

paragraph (1) may make a general solicitation of funds on behalf of any organization that is described in section 501(c) of title 26 and exempt from taxation under section 501(a) of such title (or has submitted an application for determination of tax exempt status under such section) (other than an entity whose principal purpose is to conduct activities described in clauses (i) and (ii) of section 30101(20)(A) of this title) where such solicitation does not specify how the funds will or should be spent.

**(B) Certain specific solicitations**

In addition to the general solicitations permitted under subparagraph (A), an individual described in paragraph (1) may make a solicitation explicitly to obtain funds for carrying out the activities described in clauses (i) and (ii) of section 30101(20)(A) of this title, or for an entity whose principal purpose is to conduct such activities, if—

- (i) the solicitation is made only to individuals; and
- (ii) the amount solicited from any individual during any calendar year does not exceed \$20,000.

**(f) State candidates**

**(1) In general**

A candidate for State or local office, individual holding State or local office, or an agent of such a candidate or individual may not spend any funds for a communication described in section 30101(20)(A)(iii) of this title unless the funds are subject to the limitations, prohibitions, and reporting requirements of this Act.

**(2) Exception for certain communications**

Paragraph (1) shall not apply to an individual described in such paragraph if the communication involved is in connection with an election for such State or local office and refers only to such individual or to any other candidate for the State or local office held or sought by such individual, or both.

(Pub. L. 92-225, title III, § 323, as added Pub. L. 107-155, title I, § 101(a), Mar. 27, 2002, 116 Stat. 82.)

**Editorial Notes**

**REFERENCES IN TEXT**

This Act, referred to in text, means the Federal Election Campaign Act of 1971, as defined by section 30101 of this title.

**CODIFICATION**

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

**PRIOR PROVISIONS**

A prior section 323 of Pub. L. 92-225 was classified to section 441i of Title 2, The Congress, and related to acceptance of excessive honorariums, prior to repeal by Pub. L. 102-90, title I, § 6(d), Aug. 14, 1991, 105 Stat. 451.

Another prior section 323 of Pub. L. 92-225 was renumbered section 318, and is classified to section 30120 of this title.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section effective Nov. 6, 2002, except that subsec. (b) of this section not applicable with respect to runoff

elections, recounts, or election contests resulting from elections held prior to Nov. 6, 2002, with transitional rules for the spending of soft money of national political parties, 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.

**§ 30126. Prohibition of contributions by minors**

An individual who is 17 years old or younger shall not make a contribution to a candidate or a contribution or donation to a committee of a political party.

(Pub. L. 92-225, title III, § 324, as added Pub. L. 107-155, title III, § 318, Mar. 27, 2002, 116 Stat. 109.)

**Editorial Notes**

**CODIFICATION**

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

**CONSTITUTIONALITY**

For information regarding the constitutionality of statute prohibiting persons “17 years old or younger” from contributing to candidates or political parties, see the Table of Laws Held Unconstitutional in Whole or in Part by the Supreme Court on the Constitution Annotated website, [constitution.congress.gov](http://constitution.congress.gov).

**PRIOR PROVISIONS**

A prior section 324 of Pub. L. 92-225 was renumbered section 319, and is classified to section 30121 of this title.

**Statutory Notes and Related Subsidiaries**

**EFFECTIVE DATE**

Section 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.

**SUBCHAPTER II—GENERAL PROVISIONS**

**§ 30141. Extension of credit by regulated industries; regulations**

The Secretary of Transportation, the Federal Communications Commission, and the Surface Transportation Board shall each maintain,<sup>1</sup> its own regulations with respect to the extension of credit, without security, by any person regulated by the Secretary under subpart II of part A of subtitle VII of title 49, or such Commission or Board, to any candidate for Federal office, or to any person on behalf of such a candidate, for goods furnished or services rendered in connection with the campaign of such candidate for nomination for election, or election, to such office.

(Pub. L. 92-225, title IV, § 401, Feb. 7, 1972, 86 Stat. 19; Pub. L. 93-443, title II, § 201(b)(1), Oct. 15, 1974, 88 Stat. 1275; Pub. L. 103-272, § 4(a), July 5, 1994, 108 Stat. 1360; Pub. L. 104-88, title III, § 313, Dec. 29, 1995, 109 Stat. 948; Pub. L. 104-287, § 6(g), Oct. 11, 1996, 110 Stat. 3399.)

<sup>1</sup> So in original. The comma probably should not appear.

**Editorial Notes**

## REFERENCES IN TEXT

Subpart II of part A of subtitle VII of title 49, referred to in text, is set out in section 41101 et seq. of Title 49, Transportation.

## CODIFICATION

Section was formerly classified to section 451 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section. Some section numbers referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification to this title.

