



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 25, 2011

VIA U.S. MAIL AND ELECTRONIC MAIL

Michael Prohaska, Treasurer
Mason Tenders District Council of Greater New York & LI PAC
266 West 37th Street, 7th Floor
New York, NY 10018

Re: ADR 557 (RAD 11L-01)
Mason Tenders District Council of Greater New York & LI PAC and Michael Prohaska,
Treasurer

Dear Mr. Prohaska:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Reports Analysis Division was based on a review of reports which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with Mason Tenders District Council of Greater New York & LI PAC and Michael Prohaska, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO and the focus of our subsequent negotiations are summarized as follows:

Summary of Case: The Reports Analysis Division referred Respondents for amending their 2007 Year End Report to disclose additional receipts totaling \$199,362.43, a 45.7% increase over the originally reported activity. The Committee stated in a memo text attached to an Amended 2007 Year End Report filed on October 15, 2010, that due to a software error, some contribution data was not captured on the original report. The

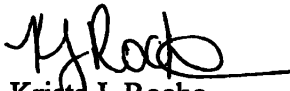
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Committee further stated that the software provider has eliminated the problem and added precautions to avoid an error of this type in the future.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) would like this case selected for ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 557**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,



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

Enclosures: ADR Frequently Asked Questions
Commitment to Submit Matter to ADR
Designation of Representative/Counsel

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