

**INTERNATIONAL  
LONGSHORE &  
WAREHOUSE UNION**  
AFL-CIO



1188 FRANKLIN STREET  
SAN FRANCISCO  
CALIFORNIA 94109  
(415) 775-0533  
(415) 775-1302 FAX  
www.ILWU.org

ROBERT McELLRATH  
President

RAY A. FAMILATHE  
Vice President

WESLEY FURTADO  
Vice President

WILLIAM E. ADAMS  
Secretary-Treasurer

April 30, 2013

Paul Stoetzer  
Senior Campaign Finance Analyst  
Reports Analysis Division  
Federal Elections Commission  
Washington, D.C. 20463

IDENTIFICATION NUMBER: C00176214  
REFERENCE: AMENDED JULY MONTHLY REPORT (06/01/2012-06/30/2012),  
RECEIVED 02/04/2013

Dear Mr. Stoetzer,

This responds to your letter dated February 27, 2013 regarding the amended monthly report referenced above. I have attached a copy of your letter for your convenience.

1. Your letter notes that this amended report discloses contributions to candidates for the 2012 Primary election; however the funds were disbursed after the date of that election. Upon investigation, we learned that these contributions were incorrectly designated in our initial report as contributions to the candidates' Primary election campaign, when they should have been reported as contributions to the candidates' General election campaigns.

We have reviewed the candidates' reports disclosing their receipt of these contributions, and in each case they report them as contributions to their General election campaigns. Accordingly, our initial report incorrectly designated the contributions as for the Primary election, but the candidates correctly reported them as for the General campaign.

We will file an amended report designating these contributions as contributions to the candidates' General election campaigns.

2. Your letter notes that one or more of these contributions discussed above appears to exceed the \$5,000 per candidate per election contribution limit. This is a result of the incorrect designation of these contributions as contributions to the candidate's primary election campaign, when in fact they should have been designated as contributions to the candidate's general election campaign, as explained above. As noted, we will file an amended report correctly designating these contributions for the candidate's general election campaign. When these contributions are correctly designated they will not exceed any contribution limits.

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3. Your letter notes that our report for this period discloses a payment on Schedule D to "ILWU," but this payment is not disclosed on a disbursement Schedule. We will file an amended July monthly report disclosing payment of this debt on Schedule B, and will also disclose it on Line 29 of the detailed summary report.

Our investigation into this issue disclosed two related errors, which we will also correct. The \$4,501.75 debt which this payment repaid was to reimburse a staff employee's credit card charge for catering expenses incurred at a campaign event for Norman Solomon's general election campaign for Congress (California, District 6). This credit card charge was disclosed in our amended April monthly report filed on 8/22/2012, for the period 03/01/2012-03/31/2012, on Schedule F as a co-ordinated party expenditure. This was mistaken. The credit card charge should have been disclosed on Schedule B as an in-kind contribution and entered on the detailed summary page at Line 23 of that report. We will file an amended April monthly report making these corrections.

The second error we discovered regarding this transaction was that the disclosure of this debt on Schedule D inaccurately disclosed the debtor as the ILWU. In fact, the debt was owed and repaid to the staff employee who incurred the credit card charge. This error was made on Schedule D in the amended monthly reports filed in April, May, June, July and September. We will file amended reports for those months disclosing the person to whom the debt was incurred and ultimately repaid.

Thank you for bringing these issues to our attention. We take very seriously our obligation to report all transaction of the Political Action Fund fully and accurately. We appreciate your efforts to assist us in our ongoing efforts to fulfill this obligation. If you have further questions or comments about this report, don't hesitate to contact me or my assistant Russ Bargmann, at the address or phone number listed above.