## AMENDMENTS

1996—Pub. L. 104-287 substituted “the Secretary” for “such Secretary”.

1995—Pub. L. 104-88 inserted “or Board” after “or such Commission” and substituted “Surface Transportation Board shall each maintain” for “Interstate Commerce Commission shall each promulgate, within ninety days after February 7, 1972”.

1994—Pub. L. 103-272 substituted “Secretary of Transportation” for “Civil Aeronautics Board” and “Secretary under subpart II of part A of subtitle VII of title 49, or such Commission,” for “Board or Commission”.

1974—Pub. L. 93-443 struck out “(as such term is defined in section 431(c) of this title)” after “Federal office”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1995 AMENDMENT

Amendment by Pub. L. 104-88 effective Jan. 1, 1996, see section 2 of Pub. L. 104-88, set out as an Effective Date note under section 1301 of Title 49, Transportation.

## EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 30101 of this title.

**§ 30142. Prohibition against use of certain Federal funds for election activities**

No part of any funds appropriated to carry out the Economic Opportunity Act of 1964 [42 U.S.C. 2701 et seq.] shall be used to finance, directly or indirectly, any activity designed to influence the outcome of any election to Federal office, or any voter registration activity, or to pay the salary of any officer or employee of the Office of Economic Opportunity who, in his official capacity as such an officer or employee, engages in any such activity.

(Pub. L. 92-225, title IV, § 402, Feb. 7, 1972, 86 Stat. 19; Pub. L. 93-443, title II, § 201(b)(2), Oct. 15, 1974, 88 Stat. 1275.)

**Editorial Notes**

## REFERENCES IN TEXT

The Economic Opportunity Act of 1964, referred to in text, is Pub. L. 88-452, Aug. 20, 1964, 78 Stat. 508, which was classified generally to chapter 34 (§ 2701 et seq.) of Title 42, The Public Health and Welfare, prior to repeal, except for titles VIII and X, by Pub. L. 97-35, title VI, § 683(a), Aug. 13, 1981, 95 Stat. 519. Titles VIII and X of the Act are classified generally to subchapters VIII (§ 2991 et seq.) and X (§ 2996 et seq.) of chapter 34 of Title 42. For complete classification of this Act to the Code, see Tables.

## CODIFICATION

Section was formerly classified to section 452 of Title 2, The Congress, prior to editorial reclassification and

renumbering as this section. Some section numbers referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification to this title.

## AMENDMENTS

1974—Pub. L. 93-443 struck out reference to section 431(a) and (c) of this title for definition of “election” and “Federal office”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as a note under section 30101 of this title.

## OFFICE OF ECONOMIC OPPORTUNITY

Pub. L. 93-644, § 9(a), Jan. 4, 1975, 88 Stat. 2310 [42 U.S.C. 2941], amended the Economic Opportunity Act of 1964 [42 U.S.C. 2701 et seq.] to create the Community Services Administration, an independent agency in the executive branch, as the successor authority to the Office of Economic Opportunity, and provided that references to the Office of Economic Opportunity or to its Director were deemed to refer to the Community Services Administration or to its Director. The Community Services Administration was terminated when the Economic Opportunity Act of 1964, except for titles VIII and X, was repealed, effective Oct. 1, 1981, by section 683(a) of Pub. L. 97-35, title VI, Aug. 13, 1981, 95 Stat. 519, which is classified to 42 U.S.C. 9912(a). An Office of Community Services, headed by a Director, was established in the Department of Health and Human Services by section 676 of Pub. L. 97-35, which is classified to 42 U.S.C. 9905.

**§ 30143. State laws affected****(a) In general**

Subject to subsection (b), the provisions of this Act, and of rules prescribed under this Act, supersede and preempt any provision of State law with respect to election to Federal office.

**(b) State and local committees of political parties**

Notwithstanding any other provision of this Act, a State or local committee of a political party may, subject to State law, use exclusively funds that are not subject to the prohibitions, limitations, and reporting requirements of the Act for the purchase or construction of an office building for such State or local committee.

(Pub. L. 92-225, title IV, § 403, Feb. 7, 1972, 86 Stat. 20; Pub. L. 93-443, title III, § 301, Oct. 15, 1974, 88 Stat. 1289; Pub. L. 107-155, title I, § 103(b)(2), Mar. 27, 2002, 116 Stat. 87.)

**Editorial Notes**

## REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, as defined by section 30101 of this title.

## CODIFICATION

Section was formerly classified to section 453 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

## AMENDMENTS

2002—Pub. L. 107-155 designated existing provisions as subsec. (a), inserted heading, substituted “Subject to subsection (b), the provisions of this Act” for “The provisions of this Act”, and added subsec. (b).

