

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: March 8, 2011

ANALYST: Ashley Carter

- I. COMMITTEE: IUOE Operating Engineers
C00136739
James Jones, Treasurer
1375 Virginia Dr.
Ft. Washington, PA 19034
- II. RELEVANT STATUTE: 2 U.S.C. § 434(b)(2)
11 CFR § 104.3(a)(2)(i)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

The IUOE Operating Engineers ("the Committee") amended its 2010 October Quarterly Report to disclose additional receipts totaling \$60,758.23 that were not disclosed on the original 2010 October Quarterly Report (Attachment 2).

On October 5, 2010, the Committee filed its original 2010 October Quarterly Report covering the period from July 1, 2010 through September 30, 2010. The original report disclosed \$0.00 receipts on Line 11(a)(ii) (Unitemized Contributions From Individuals/Persons Other Than Political Committees) of the Detailed Summary Page (Image 10991239558).

On December 8, 2010, the Committee filed an Amended 2010 October Quarterly Report which disclosed \$60,758.23 on Line 11(a)(ii) of the Detailed Summary Page (Image 10932097025).

On December 22, 2010, a Request for Additional Information ("RFAI") was sent to the Committee referencing the Amended 2010 October Quarterly Report, received December 8, 2010. The RFAI requested clarification regarding the additional receipts totaling \$60,758.23 disclosed on Line 11(a)(ii) of the Detailed Summary Page that were not previously disclosed on the Committee's original 2010 October Quarterly Report (Image 10030522660).

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On December 29, 2010, Annabelle DiTaranto, a consultant for the Committee, called the Reports Analysis Division ("RAD") Analyst regarding the RFAI referencing the Amended 2010 October Quarterly Report, received December 8, 2010. Ms. DiTaranto explained that when the original 2010 October Quarterly Report was prepared, contributions were entered into the filing software incorrectly and were not correctly saved. The Committee subsequently filed an Amended 2010 October Quarterly Report to include the undisclosed receipts. The Analyst told her the Committee should respond to the RFAI by filing a Miscellaneous Electronic Submission (FEC Form 99). Ms. DiTaranto said that she would have another consultant, James Manion,¹ contact the Analyst the next day to discuss how to respond to the RFAI (Attachment 3).

On January 4, 2011, Ms. DiTaranto and Mr. Manion called the Analyst regarding the RFAI referencing the Amended 2010 October Quarterly Report and how to best respond to it. The Analyst advised that the Committee place an explanation for the increased receipts on the public record by filing an FEC Form 99 and explained how to create this document using the FECfile software (Attachment 3).

On January 4, 2011, the Committee filed an FEC Form 99 which stated, in full:

Amended return after losing all information
did not agree with cash Balance
had to resend return correcting our error to tie cash balances
Cash balances is now correct (Image 11990010553).

On February 4, 2011, the Analyst called the Committee and asked to speak to James Jones, the treasurer listed on the most recent Amended Statement of Organization, received February 1, 2005. Ms. DiTaranto informed the Analyst that there was no one there by that name. The Analyst explained to Ms. DiTaranto that the Committee may be referred for additional action by the Commission for the increase in receipts on the Amended 2010 October Quarterly Report. The Analyst asked Ms. DiTaranto if the Committee would like to add any additional information to the public record regarding the increase in receipts. Ms. DiTaranto said that the Committee had no additional information (Attachment 3).

On February 7, 2011, the Analyst again attempted to contact James Jones, the Committee's treasurer, to ensure the treasurer was aware of the potential referral for further action by the Commission. When Ms. DiTaranto answered the phone, the Analyst asked her if the most recent Amended Statement of Organization, filed in 2005, reflected the current treasurer information. Ms. DiTaranto transferred the Analyst to another consultant working with the Committee, James J. Manion, Sr., who informed the Analyst that Mr. Jones was still the treasurer for the Committee. However, Mr. Manion, Sr. was unable to provide the Analyst with contact information for Mr. Jones (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

¹ This referral contains communications with, James Manion, and James J. Manion Sr., both of these individuals are consultants working with the Committee.

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