



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 1984

Re NOV 1984-35

Garry Nord
Dougherty Volunteer Committee
P.O. Box 1894
Duluth, MN 55801

Dear Mr. Nord:

This refers to your letter of July 11, 1984, requesting an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended, to contribution limitations.

You have asked for an advisory opinion pursuant to 2 U.S.C. §437f. You state that a candidate received contributions to his House candidacy account in 1983. He then transferred funds in his House account to his Senate candidacy account. He later abandoned his Senate candidacy and is only a House candidate. You ask whether contributions received in 1983 by the House account will count toward contribution limitations for the 1984 primary election for the House nomination.

As you know, the Act authorizes the Commission to issue an advisory opinion in response to a written request which presents a specific transaction or activity of the requesting person. Commission regulations explain that an advisory opinion may not relate to a hypothetical situation or the activities of third parties. 11 CFR 112.1(b). Your request does not qualify for advisory opinion consideration since you have not stated whether you are asking this question with respect to specific activity proposed by you or the candidate or committee that you represent. A check of Commission records shows the Dougherty Volunteer Committee is a House candidacy committee and the only committee registered regarding the candidacy of Thomas E. Dougherty.

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For your information, I am enclosing copies of Advisory Opinions 1982-1 and 1979-51, which may be relevant to your inquiry. If you have further questions concerning the advisory opinion procedure, please feel free to contact the undersigned. If you wish to telephone, Mr. Litchfield's number is (202)523-4143.

Very truly yours,

Charles N. Steele
General Counsel

by:


N. Bradley Litchfield
Assistant General Counsel

Enclosures (AOs 1982-1 and 1979-51)