



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

February 10, 2006

Michael Belluzzi, Treasurer
Sheet Metal Workers International Association
Local 28 Political Action Committee
500 Greenwich Street
New York, NY 10013

**Response Due Date:
March 13, 2006**

Identification Number: C00169490

Reference: July Quarterly Report (4/1/05-6/30/05)

Dear Mr. Belluzzi:

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. **An adequate response must be received at the Commission by the response date noted above.** An itemization of the information needed follows:

-Schedule B of your report discloses a total of \$2,827.87 in payments to your connected organization for "Reimbursement for PAL Mailing". 2 U.S.C. §441b prohibits a corporation or labor organization from contributing or expending funds for the purpose of influencing any federal election; however, a connected organization may pay for the solicitation and administrative costs of its separate segregated fund. Further, 11 CFR §114.2(f) prohibits corporations and labor organizations from facilitating the making of contributions to candidates or political committees, other than to the separate segregated funds of the corporations and labor organizations. Facilitation means using corporate or labor organization resources or facilities to engage in fundraising activities in connection with any federal election. The use of corporate or labor organization resources in connection with a fundraiser may be permissible for certain fundraising activities **only if the corporation or labor organization receives advance payment for the fair market value of such services.** 11 CFR **§114.2(f)(2)(i)(A), (C) and (E)**

Please amend your report to clarify whether the payment to your connected organization was for expenditures which were intended to influence federal

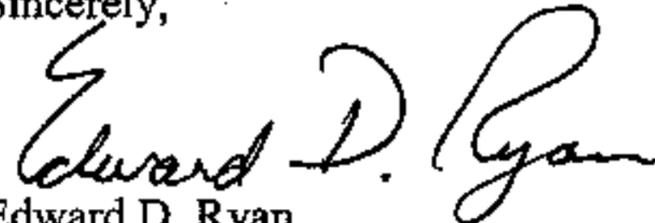
elections and provide the dates of the activity conducted by your connected organization. In addition, please clarify whether your committee made advance payment for these services to your connected organization. Although the Commission may take further legal action concerning this matter, your prompt action will be taken into consideration.

-Your report disclosed a category of financial activity that has been reflected on the wrong line of the Detailed Summary Page. Disbursements to, Transfers to, and Earmarking contributions through affiliated/other party committees (to SMWIA Political Action Committee for 50 Lapel Pins, Various, and for Congressman Steve Israel) should be properly disclosed on a separate Schedule B, supporting Line 22 (not Lines 21(b) or 29) of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. 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.

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) 694-1144.

Sincerely,



Edward D. Ryan
Campaign Finance Analyst
Reports Analysis Division

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