

August 13, 2007

Mr. Christopher A. Whyrick  
Senior Campaign Finance Analyst  
Reports Analysis Division  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: League of Conservation Voters, Inc.  
Identification Number C90005786

Dear Mr. Whyrick:

This letter responds to your request for additional information dated July 12, 2007 regarding the April, July and October 2006 Quarterly Reports as well as the 2006 Year End Report filed by the League of Conservation Voters, Inc.

Specifically, you request that the League of Conservation Voters ("LCV") disclose contributions that were used to fund the independent expenditures reported on the above-referenced reports. Your letter states that "Commission regulations require that you disclose identification information for each individual who made a donation used to fund the independent expenditure." Contrary to your request, however, the statute, and the regulations that you cite, require the identification of any person who makes a contribution in excess of \$200 to the filer "which was made for the purpose of furthering an independent expenditure." See 2 USC 434(c)(2)(emphasis added) and 11 CFR 109.10(e)(1)(vi). The Commission's Campaign Guide for Corporations and Labor Unions, revised in 2007, similarly provides that identification of contributors is required for "each person who contributed more than \$200 for the purpose of making the independent expenditure." Campaign Guide for Corporations and Labor Unions at 36 (emphasis added).

Any requirement to itemize contributors, other than those who contribute for the purpose of furthering an independent expenditure, is also inconsistent with the Supreme Court's decision in *FEC v. Massachusetts Citizens for Life*, 479 U.S. 238(1986). The Court specifically rejected the imposition of burdensome reporting requirements, similar to those applicable to a political committee, stating "the administrative costs of complying with such increased responsibilities may create a disincentive for the organization itself to speak." 479 U.S. at 255, n. 7. Citing the requirements under Section 434(c) to identify "all persons making contributions over \$200 who request that the money be used for independent expenditures," the Court concluded that "these reporting requirements provide precisely the information necessary to monitor MCFL's independent spending activity and its receipt of contributions." 479 U.S. at 262; see also, 479 U.S. at 252 (... "identify any persons who make contributions over \$200 that are earmarked for the purpose of furthering independent expenditures, 434(c)(2)(C)")(emphasis added).

(TO BE CONTINUED)