



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

March 7, 2023

JOSEPH T. BURNS, TREASURER
NY REPUBLICAN FEDERAL CAMPAIGN
COMMITTEE
315 STATE ST
ALBANY, NY 12210-2001

Response Due Date
04/11/2023

IDENTIFICATION NUMBER: C00055582

REFERENCE: OCTOBER MONTHLY REPORT (09/01/2022 - 09/30/2022)

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 12 of your report discloses transfers, totaling \$14,400 from "Schmitt Victory Fund," that appear to be received through joint fundraising efforts. However, "Schmitt Victory Fund" is not disclosed as a joint fundraising representative on your Statement of Organization. Please amend your Statement of Organization to disclose the joint fundraising representative or amend your report to provide clarifying information. (11 CFR §102.2)
2. Itemized disbursements must include a brief statement or description of why the disbursements were made. Please amend Schedule(s) H4 to clarify the following description(s): "Political Consultant - monthly retainer" and "NYC Coalitions - monthly retainer." (11 CFR §§104.3(b)(3) and 104.10(a)(4))

Additional clarification regarding inadequate purposes of disbursement published in the Federal Register can be found at:
<https://www.fec.gov/help-candidates-and-committees/purposes-disbursement>

3. Schedule H4 of your report discloses a payment(s) for "Polling." Please be advised that 11 CFR §100.24(b) defines as Federal Election Activity, Voter identification, Generic Campaign and Get-out-the vote activities conducted in connection with an election in which one or more candidates for Federal office appear on the ballot. Furthermore, the costs for these types of Federal Election Activity must either be paid with federal funds or can be allocated between

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federal and Levin funds as long as the activity conducted does not refer to a clearly identified candidate for Federal office. It appears that you have allocated these costs between federal and non-federal funds. Any reimbursement from your committee's non-federal account for Federal Election Activity costs is not permissible and must be returned. (11 CFR §§300.32 and 300.33)

Please inform the Commission of your corrective action immediately or provide clarifying information regarding this activity. Although the Commission may take further legal action regarding this apparent prohibited activity, your prompt action will be taken into consideration.

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 (RFAI), 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) 694-1294.

Sincerely,



Jamie Curran
Senior Campaign Finance Analyst