



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Case Number: ADR 004
Source: PMUR 382
Case Name: FJC Corporation

NEGOTIATED SETTLEMENT

This matter was referred to the Federal Election Commission ("Commission") by the Small Business Administration ("the SBA"). Following a review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA") and resolve this matter, the Commission entered into negotiations with the respondent, FJC Corporation.

Negotiations between the Commission and the Respondent have addressed 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 April 9, 1998, the Respondent voluntarily made a contribution to the Alabama Republican State Party of five thousand dollars (\$5,000) in connection with upcoming elections in that state. Corporations organized by authority of any law of Congress are prohibited from making any "... contribution or expenditure in connection with any election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office" 2 U.S.C. § 441b(a). FJC Corporation is a corporation organized under the authority of Congress.
4. The Respondent, on learning of the prohibition of such contributions, secured a refund of said contribution.
5. The Respondent agrees to pay a civil penalty of eight hundred and fifty dollars (\$850) in order to conclude this matter.
6. 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.

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7. 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 20 days from the effective date of this agreement to comply with the terms set forth here.
8. This Negotiated Settlement constitutes the entire agreement between the parties on PMUR 382 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

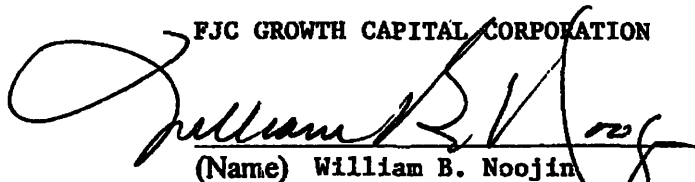


Allan D. Silberman

11-17-00
Date

FOR THE RESPONDENTS:

FJC GROWTH CAPITAL CORPORATION



(Name) William B. Noojin
(Position) Vice President/General Manager

11-15-00
Date

20.99.025.0009