



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

August 1, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1980-79

Mr. Brad Sherman  
5007 Stony Creek Road  
#431  
Culver City, California 90230

Dear Mr. Sherman:

This responds to your letter of June 24, 1980, requesting an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to the question of whether an independent political committee dedicated to the defeat of a specified candidate for Federal office may utilize that candidate's name in the committee's name.

According to your request, you are in the preliminary stages of establishing a political committee which is to be "totally independent of any other political committee, candidate or political party," and dedicated to the defeat of a Republican Presidential candidate, Ronald Reagan. You indicate a desire to entitle the independent political committee "Americans Against Reagan."

Under the Act and Commission regulations it is made clear that any political committee which is not an authorized committee shall not include the name of any candidate in its name. 2 U.S.C. 432(e) (4) and 11 CFR 102.14(a). Obviously, the envisioned independent political committee would not be authorized by Mr. Reagan since he is the Presidential candidate you propose to target for defeat. Further, since you describe the prospective political committee as being "independent," it could not be authorized by any other candidate, political committee or political party. Thus, the proposed independent political committee could not include the name of any candidate in its name, and the use of "Americans Against Reagan" as a committee name would be prohibited.

This response constitutes an advisory opinion concerning application of the Act, or regulations prescribed by the Commission, to the specific transaction or activity set forth in your request. See 2 U.S.C 437f.

Sincerely yours,

(signed)

Max L. Friedersdorf  
Chairman for the  
Federal Election Commission