1974—Pub. L. 93-443 substituted provision for Pub. L. 92-225 and rules thereunder to supersede and preempt any provision of State law with respect to election to Federal office for prior provisions which in former subsec. (a) stated that nothing in Pub. L. 92-225 shall be deemed to invalidate or make inapplicable any provision of State law, except where compliance with such provision would result in a violation of Pub. L. 92-225 and in former subsec. (b) stated that no provision of State law shall be construed to prohibit any person from taking any action authorized by Pub. L. 92-225 or from making any expenditure which he could lawfully make under Pub. L. 92-225.

#### Statutory Notes and Related Subsidiaries

##### 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.

##### EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-443 effective Oct. 15, 1974, see section 410(b) of Pub. L. 93-443, set out as a note under section 30101 of this title.

#### § 30144. Partial invalidity

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

(Pub. L. 92-225, title IV, § 404, Feb. 7, 1972, 86 Stat. 20.)

#### Editorial Notes

##### REFERENCES IN TEXT

This Act, referred to in text, means the Federal Election Campaign Act of 1971, as defined by section 30101 of this title.

##### CODIFICATION

Section was formerly classified to section 454 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

#### Statutory Notes and Related Subsidiaries

##### SEVERABILITY

Pub. L. 107-155, title IV, § 401, Mar. 27, 2002, 116 Stat. 112, provided that: “If any provision of this Act [see Tables for classification] or amendment made by this Act, or the application of a provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of this Act and amendments made by this Act, and the application of the provisions and amendment to any person or circumstance, shall not be affected by the holding.”

#### § 30145. Period of limitations

(a) No person shall be prosecuted, tried, or punished for any violation of subchapter I of this chapter, unless the indictment is found or the information is instituted within 5 years after the date of the violation.

(b) Notwithstanding any other provision of law—

(1) the period of limitations referred to in subsection (a) shall apply with respect to violations referred to in such subsection committed before, on, or after the effective date of this section; and

(2) no criminal proceeding shall be instituted against any person for any act or omission which was a violation of any provision of subchapter I of this chapter, as in effect on December 31, 1974, if such act or omission does not constitute a violation of any such provision, as amended by the Federal Election Campaign Act Amendments of 1974.

Nothing in this subsection shall affect any proceeding pending in any court of the United States on January 1, 1975.

(Pub. L. 92-225, title IV, § 406, as added Pub. L. 93-443, title III, § 302, Oct. 15, 1974, 88 Stat. 1289; amended Pub. L. 94-283, title I, § 115(f), May 11, 1976, 90 Stat. 496; Pub. L. 107-155, title III, § 313(a), Mar. 27, 2002, 116 Stat. 106.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Federal Election Campaign Act Amendments of 1974, referred to in subsec. (b)(2), is Pub. L. 93-433, Oct. 15, 1974, 88 Stat. 1263. For complete classification of this Act to the Code, see Tables.

##### CODIFICATION

Section was formerly classified to section 455 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

##### AMENDMENTS

2002—Subsec. (a). Pub. L. 107-155 substituted “5 years” for “3 years”.

1976—Subsec. (a). Pub. L. 94-283, § 115(f)(1), struck out references to sections 608, 610, 611, 613, 614, 615, 616, and 617 of title 18.

Subsec. (b)(2). Pub. L. 94-283, § 115(f)(2), struck out references to sections 608, 610, 611, and 613 of title 18.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2002 AMENDMENT

Pub. L. 107-155, title III, § 313(b), Mar. 27, 2002, 116 Stat. 106, provided that: “The amendment made by this section [amending this section] shall apply to violations occurring on or after the effective date of this Act [for general effective date of Pub. L. 107-155, 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

Section effective Jan. 1, 1975, see section 410(a) of Pub. L. 93-443, set out as an Effective Date of 1974 Amendment note under section 30101 of this title.

#### § 30146. Collection and use of conference fees

(a) The Federal Election Commission may charge and collect fees for attending or otherwise participating in a conference sponsored by the Commission, and notwithstanding section 3302 of title 31, any amounts received from such fees during a fiscal year shall be credited to and merged with the amounts appropriated or otherwise made available to the Commission during the year, and shall be available for use during the year for the costs of sponsoring such conferences.

(b) This section shall apply with respect to fiscal year 2007 and each succeeding fiscal year.

(Pub. L. 109-289, div. B, title II, § 21078, as added Pub. L. 110-5, § 2, Feb. 15, 2007, 121 Stat. 59.)

**Editorial Notes**

## CODIFICATION

Section was formerly classified to section 457 of Title 2, The Congress, prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Continuing Appropriations Resolution, 2007, and not as part of the Federal Election Campaign Act of 1971 which comprises this chapter.