



Federal Election Commission
Washington, DC 20463

October 7, 2014

Laurence E. Gold
Trister, Ross, Schadler & Gold
1666 Connecticut Avenue, NW
Washington, DC 20009

Re: ADR 721 Committee on Letter Carriers Political Education and Timothy C.
O'Malley, Treasurer

Dear Mr. Gold:

Enclosed is the signed copy of the Negotiated Settlement resolving the referral initiated on May 21, 2014 by the Federal Election Commission ("FEC/Commission") the above-shown Respondents. The Negotiated Settlement was approved by the Commission on October 2, 2014— 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 1, 2014.¹ 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 Negotiated Settlement 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 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.

¹ Please note, if the Commission refers an unpaid civil penalty to the US Treasury or third party collection agent, additional costs and fees will be assessed.

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

Enc: Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office

11/10/2010 10:10:10 AM



**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 721
Source: RAD 14L-17
Case Name: Committee on Letter Carriers Political Education
(Letter Carriers Political Action Fund)

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, representing the Committee on Letter Carriers Political Education (Letter Carriers Political Action Fund) and Timothy C. O'Malley, in his 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:

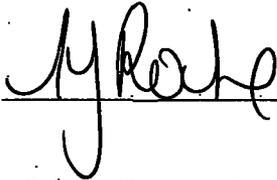
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572, and is an extension of 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g).
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division referred Respondents for failing to disclose all financial activity on the 2012 30 Day Post-General Report originally filed on December 5, 2012. On July 10, 2013, the Committee filed an Amended 30 Day Post-General Report disclosing additional receipts totaling \$186,237.12.
4. Treasurers of political committees are required to report all financial activity, including all receipts, pursuant to the FECA. 52 U.S.C. §§ 30104(a)(1), 30104(b)(2) (formerly 2 U.S.C. §§ 434(a)(1), 434(b)(2)), 11 C.F.R. §§ 104.1, 104.3(a).
5. The Committee filed Miscellaneous Electronic Submissions ("Form 99") dated September 24, 2013 and December 4, 2013 stating that the omission was caused by an error made by an outside vendor during the receipt data import process. The Committee advised that the import error caused the receipts to be dated 11/30/12 and included on the original 2012 Year End Report, rather than correctly dated during the

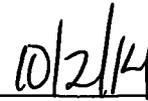
2012 30 Day Post-General reporting period, and that some were miscoded as unitemized receipt records. The Committee stated that the error was discovered during an annual voluntary PAC audit and that they worked closely with the vendor to improve receipt entry and audit procedures to ensure the accuracy of future reports.

6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) certify by the first anniversary of the effective date of this agreement that a representative of the Committee participated in an FEC conference after the effective date; (b) for two years from the effective date of this agreement, perform an annual, calendar-year internal or external audit of the Committee's accounts (so, for FY 2014 and FY 2015), and reconciliations of the Committee's accounts in the preparation of each Committee report, providing certification of same each year on the anniversary of the effective date of this agreement; and (c) pay a civil penalty of \$3,800 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 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, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 721 (RAD 14L-17), 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



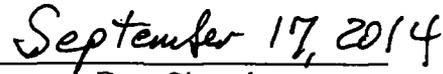


Date Signed

FOR THE RESPONDENTS:



Laurence E. Gold
Representing the Committee on Letter Carriers Political
Education (Letter Carriers Political Action Fund)
and Timothy C. O'Malley, Treasurer



Date Signed

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