

**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).

**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.

**§ 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;