



**Federal Election Commission
Washington, DC 20463**

November 21, 2008

Mr. George Wiszynski
1775 K Street, NW
Washington, DC 20006

Re: ADR 430 (RR 07L-45)
United Food & Commercial Workers International Union Active Ballot Club
Committee and Anthony M. Perrone, Treasurer

Dear Mr. Wiszynski:

Enclosed is the signed copy of the agreement resolving the referral initiated on November 1, 2007 with the Federal Election Commission ("FEC/Commission") against United Food & Commercial Workers International Union Active Ballot Club Committee and Anthony M. Perrone, Treasurer ("Respondents"). The agreement for ADR 430 (RR 07L-45) was approved by the Commission on November 7, 2008 – the effective date of the agreement.

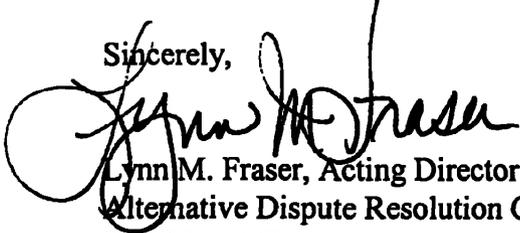
Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on December 7, 2008. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

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 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.

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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, Acting Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

cc: Angela Dillard, Finance and Accounting Office
Ken Pezzella, Finance and Accounting Office
Room 819

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**Federal Election Commission
Washington, DC 20463**

**Case Number: ADR 430
Source: RR 07L-45
Case Name: United Food &
Commercial Workers Int'l.
Union Active Ballot Club**

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election 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 George Wiszynski, representing United Food & Commercial Workers International, Union Active Ballot Club and Anthony M. Perrone, in his official capacity as Treasurer (collectively "Respondents" or "the Committee"). 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. Respondents failed to disclose failed to disclose \$100,973.92 in receipts in its 2006 Year End Report., (a 24.3% percent increase). The Committee filed the report on January 30, and filed the amended report disclosing the additional receipts on March 13, 2007.
4. In response to a Request For Further Information, the Committee filed an electronic submission explaining that the contributions were received in the Committee's lock boxes and deposited in its bank account in December. However, the Committee's reporting system did not recognize these receipts as received in December but rather as received in January. The Committee noted that its accounting system did have the receipts properly posted for December.

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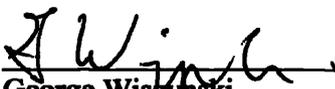
5. Treasurers of political committees are required to report all financial activity, including all receipts. 2 U.S.C. §§ 434(a) 434(b)(2), 11 C.F.R. § 104.3(a).
6. Respondents, in an effort to resolve this matter and avoid similar errors in the future, agree to: (a) purchase new reporting software; (b) regularly reconcile reports with records; (c) certify to the Commission that the results of the 2008 & 2009 audits of the union met professional accounting standards and verify that the audit results are consistent with the financial activity in the FEC reports; (d) certify to the Commission that it complies with the Commission's April 5, 2007 guidance on internal controls; and (e) pay a \$1500 civil penalty.
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 all terms except (c) within thirty (30) days of the effective date of this agreement. The audit certifications for 2008 and 2009 set forth in term (c) shall be due March 1, 2008 and March 1, 2009 respectively.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 430 (RR 07L-45), and effectively resolves only those 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:

By: 
 for Deborah Ruth Kant, Director
 Alternative Dispute Resolution Office

11-7-08
 Date Signed

FOR THE RESPONDENTS:


 George Wiszynski
 United Food & Commercial Workers
 International, Union Active Ballot Club
 and Anthony M. Perrone, Treasurer

3/25/08
 Dated Signed