



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 30, 2010

VIA FACSIMILE AND US MAIL

Leslie Tarantola, Esq.  
Seafarers International Union  
5201 Auth Way  
Camp Springs, MD 20746

Re: ADR 542 (RAD 10L-05) Seafarers Political Activity Donation –  
Seafarers International Union of N.A. – AGLIWD/NMU and Suzanne L.  
Plourde, Treasurer

Dear Ms. Tarantola:

Enclosed is a copy of the Certification of the Federal Election Commission (Commission or FEC) approving the settlement agreement which resolves the RAD referral initiated on May 12, 2010. The agreement for ADR 542 (RAD 10L-05) was approved by the Commission on July 29, 2010 – the effective date of the agreement. Please forward this office the original signed agreement so that same may be executed and a copy returned to you.

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 or before August 28, 2010. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.

Note the specific time frames for compliance in paragraph 6 of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in 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.

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

10190291071

alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

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,



Krista J. Roche, Assistant Director  
Alternative Dispute Resolution Office  
202-694-1661

Enclosure: Agreement

cc: Gwendolyn Holmes, Finance and Accounting Office

10190291072



**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 542  
Source: RAD 10L-05  
Case Name: Seafarers PAD-  
Seafarers Int'l Union

### **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 Leslie Tarantola, General Counsel, representing Seafarers Political Activity Donation – Seafarers International Union of N.A. – AGLIWD/NMU and Susan Plourde, in her 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.

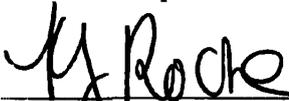
Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

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 Seafarers Respondents for receiving \$123,900.00 from its connected organization for reimbursement of administrative expenses more than thirty (30) days after the initial disbursement was made. The Committee subsequently refunded the impermissible reimbursement 139 days after it was received.
4. Respondents contend that as soon as they realized the issue and how it occurred, they altered the payment structure of the relevant administrative expense so that each entity is billed separately, obviating the need for future reimbursements. Additionally, Respondents asserted that they provided internal education to the replacement Treasurer regarding Committee operations and FEC reporting requirements. The newly appointed Treasurer also developed and implemented an operations and compliance manual to avoid the possibility of a similar error in the future.
5. A separate segregated fund may not be reimbursed for administrative expenses from its collecting agent later than thirty (30) days after the expense was paid by the separate segregated fund. 2 U.S.C. §441b, 11 C.F.R. §114.5(b)(3).

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) cross-train additional staff in Committee operations and FEC reporting requirements within thirty (30) days of the effective date of this agreement; (b) develop and implement procedures for tracking communications from the Commission within thirty (30) days of the effective date of this agreement; (d) attend a FEC conference within twelve (12) months of the effective date of this agreement; (e) participate in a teleconference with the Committee's assigned RAD Analyst within thirty (30) days of the effective date of this agreement; and (f) pay a civil penalty of \$5,000 within thirty (30) days of the effective date of this agreement.
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 and/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 of this agreement as set out in Paragraph 6 above.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 542 (RAD 10L-05), and resolves 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.

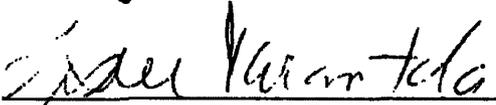
FOR THE COMMISSION:

Lynn M. Fraser, Director  
Alternative Dispute Resolution Office

  
\_\_\_\_\_  
Krista Roche, Assistant Director

7-29-10  
Date

FOR THE RESPONDENTS:

  
\_\_\_\_\_  
Leslie Tarantola, General Counsel  
Representing Seafarers Political Activity  
Donation - Seafarers International Union  
of N.A. - AGLIWD/NMU and Susan  
Plourde, Treasurer

7-13-10  
Date

10190291074