

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHRIS VAN HOLLEN,

Plaintiff,

v.

FEDERAL ELECTION COMMISSION,

Defendant.

Civil Action No. 1:11-cv-00766 (ABJ)

**DECLARATION OF REPRESENTATIVE CHRIS VAN HOLLEN IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT**

In accordance with 28 U.S.C. § 1746, Representative Chris Van Hollen declares as follows:

1. I am a member of the United States House of Representatives from the 8th Congressional District of the State of Maryland. I was first elected in 2002, re-elected every two years thereafter, and next face re-election in November 2012.

2. I was a principal sponsor of the "Democracy is Strengthened by Casting Light on Spending in Elections" (DISCLOSE) Act, which passed the House but fell one vote short in the Senate of the 60 votes required to end the filibuster. On the same day that I filed this lawsuit, I filed a petition with the FEC asking the Commission to conduct a rulemaking proceeding to adopt new regulations that would require organizations which make "independent expenditures" also to disclose the identity of their donors.

3. I am a citizen of the United States, a member of Congress, a candidate, a voter, a recipient of campaign contributions, a fundraiser, and a political party member. In those capacities I am subject to regulation under the Federal Election Campaign Act ("FECA"), the

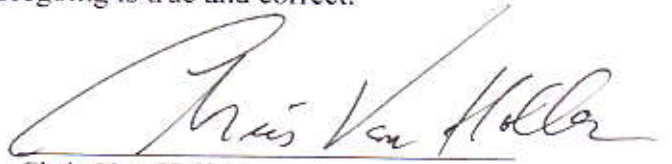
Bipartisan Campaign Reform Act (“BCRA”), and the Commission’s implementing rules. My activities are also directly affected by the fact that others, including my potential contributors and supporters, potential election opponents, contributors to and supporters of my opponents, and contributors to and supporters of both political parties are subject to the same regulation under FECA, BCRA, and the Commission’s implementing rules.

4. The FEC’s regulation codified at 11 C.F.R. § 104.20(c)(9) directly affects me. If the challenged regulation is allowed to stand, I will be forced to raise money, campaign, and attempt to discharge my important public responsibilities in a system that is widely perceived to be, and I believe in many respects threatens to be, significantly corrupted by non-disclosure of the sources of funds of “electioneering communications.” If the challenged regulation is allowed to stand, I will also be the subject of “electioneering communications” that are financed by donors whose names would have otherwise been disclosed. The challenged regulation injures me directly as a candidate because I cannot draw attention to the person or persons who finance “electioneering communications” about me and thereby put such “electioneering communications” in their proper context for voters to consider.

5. FECA and BCRA require disclosure of donors who provide funding to persons making “electioneering communications.” If the FEC regulations do not faithfully implement these disclosure provisions, I will be deprived of information to which I am entitled under FECA and BCRA.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 29th day of June, 2011.

A handwritten signature in black ink, reading "Chris Van Hollen". The signature is written in a cursive style with a large initial "C" and "H".

Chris Van Hollen

United States House of Representatives