

SBC  
**Em·P·A·C**

SBC Communications Inc.  
 Employee Federal Political Action Committee

110159017  
 110159017

2002 JUN 26 PM 2:49

June 24, 2002

Ms. Antoinette Kitchen  
 Senior Reports Analyst  
 Reports Analysis Division  
 Federal Election Commission  
 Washington, D.C. 20463

Identification Number: C00109017

Reference: Letter regarding SBC EmPAC October Monthly Report.  
 (9/1/01 - 9/30/01)

Dear Ms. Kitchen:

This is in response to your May 15, 2002 letter (the "Correspondence") in which you raised two questions regarding certain information contained in the SBC EmPAC October Monthly Report (9/1/01 - 9/30/01). First, you questioned the totals listed on Lines 23 and 29, Column B of the Detailed Summary Page(s). Second, you questioned the reporting of certain in-kind contribution(s) that were designated for the general election, but made before the primary election. This letter constitutes our response to your questions and documents the corrective actions that we will take.

Totals listed on Lines 23 and 29, Column B of the Detailed Summary Page(s). This issue results from our reporting two (2) in-kind contributions on Line 29 of the May 20<sup>th</sup> FEC filing's Detailed Summary Report, rather than on Line 23. Angela Harratty, Manager-Federal EMPAC, contacted the PAC software vendor to inquire about the erroneous totals and was advised that in the May 20<sup>th</sup> FEC filing, two (2) in-kind contributions totaling \$5,322.77 were made and reported on Line 29 of the Detailed Summary Page. Subsequent changes were made to the software in September 2001 in order to comply with the FEC's guidelines on processing and reporting in-kind contributions. After the implementation of the FEC required changes, those two (2) in-kind contributions in the amount of \$5,322.77 were correctly re-directed to Line 23 disbursements and added to the "Calendar Year-to-Date" total in Column B of the Detailed Summary Page in the October 2001 monthly report. However, previously filed monthly reports were not amended. Those changes account for the discrepancies in Column B, Lines 23 and 29 of the Detailed Summary Page between the October 2001 monthly filing and the September

Ms. Antoinette Kitchen

Page 2 of 2

2001 monthly filing. We are correcting this discrepancy by filing an amended monthly report for any affected period.

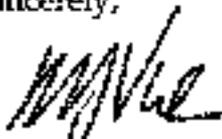
In-Kind Contribution(s) That Were Designated For The General Election, But Made Before The Primary Election. The second item in the correspondence pertained to in-kind contributions disclosed on Schedule B of the October Report. It states that according to FEC Advisory Opinion 1996-29, in-kind contributions for food and refreshments in connection with fundraising events for federal candidates were not considered to have a "long-term useful life" and could only be designated to the current election period. Designation to a future election for this type of in-kind contribution was not permissible. Ms. Hanratty stated that she was not aware of this Advisory Opinion and has taken corrective action. Letters have been sent to the appropriate campaign committees requesting refunds of these in-kind contributions (please see attached copies of letters). Consistent with FEC reporting requirements, our future monthly filings will report our receipt of these refunded contributions.

In the process of investigating your inquiry, we became aware that, due to a software issue resulting from our move to the Web-based system for PAC reporting, amounts previously (and correctly) reported on Line 28 were moved to Line 29 on the Detailed Summary Page for the April 2001 and subsequent monthly reports. Since the amount reported on Lines 28 and 29 is cumulative with respect to each monthly FEC report, we are correcting this issue by filing amended reports for each monthly period from April 20, 2001 through the 2001 year-end report. In the amended reports, these refunds are correctly reported on Line 28 of the Detailed Summary Page.

Please note that SBC EmPAC did not receive your correspondence dated May 15, 2002, and only became aware of these issues upon receipt of the June 6, 2002 letter from Mr. Gibson that contained a copy of the original May 15, 2002 request.

Please let me know if you require further information or have additional questions.

Sincerely,



Michael J. Viola  
Treasurer, SBC EmPAC

SBC  
**Em·P·A·C**

SBC Communications Inc  
 Employee Federal Political Action Committee

RECEIVED  
 FEC FILED UNIT

2002 JUN 26 PM 2:49

June 17, 2002

Hoosiers Supporting Buyer for Congress  
 200 North Main Street  
 P.O. Box 712  
 Monticello, IN 47960

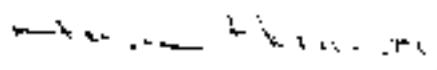
Attention: Hoosiers Supporting Buyer for Congress

SBC EmPAC made an in-kind contribution to "Hoosiers Supporting Buyer for Congress" on September 21, 2001 in the amount of \$1,853.24 designated to the 2002 General election. This in-kind contribution was in connection with a fundraising event for Congressman Buyer hosted by SBC and held on June 13, 2001 at Nick & Stef's Restaurant in Washington, DC.

