



**Federal Election Commission
Washington, DC 20463**

April 27, 2010

David C. Previte, Esq.
New York Republican Federal Campaign Committee
315 State St.
Albany, NY 12210

Re: ADR 524 (RAD 09L-42)
New York Republican Federal Campaign Committee and Jane Corwin,
Treasurer

Dear Mr. Previte:

Enclosed is the signed copy of the agreement resolving the referral initiated on **November 16, 2009** by the Federal Election Commission (“FEC/Commission”) involving New York Republican Federal Campaign Committee and Jane Corwin, Treasurer (“Respondents”). The agreement for **ADR 524 (RAD 09L-42)** was approved by the Commission on **April 22, 2010** – the effective date of the agreement.

Note the specific time frames for compliance in **paragraph 6** of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in the aforementioned agreement.** The letter should note the dates on which Respondents satisfied each of the terms listed in **paragraph 6**, and contain the ADR caption and case number. **[The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on or before May (date). Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.]**

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

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This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

Lynn M. Fraser, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

cc: Chris Wedderburn, Finance and Accounting Office
Room 819



**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 524
Source: RAD 09L-42
Case Name: New York Republican
Federal Campaign Committee

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with David C. Previte, Esq., representing the New York Republican State Committee and Jane Corwin, in her official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division (RAD) referred the Respondents for the cumulative nature of deficiencies on reports filed with the Commission in the 2008 election cycle which disclosed the Committee was not in substantial compliance with the FECA.
4. A political committee may be referred if, after an internal review of reports filed by the committee, the Commission determines the reports do not meet the threshold requirements for substantial compliance with the FECA. 2 U.S.C. § 437(g).
5. Respondents contend that the reporting issues developed after the individual who filed the Committee's reports suddenly left the Committee after seventeen (17) years. As a result of this unexpected departure, and in conjunction with the election of a new Treasurer, Respondents had staff undergo extensive training, implemented many new financial procedures including a monthly reconciliation of financial records to reports filed with the Commission, and participated in many discussions with the Committee's RAD Analyst to ensure accuracy and compliance.

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6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) send a representative to a FEC conference within twelve (12) months of the effective date of this agreement; (b) update the Committee's reporting software and technology within thirty (30) days of the effective date of this agreement; (c) develop and implement a receipt and response tracking process for communications with the Commission within thirty (30) days of the effective date of this agreement; (d) develop and implement a regularly scheduled staff review of the requirements under the FECA within thirty (30) days of the effective date of this agreement; and (e) pay a civil penalty of \$2,500 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 524 (RAD 09L-42), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

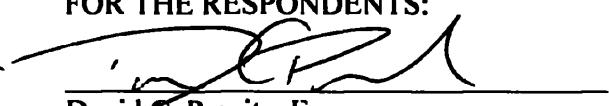
Lynn M. Fraser, Director
Alternative Dispute Resolution Office



4/22/10

Date Signed

FOR THE RESPONDENTS:


David C. Previte, Esq.
Representing the New York Republican State
Committee and Jane Corwin, Treasurer

4/1/10

Date Signed