



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 19, 2013

JOHN RIEDMAN, TREASURER  
NEW YORK REPUBLICAN FEDERAL CAMPAIGN  
COMMITTEE  
315 STATE STREET  
ALBANY, NY 12210

**Response Due Date**  
**05/24/2013**

IDENTIFICATION NUMBER: C00055582

REFERENCE: AMENDED 30 DAY POST-GENERAL REPORT (10/18/2012 -  
11/26/2012), RECEIVED 01/16/2013

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 10 item(s):

1. Line 11(a)(i) of the Detailed Summary Page of your report discloses a total of \$173,996.55 in Contributions From Individuals/Persons Other Than Political Committees. The sum of the entries itemized on Schedule 11(a)(i), however, indicates the total to be \$186,011.83. Please amend your report to clarify the discrepancy. (11 CFR § 104.3(a) and (b))
2. Schedule B supporting Line 21(b) of your report discloses \$1,277.70 in activity identified as MEMO entries that do not appear to correspond with any itemized transaction(s). Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report. Please amend your report to provide clarifying information regarding this activity. (11 C.F.R. § 104.3(a) and (b))
3. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (initials for first or last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not

NEW YORK REPUBLICAN FEDERAL CAMPAIGN COMMITTEE

Page 2 of 6

complete.

The attached employer and occupation entries appear on your report and are not considered acceptable.

You must provide the missing information, or if you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution,
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide the missing information or a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

**4.** Schedule B, Line 21(b) of your report discloses reimbursements to

## NEW YORK REPUBLICAN FEDERAL CAMPAIGN COMMITTEE

Page 3 of 6

individuals for "REIMBURSEMENT: SEE BELOW." Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in excess of \$200 in a calendar year, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information and clearly identify on the Schedule B, which reimbursement each memo entry relates to. If itemization is not necessary, you must indicate so in an amendment to this report. (11 CFR §104.9, and Advisory Opinions 1992-1 and 1996-20, footnote 3)

**5.** Please amend your report by providing the address for each disbursement itemized on Schedule(s) B supporting Line(s) 21(b). (11 CFR §§104.3(a)(4) and 104.10(4))

**6.** Schedule H4 supporting Line 21(a) of your report discloses \$100.48 in activity identified as MEMO entries that do not appear to correspond with any itemized transaction(s). Please be advised, a memo entry is used to disclose additional information about an itemized transaction and the amount of a memo entry is not included in the total receipts or disbursements for the report. Please amend your report to provide clarifying information regarding this activity. (11 C.F.R. § 104.3(a) and (b))

**7.** Schedule B, Line 30(b) of your report discloses reimbursements to individuals for "REIMBURSEMENT: SEE BELOW." Please be advised that when itemizing reimbursements to individuals for goods or services, if the payment to the original vendor aggregates in \$200 or more in a calendar year, a memo entry including the name and address of the original vendor, as well as the date, amount and purpose of the original purchase must be provided. Please amend your report to include the missing information and clearly identify on the Schedule B, which reimbursement each memo entry relates to. If itemization is not necessary, you must indicate so in an amendment to this report. (11 CFR §300.36(b), and Advisory Opinions 1992-1 and 1996-20, footnote 3)

**8.** Schedule B supporting Line 30(b) of your report discloses a payment(s) for "FEA Mailing-," "FEA mail production - H0NY 29," "FEA Mailing," "FEA mail production - H0NY13074," "FEA Mail productions 3 invoices" and "FEA mail postage - H0NY 29." which is categorized as Federal Election Activity and therefore, may require the disclosure of the candidate(s) this activity should be attributed to. Expenditures and disbursements for public communications

## NEW YORK REPUBLICAN FEDERAL CAMPAIGN COMMITTEE

Page 4 of 6

that refer to a clearly identified candidate for Federal office and that promote, support, attack or oppose any candidate for Federal office, meet the definition of Federal Election Activity under 11 CFR §100.24 and should be disclosed on Schedule B for Line 30(b) along with the identity of the candidate(s).

Further, please be advised that public communications that meet the definition of Federal Election Activity and that also contain express advocacy as defined under 11 CFR §100.22, but do not meet the conditions of exempt activity, would constitute an in-kind contribution, an independent expenditure or a coordinated party expenditure and should be properly disclosed on a Schedule B, E or F supporting Lines 23, 24 or 25, as appropriate rather than on Schedule B for Line 30(b). Please clarify if this activity meets the definition of Federal Election Activity or if it contains express advocacy and amend your report to properly disclose this activity, if necessary.

**9.** Schedule A supporting Line 12 discloses a transfer(s)-in from the "Republican National Committee." Schedule B supporting Line 30(b) reflects payments for "FEA lawn signs - Romney" and "FEA - exempt mail - grimm." Please be advised that a state or local party committee may pay for campaign materials (such as pins, posters, bumper stickers and yard signs) that are distributed by volunteers in connection with activity on behalf of the party's nominees in a general election and for voter drive activity conducted on behalf of the party's Presidential and Vice Presidential nominees. Payments for this type of activity are exempt from the definition of a contribution or expenditure if certain conditions are met. The conditions are that no public advertising may be used, including distribution by direct mail (mailings by a commercial vendor or from commercial lists); all funds used for the activity must be permitted under the Act; none of the funds used may have been designated for a particular candidate; and finally, payments for the activity may not be made from transfers-in from the national committee to specifically fund the activity. For further guidance, please refer to 11 CFR §§100.87 and 100.147 and to the Campaign Guide for Party Committees.

If the activity disclosed on your report does not meet the definition of "exempt" activity as described above and if any portion of the expenditures were made on behalf of specifically identified candidates, that amount must be disclosed on Schedule B, E or F supporting Line 23, 24 or 25 of the Detailed Summary Page as appropriate. Please amend your report or provide clarifying information.

**10.** Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 of your

NEW YORK REPUBLICAN FEDERAL CAMPAIGN COMMITTEE

Page 5 of 6

report to clarify the following description(s): "election night event." For further guidance regarding acceptable purposes of disbursements, please refer to 11 CFR §104.3(b)(3).

- Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, Contributions from Other Political Committees should be properly disclosed on a separate Schedule A, supporting Line 11(c) of the Detailed Summary Page and Contributions to Other Political Committees should be properly disclosed on a separate Schedule B, supporting Line 23 of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing. (2 U.S.C § 434(b) and FORM 3X Instructions)

- Schedule B supporting Line 21(b) of your report discloses a payment(s) for "polls" which appears to be disclosed on the wrong line of the Detailed Summary Page. For your information and consideration when preparing future filings, please be advised that Voter Identification, Generic Campaign and Get-out-the-vote activity conducted in connection with an election in which one or more candidates for Federal office appear on the ballot is considered to be Federal Election Activity and should be disclosed on Schedule B for Line 30(b) of the Detailed Summary Page. (11 CFR §100.24) For your next filing, please refer to the instructions for each line when determining the proper categorization(s).

**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. If you should 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) 694-1172.

NEW YORK REPUBLICAN FEDERAL CAMPAIGN COMMITTEE

Page 6 of 6

Sincerely,

A handwritten signature in black ink, consisting of several loops and a trailing flourish, representing Alexandra Broomhead.

Alexandra Broomhead  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

314

**Inadequate Employer/Occupation Entries****New York Republican Federal Campaign Committee (C00055582)**

<b>Employer</b>	<b>Occupation</b>
Information Requested	Realtor
Information Requested	Information Requested
Information Requested	self employed
self employed	Information Requested
self-employed	self employed
self-employed	self employed
Xerox Corp.	Information Requested
PPC	president
Suzanne Golden Antiques	Information Requested