

## REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: May 12, 2010

ANALYST: Laura Sinram

- I. COMMITTEE: Seafarers Political Activity Donation-Seafarers  
International Union of N.A.-AGLIWD/NMU  
C00004325  
Suzanne L. Plourde, Treasurer  
5201 Auth Way  
Camp Springs, MD 20746
- II. RELEVANT STATUTES: 2 U.S.C. §441b  
11 CFR §114.5(b)(3)

## III. BACKGROUND:

**Prohibited and Other Impermissible Contributions/Transfers (Impermissible Receipt from a Connected Organization)**

The Seafarers Political Activity Donation-Seafarers International Union of N.A.-AGLIWD/NMU ("the Committee") received \$123,900.00 from its connected organization on March 20, 2009 for the reimbursement of administrative expenses paid by the Committee in 2008. The reimbursement was received more than thirty (30) days after the initial disbursement(s) were made, and the Committee subsequently refunded the apparently impermissible reimbursement on August 6, 2009.

On April 20, 2009, the Committee filed the 2009 April Monthly Report covering the period from March 1, 2009 through March 31, 2009. The report disclosed a \$123,900.00 receipt on March 20, 2009, from "Seafarers International Union - AGLIWD/NMU" for "Refund of political strategic consulting fees" on Line 15 (Offsets to Operating Expenditures) of the Detailed Summary Page (Image 29933575254).

On June 10, 2009, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2009 April Monthly Report. Among other issues, the RFAI asked for clarification regarding the Committee's receipt of \$123,900.00 from its connected

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organization as an apparent reimbursement for administrative expenses paid by the Committee. The RFAI advised that the connected organization may not reimburse the Committee for administrative expenses more than thirty (30) days after the expenses were paid (Images 29030101172-3).

On July 30, 2009, the Reports Analysis Division ("RAD") Analyst called Lynn Walters, then-Treasurer, because the Committee had not responded to the RFAI. The Analyst spoke with Suzanne Plourde, who was responsible for filing the Committee's reports, because Ms. Walters was out of the office. Among other issues, the Analyst told Ms. Plourde that the Committee had not responded to the RFAI sent June 10, 2009, regarding the receipt from their connected organization and the issue was now referable for further Commission action. After looking at the image of the RFAI on the Commission's website, Ms. Plourde said that she would confer with her boss and respond to the RFAI (Attachment 2).

On August 6, 2009, the Analyst called Ms. Plourde because the Committee had still not submitted a response. Ms. Plourde said that she had filed a Miscellaneous Electronic Submission (FEC Form 99) using software from an outside vendor. The Analyst stated it had not been received. Ms. Plourde said she would resubmit the FEC Form 99 (Attachment 2).

The Committee then filed an Amended 2009 April Monthly Report on August 6, 2009, with no change in disclosed information (Image 29934420504).

Subsequently on August 6, 2009, the Analyst called Ms. Plourde and explained that the Amended 2009 April Monthly Report did not disclose any new information and suggested she submit an FEC Form 99 (Attachment 2).

Later on August 6, 2009, the Committee filed a FEC Form 99 which stated in full,

"FEC ID: C00004325. SEAFARERS POLITICAL ACTIVITY DONATION. Please be advised that during an audit of the PAC it was determined that the consultants for the PAC also work in a capacity for the connected organization (Seafarers International Union). It was determined that approximately half of the consultants {sic} time was spent on the PAC and half on the Union. Therefore, the Union reimbursed 50% of the consulting fees paid in 2008. In 2009 the consultants were paid by both entities. If you have any questions please contact Sue Plourde" (Image 29992570374).

The Analyst called Ms. Plourde again on August 6, 2009 and told her that since the reimbursement from the connected organization was received more than thirty (30) days after the original disbursements by the Committee in 2008, the issue was still referable for further action. The Analyst explained that the Committee was required to transfer-out the \$123,900.00 reimbursement from the connected organization (Attachment 2).

On August 6, 2009, the Committee filed an Amended 2009 April Monthly Report that provided a copy of the check to the connected organization showing that the \$123,900.00 refund had been made on August 6, 2009 (Image 29030143122). The refund was subsequently

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disclosed on Line 29 (Other Federal Disbursements) of the Detailed Summary Page of the Committee's 2009 September Monthly Report covering the period from August 1, 2009 through August 31, 2009, filed on September 17, 2009 (Image 29934517500).

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

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