



FEDERAL ELECTION COMMISSION
Washington, DC 20463

DISSENTING OPINION IN ADVISORY OPINION 1983-31

of

COMMISSIONERS THOMAS E. HARRIS and DANNY L. McDONALD

Once again, we dissent from the majority's conclusion that a Statute that prohibits a foreign national making a contribution "through any other person" does not prohibit a foreign corporation making a contribution through the treasury funds of subsidiaries it clearly controls. See Dissenting Opinion in Advisory Opinion 1983-19 and citations therein. In this case, the foreign corporation involved wholly owns the American corporation which in turn set up the subsidiaries.

Although the Articles of Organization of the Committee purport to require board members of the subsidiaries who are foreign nationals to abstain from voting on decisions concerning the Committee, in real terms all board members are controlled by the foreign national corporation that owns the stock of the parent corporation. Thus, the influence Congress sought to restrict is plainly present here.