



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

AUG 5 1998

Phillip L. Blair, Treasurer
Build Political Action Committee
of the National Association of
Home Builders
1201 15th Street, NW
Washington, DC 20005

Identification Number: C00000901

Reference: March Monthly Report (2/1/98-2/28/98)

Dear Mr. Blair:

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:

-Schedule A of your report discloses a contribution(s) from an organization which is not a political committee registered with the Commission (pertinent portion(s) attached). In addition, the contribution appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(f) precludes a political committee from receiving contributions from a person or another committee in excess of \$5,000 in a calendar year. Also, in order to make contributions to your committee, organizations which are not political committees must either: 1) establish a separate account which contains only those funds permitted under the Act, or 2) demonstrate through a reasonable accounting method that the organization has received sufficient funds subject to the limitations and prohibitions in order to make the contribution. 11 CFR §102.5(b)

If your committee does not finance non-federal activity, the receipt of the referenced contribution(s) may violate the limitations and prohibitions of 2 U.S.C. §§441a(f) and 441b. If your committee engages in both federal and non-federal activity, either through a separate non-federal account, or one account that finances activity in connection with both federal and

non-federal elections, your committee may be in violation of 11 CFR §102.5(a).

In order to be in compliance with the Act, your committee must: 1) refund to the donor, or transfer-out to a non-federal account, the amount in excess of \$5,000 and 2) determine the extent to which your committee received funds that are not permissible, and refund or transfer-out the prohibited funds.

If you choose to transfer the funds to an account not used to influence federal elections, the Commission advises that you inform the contributor in writing and provide the contributor with the option of receiving a refund. You may wish to seek a written authorization (either before or after the transfer-out) from the donor for any transfer-out to protect the donor's interests.

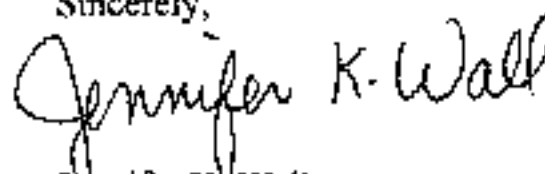
Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for the transfer-out or refund. Should you choose to transfer-out or refund the funds, the Commission will presume the funds were impermissible, absent a statement from your committee to the contrary. Transfers-out and refunds should be disclosed on a Schedule B supporting Line 22 or 28 of the report covering the period during which they are made.

Although the Commission may take further legal action concerning the acceptance of prohibited and excessive contribution(s), your prompt refund or transfer-out will be taken into consideration.

-Line 23 of the Detailed Summary Page of your report discloses a total of \$192,000 in Contributions to Federal Candidates/Committees. The sum of the entries itemized on Schedule B, however, indicates the total to be \$201,500. Please amend your report to clarify the discrepancy.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 694-1130.

Sincerely,



Jennifer K. Wall
Reports Analyst
Reports Analysis Division

PROGRAM-ID: BXC001
PERIOD: 02/01/98
- 02/31/98

BUILD PAC
OF THE NATIONAL ASSOCIATION OF HOME BUILDERS
ITEMIZED POLITICAL COMMITTEE CONTRIBUTIONS

PAGE: 67
DATE: 03/20/98
- LINE 11(A) -

NAME & ADDRESS	OCCUPATION / EMPLOYER	CONTRIBUTION DATE	PERIOD AMOUNT	YR-TO-DATE AMOUNT
FEDERAL PAC, 365 UNION STREET N.E. SALEM OR 97301	ONTE TO BUILD A BETTER OREGON	02/19/98	2,500.00	5,000.00
		02/19/98	2,000.00	
		02/25/98	500.00	
PAGE TOTAL:			5,000.00	
REPORT-TOTAL:			5,000.00	

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