



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 5, 2019

Mark Lee  
One Logan Square  
130 North 18th Street  
Philadelphia, PA 19103

1  
10-00111-1  
Re: ADR 906  
Americans for the Cure of Breast Cancer and Robert Piaro, Treasurer

Dear Mark Lee:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on August 27, 2019 – the effective date of the agreement.

Note the specific time frames for compliance detailed in the agreement. Please forward to this office, a statement confirming Respondent's compliance with each term. The letter should note the dates on which Respondents satisfied each of the terms and contain the ADR case number. For your convenience, a compliance chart is attached.

Under the terms of the agreement, a civil penalty in the amount of \$9,000.00 is due on September 26, 2019. Kindly review the attached payment instructions for details on payment methods and the collection of unpaid debts.

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 Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Krista J. Roche  
Director  
Alternative Dispute Resolution Office

Enc:

**Negotiated Settlement**

**cc: Gwendolyn Holmes, Finance and Accounting Office**



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Case Number: ADR 906  
Source: RAD 19L-05  
Case Name: Americans for the Cure of Breast Cancer

### 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 Mark M. Lee, Esq., representing Americans for the Cure of Breast Cancer and Robert Piaro, in the official capacity of 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:

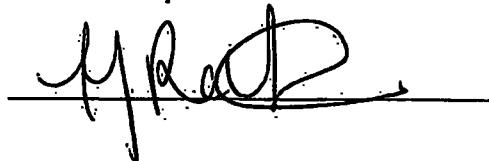
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division (RAD) referred the Committee for amending its 2018 July Quarterly Report on September 27, 2018 to disclose a total of \$631,486.90 in additional disbursements.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 52 U.S.C. §§ 30104(a)(1), 30104(b)(4), 11 C.F.R. §§ 104.1, 104.3(b).
5. Respondents state that at the time of the submission of the inaccurate information, the Committee was transitioning to a new filing software and implementing procedures to ensure accurate filing. Since that time, the Committee states that it has utilized new filing software and implemented reconciliation procedures to include an itemized review of financial information and transaction data for FEC reports. In addition, the Committee has drafted and will implement an FEC Compliance Guide and Internal Controls to facilitate and support accurate reporting and filing.

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6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) certify the implementation of a compliance operations manual within sixty (60) days of the effective date of this agreement; (b) certify that a representative of the Committee participated in an FEC conference, webinar, or other program developed in consultation with the FEC's Information Division regarding bank reconciliation best practices within twelve (12) months of the effective date of this agreement; and (c) pay a civil penalty of \$9,000.00 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 906 (RAD 19L-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.

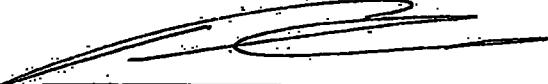
**FOR THE COMMISSION:**

Krista J. Roche, Director  
Alternative Dispute Resolution Office



8/27/19  
Date Signed

**FOR THE RESPONDENTS:**

  
Mark M. Lee, Esq.  
Representing Americans for the  
Cure of Breast Cancer and Robert Piaro, Treasurer

7/31/2019  
Date Signed