

26 FEB 1976

Mr. George A. McAlmon
550 East Paisano Drive
El Paso, Texas

Dear Mr. McAlmon:

This refers further to your request for an advisory opinion, our reference AOR 1975-136, on whether contributions from the McCollister for Senate Campaign Committee, to a non-partisan voter registration organization would count against the candidate's expenditure limitation under 18 U.S.C. §608(c).

In Buckley v. Valeo, 44 U.S.L.W. 4127 (S.C. January 30, 1976), the Supreme Court recently held, inter alia, that §608(c) of Title 18, United States Code, is unconstitutional, with the exception of §§608(c)(1)(A) and (B), for the purposes of presidential candidates receiving Federal matching funds. The effect of the Court's decision, is that the candidate may now make unlimited expenditures from funds contributed to his campaign committee. You should note for your information that the contribution limitations of 18 U.S.C. §608(b) were upheld by the Court and remain in effect, as do the disclosure provisions of Title 2, United States Code.

In view of the Buckley decision, supra, it appears that no further Commission action is required on AOR 1975-136; therefore, we are closing our files on the matter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel