



## Application Requesting an Exemption from Source of Funding Disclosure Requirements

The regulations governing a Client Filer's obligation to disclose sources of funding are contained in 19 NYCRR Part 938. These regulations provide that a Client Filer may seek an exemption from the source of funding disclosure requirements. Part 938.4 sets forth the applicable standards upon which an exemption shall be granted by the Joint Commission on Public Ethics. In addition to completing this form, please review the procedures to apply for an exemption in Part 938.5.

### ALL CLIENT FILERS SEEKING AN EXEMPTION TO THE SOURCE OF FUNDING DISCLOSURE OBLIGATIONS MUST FILL OUT THIS FORM.

<b>Name of Client Filer Requesting Exemption:</b>		
<b>Name of Individual Authorized to File Request:</b>		
<b>Title:</b>	<b>Telephone number:</b>	
<b>Address:</b>		
<b>City:</b>	<b>State:</b>	<b>Zip:</b>
<b>E-Mail address:</b>		

Please indicate, by placing a check mark next to (A) or (B), the applicable section of Part 938 under which you are seeking an exemption:

- A. Client Filer is seeking an exemption for a Source, Sources, or class of Sources pursuant to 19 NYCRR Part 938.4(a), which requires a showing that disclosure of the Source [or Sources] may cause harm, threats, harassment or reprisals to the Source or individuals or property affiliated with the Source [or Sources].
- B. Client Filer is an IRC §501(c)(4) organization seeking an exemption from disclosing all Sources pursuant to 19 NYCRR Part 938.4(b), which requires a showing that the Client Filer's "primary activities involve areas of public concern that create a substantial likelihood that disclosure of its Sources will cause harm, threats, harassment or reprisals to the Sources or individuals or property affiliated with the Sources."

OR

**All** Client Filers must submit, *with this form*, a letter addressed to the Commission requesting an exemption and setting forth in detail why the applicable regulatory standard (19 NYCRR Part 938.4(a) or (b)) has been met. **NOTE:** the Commission will consider the factors set forth in 19 NYCRR Part 938.4(c) to determine whether an exemption should be granted.

- All information in support of the exemption request must be submitted together with the letter.
- The letter must also contain the following signed declaration: "I declare that the information contained in this application is true, correct, and complete to the best of my knowledge and belief."

***All information submitted in support of an exemption will be made publicly available and discussed in the Public Session of the Commission's meeting. The only exception to this rule is information for which the Commission has granted a Client Filer's request for confidential treatment.***

Mail the completed form to the:  
NYS Joint Commission on Public Ethics \* 540 Broadway \* Albany, NY 12207

## IMPORTANT INFORMATION FOR CLIENT FILERS SEEKING CONFIDENTIAL TREATMENT OF INFORMATION SUBMITTED IN SUPPORT OF AN EXEMPTION

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*Pursuant to 19 NYCRR Part 938.7, a request for confidential treatment of information may only be granted by the Commission upon a showing of particular circumstances, such as when the information would reveal an ongoing investigation by a governmental body that has not been made public, or information that, if revealed, would constitute an unwarranted invasion of personal privacy.*

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Please indicate if the Client Filer is requesting, pursuant to 19 NYCRR Part 938.7, that specific information submitted in support of the exemption be treated as confidential.

### Procedure for a Client Filer Requesting Confidential Treatment of Certain Information.

1. In a separate letter, indicate precisely what material is the subject of the confidentiality request and set forth, in detail, why such material is entitled to be treated as confidential pursuant to Part 938.7.
2. Provide two copies of the material for which confidentiality is requested.
  - One copy of the material must be in an un-redacted form.
  - The second copy of the material must include any proposed redactions. The redacted version of the material is the version that, should the Commission grant the confidentiality request, will be made publicly available (together with the material for which no confidential treatment has been requested).

Generally, proposed redactions should only include personal information which, because of a name, number, symbol, mark or other identifier, can be used to identify a person, such as an address, telephone number, birth date, or social security number. If the Client Filer is unable to submit a redacted version that adequately preserves the requested confidentiality, provide a detailed explanation setting forth the reasons why the material in its entirety should remain confidential.

### Impact of a Grant or Denial by the Commission of a Confidentiality Request.

If the Commission *grants* the confidentiality request, the material that is the subject of the request will be considered by the Commission in an Executive Session that is closed to the public. All other material, and the Client Filer's application for an exemption from the source of funding disclosure requirements as a whole, will be made publicly available and considered by the Commission in a Public Session.

**If the Commission *denies* the confidentiality request, the Client Filer has two options. Indicate below whether the Client Filer elects Option A or Option B (*choose only one*):**

(A) The material that is the subject of the confidentiality request that was rejected by the Commission will remain confidential and will not be considered by the Commission when evaluating the application for exemption.

**OR**

(B) The material that is the subject of the confidentiality request that was rejected by the Commission will be made *publicly available, in an un-redacted and complete form (or with redactions made by the Commission in its discretion)*, and will be considered by the Commission in the Public Session when evaluating the application for an exemption.

### Mail the completed form to the:

NYS Joint Commission on Public Ethics  
540 Broadway  
Albany, NY 12207