



FEDERAL ELECTION COMMISSION
Washington, DC 20463

January 28, 2008

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph E. Sandler
Neil P. Reiff
Sandler, Reiff & Young PC
50 E Street, S.E. #300
Washington, DC 20003

Jonathan Zucker
36 A Street #5B
Boston, MA 02127

RE: Advisory Opinion Request 2007-35

Dear Messrs. Sandler, Reiff, and Zucker:

This letter responds to your letters received on October 18, and November 27, 2007, requesting an advisory opinion on behalf of FreeCause, Inc.

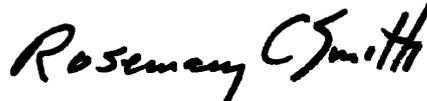
On January 22, 2008, the Commission released for public comment Agenda Document No. 08-05, which contains a draft advisory opinion responding to your request. Under the Federal Election Campaign Act of 1971, as amended ("the Act"), the affirmative vote of 4 members of the Commission is required in order for the Commission to render an advisory opinion. *See* 2 U.S.C. 437c(c) and 437d(a)(7); *see also* 11 CFR 112.4(a). As you know, the Commission currently has only two members. On January 24, 2008, the Commission discussed Agenda Document No. 08-05 and voted 2-0 in favor of a motion to approve the draft. Thus, the Commission was unable to render an opinion in this matter.

Agenda Document No. 08-05 is enclosed for your convenience, but should not be considered an advisory opinion by the Commission or any of its employees because the

Commission may issue such an opinion only in accordance with specific provisions of the Act. *See* 2 U.S.C. 437f(b).

Accordingly, you are hereby advised that the Commission has concluded its review of Advisory Opinion Request 2007-35. You are not precluded from resubmitting the same or a similar request for an advisory opinion at such time as the Commission is able to take action on advisory opinion requests.

Sincerely,

A handwritten signature in black ink that reads "Rosemary C. Smith". The signature is written in a cursive, flowing style.

Rosemary C. Smith
Associate General Counsel

Enclosure