

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-155 effective Nov. 6, 2002, but not applicable with respect to runoff elections, recounts, or election contests resulting from elections held prior to Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of this title.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 30101 of this title.

§ 30121. Contributions and donations by foreign nationals**(a) Prohibition**

It shall be unlawful for—

(1) a foreign national, directly or indirectly, to make—

(A) a contribution or donation of money or other thing of value, or to make an express or implied promise to make a contribution or donation, in connection with a Federal, State, or local election;

(B) a contribution or donation to a committee of a political party; or

(C) an expenditure, independent expenditure, or disbursement for an electioneering communication (within the meaning of section 30104(f)(3) of this title); or

(2) a person to solicit, accept, or receive a contribution or donation described in subparagraph (A) or (B) of paragraph (1) from a foreign national.

(b) “Foreign national” defined

As used in this section, the term “foreign national” means—

(1) a foreign principal, as such term is defined by section 611(b) of title 22, except that the term “foreign national” shall not include any individual who is a citizen of the United States; or

(2) an individual who is not a citizen of the United States or a national of the United States (as defined in section 1101(a)(22) of title 8) and who is not lawfully admitted for permanent residence, as defined by section 1101(a)(20) of title 8.

(Pub. L. 92-225, title III, § 319, formerly § 324, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 493; renumbered § 319, Pub. L. 96-187, title I, § 105(5), Jan. 8, 1980, 93 Stat. 1354; amended Pub. L. 107-155, title III, §§ 303, 317, Mar. 27, 2002, 116 Stat. 96, 109.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 441e of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 319 of Pub. L. 92-225 was renumbered section 314, and is classified to section 30115 of this title.

Another prior section 319 of Pub. L. 92-225 was renumbered section 318, and was classified to section 439b of Title 2, The Congress, prior to repeal by Pub. L. 96-187.

AMENDMENTS

2002—Pub. L. 107-155, § 303(1), substituted “Contributions and donations by foreign nationals” for “Contributions by foreign nationals” in section catchline.

Subsec. (a). Pub. L. 107-155, § 303(2), added subsec. (a) and struck out former subsec. (a) which read as follows: “It shall be unlawful for a foreign national directly or through any other person to make any contribution of money or other thing of value, or to promise expressly or impliedly to make any such contribution, in connection with an election to any political office or in connection with any primary election, convention, or caucus held to select candidates for any political office; or for any person to solicit, accept, or receive any such contribution from a foreign national.”

Subsec. (b)(2). Pub. L. 107-155, § 317, inserted “or a national of the United States (as defined in section 1101(a)(22) of title 8)” after “United States”.

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EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-155 effective Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of this title.

§ 30122. Contributions in name of another prohibited

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

(Pub. L. 92-225, title III, § 320, formerly § 325, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494; renumbered § 320, Pub. L. 96-187, title I, § 105(5), Jan. 8, 1980, 93 Stat. 1354.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 441f of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 320 of Pub. L. 92-225 was renumbered section 315, and is classified to section 30116 of this title.

Another prior section 320 of Pub. L. 92-225 was classified to section 441 of Title 2, The Congress, prior to repeal by Pub. L. 94-283.

Another prior section 320 of Pub. L. 92-225 was renumbered section 314, and is classified to section 30115 of this title.

§ 30123. Limitation on contribution of currency

No person shall make contributions of currency of the United States or currency of any foreign country to or for the benefit of any candidate which, in the aggregate, exceed \$100, with respect to any campaign of such candidate for nomination for election, or for election, to Federal office.

(Pub. L. 92-225, title III, § 321, formerly § 326, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494; renumbered § 321, Pub. L. 96-187, title I, § 105(5), Jan. 8, 1980, 93 Stat. 1354.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 441g of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 321 of Pub. L. 92-225 was renumbered section 316, and is classified to section 30118 of this title.

Another prior section 321 of Pub. L. 92-225 was renumbered section 320, and was classified to section 441 of Title 2, The Congress, prior to repeal by Pub. L. 94-283.

§ 30124. Fraudulent misrepresentation of campaign authority**(a) In general**

No person who is a candidate for Federal office or an employee or agent of such a candidate shall—

(1) fraudulently misrepresent himself or any committee or organization under his control as speaking or writing or otherwise acting for or on behalf of any other candidate or political party or employee or agent thereof on a matter which is damaging to such other candidate or political party or employee or agent thereof; or

(2) willfully and knowingly participate in or conspire to participate in any plan, scheme, or design to violate paragraph (1).

(b) Fraudulent solicitation of funds

No person shall—

(1) fraudulently misrepresent the person as speaking, writing, or otherwise acting for or on behalf of any candidate or political party or employee or agent thereof for the purpose of soliciting contributions or donations; or

(2) willfully and knowingly participate in or conspire to participate in any plan, scheme, or design to violate paragraph (1).

(Pub. L. 92-225, title III, § 322, formerly § 327, as added Pub. L. 94-283, title I, § 112(2), May 11, 1976, 90 Stat. 494; renumbered § 322, Pub. L. 96-187, title I, § 105(5), Jan. 8, 1980, 93 Stat. 1354; amended Pub. L. 107-155, title III, § 309, Mar. 27, 2002, 116 Stat. 104.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 441h of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

PRIOR PROVISIONS

A prior section 322 of Pub. L. 92-225 was renumbered section 317, and is classified to section 30119 of this title.

AMENDMENTS

2002—Pub. L. 107-155 designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

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EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-155 effective Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 30101 of this title.

§ 30125. Soft money of political parties**(a) National committees****(1) In general**

A national committee of a political party (including a national congressional campaign committee of a political party) may not solicit, receive, or direct to another person a contribution, donation, or transfer of funds or any other thing of value, or spend any funds, that are not subject to the limitations, prohibitions, and reporting requirements of this Act.

(2) Applicability

The prohibition established by paragraph (1) applies to any such national committee, any officer or agent acting on behalf of such a national committee, and any entity that is directly or indirectly established, financed, maintained, or controlled by such a national committee.

(b) State, district, and local committees**(1) In general**

Except as provided in paragraph (2), an amount that is expended or disbursed for Federal election activity by a State, district, or local committee of a political party (including an entity that is directly or indirectly established, financed, maintained, or controlled by a State, district, or local committee of a political party and an officer or agent acting on behalf of such committee or entity), or by an association or similar group of candidates for State or local office or of individuals holding State or local office, shall be made from funds subject to the limitations, prohibitions, and reporting requirements of this Act.

(2) Applicability**(A) In general**

Notwithstanding clause (i) or (ii) of section 30101(20)(A) of this title, and subject to subparagraph (B), paragraph (1) shall not apply to any amount expended or disbursed by a State, district, or local committee of a political party for an activity described in either such clause to the extent the amounts expended or disbursed for such activity are allocated (under regulations prescribed by the Commission) among amounts—

(i) which consist solely of contributions subject to the limitations, prohibitions, and reporting requirements of this Act (other than amounts described in subparagraph (B)(iii)); and

(ii) other amounts which are not subject to the limitations, prohibitions, and reporting requirements of this Act (other than any requirements of this subsection).

(B) Conditions

Subparagraph (A) shall only apply if—

(i) the activity does not refer to a clearly identified candidate for Federal office;

(ii) the amounts expended or disbursed are not for the costs of any broadcasting, cable, or satellite communication, other than a communication which refers solely to a clearly identified candidate for State or local office;