



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Michael A. Avella, Treasurer
New York Republican Federal Campaign
Committee
315 State Street
Albany, NY 12210

JUN 05 2002

Identification Number: C00055582

Reference: Year End Report (7/1/01-12/31/01)

Dear Mr. Avella:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-The totals listed on Lines 21(a)(i), 21(a)(ii), and 21(b), Column B of the Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

-Your calculations for Line 31, Column B appear to be incorrect. Please provide the corrected total(s) on the Detailed Summary Page.

-Schedule H3 of your report discloses transfers received from your non-federal account for the Direct Mail March 2001, Direct Mail September 2001, GC Reception Belmont, October 11, 2000 Dinner, and Telemarketing March/April 2001 event(s) which occur outside the permissible transfer period. Please be advised that transfers for shared activity must be made within a 70-day time period: no more than 10 days before or 60 days after the payment to the vendor. 11 CFR §§106.5(g)(2) and 106.6(e)(2) Please clarify the nature of these transfers-in from the non-federal account.

The Commission recommends that you immediately transfer the total excessive amount received by your federal account outside the 70-day time period back to your non-federal account. Although the Commission may take further legal action concerning this prohibited activity, your prompt action will be taken into consideration.

-Line 18 of the Detailed Summary Page of your report discloses a total of \$1,313,395.42 in Transfers from Non-Federal Account for Joint Activity. The sum of the entries itemized on Schedule H3, however, indicates the total to be \$1,312,581.33. Please amend your report to clarify the discrepancy.

-Please amend your report by providing the full address (street, city, state, and zip code) for each disbursement itemized on Schedule(s) H4 supporting Line(s) 21(a).

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page, you have failed to include a unique identifying title or code for the payment(s) made to SCM Associates. 11 CFR §104.10. Please amend this report to provide a unique identifying title or code for each entry omitting this information.

-On Schedule H4 supporting Line 21(a) of the Detailed Summary Page, you have failed to include the total EVENT YEAR-TO-DATE amount for Administrative/Voter Drive, Telemarketing July 2001, Telemarketing Aug/Sept 2001, and Telemarketing October 2001 disbursements. Please amend your report to include the missing EVENT YEAR-TO-DATE totals.

-Your EVENT YEAR-TO-DATE calculations for Direct Mail September 2001 are incorrect. EVENT YEAR-TO-DATE totals for administrative and voter drive costs are derived by aggregating all disbursements during the calendar year for the whole Administrative/Voter Drive category. EVENT YEAR-TO-DATE totals for fundraising, direct candidate support, and exempt activities are derived by aggregating all disbursements during the calendar year within a specific event. These should be calculated by adding the latest disbursement for a category or event to the previous EVENT YEAR-TO-DATE total for that category or event. This running EVENT YEAR-TO-DATE total should be disclosed after each disbursement is listed. Please amend your report by providing the correct EVENT YEAR-TO-DATE totals.

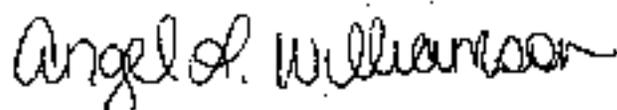
-Schedule H4 discloses payments made to credit card companies for shared federal and non-federal activity. Please be advised that these payments must identify as memo entries, the original vendors from which you have purchased an item or service regardless of the amount. Please amend your report by providing the name and mailing address of the original vendor, along with the date, amount and purpose of each expenditure. 11 CFR §104.10.

-Schedule A supporting Line 12 of the Detailed Summary Page discloses a contribution from the Friends of Sherwood Boehlert Committee on 9/18/01, which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) and 11 CFR §110.1(d) prohibit a committee and its affiliates from receiving any contribution from another political committee or person in excess of \$5,000 per calendar year.

The Commission notes the transfer-out to your non-federal account on 12/19/01. Although the Commission may take further legal action concerning this matter, your prompt action in transferring-out the excessive amount will be taken into consideration.

A response or amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. 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 need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,



Angel L. Williamson
Senior Reports Analyst
Reports Analysis Division

