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01/21/2010 08:27 AM

To <ELynch@fec.gov>
cc "Rosenbaum Monice L"
<Monice.L.Rosenbaum@IRSCOUNSEL.TREAS.GOV>
bcc
Subject RE: FEC Proposed Rules: EMILY's List

Dear Mr. Lynch

Thank you for providing the Commission's Notice of Proposed Rulemaking on Funds Received in Response to Solicitations; Allocation of Expenses by Separate Segregated Funds and Nonconnected Committees.

Pursuant to 2 U.S.C. 438(f), please be advised that the Commission's proposed changes to its rules do not appear to present a conflict with the Internal Revenue Code or the regulations thereunder.

Please feel free to contact me if you have any questions or need further assistance.

Thanks again.

Michael B. Blumenfeld
Senior Technician Reviewer
IRS Chief Counsel
Tax Exempt and Government Entities
CC:TEGE
(202) 622-6070

From: ELynch@fec.gov [mailto:ELynch@fec.gov]
Sent: Tuesday, January 05, 2010 3:07 PM
To: Blumenfeld Michael B
Subject: FEC Proposed Rules: EMILY's List

Dear Mr. Blumenfeld,

Please find attached the Commission's Notice of Proposed Rulemaking on Funds Received in Response to Solicitations; Allocation of Expenses by Separate Segregated Funds and Nonconnected Committees, which was published in the *Federal Register* on December 29, 2009 (74 FR 68720). The Commission seeks comment on proposed revisions to its rules regarding funds received in response to in response to solicitations, and regarding the allocation of certain expenses by separate segregated funds and nonconnected committees, in response to the United States Court of Appeals for the District of Columbia Circuit's decision in *EMILY's List v. FEC*, 581 F.3d 1 (D.C. Cir. 2009). Comments are due on or before January 28, 2010.

Pursuant to 2 U.S.C. 438(f), the Commission and the Internal Revenue Service are to "consult and work together to promulgate rules, regulations, and forms which are mutually consistent." The Commission invites your agency's comments on this Notice, particularly with respect to any possible conflict between it and the Internal Revenue Code or regulations.

Please contact me at 202/694-1650 if you have any questions about the Notice.

Eugene Lynch
Office of General Counsel, Policy Division
U.S. Federal Election Commission
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Washington, DC 20463