



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 18, 2011

Laurence E. Gold, Esq.  
TRISTER, ROSS, SCHADLER & GOLD  
1666 Connecticut Ave, NW  
Washington, DC 20009

Re: ADR 569 (RR 11L-04)  
National Nurses United for Patient Protection and Carolyn Hietamaki, Treasurer  
(Respondents or the Committee)

Dear Mr. Gold:

Enclosed is the signed copy of the agreement resolving the above shown matter. The agreement for ADR 569 (RAD 11L-09) was approved by the Commission on October 13, 2011 – the effective date of the agreement.

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.

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 November 14, 2011. 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 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.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory

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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. Roane  
Assistant Director  
Alternative Dispute Resolution Office

Enclosure: Negotiated Settlement and Certification

cc: Gwen Holmes, Finance and Accounting Office

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**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 569  
Source: RAD 11L-09  
Case Name: National Nurses  
United for Patient Protection

### **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 Laurence E. Gold, Esq., representing National Nurses United for Patient Protection and Carolyn Hietamaki, 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. Respondents failed to timely file a 24-Hour Notice to support five independent expenditures totaling \$34,409.49. All the independent expenditures in question occurred on October 31, 2010, and were disclosed on the 2010 30 Day Post-General Report.
4. In accordance with U.S.C. §434(g)(1) and 11 C.F.R. §104.4(c), notices of independent expenditures must be filed for qualified expenditures made more than 24 hours before 12:01 a.m. of the day of the election. Therefore, for the election held on November 2, 2010, 24-Hour Notices were required for all qualifying expenditures made on October 31, 2010.
5. Respondents contend that their omissions resulted from the fact that they inadvertently misunderstood the deadline for filing 24-Hour Notices. Respondents indicate they believed that a notice needed to be filed until October 31<sup>st</sup> for

expenditures made through October 30<sup>th</sup> and did not understand that a notice needed to be filed on November 1<sup>st</sup> for expenditures made on October 31<sup>st</sup>.

6. Respondents, in an effort to avoid similar errors in the future, agree to take the following actions within thirty (30) days of the effective date of this agreement: (a) participate in a telephonic training with FEC staff designed to address the compliance needs of Respondents; (b) designate a compliance specialist; (c) develop and publish to committee staff an informational reference guide which shall direct staff to appropriate resources including the FEC's Campaign Guide for Corporations and Labor Organizations; (d) certify that Committee staff viewed the Commission's web-based compliance videos that are pertinent to the Committee, including "The FEC and Federal Campaign Finance Law", "Corporate/Labor Activity after Citizens United", and "Best Practices: Internal Controls and Recordkeeping" and (e) pay a civil penalty of \$2,000.
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 of this agreement as set out in paragraph 6 above.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 569 (RAD 11L-09), 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:

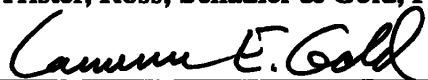
Krista J. Roche, Assistant Director  
Alternative Dispute Resolution Office

  
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10/13/11  
Date Signed

FOR THE RESPONDENTS:

Laurence E. Gold  
Trister, Ross, Schadler & Gold, PLLC

  
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August 18, 2011  
Date Signed