



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 6, 1998

Dick Lane, Treasurer
Dick Lane for Congress Committee
1085-56 Tasman Drive
Sunnyvale, CA 94089

RE: MUR 4716

Dear Mr. Lane:

On February 3, 1998, the Federal Election Commission found that there is reason to believe the Dick Lane for Congress Committee ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 434 (a) (A) (i) and (iii), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation, and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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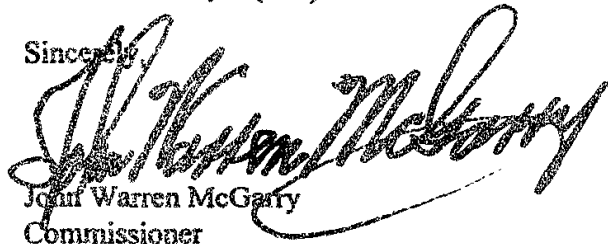
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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Dominique Dillenseger, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



John Warren McGarry
Commissioner

Enclosures

Factual and Legal Analysis

Procedures

Designation of Counsel Form

Conciliation Agreement

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Dick Lane for Congress Committee
 and Dick Lane, as Treasurer

MUR: 4716

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires treasurers of political committees to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). In any calendar year in which a regularly scheduled election is held, principal campaign committees of candidates for federal office must file quarterly reports no later than the 15th day after the last day of each calendar quarter, which shall be complete as of the last day of each calendar quarter. 2 U.S.C. § 434(a)(2)(A)(iii). In an election year, such committees must also file pre-election reports for the primary and general election no later than 12 days before any primary and general election, which shall be complete as of the 20th day after such election. 2 U.S.C. § 434(a)(2)(A)(i).

Dick Lane for Congress Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is the authorized principal campaign committee for Dick Lane's 1996 congressional campaign. Dick Lane is the treasurer of Dick Lane for Congress Committee.

Pursuant to the Act, Respondents were required to file their 1996 October Quarterly Report by October 15, 1996. 2 U.S.C. § 434(a)(2)(A)(iii). Respondents filed their October

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Quarterly Report on November 6, 1996, 22 days after the required date. That report disclosed receipts totaling \$8,125.00 and disbursements totaling \$16,311.93 during the applicable period.

Pursuant to the Act, Respondents were required to file their 1996 12 Day Pre-General Report by October 24, 1996. 2 U.S.C. § 434(a)(2)(A)(i). Respondents filed their 12 Day Pre-General Report on November 6, 1996, 13 days after the required date. That report disclosed receipts totaling \$2,270.00 and disbursements totaling \$19,603.89 during the applicable period.

Based on the foregoing, there is reason to believe that Dick Lane for Congress and Dick Lane, as treasurer violated 2 U.S.C. §§ 434(a)(2)(A)(i) and (iii).

99-04-391-0997