



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

November 24, 2022

MR BRADLEY T. CRATE, TREASURER
BYRON DONALDS FOR CONGRESS
2430 VANDERBILT BEACH ROAD STE 108 PMB 260
NAPLES, FL 34108

Response Due Date
12/29/2022

IDENTIFICATION NUMBER: C00733329

REFERENCE: OCTOBER QUARTERLY REPORT (08/04/2022 - 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 5 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). The Commission notes your additional explanation regarding the committee's corrective action taken for some of these contributions.

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with clarifying information.

Please be reminded that all refunds, redesignations and reattributions must be made within 60 days of receipt of the contribution. To date, one or more of the

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apparent excessive contributions have not been refunded, redesignated, or reattributed.

For reattributions, the funds can be retained if, within 60 days of receipt, the excessive amount was properly reattributed to another person. An excessive contribution is considered properly reattributed if (1) the contributors provide the committee with written documentation, signed by each contributor, authorizing a reattribution and indicating the amount of the contribution to be attributed to each contributor; or (2) the committee reattributes by presumption the excessive portion of the contribution if the contribution was made on a written instrument from a joint account and was signed by only one of the account holders. In this case, the treasurer must notify the contributors in writing within 60 days of receiving the contribution that the committee intends to reattribute the excessive portion and must give the contributor who signed the check an opportunity to request a refund. (11 CFR § 110.1(k)(3)(ii)(B))

For redesignations, the funds can be retained if, within 60 days of receipt, the excessive amount was properly designated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) the committee redesignates by presumption the excessive portion of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B)) A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for reattributions or redesignations are not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/ or letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period

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in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate and/or reattribute the excessive amount will be taken into consideration.

2. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached).

An individual or a political committee other than an authorized committee or a qualified multi-candidate committee may not make a contribution(s) to a candidate for federal office in excess of \$2,900 per election. An authorized committee may not make a contribution(s) to a candidate for federal office in excess of \$2,000 per election. A qualified multi-candidate committee and their affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR §§ 110.1(b), (e) and (k), and 102.13(c))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

The Commission notes your refund of some of these contributions. Please be reminded that all refunds, redesignations, and reattributions must be made within 60 days of receipt of the contribution. To date, one or more of the apparent excessive contributions have not been refunded, redesignated, or reattributed within the 60-day time frame. These contributions must be refunded immediately.

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating or reattributing the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo

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entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund the excessive amount will be taken into consideration.

3. Schedule B of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). The Act precludes an authorized or principal campaign committee from making a contribution to a candidate for federal office in excess of \$2,000 per election. (11 CFR §§ 102.12(c) and 102.13(c)) The Commission notes your additional explanation regarding the committee's corrective action taken for all of these contributions.

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

If the contribution made was excessive, you must notify the recipient committee and either request a refund or redesignate (if applicable) the amount in excess of \$2,000.

If requesting a refund, you also must inform the Commission in writing of such a refund and provide a photocopy of any refund request sent to the recipient committee. The refund must appear on Line 15 of the Detailed Summary Page and on a supporting Schedule A of the report covering the period in which the refund is received.

In regard to redesignations, you can authorize the recipient committee to redesignate the excessive portion of the contribution to another election provided the new designation does not exceed the limitations on contributions made with respect to that particular election. Also, the redesignation must be done within 60 days of the contribution being received by the recipient committee. A contribution can only be redesignated to a previous election provided the recipient committee has net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i)) If the above conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded to your committee. See 11 CFR § 103.3(b)(3).

Although the Commission may take further legal action concerning the excessive contribution(s), your prompt action to either redesignate or obtain a refund of

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the excessive amount will be taken into consideration.

4. Your committee filed a 48-hour notice disclosing a "last minute" contribution from Joyce Evans on 8/8/2022. This contribution does not appear on a Schedule A of this report. Please amend your report to include this contribution or provide an explanation of this apparent discrepancy. (11 CFR § 104.3(a)(4)(i)) For each contribution received by a joint fundraising representative and subsequently transferred to your committee, please ensure that your report discloses the original date of receipt of the contribution by the joint fundraising representative in a memo entry supporting the transfer. The entry for the transfer itself should show the date the contribution was transferred to your committee by the joint fundraising representative.

5. It appears that your committee may have filed duplicate 48-hour notices. Your committee filed two 48-hour notices for each of the attached contributions; however, these contributions are only disclosed once on Schedule A of your report. Please amend your report to include the additional contributions or provide an explanation of the apparent discrepancies. (11 CFR §104.3(a)(4)(i))

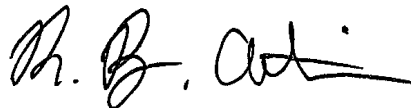
Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions 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) 694-1196.

