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August 17, 2004

**BY HAND DELIVERY**

Mr. Lawrence H. Norton  
General Counsel  
Federal Election Commission  
999 E Street NW  
Washington, DC 20463

2004 AUG 17 P 4:09

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FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

**Re: MUR 5476: EMILY's List, C00193433  
America Women Vote 2000!**

Dear Mr. Norton:

On behalf of EMILY's List, Joseph Solmonese as Treasurer, and America Women Vote 2000! (collectively, the "Committee"), this letter is submitted in response to the complaint filed by the Charities Bureau of the Department of Law of the State of New York dated June 28, 2004 (the "Complaint"). For the reasons set forth below, the Federal Election Commission should find no reason to believe that the Committee violated the Federal Election Campaign Act of 1971, as amended, or the Commission's regulations, and it should dismiss this matter.

The Complaint notes a series of political contributions made by the Harold & Maman B. Coleman Charitable Foundation, Inc. (the "Foundation"). These contributions were reported in the Internal Revenue Service (IRS) Form 990-PF, from the years 1998-2003. According to the IRS forms and the Complaint, the Foundation made four contributions to EMILY's List between 1999 and 2002, and one contribution to "America Women Votes" in 2000.

As you know, EMILY's List has both a federal and a non-federal account, as permitted under 11 C.F.R. § 102.5(a)(1)(i) (2004). We have searched the records of the federal account, and we have found no evidence of any contributions from the Foundation that were deposited in the EMILY's List federal account. The non-federal account of EMILY's List did receive donations from the Foundation in the amounts indicated on the Foundation's IRS forms and in the Complaint; these

2004 AUG 17 P 4:09

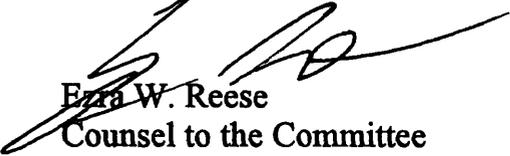
Mr. Lawrence H. Norton  
August 17, 2004  
Page 2

donations were lawfully accepted by the non-federal account and are beyond the jurisdiction of the Commission to review.

America Women Vote 2000! was a joint fundraising committee formed on July 5, 2000. It filed a termination report on January 26, 2001, and termination was approved on March 16, 2001. The records indicate that the Foundation did make one donation to America Women Vote 2000!, in the amount of \$100, as is indicated on the Foundation's IRS forms and in the Complaint. This donation was allocated in full to the non-federal account of EMILY's List, per the allocation formula and fundraising notice under 11 C.F.R. § 102.17(c)(1-2). This donation was lawfully deposited in the non-federal account of EMILY's List and is beyond the jurisdiction of the Commission to review.

For the reasons asserted above, the Commission should not take further action on the Complaint in this matter against the Committee, and should close the file.

Very truly yours,



Ezra W. Reese  
Counsel to the Committee

EWR:ewr

24-19-EE5-4676