



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**DISSENTING OPINION IN ADVISORY OPINION 1982-34**

of

**COMMISSIONER THOMAS E. HARRIS**

In Advisory Opinion 1981-51, the Commission interpreted the Act to prohibit an individual who was a foreign national from providing volunteer services to a Federal campaign. The Commission decided, erroneously I believe, that the definition of contribution in 2 U.S.C. 431 (and its exception for volunteer services) was not controlling for purposes of the prohibition on contributions by foreign nationals (2 U.S.C. 441(e)).

While in Advisory Opinion 1981-51 the Commission rejected Section 431's definition of contribution when applied to the prohibition against contributions by foreign nationals, it has now adopted Section 431 and its exemptions (specifically 431(8) (B) (vi)) as controlling in this case, with the strange result that foreign corporations may now carry on election-related activities exempted by 431(8) (B), but foreign individuals are not permitted to do so.