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**Gordon Smith Victory Committee**P.O. Box 75103  
Washington, DC 20013

December 4, 2002

Nicholas T. Ebinger  
Campaign Finance Analyst  
Reports Analysis Division  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Re: C00365767

Dear Mr. Ebinger:

This letter is in response to your inquiry regarding the Statement of Organization filed by the Gordon Smith Victory Committee on April 11, 2002. You have questioned the use of a candidate name in the name of a political committee. You cite 2 U.S.C. § 432(c)(4) for the proposition that "any political committee which is not an authorized committee . . . shall not include the name of any candidate in its name."

In previous discussions with staff from the National Republican Senatorial Committee, FEC staff has further cited 11 C.F.R. § 102.13(c)(1) in arguing that a joint fundraising committee is not an authorized committee. As outlined below, the Gordon Smith Victory Committee is an authorized committee and is therefore permitted to include the name of a candidate in the committee name.

Gordon Smith Victory Committee is a joint fundraising committee established pursuant to 11 C.F.R. § 102.17. Section 102.17(a) states specifically that a joint fundraising committee "shall be a reporting political committee and an authorized committee of each candidate for federal office participating in the joint fundraising activity." (Emphasis added). The Gordon Smith Victory Committee is an authorized committee of Gordon Smith for U.S. Senate 2002, Inc. and the use of the candidate name in the committee name is appropriate.

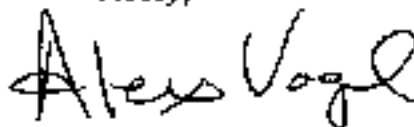
Your latest assertion -- that a joint fundraising committee with an unauthorized committee as a participant cannot include the name of a candidate in its name, regardless of an apparent authorization from the candidate, since the unauthorized committee

participant is supporting other candidates – does not change the unambiguous language of § 102.17. As an authorized committee of Gordon Smith for U.S. Senate 2002, Inc., the Gordon Smith Victory Committee is entitled to use the name of a candidate in the committee name. The fact that there is an unauthorized committee also participating in the joint fundraising committee is of no effect in light of the clear language of the Commission's regulations.

Based on the unambiguous statement in 11 C.F.R. § 102.17 that joint fundraising committees are authorized committees, we have concluded that no amendment is necessary and that the use of a candidate name is proper under § 102.17(a).

Please feel free to contact me directly if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Alex Vogel". The signature is written in a cursive, slightly slanted style.

Alex N. Vogel  
General Counsel

JERI THOMSON  
SECRETARY

PAMELA D. GAVIN  
SUPERINTENDENT

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