



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number ADR 092
Source MUR 5308
Case Name: 21st Century Democrats

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Rusty Hills. 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 Brian G. Svoboda, Esq. on behalf of 21st Century Democrats and Michael Lux, Treasurer ("the Respondents"). 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 Respondents have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

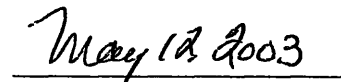
- 1 The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance of the FECA on the part of the Respondents. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996", 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. The Respondents (the treasurer named in the preamble was not in office at the time the following events transpired) have voluntarily entered into this agreement with the Commission.
- 3 The complaint alleges that the Respondents contributed more than \$5,000 in November 2000 in connection with Federal election campaigns and failed to register as a political committee. Party committees, that spend more than \$1,000 per year on contributions or expenditures, are required to register 2 U.S.C. § 433(a).
- 4 The Respondents maintain that the Committee was registered at the time the subject contribution was received and was listed on a report subsequently filed with the Commission. Respondents note that on March 5, 2001, the Committee advised the Commission that it had changed its name from "Democrats 2000" to the "21st Century Democrats". An amended Statement of Organization, citing the same FEC identification number, i.e., C000230342, was filed with the Commission on the aforementioned date.

5. A review of the Commission's records and documents enclosed with the response to the complaint reveals that the Respondents have been registered with the Commission since 1993 and were at the time the subject contribution was received. Furthermore, correspondence from the Respondents, beginning in May 2001 carries a note, beneath the Committee's letterhead, identifying 21st Century Democrats as "Formerly Democrats 2000".
6. Based on information cited herein, the ADR Office concludes that the alleged violation of the FECA in this matter is unsubstantiated. The Commission concurs by this dismissing this matter.
7. This agreement will become effective on the date signed by all the parties and approved by the Commission.
8. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 0092-1/MUR 5308 and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

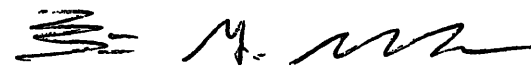
FOR THE COMMISSION:

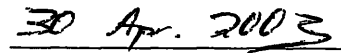
Allan D. Silberman,
Director Alternative Dispute Resolution Office


Allan D. Silberman


Date

FOR THE RESPONDENTS:


Brian Svoboda, Esq.
for 21st Century Democrats


Date

03 "14" 025 "2002"