

FEDERAL ELECTION COMMISSION



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FEC ANNOUNCES EFFECTIVE DATE OF REVISIONS TO "TESTING THE WATERS REGULATIONS"

WASHINGTON--The Federal Election Commission is announcing today that the effective date of revised rules to govern "testing the waters" activities will be July 1, 1985.

These new regulations prohibit, for the first time, an individual who is engaging in "testing the waters" activities from accepting funds that are in excess of the contribution limits or from sources prohibited under the election laws. The new rules also clarify, through the use of examples, when an individual's activities indicate that he or she has become a candidate and is no longer merely "testing the waters".

The Commission initially sought public comments on revisions to these regulations in January 1984. On March 8, 1985, the revisions were transmitted to Congress; the text of these revisions was published in the Federal Register on March 13. Since the regulations have been before both Houses of Congress for 30 legislative days, the Commission may, pursuant to the Federal Election Campaign Act, finally prescribe these revisions.

The FECA defines a candidate for Federal Office as a person who has raised or spent, or who has permitted others to raise or spend, more than \$5,000 on his or her behalf. This threshold triggers a requirement for such a person to register with the FEC as a candidate, and to meet the campaign finance reporting requirements of the Act.

Through regulations, the FEC has established limited exceptions to those thresholds which permit an individual to test the feasibility of a campaign for Federal office without becoming a candidate. These activities must be reported, however, if the individual later becomes a candidate.
