



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

April 9, 2008

Mr. John Lombardo, Treasurer  
International Union of Operating Engineers  
Local 68 Political Action Committee  
11 Fairfield Place  
West Caldwell, NJ 07006

**Response Due Date:  
May 9, 2008**

Identification Number: C00138966

Reference: Year-End Report (7/1/07-12/31/07)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) 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 2 items:

1. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) prohibits a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

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

If any contribution you made exceeds the limits, you must request a refund of the excessive amount or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund of the excessive amount.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent

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to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

2. Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that contributions to Presidential candidates are governed by specific regulations. All Presidential primary elections held during an election year are considered one election for the purpose of the contribution limits. Therefore, a multicandidate committee may give only \$5,000 to a Presidential candidate's primary election campaign, regardless of how many separate state Presidential primaries the candidate participates in, while a non-multicandidate may give only \$2,300. 11 CFR §§110.1(j)(1) and 110.2(i)(1)

In addition, please note that general election contributions to Presidential campaigns are not permitted if the candidate receives public funds. (An exception: Political committees may contribute to a publicly funded Presidential nominee's "compliance fund." A compliance fund is used solely for legal and accounting expenses incurred in complying with the election law. Gifts to compliance funds are considered contributions and are subject to usual per-candidate, per-election limits.) 11 CFR §9003.3(a)

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

If you have made an excessive contribution, you must notify the recipient and request a refund of the excessive amount. The refund of the excessive amount must be made within sixty (60) days of receipt of the contribution.

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

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Although the Commission may take further legal action concerning the excessive contribution(s), prompt action in obtaining a refund 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. If you should 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) 694-1152.

Sincerely,

*Debbie Charona*

for: Rosa G. Lewis  
Senior Campaign Finance Analyst  
Reports Analysis Division

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Excessive Contribution to a Candidate(s) with an Affiliated Committee

Recipient Name	Date	Amount	Election	Report	Contributing Affiliate
Don Payne for Congress	3/8/07	\$3,500	P 2008	2007 Mid-Year	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE
Don Payne for Congress	8/13/07	\$1,500	P 2008	2007 September Monthly	ENGINEERS POLITICAL EDUCATION COMMITTEE (EPEC)/INTERNATIONAL UNION OF OPERATING ENGINEERS
Don Payne for Congress	11/26/07	\$1,500	P 2008	2007 Year-End	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE

Pascrell for Congress Inc	2/14/07	\$1,000	P 2008	2007 Mid-Year	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE
Pascrell for Congress Inc	3/26/07	\$4,000	P 2008	2007 April Monthly	ENGINEERS POLITICAL EDUCATION COMMITTEE (EPEC)/INTERNATIONAL UNION OF OPERATING ENGINEERS

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Pascrell for Congress Inc	12/10/07	\$2,000	P 2008	2007 Year-End	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE
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Excessive Contribution to a Candidate(s) with an Affiliated Committee, continued

Recipient Name	Date	Amount	Election	Report	Contributing Affiliate
Hillary Clinton for President	3/7/07	\$1,000	P 2008	2007 Mid-Year	I.U.O.E LOCAL 15 POLITICAL ACTION COMMITTEE
Hillary Clinton for President	4/26/07	\$5,000	P 2008	2007 Mid-Year	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 324 NATIONAL POLITICAL ACTIVITIES COMM.
Hillary Clinton for President	7/30/07	\$5,000	P 2008	2007 Year-End	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE
Hillary Clinton for President	8/23/07	\$200	P 2008	2007 Year-End	INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 106 VOLUNTARY POLITICAL ACTION FUND

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Hillary Clinton for President	12/07/07	\$5,000	P 2008	2007 Year- End	<b>INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL 68 POLITICAL ACTION COMMITTEE</b>
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