



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number ADR 042D

Source MUR 5133

Case Name Stenberg for Senate 2000

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Anne Boyle on behalf of the Nebraska Democratic Party. Following a review of the record and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and to resolve this matter, the Federal Election Commission ("the Commission") entered into negotiations with Janis M. Crum, Esq. on behalf of Par Electrical Contractors, Inc. ("the Respondent"). 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 the Respondent have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

1. The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance of the FECA on the part of the Respondent. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996," P.L. 104-320 § 3(a) and is an extension of 2 U.S.C. § 437g.
2. The Respondent has voluntarily entered into this agreement with the Commission.
3. On September 22, 2000 an employee of the Respondent made a contribution of \$1,000 to the Stenberg for Senate campaign drawn from Respondent's corporate account. The aforementioned contribution conflicts with the Respondent's policy prohibiting such contributions. That policy was restated in a recently conducted internal compliance program for its employees that addressed relevant FECA provisions including the corporate contribution prohibition, 2 U.S.C. § 441b(a). The contribution was returned by the Stenberg Committee on October 26, 2000.
4. The Respondent acknowledges that this isolated incident gave rise to a violation of 2 U.S.C. § 441b(a) which prohibits corporations from making contributions or expenditures in connection with a federal election. To ensure future compliance with Section 441b(a), the Respondent agrees to: 1) conduct, within 30 days following the effective date of this agreement, another internal education and compliance program to advise corporate officers or directors that they are prohibited from making or directing contributions from corporate funds in connection with a federal election and 2) to pay a civil penalty of three hundred (300) dollars to conclude this matter.

5. The parties agree that if the Respondent fails to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
6. This agreement will become effective on the date signed by all the parties and approved by the Commission. The Respondent shall have no more than thirty (30) days from the effective date of this agreement to comply with the terms set forth here.
7. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 042D/MUR 5133 and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included in herein, shall be enforceable.

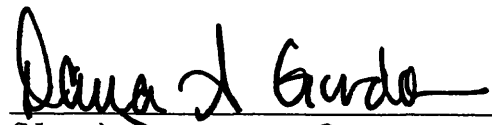
FOR THE COMMISSION

Allan D. Silberman,
Director, Alternative Dispute Resolution Office


Allan D. Silberman

Sept. 28, 2001
Date

FOR THE RESPONDENT


(Name) Dana A. Gordon
(Position) Vice President

2/31/01
Date