



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-5

Gary W. Fields, Treasurer
American Bankers Association BankPAC
1120 Connecticut Avenue, NW, Suite 851
Washington, DC 20036

NOV 12 1999

Identification Number: C00004275

Reference: April Monthly Report (3/1/99-3/31/99)

Dear Mr. Fields:

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 (pertinent portion(s) attached) discloses a contribution(s) from an organization(s) which is not a political committee registered with the Commission. In order for your committee to accept contributions from unregistered organizations into accounts used to influence federal elections, your committee should take steps to insure that the contributor(s) used permissible funds to make the contribution(s) to avoid violating 2 U.S.C. §§441a(f) and 441b or 11 CFR §102.5(b). Under 11 CFR §102.5(b), organizations which are not political committees under the Act and choose to contribute to federal 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.

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. In addition, please clarify whether the contribution(s) received from the referenced organization(s) is permissible. To the extent that your committee has received impermissible funds, the Commission recommends that you transfer the impermissible funds to an account not used to influence federal elections or refund the impermissible amount(s) to the donor(s) in accordance with 11 CFR §103.3(b). In order to protect the

donor's interests, the Commission recommends that you inform the contributor(s) in writing to provide the donor(s) with the option of receiving a refund or granting written authorization for a transfer to another account.

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 contribution(s), the Commission will presume the funds were impermissible if no statement from your committee provides information 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 the transaction was made.

Although the Commission may take further legal action concerning the acceptance of prohibited contributions, prompt action by your committee in transferring-out or refunding the amounts will be taken into consideration.

-Schedule B of your report (pertinent portion(s) attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. 2 U.S.C. §441a(a) precludes a multicandidate committee and its affiliates from making a contribution to a candidate for federal office in excess of \$5,000 per election.

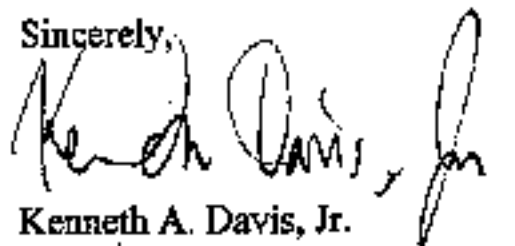
If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If you have made an excessive contribution, you should notify the recipient and request a refund of the amount in excess of \$5,000 and/or notify the recipient in writing of your redesignation of the contribution. In the best interest of your committee, all refunds and redesignations should be made within sixty days of the treasurer's receipt of the contribution(s).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. 11 CFR §110.1(b)

Although the Commission may take further legal action regarding the excessive contribution(s), your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

Any amendment or clarification should be filed with the Federal Election Commission. 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,

A handwritten signature in black ink, appearing to read "Kenneth A. Davis, Jr.", with a stylized flourish at the end.

Kenneth A. Davis, Jr.
Reports Analyst
Reports Analysis Division

SCHEDULE A ITEMIZED RECEIPTS

PAGE 1 OF 1
Line 11c

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full) ABA BankPac

Name/Address	Employer/Occupation	Year to Date	Date of Receipt	Amount
Bank of Boston PAC P.O. Box 2016 Boston, MA 02110	Bank of Boston Corporation		03/16/1999	\$500.00
		500.00		
BankOne Corp. Pac (NCC) One First National Plaza Chicago, IL 60670			03/16/1999	\$5,000.00
		5,000.00		
Community First South Dakota Political Action Committee PO Box 470 Vermillion, SD 57069			03/10/1999	\$2,000.00
		2,000.00		
First American Corporation Political Action Committee First American Center Nashville, TN 37237			03/10/1999	\$2,500.00
		2,500.00		
Triangle BankCorp PAC PO Box 31828 Raleigh, NC 27622			03/30/1999	\$1,000.00
		1,000.00		

SUBTOTAL of Receipts This Page (optional)

\$11,000.00

TOTAL This Period (last page this line number only)

\$11,000.00

SCHEDULE B ITEMIZED DISBURSEMENTS

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Line 23

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in full) ABA BankPac

Name/Address	Purpose of Disbursement	Date of Disbursement	Amount
Santorum 2000 PO Box 10495 Pittsburgh, PA 15234	Richard J Santorum REP-SENA-PA, 19992000 CYCLE Disbursement for: Primary	03/30/1999	\$5,000.00
KD Sherman For Congress 5752 Sepulveda Blvd., Box 1996 Sherman Oaks, CA 91403	Brad Sherman DEM-24-CA, 19992000 CYCLE Disbursement for: Primary	03/18/1999	\$1,500.00
Sue Kelly For Congress 87 Bedford Rd. Katonah, NY 10536	Sue Kelly REP-19-NY, 19992000 CYCLE Disbursement for: Primary	03/15/1999	\$2,000.00
Tim Johnson for South Dakota P. O. Box 88113 Sioux Falls, SD 57105	Tim Johnson DEM-0-SD, 19971998 CYCLE Disbursement for: Primary	03/18/1999	\$1,000.00
Watkins For Congress Box WM Stillwater, OK 74076	Wes Watkins REP-3-OK, 19992000 CYCLE Disbursement for: Primary	03/16/1999	\$1,000.00
Watts For Congress P.O. Box 720361 Norman, OK 73070	J.C. Watts REP-4-OK, 19992000 CYCLE Disbursement for: Primary	03/08/1999	\$500.00

SUBTOTAL of Disbursements This Page (optional)

\$11,000.00

TOTAL This Period (last page this line number only)

\$20,500.00

SCHEDULE B

ITEMIZED DISBURSEMENTS

Use separate schedule(s)
for each category of the
Detailed Summary PagePAGE 6 OF 7
FOR LINE NUMBER
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NAME OF COMMITTEE (in Full)

PENNSYLVANIA BANKERS PUBLIC AFFAIRS COMMITTEE FEDERAL

A. Full Name, Mailing Address and ZIP Code Santorum 2000 P.O. Box 10495 Pittsburgh, PA 15234	Purpose of Disbursement Contribution Disbursement for: ☐ Primary ☐ General ☒ Other (specify) Fundraiser	Date (month, day, year) 02/15/96	Amount of Each Disbursement This Period 250.00
B. Full Name, Mailing Address and ZIP Code JOE PITTS FOR CONGRESS 905 Mitchell Farm Lane Kenneth Square, PA 19348	Purpose of Disbursement Contribution Disbursement for: ☒ Primary ☐ General ☐ Other (specify)	Date (month, day, year) 04/02/96	Amount of Each Disbursement This Period 500.00
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: ☐ Primary ☐ General ☐ Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

750.00

TOTAL This Period (last page this line number only)

750.00

