



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**DISSENTING OPINION IN ADVISORY OPINION 1980-111**

of

**COMMISSIONER THOMAS E. HARRIS**

**While I concur with the result in Advisory Opinion 1980-111, I am voting against the adoption of the opinion because of its reliance on previously-issued opinions with which I disagreed.**

**In my dissents from the Commission's application of Section 441e to similar cases, my approach has been one of focusing on substance rather than form. In Advisory Opinions 1978-21 and 1980-100, the establishment of a PAC was being considered by corporations whose owners were foreign nationals. The Commission's assumption in those opinions that the PACs' activities would not be dictated by the foreign owners struck me as unrealistic.**

**By relevant contrast, in the present case the Portland Cement Association is a domestic organization without a corporate parent. Although it has several Canadian corporate members, their personnel will not be solicited nor otherwise involved in PAC matters. Consequently, the probability that foreign influence would be brought to bear on the administration of the proposed PAC seems unlikely, and I concur with the other Commissioners in finding the restrictions of Section 441e inapplicable.**