



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463 October 29, 2008

RQ-2

Richard L. Knice, Treasurer  
Sheet Metal Workers International Association  
Local 28 Political Action Committee  
500 Greenwich Street  
New York, NY 10013

Response Due Date:  
December 1, 2008

Identification Number: C00169490

Reference: July Quarterly Report (4/1/08-6/30/08)

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 4 items:

1. Schedule A of your report discloses a receipt(s) of \$47,274.11 from the "SMW LU 28 Political Action Committee". Please clarify whether this transfer(s) is from an account maintained by your committee for non-federal activity. If so, be advised that such a transfer is prohibited by 11 CFR §102.5(a)(1)(i) and the full amount of the transfer(s) should be returned to the non-federal account. Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out. In addition, the transfer-out should be disclosed on Schedule B supporting Line 22 of your next report.

If this transaction represents an "internal transfer" of funds from one federal account to another, and the source(s) of such funds has been identified in previous reports of receipts and disbursements, please note that such transfers should not be itemized as doing so inflates total receipts and cash on hand. If this is the case, please amend your report accordingly and amend all subsequent reports where similar transactions have occurred.

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Although the Commission may take further legal action regarding the acceptance of funds from a non-federal account, your prompt transfer-out of the impermissible funds or clarification of the transaction, will be taken into consideration.

2. Line 6(a) of the Summary Page represents the total cash-on-hand as of January 1, 2008. This figure should be the same on all the reports covering the calendar year. Please amend your report to clarify the change made in Line 6(a).

3. The totals listed on Lines 6(c), 7, 11(a)(ii), 21(b) and 29, Column B of the Summary and Detailed Summary Page(s) appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. Please amend your report and any subsequent reports that may be affected by this correction.

4. Schedule A supporting Line 11(a)(i) of your report discloses receipts identified as "Transfer Proceeds SMW 28 Escrow Account, Transfer Proceeds from Escrow account, and Transfer of proceeds Escrow account." Please be advised that federal regulations require the itemization of all contributions from individuals/persons that aggregate greater than \$200 in the calendar year. Contributions from individuals/persons that aggregate \$200 or less need only be disclosed on Line 11(a)(ii) of the Detailed Summary Page.

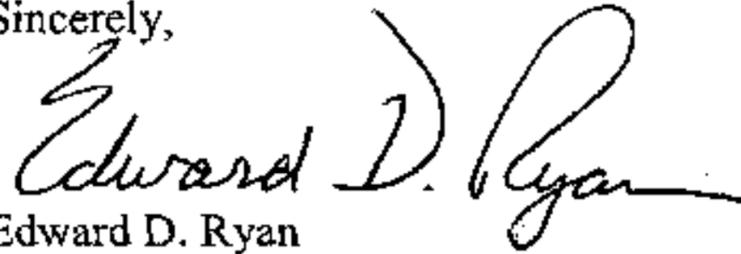
Please clarify whether the receipts disclosed on Schedule A includes any contributions that aggregate greater than \$200 from an individual/person in the calendar year. If this is the case, please amend your report by itemizing the contributions from each individual/person on Schedule A. 11 CFR §104.3(a)(2)

**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.**

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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  
Senior Campaign Finance Analyst  
Reports Analysis Division

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