



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

Judith L. Corley, Esq.  
Rebecca H. Gordon, Esq.  
Perkins Coie  
607 Fourteenth Street, NW  
Washington, DC 20005

**FEB - 5 2010**

**RE: MUR 6220**  
**Obama Victory Fund**

**Dear Ms. Corley and Ms. Gordon:**

The Office of General Counsel received your client's response to the complaint in MUR 6220. We are reviewing this information in connection with making a recommendation to the Commission as to whether there is reason to believe your client violated the Federal Election Campaign Act of 1971, as amended, or the Commission regulations. Prior to making any recommendations to the Commission, we offer your client an opportunity to amplify its response.

According to the Commission's regulations, a joint fundraising notice shall be included for every solicitation for contributions by a joint fundraising committee. See 11 C.F.R. § 102.17(c)(2). The notice shall include the names of all committees participating in the joint fundraising activity, the allocation formula to be used to distribute joint fundraising proceeds, a statement informing contributors that, notwithstanding the stated allocation formula, they may designate their contributions for a particular participant or participants and a statement informing contributors that the allocation may change if a contributor makes a contribution which would exceed the amount that contributor may give to any participant. See 11 C.F.R. § 102.17(c)(2)(i)(A) through (D).

As set forth in the complaint, Obama Victory Fund solicited funds during the 2008 presidential election by stating that an artist portfolio had been created on behalf of Barack Obama's 2008 presidential campaign and the Democratic National Committee ("DNC"), and that with a donation of \$20,000, the donor would receive a complete portfolio of 13 prints. The solicitation also stated that if an individual had contributed the maximum donation of \$28,500 to the DNC, the check could be made payable to Committee for Change.

Your client's response stated that "the solicitation itself complied in every respect with the Commission's requirements for joint fundraising committees." However, neither the solicitation nor the joint fundraising notice for this solicitation identify

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Committee for Change as a joint fundraising participant of Obama Victory Fund. Therefore, we invite Obama Victory Fund to address whether the solicitation for Committee for Change complied with 11 C.F.R. § 102.17(c)(2) and whether Committee for Change received contributions as a result of this solicitation. Any response you choose to submit should be considered strictly voluntary.

Obama Victory Fund's submission, if it chooses to make one, must be submitted within 10 days of receipt of this letter and addressed to the General Counsel's Office. Any supplemental response submitted by Obama Victory Fund will be taken into account in these recommendations. If we do not hear from you, we will proceed to make our recommendations based on the information we have available to us at this time.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you have any questions, please contact Delbert K. Rigsby, the attorney handling this matter, at (202) 694-1650.

Sincerely,

Thomasenia P. Duncan  
General Counsel



BY: Ann Marie Terzaken  
Associate General Counsel for  
Enforcement

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