrative investigation, the FEC violates the Due Process Clause of the Fifth Amendment, which provides that no person shall “be deprived of life, liberty, or property, without due process of law”.

(6) In carrying out its functions, the FEC disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit

to the Federal Government.

(7) The Constitution delegates to the United States no power over elections, which the Constitution commits in the first instance to the States. By regulating political speech, association, and spending, the FEC exercises powers that the Tenth Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(8) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The FEC perpetuates the centralized administration the Declaration condemned.

(9) Abolishing the Federal Election Commission and repealing section 306 of the Federal Election Campaign Act of 1971 will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE FEDERAL ELECTION COMMISSION.

(a) In General.—The Federal Election Commission is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Federal Election Commission, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Federal Election Commission shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Federal Election Commission shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE FEDERAL ELECTION COMMISSION.

(a) In General.—Section 306 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30106), and any other provision of law establishing the Federal Election Commission or vesting functions in the Federal Election Commission, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

(1) striking all references to the Federal Election Commission and to any office, officer, or function established in or vested in the Federal Election Commission;

(2) terminating every function of the Federal Election Commission, no part of which shall be reassigned to any other department or agency of the Federal Government; and

(3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Federal Election Commission.

(c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

(a) No Restoration of Prior Structures.—No element of the Federal Election Commission shall revert to its organizational structure as it existed prior to the establishment of the Federal Election Commission, and no function of the Federal Election Commission shall be restored to any predecessor department, agency, or office.

(b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Federal Election Commission abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.