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By FIRST CLASS MAIL

OFFICE OF GENERAL
COUNSEL

Jeff S. Jordan
Supervisory Attorney
Complaints Examination & Legal Administration
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Case No. RR 11L-06

Dear Mr. Jordan:

This is in response to your March 22, 2011 letter to SEIU COPE and Gerald Hudson, in his capacity of Treasurer, SEIU COPE in the above-referenced matter. By letter dated April 7, we have been provided up until May 2 to respond, and hereby provide the following additional information.

This possible action concerns four independent expenditure advertisements published by SEIU COPE in August 2010 in opposition to Jeff Greene, who was a candidate in the Democratic Primary for the United States Senate in Florida. As indicated the Reports Analysis Division Referral dated March 16, 2011 (and as acknowledged in a letter I had written to RAD Analyst Rosa Lewis on December 28, 2010), due to a failure of communication between the staff responsible for publishing the advertisements and the staff responsible for preparing the 24-hour reports, SEIU COPE did not report these expenditures within 24 hours. SEIU COPE first identified this error when it prepared its Form 3X for September 2010. At that time, the expenditures associated with the communications had been processed, and SEIU COPE properly reported the expenditures on its Form 3X.

In considering this inadvertent omission, the General Counsel should be aware of two facts. First, as soon as it learned of its omission, and as a result of the omission, SEIU COPE made major changes to the way it tracks independent expenditures to assure that such an error would not happen again. Specifically, SEIU COPE developed and deployed a record-keeping system by Quicken called Quickbase in which it recorded each independent expenditure. With this new system, each independent expenditure is identified and placed in the Quickbase database by the person who initiates the communication. Reporting personnel then are provided access to the Quickbase database, and are instructed to check the database at least once a day. Since this system has been put in place, SEIU COPE has timely reported each independent expenditure. Thus, in response to the inadvertent omissions identified by the RAD Analyst, SEIU COPE

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promptly adopted major changes to the way in which it tracks independent expenditures, and since that time it has timely reported all of its independent expenditures.

Second, even before SEIU COPE adopted its new system for tracking independent expenditures, it had a strong record of compliance with the Commission's 24 and 48 hour reporting rules, and the omissions in August 2010 should be understood in light of that strong record. As reflected in FEC Form 3Xs and Form 5's, SEIU COPE and SEIU were responsible for 163 independent expenditure communications over the 2009-2010 election cycle totaling almost \$10.5 million in independent expenditure spending. While the four omitted reports were unfortunate and resulted in a change in SEIU COPE's handling of independent expenditures, they nevertheless reflected only approximately 2% of the independent expenditures, and 1% of the independent expenditure spending, communicated by SEIU COPE and SEIU during the last election cycle. We urge the General Counsel to consider this fact as well as it determines whether further investigation is appropriate in this instance.

Thank you for taking these facts into consideration as you make your recommendations to the Commission. If there is any other information that we can provide you please do not hesitate to contact us.

Sincerely,



Mark Schneider

Counsel for SEIU COPE and

Gerald Hudson, Treasurer of SEIU COPE

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