The FEC has advised us that "Advisory Opinion 1996-29" states that in-kind contributions for food and refreshments in connection with fundraising events are not deemed to have a "long-term useful life" and can only be designated to the current election. Since this in-kind contribution was made prior to the Indiana primary election, the designation to the general election was not permissible, according to the FEC. In order to comply with the FEC Advisory Opinion, SBC EmPAC is requesting a refund of this in-kind contribution in the amount of \$1,853.24. I have attached a copy of the contribution and the FEC Advisory Opinion for your reference.

Please do not hesitate to contact me at 202.326.8819 if you have any questions.

Sincerely,

  
 Angela Hantatt  
 Manager-SBC EmPAC

Attachments

SBC  
**Em·P·A·C**

SBC Communications Inc.  
 Employee Federal Political Action Committee

June 17, 2002

John D. Dingell for Congress  
 607 14<sup>th</sup> Street, N.W.  
 Washington, DC 20005

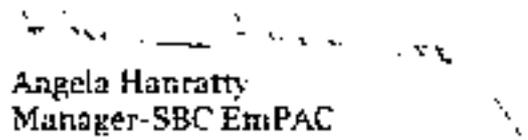
Attention: John D. Dingell for Congress

SBC EmPAC made an in-kind contribution to "John D. Dingell for Congress" on September 21, 2001 in the amount of \$304.52 to the 2002 General election. This in-kind contribution was in connection with a fundraising event for Congressman Dingell held on June 26, 2001 at La Brasserie Restaurant in Washington, DC.

The FEC has advised us that "Advisory Opinion 1996-29" states that in-kind contributions for food and refreshments in connection with fundraising events are not deemed to have a "long-term useful life" and can only be designated to the current election. Since this in-kind contribution was made prior to the Michigan primary election, the designation to the general election was not permissible, according to the FEC. In order to comply with the FEC Advisory Opinion, SBC EmPAC is requesting a refund of this in-kind contribution in the amount of \$304.52. I have attached a copy of the contribution and the FEC Advisory Opinion for your reference.

Please do not hesitate to contact me at 202.326.8819 if you have any questions.

Sincerely,

  
 Angela Harratty  
 Manager-SBC EmPAC

Attachments

SBC  
**EmPAC**

SBC Communications Inc.  
 Employee Federal Political Action Committee

June 17, 2002

Enzi for U.S. Senate  
 P.O. Box 2775  
 Cody, WY 82414

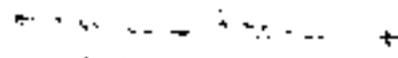
Attention: Enzi for U.S. Senate

SBC EmPAC made an in-kind contribution to "Enzi for U.S. Senate" on September 21, 2001 in the amount of \$1,896.19 to the 2002 General election. This in-kind contribution was in connection with a fundraising event for Senator Enzi held on July 25, 2001 at Nick & Stef's Restaurant in Washington, DC.

The FEC has advised us that "Advisory Opinion 1996-29" states that in-kind contributions for food and refreshments in connection with fundraising events are not deemed to have a "long-term useful life" and can only be designated to the current election. Since this in-kind contribution was made prior to the Wyoming primary election, the designation to the general election was not permissible, according to the FEC. In order to comply with the FEC Advisory Opinion, SBC EmPAC is requesting a refund of this in-kind contribution in the amount of \$1,896.19. I have attached a copy of the contribution and the FEC Advisory Opinion for your reference.

Please do not hesitate to contact me at 202.326.8819 if you have any questions.

Sincerely,

  
 Angela Hanratty  
 Manager-SBC EmPAC

Attachments

SBC  
**Em·P·A·C**

SBC Communications Inc  
 Employer Federal Political Action Committee

June 17, 2002

Radanovich for Congress  
 2037 West Bullard  
 Box 240  
 Fresno, CA 93711

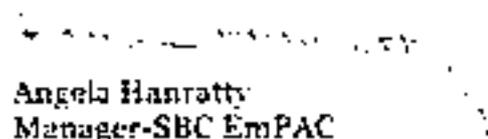
Attention: Radanovich for Congress

SBC EmPAC made an in-kind contribution to "Radanovich for Congress" on September 21, 2001 in the amount of \$1,671.50 to the 2002 General election. This in-kind contribution was in connection with a fundraising event for Congressman Radanovich held on July 18, 2001 at Nick & Stef's Restaurant in Washington, DC.

