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2013 JUL 18 PM 2: 22



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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COMMISSION
SECRETARIAT

2013 JUL 18 PM 2: 26

MEMORANDUM

TO: The Commission

FROM: Daniel A. Petalas
Associate General Counsel for Enforcement

BY: Susan L. Lebeaux *SL*
Assistant General Counsel for Enforcement

Dawn M. Odrowski *DMO*
Attorney

SUBJECT: MUR 6526 (Cora Carper)
Recommendation to Close the File

On July 2, 2013, the U.S. District Court for the District of Maryland accepted the "Addendum to Plea Agreement Concerning Conciliation of Civil Violations with FEC" ("Addendum") and incorporated it into the record in *United States v. Cora Carper*, the criminal case against Respondent Cora Carper. *See Attach.* The Plea Agreement and Addendum constitute a global settlement of the criminal and civil violations, respectively, stemming from Carper's embezzlement from the International Association of Heat and Frost Insulators and Allied Workers PAC ("AWPAC").

In the criminal matter, Carper pleaded guilty to one count of embezzling funds from a labor union. The court sentenced her to 37 months imprisonment followed by three years of supervised release. It also ordered her to pay \$495,286 in restitution, payable in monthly installments, to begin when she is placed on supervised release.³

³ According to the Statement of Facts, the embezzlement totaled approximately \$502,586. *See* June 27th Memorandum, Attach. B at 8. The restitution figure excludes \$7,300 paid by Carper's family as reimbursement for

1 In the Addendum, Carper admits that she knowingly and willfully violated 2 U.S.C.
2 § 432(b)(3) and 11 C.F.R. §102.15 by commingling at least \$180,000 in AWPAC funds with her
3 personal funds, agrees to cease and desist from violating those provisions, and agrees to refrain
4 from volunteering or working for any federal political committee in any capacity involving
5 finances or disclosure reports for five years. Attach. ¶¶ 2, 3, and 5. The Addendum also states
6 that the Commission sought no civil penalty from Carper in light of her financial circumstances,
7 citing to the restitution provision of the Plea Agreement. Attach. ¶ 4.

8
9 The Addendum serves as the final conciliation agreement in this complaint-generated
10 matter and settles all violations of the Act and Commission regulations by Carper stemming from
11 the embezzlement. Therefore, we recommend that the Commission close the file in MUR 6526.

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16 **RECOMMENDATIONS**

- 17
18 1. Close the file in MUR 6526.
19 2.
20 3. Approve the appropriate letters.

21
22 Attachment:

23 Signed Addendum to Plea Agreement filed in *U.S. v. Carper*

checks Carper wrote to cash in February 2011, before AWPAC discovered the scope of the embezzlement.
See id. at 9.

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FILED
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JUL - 2 2013
AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA)

v.)

CORA CARPER,)

Defendant)

Crim. No. GLR 12-CR-0593

ADDENDUM TO PLEA AGREEMENT CONCERNING
CONCILIATION OF CIVIL VIOLATIONS WITH THE FEC

1. Defendant acknowledges that the Federal Election Commission (FEC) has exclusive jurisdiction over civil enforcement of the federal campaign finance laws under the Federal Election Campaign Act of 1971, as amended. 2 U.S.C. §§ 431-57. That jurisdiction extends to violations of the Act and Commission regulations that result from the offense conduct that is the subject matter of the Plea Agreement in this criminal proceeding. See 2 U.S.C. § 432(b)(3); 11 C.F.R. § 102.15. Defendant further acknowledges that the FEC has the authority to seek civil remedies against her for these violations pursuant to 2 U.S.C. § 437g(a)(5).

2. Defendant admits that she knowingly and willfully violated 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15 by commingling at least \$180,000 in funds of the International Association of Heat and Frost Insulators & Allied Workers PAC with her personal funds.

3. Defendant agrees to cease and desist from violating 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15.

4. The FEC may seek a civil penalty for knowing and willful violations of 2 U.S.C. § 432(b)(3) and 11 C.F.R. § 102.15 of up to 200 percent of any contribution or expenditure involved in such violations in accordance with 2 U.S.C. § 437g(a)(5)(B). In light of the financial circumstances of the Defendant and her entering into the terms of the Plea Agreement in this

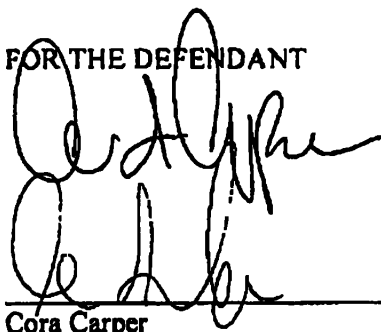
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Addendum to Plea Agreement
Page 2

matter, including Paragraph 11 of that agreement (Restitution), the FEC seeks no civil penalty in its conciliation of this matter.

5. Defendant agrees not to volunteer or engage in work for any federal political committee or any federal campaign in a capacity involving finances or disclosure reports for a period of five (5) years from the date of the Plea Agreement.

FOR THE DEFENDANT


Cora Carper

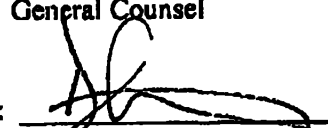
Date

6/26/13

FOR THE FEDERAL ELECTION
COMMISSION

Anthony Herman
General Counsel

BY:


Daniel A. Petalas
Associate General Counsel
for Enforcement

Date

7/1/13