



**Federal Election Commission
Washington, DC 20463**

MEMORANDUM

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman
Director, ADR Office

BY: Lynn M. Fraser
Assistant Director, ADR Office

SUBJECT: Negotiated Settlement ADR 152
Libertarian Party of Illinois and David Lee, Treasurer

DATE: May 17, 2004

Attached for your review is a signed agreement for ADR 152 (RR 03L-06) – Respondents Libertarian Party of Illinois and David Lee, Treasurer. This case originated with a referral from RAD on December 24, 2003 and was assigned to the ADR Office on January 22, 2004.

ADR 152 (RR 03L-06): A review of reports filed during the 2001 and 2002 calendar years, disclosed that Respondents received excessive contributions from two (2) individuals totaling \$76,270 during the 2001 calendar year and \$65,749 during the 2002 calendar year in violation of 2 U.S.C. §§ 441a(a)(1)(C), 441a(f). Respondents failed to refund, reattribute or transfer-out the excessive funds. Respondents acknowledge a violation of the FECA occurred due to the fact that they had only one account for both federal and non-federal funds. The committee treasurer at the time had not realized reports must be filed reflecting the allocation of contributions or expenditures between federal and non-federal accounts.

Recommendation: We recommend that the Commission approve the negotiated settlement for ADR 152, that we subsequently close the file on this matter and send the appropriate letters.