



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 058
Source: PMUR 401
Case Name: Charles J. Swindells

NEGOTIATED SETTLEMENT

This matter was brought to the attention of the Federal Election Commission ("Commission") by a *sua sponte* submission by Charles J. Swindells ("the Respondent"). 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 Commission entered into negotiations with Kenneth A. Gross, Esq. on behalf of Charles J. Swindells. It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

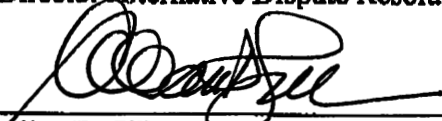
Negotiations between the Commission and the Respondent have addressed the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

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," U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. The Respondent has voluntarily entered into this agreement with the Commission.
3. On June 26, 2001, the Respondent brought to the Commission's attention information that he inadvertently exceeded in 1999 and 2000 the \$25,000 aggregate annual limit on individual contributions to federal election campaigns. According to documentation submitted by counsel, the Respondent contributed \$31,000 during the 2000 election year cycle. On learning that his contributions exceeded the \$25,000 statutory limit, the Respondent obtained a refund of \$13,000 from the primary recipient, the Republican National Committee.
4. Individuals are prohibited from contributing to federal election campaigns aggregating more than \$25,000 in any calendar year. 2 U.S.C. § 441a(a)(3). The Respondent affirms that the contributions at issue were made from his personal funds and that no other contributions were made by him that would count toward the \$25,000 annual aggregate limit for federal election campaigns.

5. The Respondent will pay a civil penalty to the Federal Election Commission in the amount of six thousand dollars (\$6,000) within thirty (30) days of the effective date of this agreement.
6. This agreement will become effective on the date signed by all the parties and approved by the Commission.
7. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 058/PMUR 401 and effectively concludes 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:

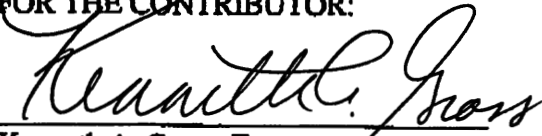
Allan D. Silberman,
Director Alternative Dispute Resolution Office



Allan D. Silberman

May 8, 2002
Date

FOR THE CONTRIBUTOR:



Kenneth A. Gross, Esq.
Counsel for Charles J. Swindells

4/29/02
Date