



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2011 SEP 27 A 9 15

**SENSITIVE**

**MEMORANDUM**

September 26, 2011

TO: The Commission

THROUGH: Alec Palmer *[Signature]*  
Staff Director

FROM: Patricia Carmona *[Signature]* *DC for PC*  
Chief Compliance Officer

Lynn M. Fraser *[Signature]*  
Director, ADR Office

SUBJECT: ADR 576 Philadelphia Joint Board UNITE HERE TIPS and Mildred Saldana, Treasurer,  
Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Develop and implement a compliance operations manual which includes internal controls consistent with the Commission's Internal Controls Policy (2007) and a process to track receipt of, and response to, communications with the Commission; and pay a civil penalty of \$1,500.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 576 (11L-15). The ADR Office received this referral on June 17, 2011.

**SUMMARY:** In this case, the Reports Analysis Division (RAD) referred the Philadelphia Joint Board UNITE HERE TIPS and Mildred Saldana, Treasurer (Respondents or the Committee) for receiving an apparent prohibited receipt totaling \$33,261 disclosed on its 2009 Mid-Year Report. The Committee transferred the funds to its connected organization on June 24, 2010, as disclosed on the 2010 July Quarterly Report, which was outside the permissible timeframe for refunding or transferring out prohibited receipts.

Respondents acknowledge an inadvertent deposit of funds into the federal account. When the Commission notified Respondents of the error, the funds were transferred and disclosed on the 2010 July Quarterly Report. Respondents contend the account always had adequate funds in it, and thus the prohibited funds were never used for contributions.

Recommendation to Approve  
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