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Sincerely,

A handwritten signature in black ink, appearing to read "B. Austin", with a stylized flourish at the end.

Bradley Austin

Sr. Campaign Finance & Reviewing Analyst

Apparent Excessive, Prohibited, and Impermissible Contributions
Byron Donalds for Congress (C00733329)

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Burns, Sigrid A. Mrs.	3/1/22	\$137.00	G2022
Burns, Sigrid A. Mrs.	4/1/22	\$500.00	G2022
Burns, Sigrid A. Mrs.	4/12/22	\$750.00	G2022
Burns, Sigrid A. Mrs.	6/30/22	\$600.00	G2022
Burns, Sigrid A. Mrs.	8/8/22	\$500.00	G2022
Burns, Sigrid A. Mrs.	9/7/22	\$600.00	G2022
Hayden, Marilyn Ms.	11/23/20	\$2,201.00	G2022
Hayden, Marilyn Ms.	4/12/22	\$500.00	G2022
Hayden, Marilyn Ms.	5/27/22	\$1,000.00	G2022
Hayden, Marilyn Ms.	7/18/22	\$500.00	G2022
Hayden, Marilyn Ms.	8/17/22	-\$500.00	G2022
King, Mary Susan Ms.	10/20/21	\$141.00	G2022
King, Mary Susan Ms.	11/18/21	\$151.00	G2022
King, Mary Susan Ms.	5/6/22	\$2,900.00	G2022
King, Mary Susan Ms.	5/31/22	\$200.00	G2022
King, Mary Susan Ms.	7/15/22	\$250.00	G2022
King, Mary Susan Ms.	7/21/22	\$250.00	G2022
King, Mary Susan Ms.	7/25/22	\$250.00	G2022
King, Mary Susan Ms.	8/17/22	-\$750.00	G2022
Moran, Thomas	3/30/21	\$2,900.00	G2022
Moran, Tom	9/14/22	\$2,900.00	G2022
Quinn, John	3/28/21	\$2,900.00	P2022
Quinn, John T.	4/6/22	\$150.00	P2022
Quinn, John T.	8/16/22	\$75.00	P2022
Quinn, John	1/29/22	\$2,000.00	G2022
Quinn, John T.	8/22/22	\$150.00	G2022
Quinn, John	9/20/22	\$1,000.00	G2022
Taylor, Judith Ms.	11/12/20	\$1,000.00	P2022
Taylor, Judith Ms.	3/23/21	\$1,000.00	P2022
Taylor, Judith Ms.	4/12/21	\$500.00	P2022
Taylor, Judith Ms.	4/28/21	\$1,000.00	P2022
Taylor, Judith Ms.	7/28/21	\$1,000.00	P2022

Apparent Excessive, Prohibited, and Impermissible Contributions**Byron Donalds for Congress (C00733329)**

Taylor, Judith Ms.	4/1/22	-\$250.00	P2022
Taylor, Judith Ms.	8/17/22	-\$1,000.00	P2022
Wasmer, Pedro Mr.	3/23/22	\$1,335.00	G2022
Wasmer, Pedro Mr.	4/14/22	\$500.00	G2022
Wasmer, Pedro Mr.	6/15/22	\$50.00	G2022
Wasmer, Pedro Mr.	6/15/22	\$1,000.00	G2022
Wasmer, Pedro Mr.	8/4/22	\$50.00	G2022

Apparent Excessive Contributions from Committees

Contributor Name	Date	Amount	Election
House Freedom Fund	3/31/22	\$2,000.00	G2022
House Freedom Fund	9/30/22	\$5,000.00	G2022

Apparent Excessive Contributions to Other Committees

Recipient Name	Date	Amount	Election
Bognet For Congress	9/7/22	\$2,500.00	G2022
Friends Of Dave Joyce	9/7/22	\$3,000.00	G2022
Friends Of Glenn Thompson	9/7/22	\$3,000.00	G2022
Friends Of Jeremy Shaffer	9/7/22	\$2,500.00	G2022
Jim Banks For Congress, Inc.	9/7/22	\$3,000.00	G2022
Scheller For Congress, Inc.	9/7/22	\$2,500.00	G2022
Singletary 4 Congress	9/28/22	\$2,500.00	G2022

Incorrectly Reported Receipts on 48-Hour Notices
Byron Donalds for Congress (C00733329)

Apparent Duplicate 48-Hour Notices Filed

Contributor Name	Date	Amount
Swanson, W. Clarke Mr. Jr	8/15/22	\$1,000.00