



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SUPPLEMENT TO CONCURRING OPINION

OF

COMMISSIONER FRANK P. REICHE

TO ADVISORY OPINION 1981-35

Subsequent to the preparation of my Concurring Opinion to Advisory Opinion 1981-35, the Federal Election Commission, on September 24, 1981, decided to reconsider its prior Opinion in this matter, and, by a 4-0 vote, approved the original recommendations of the Office of General Counsel, including that portion of Counsel's recommendation which would permit corporate contributions in support of reapportionment-type activity of the type proposed in California. I abstained on this second vote in the belief that my abstention would convey the concern which I had expressed in my prior Concurring Opinion over Congress' failure to provide sufficient guidance for the Commission to determine that corporate and labor union contributions may, with impunity, be made for these purposes. The legislative history from 1907 on against corporate participation on political matters mitigates against my endorsement of the position now adopted by the Commission.

On the other hand, I cannot say with assurance that the legislative history indicates Congressional intent to include reapportionment activity within those areas covered by the Federal Election Campaign Act. My abstention on this second vote is intended to reflect my concern over this course of action, absent some expression of Congressional intent.

9/28/81
Date

Frank P. Reiche
Frank P. Reiche, Commissioner