Sincerely,



William E. Adams, Treasurer  
ILWU Political Action Fund

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

February 27, 2013

WILLIAM E. ADAMS, TREASURER  
INTERNATIONAL LONGSHORE AND WAREHOUSE  
UNION -- POLITICAL ACTION FUND  
1188 FRANKLIN STREET  
SAN FRANCISCO, CA 94109

**Response Due Date**  
**04/03/2013**

IDENTIFICATION NUMBER: C00176214

REFERENCE: AMENDED JULY MONTHLY REPORT (06/01/2012 - 06/30/2012),  
RECEIVED 02/04/2013

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 3 item(s):

1. Schedule B supporting Line 23 of your report discloses one or more contributions to a candidate(s) for the 2012 Primary election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign. (11 CFR §§110.1(b)(3) and 110.2(b)(3))

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund 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. (11 CFR §103.3(b)(1) and (3))

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**INTERNATIONAL LONGSHORE AND WAREHOUSE UNION -- POLITICAL ACTION FUND**

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Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund or redesignation request sent 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 this impermissible activity, 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. 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. (11 CFR §103.3(b)(1) and (3))

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

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INTERNATIONAL LONGSHORE AND WAREHOUSE UNION -- POLITICAL ACTION FUND

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redesignating the contribution(s) will be taken into consideration.

3. Your report discloses a payment(s) on Schedule D to "ILWU", which has not been recorded on a disbursement schedule. Loan payments must be reflected on a Schedule B as well as on Schedule C, and debt payments must be reflected on a Schedule B, E, F, H4 or H6 as well as on Schedule D. Please amend your report to clarify this discrepancy. (2 U.S.C. §434(b)(5)(D) and (b)(8))

**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) 694-1393.

Sincerely,



Paul Stoetzer  
Senior Campaign Finance Analyst  
Reports Analysis Division

**Excessive, Prohibited, and Impermissible Contributions****International Longshore and Warehouse Union – Political Action Fund (C00176214)****Contributions Made After Election Date**

| Recipient Name | Date    | Amount     | Election | Election<br>(State/Date) |
|----------------|---------|------------|----------|--------------------------|
| BARBARA LEE    | 6/19/12 | \$1,500.00 | P2012    | CA - 6/5/12              |
| GEORGE MILLER  | 6/19/12 | \$2,500.00 | P2012    | CA - 6/5/12              |
| NANCY PELOSI   | 6/19/12 | \$2,000.00 | P2012    | CA - 6/5/12              |

**Excessive Contributions to a Committee/Candidate Committee**

| Recipient Name | Date    | Amount     | Election | Report            |
|----------------|---------|------------|----------|-------------------|
| GEORGE MILLER  | 6/30/11 | \$5,000.00 | P2012    | 2011 July Monthly |
| GEORGE MILLER  | 6/19/12 | \$2,500.00 | P2012    | 2012 July Monthly |

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Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

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|--|-------------------------------|
| <input type="checkbox"/> Hand Delivered  | Date of Receipt               |
| <input checked="" type="checkbox"/> USPS First Class Mail                        | Postmarked<br>5/1/13          |
| <input type="checkbox"/> USPS Registered/Certified                               | Postmarked (R/C)              |
| <input type="checkbox"/> USPS Priority Mail                                      | Postmarked                    |
| Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/> |                               |
| <input type="checkbox"/> USPS Express Mail                                       | Postmarked                    |
| <input type="checkbox"/> Postmark Illegible                                      |                               |
| <input type="checkbox"/> No Postmark   |                               |
| <input type="checkbox"/> Overnight Delivery Service (Specify):                   | Shipping Date                 |
| Next Business Day Delivery <input type="checkbox"/>                              |                               |
| <input type="checkbox"/> Received from House Records & Registration Office       | Date of Receipt               |
| <input type="checkbox"/> Received from Senate Public Records Office              | Date of Receipt               |
| <input type="checkbox"/> Received from Electronic Filing Office                  | Date of Receipt               |
| <input type="checkbox"/> Other (Specify):  | Date of Receipt or Postmarked |

  
 PREPARER

5/9/13  
 DATE PREPARED