

A M E R I C A N A C T I O N F O R U M

February 1, 2011

Congressman Sander Levin
1236 Longworth House Office Building
Washington, DC 20515

Dear Congressman Levin:

Thank you for your letter dated January 26, 2011. Let me begin by clarifying factual matters in your letter. Neither the American Action Forum nor the American Action Network were organized by, nor have any legal connection to, either Karl Rove or Ed Gillespie.

Second, we are in full compliance with all relevant disclosure obligations. Your letter seems to suggest that we remain free to improvise on additional disclosure. I would heartily disagree, as leading non-profit best practice authorities counsel to the contrary. For example, Principle 33 from Independent Sector's Principles of Good Governance and Ethical Practice states:

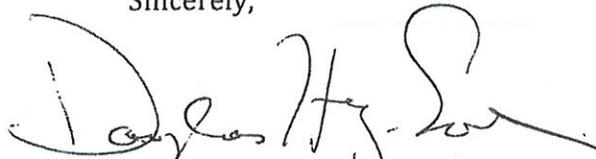
A charitable organization should respect the privacy of individual donors and, except where disclosure is required by law, should not sell or otherwise make available the names and contact information of its donors without providing them an opportunity at least once a year to opt out of the use of their names.

More generally, your question presumes that it is within my power or that of the American Action Forum to publicly disclose the names of donors. In fact that power resides with the donors themselves, and it would be inappropriate for me to usurp that power by waiving free speech and privacy rights that ultimately belong to them.

This is not an issue that I take lightly. As you are well aware, the issue of donor disclosure has been greatly debated during the past decade. In fact, in January 2000, at the specific direction of Congress (in section 3802 of the Internal Revenue Service Restructuring and Reform Act of 1998), the Joint Committee on Taxation (JCT) prepared a study of disclosure provisions relating to tax-exempt organizations (JCS-1-00, vol. 2), and specifically declined to recommend individual donor disclosure because of donors' "legitimate privacy concerns" and because it would discourage charitable giving. In complying with our disclosure requirements, then, the American Action Forum is following the best guidance of Congress and the non-profit sector.

For these reasons, I am unable to provide the information you request. I hope to continue to work with you and the committee on issues of importance to our country.

Sincerely,



Douglas Holtz-Eakin
President