



**Federal Election Commission
Washington, DC 20463**

April 12, 2007

Robert D. Kurnick, Esq.
Sherman, Dunn, Cohen, Leifer & Yellig, PC
900 7th Street, NW Suite 1000
Washington, DC 20001

Re: ADR # 344
International Association of Heat and Frost Insulator and Asbestos Workers
PAC and James P. McCourt, Treasurer

Dear Mr. Kurnick:

Enclosed is the signed copy of the agreement resolving the referral initiated on August 21, 2006 with the Federal Election Commission ("FEC/Commission") against International Association of Heat and Frost Insulators and Asbestors Workers PAC and James P. McCourt, Treasurer ("Respondents"). The agreement for ADR 344 (RAD 06L-22) was approved by the Commission on April 4, 2007 – the effective date of the agreement.

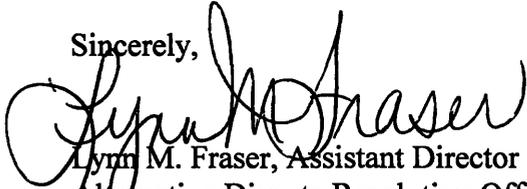
Note that paragraph 9 of the agreement specifies that Respondents shall comply with the terms of this settlement within thirty (30) days of the effective date of the agreement. Please forward to this office, a statement confirming Respondents' compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6.

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

27190271164

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

27190271165



**Federal Election Commission
Washington, DC 20463**

Case Number ADR 344
Source RAD 06L-22
Case Name. International Association of Heat &
Frost Insulators and Asbestos Workers PAC

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission ("Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, ("FECA") and resolve this matter, the Commission entered into negotiations with Robert D. Kurnick, Esq., representing the International Association of Heat & Frost Insulators and Asbestos Workers Political Action Committee, and James P. McCourt, in his official capacity as Treasurer ("the Committee" or "Respondents"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

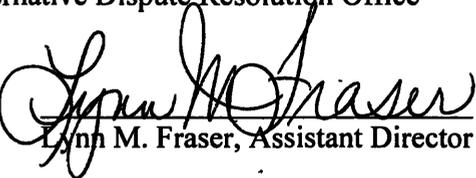
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division ("RAD") referred Respondents for failing to disclose all financial activity on its 2005 Mid-Year Report. Respondents filed their original 2005 Mid-Year Report on July 28, 2005. Respondents filed an Amended 2005 Mid-Year Report on January 31, 2006, that disclosed additional receipts totaling \$90,088.01.
4. Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(2), 11 C.F.R. §§ 104.1, 104.3(a).
5. Respondents acknowledge an inadvertent violation of FECA. Respondents contend that a former administrative assistant who prepared the reports apparently mistakenly entered the approximate amount of non-federal expenditures as the amount of the

Committee's unitemized receipts. As soon as Respondents prepared the next report, they noted the error, and immediately filed an amended 2005 Mid-Year Report.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) designate a compliance specialist who trains staff on the FECA, including reporting requirements; and (b) pay a civil penalty of \$1200.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms within thirty (30) days from the effective date of this agreement.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 344 (RAD 06L22), and effectively resolves the issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Deborah Kant, Director
Alternative Dispute Resolution Office

By: 
Lynn M. Fraser, Assistant Director

4-03-07
Date Signed

FOR THE RESPONDENTS:


Robert D. Kurnick, Esq.
Representing the International Association of
Heat & Frost Insulators and Asbestos Workers
Political Action Committee, and James P. McCourt, Treasurer

3-22-07
Date Signed

27190271167