



New York City Campaign Finance Board
100 Church Street, 12th Floor, New York, NY 10007
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By C-Access
June 18, 2015

Amy M. Loprest
Executive Director

Sue Ellen Dodell
General Counsel

Joni Kletter
2014 Administrative Account
459 12th Street, #2B
Brooklyn, NY 11215

Dear Ms. Kletter:

As you know, the New York City Campaign Finance Board (“CFB” or “Board”) is responsible for administering the New York City Campaign Finance Act (“Act”) and the Board Rules, including enforcing contribution and spending limits. The nature and scope of the Campaign for One New York’s (“CONY”) activities as described in media accounts raise questions regarding whether it is engaging in election-related activity which would trigger the application of the Act to its activities. *See* Admin. Code § 3-703(1)(e).¹

Public records indicate that CONY is a 501(c)(4) tax exempt organization incorporated with the New York Department of State on December 12, 2013 as a domestic non-for-profit corporation. CONY has not registered as a political committee with the New York State Board of Elections and has indicated that it does not intend to do so. It made filings with the New York State Joint Commission on Public Ethics for 2014, but has not registered as a lobbyist for 2015 and has publicly indicated that it does not intend to do so at this time.²

CONY has accepted donations that are in excess of the Act’s contribution limits and/or that covered campaigns may not accept due to their source. Mr. de Blasio appears to be actively engaging in fundraising on behalf of CONY and participating in its activities by attending meetings.³ Individuals and firms with longstanding associations to Mr. de Blasio, including but not limited to his most recent covered election campaign (New Yorkers for de Blasio), appear to control, direct, and speak on behalf of CONY.⁴ In addition, CONY and Mr. de Blasio’s 2017 election campaign (the “Campaign”) share legal counsel.

¹ “The use of an entity other than the designated principal committee to aid or otherwise take part in the election(s) covered by the candidate’s certification shall be a violation of this section and shall trigger the application to such entity of all provisions of this chapter governing principal committees.”

² *See*, e.g., <http://www.crainsnewyork.com/article/20150421/BLOGS04/150429966/de-blasio-group-quits-the-lobbying-business-for-now>

³ *See*, e.g., <http://www.nytimes.com/2015/03/11/nyregion/mayor-de-blasio-is-quietly-soliciting-donations-for-future-policy-battles.html>; <http://www.nytimes.com/2014/07/15/nyregion/lobbying-group-adopts-de-blasios-agenda.html>; “NYC Mayor Bill de Blasio will attend an event hosted by the Campaign for One New York, which is closed to members of the press” noted at <http://www.nystateofpolitics.com/2015/03/here-and-now-1238/>

⁴ *See*, e.g., <http://nypost.com/2014/02/07/pre-k-pushers-are-de-blasio-insiders/>; <http://observer.com/2014/02/bill-hyers-keeping-his-distance-from-de-blasio-for-now/>; <http://www.capitalnewyork.com/article/city-hall/2015/05/8567658/new-director-de-blasios-political-arm>

Accordingly, the CFB requests that the Campaign explain the following:

1. Mr. de Blasio's role in appointing, hiring, and firing individuals and firms paid by CONY.
2. Whether any of the monies spent by CONY could have legally been spent using government resources, and specifically how past lobbying activity by CONY differed from the work of the New York City Office of State Legislative Affairs and any other mayoral agency or office.
3. Whether the Campaign, CONY, and/or Mr. de Blasio or anyone acting on their behalf have requested guidance from the New York City Conflicts of Interest Board regarding CONY's activities. If so, provide a copy of such guidance.
4. Whether any CONY activities constitute "expenditure[s]" under the Act, which "include all payments and liabilities in furtherance of a political campaign for covered office" and why or why not. *See* Admin. Code § 3-702(21)(a).

If the Campaign disagrees with the accuracy of the published accounts of CONY's activities, the quotes from people speaking on its behalf, and in particular with the descriptions of Mr. de Blasio's role in fundraising and meetings, the CFB would welcome any additional information that the Campaign can provide. The Campaign is also free to supplement its response with material not specifically requested but that would be useful to the CFB's analysis of whether CONY's activities should be subject to the Act and Rules.

Please submit your response by July 13, 2015. Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Peri Horowitz". The signature is written in a cursive, flowing style.

Peri Horowitz
Assistant Executive Director for
Campaign Finance Administration