



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

October 1, 1999

Richard Collins, Chairman  
Randall Goss, Treasurer  
DALENPAC  
2911 Turtle Creek Boulevard - Suite 900  
Dallas, TX 75219

RE: MUR 4903  
Dallas Entrepreneurial  
Political Action Committee and  
Randall Goss, as treasurer

Dear Messrs. Collins and Goss:

Accordingly, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation of 2 U.S.C. § 434(a)(4)(A)(i) has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

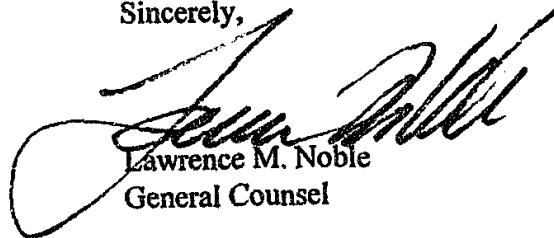
If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Richard Collins, Chairman  
Randall Goss, Treasurer  
DALENPAC  
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Should you have any questions, please contact Robert Knop, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence M. Noble", is written over the typed name and title.

Lawrence M. Noble  
General Counsel

Enclosure  
Brief

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of	)	
	)	
Dallas Entrepreneurial Political Action	)	MUR 4903
Committee and Randall Goss,	)	
as treasurer	)	

**GENERAL COUNSEL'S BRIEF**

**I. STATEMENT OF THE CASE**

This matter was generated from information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2). The Commission found reason to believe that Dallas Entrepreneurial Political Action Committee and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i). The Office of the General Counsel has conducted an investigation into this matter and is now prepared to recommend a finding of probable cause to believe.

**II. ANALYSIS**

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)(4). Treasurers can elect to report on a monthly or quarterly basis. Id. Quarterly filers are required to file quarterly reports that shall be filed no later than the 15<sup>th</sup> day after the last day of each calendar quarter in a calendar year in which a regularly scheduled general election is held. 2 U.S.C. § 434(a)(4)(A)(i).

Dallas Entrepreneurial Political Action Committee ("DALENPAC") is a political committee within the meaning of 2 U.S.C. § 431(4). Randall Goss is treasurer of DALENPAC.

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The Respondents elected to report on a quarterly basis. Because 1998 was a calendar year during which a regularly scheduled general election was held, Respondents were required to file a quarterly report covering the third quarter of the year. Pursuant to 2 U.S.C. § 434(a)(4)(A)(i), the Respondents' 1998 October Quarterly Report was due on October 15, 1998. The Respondents did not file their 1998 October Quarterly Report, which disclosed receipts totaling \$0.00 and disbursements totaling \$23,000, until December 6, 1998, more than a month after the general election and fifty-two (52) days late.

The requirement for filing the October Quarterly Report is clear and unmistakable. Furthermore, the Commission sent Respondents two letters, on December 29, 1997 and September 18, 1998, reminding them of the due date for the 1998 October Quarterly Report. Nevertheless, Respondents failed to fulfill that requirement. Accordingly, the Office of the General Counsel recommends that the Commission find probable cause to believe that Dallas Entrepreneurial Political Action Committee and Randall Goss, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to timely file their 1998 October Quarterly Report.

### III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe that Dallas Entrepreneurial Political Action Committee and Randall Goss, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).

Date

1/30/99

  
Lawrence M. Noble  
General Counsel