

27 FEB 1976

Honorable Stephen J. Solarz
House of Representatives
Washington, D.C. 20515

Dear Mr. Solarz:

This refers further to your request for an advisory opinion, our reference AOR 1975-56, as to whether expenditures from your office account would count against your primary or general election expenditure limitations 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 section 608(c) of Title 18, United States Code, is unconstitutional, except with respect to sections 608(c)(1)(A) and (B), which still limit presidential candidates receiving Federal funds under chapters 95 and 96 of Title 26, United States Code. The effect of the Court's decision, is that you may now make unlimited expenditures from both your office account and campaign account. You should note 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 1975-56; therefore, we are closing our files on the matter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel