



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

Michael J. Viola, Treasurer
SBC Communications Inc. Employee Federal
Political Action Committee (SBC EMPAC)
175 E. Houston 7-A-50
San Antonio, TX 78205

FEB 22 2002

Identification Number: C00109017

Reference: February Monthly Report (1/1/01-1/31/01)

Dear Mr. Viola:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-The Commission notes the apparent redesignation of the contribution to Charles A. Gonzalez Congressional Campaign. Please amend your report to disclose the proper format for redesignations. The first entry must disclose, as a MEMO entry, the information for the contribution as it was originally reported; the second entry must disclose, as a MEMO entry, the information as it has been redesignated, including the amount and date the redesignation was made 11 CFR §104.8(d)(2)(ii). The Committee should also provide the Commission with a copy of any signed documentation. See the attached sample of properly reported resignations.

Any amendment or clarification should be filed with the Federal Election Commission. Electronic filers must file amendments in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division). My local number is (202) 694-1130.

Sincerely,

Antoinette Kitchen
Senior Reports Analyst
Reports Analysis Division

REDESIGNATION ORIGINAL DESIGNATION: YEAR-END REPORT

SCHEDULE B (FEC Form 32)		Use separate schedule(s) for each category of the Detailed Summary Page		FOR UNIT NUMBERS (check only one)		PAGE 1 OF 1	
ITEMIZED DISBURSEMENTS				11a 11b 11c 11d 11e 11f 11g 11h 11i 11j			
Any information copied from such Reports and Statements may not be valid or used by any person for the purpose of soliciting contributions or for commercial purposes. When using the name and address of any political committee to solicit contributions from such committee.							
NAME OF COMMITTEE OR PAC State Incorporated PAC Full Name (Last, First, Middle Initial)							
A. Committee to Reelect Mark Aurelius				Date of Disbursement 12 30 2001			
Mailing Address 218 Via Sacra Road City Rome NY Zip Code 00000				Amount of Each Disbursement via Period 6000.00			
Purpose of Disbursement Contribution		Category Type 011					
Candidate Name Mark Aurelius		Disbursement For <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General (check specific) <input type="checkbox"/>					
Other Design: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> Presidential		State NY District 25					

Redesignations of Contributions

Use memo entries to show any redesignations of contributions.

If a contribution to a candidate is re-designated after the close of books, show the redesignation on the next report and indicate the report on which the original contribution was itemized.

In this illustration, the committee originally made a \$5,000 contribution to a candidate's campaign, intending it to count toward the primary election. The committee itemized the contribution in its year-end report. The following month, the campaign requested that the SSF redesignate \$4,500 to help retire debts from the previous general election campaign. The committee itemized the redesignation in its April quarterly report.

Return or Refund of Contributions Made

If an SSF receives a refund of a contribution it has made, it must report the refund in one of two ways, depending on the circumstances described below.

Contribution Made by SSF: Original Check Not Deposited

If a check to a candidate committee or other political committee is not deposited (e.g., if it is returned uncashed or is lost), report the amount as a negative entry on a Schedule B for Line 23, "Contributions to Federal Candidates and Other Political Committees." (The amount is subtracted from the total for Line 23.) An example is illustrated at right.

Refunded by Recipient's Check

If the recipient committee deposits the contribution and then refunds it with its own check, itemize the refund, regardless of amount, on a Schedule A for Line 16, "Contribution Refunds."

Refunds Made by the SSF

When an SSF refunds a contribution to a donor, the committee must include the disbursement in the total for the appropriate category of refund on the Detailed Summary Page (Line 26(a), (b) or (c)). If the SSF previously itemized the incoming contribution on Schedule A, then it must itemize the refund on a Schedule B for the appropriate line number. 104.6(d)(4).

(An SSF may return a contribution to the donor without depositing it, although the return must be made within 10 days of the treasurer's receipt of the contribution. 103.3(a). In this case, the committee does not have to report either the receipt or the return of the contribution.)

REDESIGNATION: APRIL REPORT

SCHEDULE B (FEC Form 32)		Use separate schedule(s) for each category of the Detailed Summary Page		FOR UNIT NUMBERS (check only one)		PAGE 1 OF 1	
ITEMIZED DISBURSEMENTS				11a 11b 11c 11d 11e 11f 11g 11h 11i 11j			
Any information copied from such Reports and Statements may not be valid or used by any person for the purpose of soliciting contributions or for commercial purposes. When using the name and address of any political committee to solicit contributions from such committee.							
NAME OF COMMITTEE OR PAC State Incorporated PAC Full Name (Last, First, Middle Initial)							
A. Committee to Reelect Mark Aurelius				Date of Disbursement 12 30 2001			
Mailing Address 218 Via Sacra Road City Rome NY Zip Code 00000				Amount of Each Disbursement via Period 6000.00			
Purpose of Disbursement Contribution		Category Type 011		MEMO ^a			
Candidate Name Mark Aurelius		Disbursement For <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General (check specific) <input type="checkbox"/>		(As disclosed in 2001 year-end) ^b			
Other Design: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> Presidential		State NY District 25					
B. Committee to Reelect Mark Aurelius							
Mailing Address 218 Via Sacra Road City Rome NY Zip Code 00000				Date of Disbursement 04 25 2002			
Purpose of Disbursement Contribution				Amount of Each Disbursement via Period 4500.00			
Candidate Name Mark Aurelius		Disbursement For <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General (check specific) <input type="checkbox"/>		MEMO (redesignation of above contribution) ^b			
Other Design: <input type="checkbox"/> House <input type="checkbox"/> Senate <input type="checkbox"/> Presidential		State NY District 25					

^a When using PCRDs, this is entered automatically by checking the memo dialog box.

^b When using PCRDs on Schedule B, this information is entered using "memo text." See page 45.

