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To <ELynch@fec.gov>
<rsmith@fec.gov>, <ARothstein@fec.gov>,
cc <rknop@fec.gov>, <DAdkins@fec.gov>, "Rosenbaum
Monice L"
bcc
Subject RE: FEC Proposed Rules: Participation by Federal
Candidates and Officeholders at Non-Federal Fundraising
Events

Dear Mr. Lynch,

Thank you for sending us a copy of Notice of Proposed Rulemaking relating to "Participation by Federal Candidates and Officeholders at Non-Federal Fundraising Events" under the Federal Election Campaign Act of 1971, as amended (FECA). The proposed changes to the Federal Election Commission's rules regarding participation by Federal candidates and officeholders at non-Federal fundraising events under FECA do not appear to present a conflict with the Internal Revenue Code or the Treasury Regulations.

If you would like to discuss any potential concerns that you may have, please feel free to contact me.

Michael B. Blumenfeld
Senior Technician Reviewer
Office of Chief Counsel, Internal Revenue Service
Tax Exempt and Government Entities
(202) 622-6070

From: ELynch@fec.gov [mailto:ELynch@fec.gov]
Sent: Monday, December 07, 2009 1:41 PM
To: Blumenfeld Michael B
Cc: rsmith@fec.gov; ARothstein@fec.gov; rknop@fec.gov; DAdkins@fec.gov
Subject: FEC Proposed Rules: Participation by Federal Candidates and Officeholders at Non-Federal Fundraising Events

Dear Mr. Blumenfeld,

Please find attached the Commission's Notice of Proposed Rulemaking on Participation by Federal Candidates and Officeholders at Non-Federal Fundraising Events, which was published in the *Federal Register* on December 7, 2009 (74 FR 64016). The Commission seeks comment on proposed revisions to its rules regarding participation by Federal candidates and officeholders at non-Federal fundraising events under the Federal Election Campaign Act of 1971, as amended. These proposed changes are in response to the decision of the U.S. Court of Appeals for the District of Columbia Circuit in Shays v. FEC. Comments are due on or before February 8, 2010. Reply comments, limited to the issues raised in the initial comments, are due on or before February 22, 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
999 E Street, NW
Washington, DC 20463