

April 28, 2008

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 April 1, 2008 regarding the Year End Report (10/1/07-12/31/07) 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 report. 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). Please refer to our response dated August 14, 2007 for a more detailed discussion.

In its recent rulemaking on electioneering communications, the Commission took the opportunity to reiterate the requirements to disclose contributor information with respect to independent expenditures. A qualified nonprofit corporation is required to disclose the identity of specific contributors only if the contributions are made for the purpose of funding an independent expenditure. Similarly, as provided in the recent regulations, a corporation is required to disclose the identity of specific contributors only if the contributions are made for the purpose of funding an electioneering communication. The standard is identical:

The 'for the purpose standard' in 11 CFR 104.20(c)(9) is drawn from the reporting requirements that apply to independent expenditures made by persons other than political committees.

Explanation and Justification, 72 Fed. Reg. 72911 (Dec. 26, 2007).

Donations made 'for the purpose of furthering' include only those that are 'received in response to solicitations specifically requesting funds to pay for ECs as well as funds specifically designated for ECs by the donor.' Id. A corporation is not required to identify 'everyone who provides them with funds for any reason.' Id.

Consistent with this standard, LCV disclosed the only contributions it received in excess of \$200 that were made for the purpose of furthering the independent expenditure disclosed in the Year End Report. In each case, the donor made the contribution to LCV in response to a solicitation requesting funds for the purpose of furthering the independent expenditure.

If you have any questions, please contact me at 202 454 4577.

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ETEXT ATTACHMENT

Sincerely,

Barbara Gonzalez McIntosh
Treasurer
