



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

May 8, 2023

NANCY MARKS, TREASURER
ZELDIN FOR CONGRESS
47 FLINTLOCK DRIVE
SHIRLEY, NY 11967

Response Due Date
06/12/2023

IDENTIFICATION NUMBER: C00552547

REFERENCE: TERMINATION REPORT (04/01/2023 - 04/17/2023)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 3 item(s):

1. Schedule A supporting Line 14 of your report discloses a receipt that appears to be from a committee established by the candidate for a non-federal election campaign: Zeldin for New York, 4/14/2023, \$115,441.39. In order for your committee to accept a receipt from a non-federal committee, your committee should take steps to ensure that the entity used permissible funds to make the transfer to avoid violating 52 U.S.C. §§ 30116(f) and 30118 or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal committees must either: (1) establish a separate account which contains only those funds permitted under the Act, or (2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution.

If any apparently prohibited contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information. In addition, please clarify whether the transfer received from the referenced organization is permissible.

If you have received prohibited contributions, you must make a refund. The refund must be made within 30 days of the treasurer becoming aware of the illegality of the contribution. (11 CFR § 103.3(b)(2)) Although the Commission may take further legal action, your prompt action to refund the prohibited amount will be taken into consideration.

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2. Your committee has requested that the Commission permit your committee to terminate pursuant to 52 U.S.C. §30103(d) (formerly 2 U.S.C. §433(d)) and 11 CFR §102.3. In order to terminate your committee, you must file amendments to correct any problems on your Termination Report and/or on any previous reports that still contain uncorrected errors or omissions. If you are not certain about what corrections need to be made, please contact the undersigned analyst. Once the FEC receives and approves the corrections to your report(s), it will notify you. Until that time, you must continue to file all required reports.

3. Your committee has requested that the Commission permit your committee to terminate pursuant to 52 U.S.C. §30103(d) (formerly 2 U.S.C. §433(d)) and 11 CFR § 102.3. Preliminary review of reports filed during the 2022 election cycle identified problems concerning certain information disclosed by your committee of which you were previously notified. Your committee must continue to file all required reports with the Commission while a determination is being made on whether to pursue these matters any further. The Commission will notify you when your request to terminate has been approved and the committee is no longer required to file reports with the Commission.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For information about the report review process or specific filing information for your committee type, please visit www.fec.gov/help-candidates-and-committees. For more information about Requests for Additional Information (RAI), why you received a letter, and how to respond, please visit www.fec.gov/help-candidates-and-committees/request-additional-information. Should you have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1167.

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Sincerely,

A handwritten signature in black ink, appearing to read "Denise Stilla". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Denise Stilla
Senior Campaign Finance Analyst

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