

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: May 19, 2014

ANALYST: David Butler

- I. COMMITTEE: United Food and Commercial Workers  
International Union Active Ballot Club  
C00002766  
Anthony M. Perrone, Treasurer  
1775 K Street NW  
Washington, DC 20006
- II. RELEVANT STATUTE: 2 U.S.C. § 434(b)(2)  
11 CFR § 104.3(a)
- III. BACKGROUND:

**Failure to Provide Supporting Schedule (Failure to Disclose All Financial Activity)**

United Food and Commercial Workers International Union Active Ballot Club ("the Committee") amended its 2012 12 Day Pre-General Report to disclose additional receipts of \$70,572.41, which were not disclosed in the original report (Attachment 2).

On October 25, 2012, the Committee filed the original 2012 12 Day Pre-General Report covering the period from October 1, 2012 through October 17, 2012. The report disclosed \$27,143.50 in receipts on Line 11(a)(i) (Itemized Contributions from Individuals), \$227,332.24 in receipts on Line 11(a)(ii) (Unitemized Contributions from Individuals), and \$0.00 in receipts on Line 17 (Other Federal Receipts) of the Detailed Summary Page (Image 12940448555).

On December 3, 2012, the Committee filed an Amended 2012 12 Day Pre-General Report. The report disclosed \$32,255.62 in receipts on Line 11(a)(i), \$288,892.53 in receipts on Line 11(a)(ii), and \$0.00 in receipts on Line 17 of the Detailed Summary Page, a total increase in receipts of \$66,672.41 from the original report (Image 12940784638).

On January 29, 2013, the Committee filed two Amended 2012 12 Day Pre-General Reports. The reports disclosed no changes in receipts on Lines 11(a)(i) and 11(a)(ii) from the previous amendment. The reports disclosed additional receipts of \$3,900.00 on Line 17 of the Detailed Summary Page, a total increase in receipts of \$70,572.41 from the original report (Images 13960508927 and 13960512354, Attachment 2).

On June 7, 2013, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2012 12 Day Pre-General Report, received January 29, 2013. Among other issues, the RFAI requested clarification regarding the substantial increase in receipts on the Amended 2012 12 Day Pre-General Report that were not disclosed in the original filing (Image 13330033178).

On July 12, 2013, the Committee filed a Miscellaneous Electronic Submission ("Form 99") which stated, in part:

"The information was not disclosed on the original report for the following reasons. The committee receives contributions from members of its connected organization using a lockbox procedure for receipts. Three receipts batches that totaled \$66,672.41 were received prior to the report closing date of October 17, 2012, but inadvertently they were not posted to the internal accounting system that is used for the preparation of reports to the Commission until after the report filing date. The Committee discovered the discrepancy during a subsequent routine bank reconciliation while preparing the Post-General Report and then promptly filed the amendment on December 3, 2012. The refund from John A. Perez for Assembly, a nonfederal candidate committee in California, also arrived prior to the closing date for the report but inadvertently it was not entered into the internal accounting system that is used for the preparation of reports to the Commission. The Committee promptly filed the amendment on January 29, 2013 after discovering the discrepancy" (Image 13964046642).

Also on July 12, 2013, the Committee filed an Amended 2012 12 Day Pre-General Report. The report disclosed no change in receipts from the previous amendment (Image 13964048089, Attachment 2).

On July 30, 2013, the Reports Analysis Division (RAD) Analyst called the Committee Treasurer, Anthony Perrone, and left a message stating there was an issue which could be referred for further action by the Federal Election Commission. The Analyst requested Mr. Perrone return his call (Attachment 3).

On July 31, 2013, Tony Kane, a Committee representative, called the RAD Analyst in response to the message left for Mr. Perrone. The Analyst explained that the increased receipts disclosed on the Committee's Amended 2012 12 Day Pre-General report could be referred for further action to the Commission. The Analyst noted the

Committee's response filed July 12, 2013, and said that the Committee had the option to file additional information regarding this issue on the public record (Attachment 3).

To date, no further communication has been received from the Committee regarding this matter.

11-10-2013