The FEC has advised us that "Advisory Opinion 1996-29" states that in-kind contributions for food and refreshments in connection with fundraising events are not deemed to have a "long-term useful life" and can only be designated to the current election. Since this in-kind contribution was made prior to the California primary election, the designation to the general election was not permissible, according to the FEC. In order to comply with the FEC Advisory Opinion, SBC EmPAC is requesting a refund of this in-kind contribution in the amount of \$1,671.50. I have attached a copy of the contribution and the FEC Advisory Opinion for your reference.

Please do not hesitate to contact me at 202.326.8819 if you have any questions.

Sincerely,

  
 Angela Hanratty  
 Manager-SBC EmPAC

Attachments

SBC  
**Em·P·A·C**

SBC Communications Inc.  
 Employee Federal Political Action Committee

June 17, 2002

Citizens for Rush  
 3361 South Martin Luther King Drive  
 Chicago, IL 60616

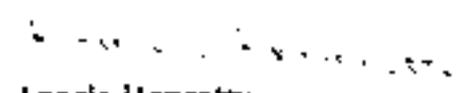
Attention: Citizens for Rush

SBC EmPAC made an in-kind contribution to "Citizens for Rush" on September 21, 2001 in the amount of \$304.52 to the 2002 General election. This in-kind contribution was in connection with a fundraising event for Congressman Rush held on June 25, 2001 at La Brasserie Restaurant in Washington, DC.

The FEC has advised us that "Advisory Opinion 1996-29" states that in-kind contributions for food and refreshments in connection with fundraising events are not deemed to have a "long-term useful life" and can only be designated to the current election. Since this in-kind contribution was made prior to the Illinois primary election, the designation to the general election was not permissible, according to the FEC. In order to comply with the FEC Advisory Opinion, SBC EmPAC is requesting a refund of this in-kind contribution in the amount of \$304.52. I have attached a copy of the contribution and the FEC Advisory Opinion for your reference.

Please do not hesitate to contact me at 202.326.8819 if you have any questions.

Sincerely,

  
 Angela Harratty  
 Manager-SBC EmPAC

Attachments

SBC  
**EmPAC**

SBC Communications Inc.  
 Employee Federal Political Action Committee

June 17, 2002

Friends for Cliff Stearns  
 P.O. Box 308  
 Silver Springs, FL 34489

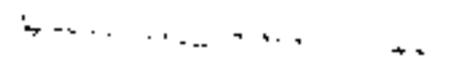
Attention: Friends for Cliff Stearns

SBC EmPAC made an in-kind contribution to "Friends for Cliff Stearns" on September 21, 2001 in the amount of \$439.65 to the 2002 General election. This in-kind contribution was in connection with a fundraising event for Congressman Stearns held on June 21, 2001 at Nick & Stef's Restaurant in Washington, DC.

The FEC has advised us that "Advisory Opinion 1996-29" states that in-kind contributions for food and refreshments in connection with fundraising events are not deemed to have a "long-term useful life" and can only be designated to the current election. Since this in-kind contribution was made prior to the Florida primary election, the designation to the general election was not permissible, according to the FEC. In order to comply with the FEC Advisory Opinion, SBC EmPAC is requesting a refund of this in-kind contribution in the amount of \$439.65. I have attached a copy of the contribution and the FEC Advisory Opinion for your reference.

Please do not hesitate to contact me at 202.326.8819 if you have any questions.

Sincerely,



Angela Harratty  
 Manager-SBC EmPAC

Attachments

Federal Election Commission

### ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS

The Commission has added this page to the end of this filing to indicate how it was received.

<input checked="" type="checkbox"/>	Hand Delivered	Date of Receipt <i>6-26-02</i>
<input type="checkbox"/>	First Class Mail	POSTMARKED
<input type="checkbox"/>	Registered/Certified Mail	POSTMARKED (R/C)
<input type="checkbox"/>	No Postmark	
<input type="checkbox"/>	Postmark Illegible	
<input type="checkbox"/>	Received from the House office of Records and Registration	Date of Receipt
<input type="checkbox"/>	Received from the Senate Office of Public Records	Date of Receipt
<input type="checkbox"/>	Other (Specify):	Postmarked and/or Date of Receipt
<input type="checkbox"/>	Electronic Filing	
<i>JES</i>		<i>6-26-02</i>
PREPARER		DATE PREPARED

RECEIVED JUN 26 2002