

would have received but for paragraph (1)(B)) if he receives 20 percent or more of the total number of votes cast for candidates of the same party in a primary election held after the date on which the election was held which was the basis for terminating payments to him.

(Added Pub. L. 93-443, title IV, §408(c), Oct. 15, 1974, 88 Stat. 1299; amended Pub. L. 94-283, title III, §§305(c), 306(b)(2), May 11, 1976, 90 Stat. 499, 500.)

AMENDMENTS

1976—Subsec. (b)(1). Pub. L. 94-283, §305(c), substituted “limitations” for “limitation”.

Subsec. (c). Pub. L. 94-283, §306(b)(2), added subsec. (c).

EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by section 306(b)(2) of Pub. L. 94-283 effective May 11, 1976, see section 306(c) of Pub. L. 94-283, set out as a note under section 9002 of this title.

§ 9034. Entitlement of eligible candidates to payments

(a) In general

Every candidate who is eligible to receive payments under section 9033 is entitled to payments under section 9037 in an amount equal to the amount of each contribution received by such candidate on or after the beginning of the calendar year immediately preceding the calendar year of the presidential election with respect to which such candidate is seeking nomination, or by his authorized committees, disregarding any amount of contributions from any person to the extent that the total of the amounts contributed by such person on or after the beginning of such preceding calendar year exceeds \$250. For purposes of this subsection and section 9033(b), the term “contribution” means a gift of money made by a written instrument which identifies the person making the contribution by full name and mailing address, but does not include a subscription, loan, advance, or deposit of money, or anything of value or anything described in subparagraph (B), (C), or (D) of section 9032(4).

(b) Limitations

The total amount of payments to which a candidate is entitled under subsection (a) shall not exceed 50 percent of the expenditure limitation applicable under section 315(b)(1)(A) of the Federal Election Campaign Act of 1971.

(Added Pub. L. 93-443, title IV, §408(c), Oct. 15, 1974, 88 Stat. 1299; amended Pub. L. 94-283, title III, §307(b), May 11, 1976, 90 Stat. 501; Pub. L. 110-172, §11(a)(42)(D), Dec. 29, 2007, 121 Stat. 2488.)

REFERENCES IN TEXT

Section 315(b)(1)(A) of the Federal Election Campaign Act of 1971, referred to in subsec. (b), is classified to section 411a(b)(1)(A) of Title 2, The Congress.

AMENDMENTS

2007—Subsec. (b). Pub. L. 110-172 substituted “section 315(b)(1)(A)” for “section 320(b)(1)(A)”.

1976—Subsec. (b). Pub. L. 94-283 substituted “section 320(b)(1)(A) of the Federal Election Campaign Act of 1971” for “section 608(c)(1)(A) of title 18, United States Code”.

§ 9035. Qualified campaign expense limitations

(a) Expenditure limitations

No candidate shall knowingly incur qualified campaign expenses in excess of the expenditure limitation applicable under section 320(b)(1)(A) of the Federal Election Campaign Act of 1971, and no candidate shall knowingly make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election to the office of President in excess of, in the aggregate, \$50,000.

(b) Definition of immediate family

For purposes of this section, the term “immediate family” means a candidate’s spouse, and any child, parent, grandparent, brother, half-brother, sister, or half-sister of the candidate, and the spouses of such persons.

(Added Pub. L. 93-443, title IV, §408(c), Oct. 15, 1974, 88 Stat. 1300; amended Pub. L. 94-283, title III, §§305(a), 307(c), May 11, 1976, 90 Stat. 499, 501.)

REFERENCES IN TEXT

Section 320 of The Federal Election Campaign Act of 1971, referred to in subsec. (a), was renumbered section 315 of that Act by Pub. L. 96-187, title I, §105(5), Jan. 8, 1980, 93 Stat. 1354, and is classified to section 411a of Title 2, The Congress.

AMENDMENTS

1976—Pub. L. 94-283 substituted “limitations” for “limitation” in section catchline, designated existing provisions as subsec. (a), inserted “Expenditure limitations” as heading of subsec. (a) as so redesignated and substituted “section 320(b)(1)(A) of the Federal Election Campaign Act of 1971, and no candidate shall knowingly make expenditures from his personal funds, or the personal funds of his immediate family, in connection with his campaign for nomination for election to the office of President in excess of, in the aggregate, \$50,000” for “section 608(c)(1)(A) of title 18, United States Code”, and added subsec. (b).

EFFECTIVE DATE OF 1976 AMENDMENT

Section 305(d) of Pub. L. 94-283, as amended by Pub. L. 99-514, §2, Oct. 22, 1986, 100 Stat. 2095, provided that: “For purposes of applying section 9035(a) of the Internal Revenue Code of 1986 [formerly I.R.C. 1954], as amended by subsection (a), expenditures made by an individual after January 29, 1976, and before the date of the enactment of this Act [May 11, 1976] shall not be taken into account.”

§ 9036. Certification by Commission

(a) Initial certifications

Not later than 10 days after a candidate establishes his eligibility under section 9033 to receive payments under section 9037, the Commission shall certify to the Secretary for payment to such candidate under section 9037 payment in full of amounts to which such candidate is entitled under section 9034. The Commission shall make such additional certifications as may be necessary to permit candidates to receive payments for contributions under section 9037.

(b) Finality of determinations

Initial certifications by the Commission under subsection (a), and all determinations made by it under this chapter, are final and conclusive, except to the extent that they are subject to ex-