



FEDERAL ELECTION COMMISSION
Washington, DC 20463

CONCURRING OPINION IN ADVISORY OPINION 1983-30

of

COMMISSIONER THOMAS E. HARRIS

I agree with the result reached in the majority opinion, but disagree with the statement contained therein to the effect that the facts presented here are indistinguishable in all material respects from the facts set forth in Advisory Opinion 1982-35. In that opinion there was a much closer question as to whether the receipts and disbursements of an individual to finance litigation were "contributions" or "expenditures" under the Act. That was because the requestor was seeking to obtain judicial relief that might have allowed him to participate in the upcoming primary election. Here, by contrast, the requestor is financing litigation that, at most, will allow him to retain his present non-federal office. There is no plausible argument that he is seeking to affect a federal election.