



FEDERAL ELECTION COMMISSION

Washington, DC 20463

May 23, 2000

Kathleen A. Daley, Treasurer
Lincoln Club of Riverside County
P.O. Box 20065
Riverside, CA 92516

RE: MUR 5015

Dear Ms. Daley:

On May 16, 2000, the Federal Election Commission found that there is reason to believe Lincoln Club of Riverside County ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii), (iii) and (iv), 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.

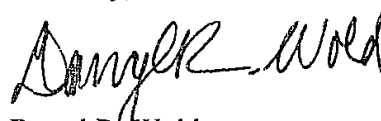
If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such

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 Karen White, the staff member assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "Darryl R. Wold". The signature is fluid and cursive, with the first name "Darryl" and last name "Wold" clearly distinguishable.

Darryl R. Wold
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Lincoln Club of Riverside County and
Kathleen A. Daley, as treasurer

MUR: 5015

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 other than authorized committees of a candidate to file periodic reports of receipts and disbursements. In any calendar year in which a regularly scheduled general election is held, all political committees that choose not to file on a monthly basis shall file quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter. 2 U.S.C. § 434(a)(4)(A)(i).

The Act requires that a pre-election report be filed no later than the 12th day before (or posted by registered or certified mail no later than the 15th day before) any election in which the committee makes a contribution to or expenditure on behalf of a candidate and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(ii).

All political committees other than authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30th day after the general election and which shall be complete as of the 20th day before the election. 2 U.S.C. § 434(a)(4)(A)(iii).

In any other calendar year, a report covering the period beginning July 1 and ending December 31, shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(iv).

The Lincoln Club of Riverside County and Kathleen A. Daley, as treasurer, ("the Committee") is a political committee not authorized by any candidate and has elected to report on a quarterly basis.

The Committee failed to file their 1997 Year End Report in a timely manner. The 1997 Year End Report was due on January 31, 1998. On December 30, 1996, a Prior Notice was sent to the Committee notifying them of the report filing date. On December 29, 1997, another Prior Notice was sent to the Committee providing the due dates for the 1997 Year End Report as well as the due dates for all 1998 reports. A Non-Filer Notice was sent to the Committee via mailgram on February 23, 1998. On February 1, 1999, the Committee filed their 1997 Year End Report. The Year End Report, disclosing receipts of \$20,227.97 and disbursements of \$9,294.56, was filed 366 days late.

The Committee failed to file their 1998 April Quarterly Report in a timely manner. The April Quarterly Report was due on April 15, 1998. On March 20, 1998, a Prior Notice was sent to the Committee notifying them of the report filing date. A Non-Filer Notice was sent to the Committee via mailgram on May 7, 1998. On February 1, 1999, the Committee filed their 1998 April Quarterly Report. The April Quarterly Report, disclosing receipts of \$4,212.29 and disbursements of \$6,687.51, was filed 292 days late.

The Committee failed to file their 1998 July Quarterly Report in a timely manner. The 1998 July Quarterly Report was due on July 15, 1998. On June 19, 1998, a Prior

Notice was sent to the Committee notifying them of the report filing date. A Non-Filer Notice was sent to the Committee via mailgram on August 7, 1998. On February 1, 1999, the Committee filed their 1998 July Quarterly Report. The July Quarterly Report, disclosing receipts of \$18,593.21 and disbursements of \$12,771.21, was filed 201 days late.

On August 14, 1998, a Chronic Late Filer Notice was sent to the Committee for failing to file the 1997 Year End and 1998 April and July Quarterly Reports in a timely manner. The Notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

The Committee failed to file their 1998 October Quarterly Report in a timely manner. The 1998 October Quarterly Report was due on October 15, 1998. On September 18, 1998, a Prior Notice was sent to the Committee notifying them of the report filing date. A Non-Filer Notice was sent to the Committee via mailgram on November 4, 1998. On February 1, 1999, the Committee filed their 1998 October Quarterly Report. The October Quarterly Report, disclosing receipts of \$12,289.17 and disbursements of \$20,560.49 was filed 109 days late.

The Committee failed to file their 1998 12 Day Pre-General Report in a timely manner. The 1998 12 Day Pre-General Report was due on October 22, 1998. On September 30, 1998, a Prior Notice was sent to the Committee notifying them of the report filing date. A Non-Filer Notice was sent to the Committee via mailgram on January 6, 1999 and included the coverage dates for the 12 Day Pre-General Report. On February 1, 1999, the Committee filed their 1998 12 Day Pre-General Report. The

12 Day Pre-General Report, disclosing receipts of \$1,500 and disbursements of \$4,636.28, was filed 102 days late.

The Committee failed to file their 1998 30 Day Post-General Report in a timely manner. The 1998 30 Day Post-General Report was due on December 3, 1998. On September 30, 1998, a Prior Notice was sent to the Committee notifying them of the report filing date. On November 5, 1998, another Prior Notice was sent to the Committee stating that all party committees and PACs must file a Post-General Election Report. A Non-Filer Notice was sent to the Committee via mailgram on January 6, 1999. On February 1, 1999, in lieu of the 1998 30 Day Post-General Report, the Committee filed two 1998 Year End Reports: one with the coverage dates of 10/18/98-12/31/98 and the other with the coverage dates of 11/24/98-12/31/98. There was a gap in coverage dates which omitted activity for the period from October 15, 1998, through October 17, 1998. The activity for the 1998 30 Day Post-General Report disclosed approximately \$3,997.86 in receipts and \$9,583.55 in disbursements. The 1998 30 Day Post-General Report was filed 60 days late.

On several occasions throughout 1998 and 1999, the Reports Analysis Division attempted to contact the Committee by phone. In each of these attempts, no one answered the phone and there was no answering machine.

Therefore, there is reason to believe that the Lincoln Club of Riverside County and Kathleen A. Daley, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), (ii), (iii) and (iv).