



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

Joseph Barney, Treasurer
Build Political Action Committee of the
National Association of Home Builders
1201 15th Street NW
Washington, DC 20005

NOV 6 8 2002

Identification Number: C00000901

Reference: Amended September Monthly Report (8/1/02-8/31/02), dated 10/3/02

Dear Mr. Barney:

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 B supporting Line 23 of your report discloses a redesignation of a contribution made to a federal candidate(s) attributed to the 2000 primary election. However, the funds were redesignated after the 2000 election (pertinent portion attached). Further, your report discloses a redesignation made on 8/19/02 of a contribution that was originally made on 5/9/02 (pertinent portion attached).

Please note that contributions may not be redesignated for an election that has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign. Further, the request for a redesignation(s) of a contribution(s) must be made within 60 days of the treasurer's receipt. 11 CFR §110.2(b)

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. Also, if the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund.

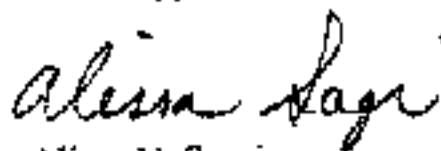
Please inform the Commission of your corrective action immediately in writing and provide a photocopy of any refund request sent to the recipient committee(s).

Although the Commission may take further legal action regarding this impermissible activity, your prompt action will be taken into consideration.

The Commission notes the redesignation and/or reattribution of several contributions. Please amend your report to disclose the proper format for redesignations and/or reattributions. 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 or reattributed, including the date the redesignation or reattribution documentation was made/received by the committee (11 CFR §104.8(d)(2), (3), and (4)). The Committee should also provide the Commission with a copy of the signed documentation. See the attached sample of properly reported redesignations.

A response or 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. Electronic filers must file amendments (to include statements, designations and reports) 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,



Alissa V. Saggi
Campaign Finance Analyst
Reports Analysis Division

SCHEDULE B (FEC Form 3X)

ITEMIZED DISBURSEMENTS

Use separate schedule(s)
for each category of the
Detailed Summary Page

PRICING NUMBER:
(check only one)

PAGE 80 of 87

☐ 21b ☐ 22 ☒ 23 ☐ 24 ☐ 25
☐ 26 ☐ 27 ☐ 28a ☐ 28b ☐ 28c ☐ 29

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)

Build Political Action Committee of National Association of Home Builders

Full Name (Last, First, Middle Initial)

A. NUNES FOR CONGRESS

Date of Disbursement

08 / 22 / 2002

Mailing Address

PO BOX 891

City

PIXLEY

State

CA

Zip Code

93256

Amount of Each Disbursement this Period

2500.00

Purpose of Disbursement

General 2002

Candidate Name

Category/
Type

Office Sought:

☒ House

☐ Senate

☐ President

Disbursement For:

2002

Primary

☒ General

Other (specify) ▼

State: CA

District: 21

Transaction ID: SB23.24444

Full Name (Last, First, Middle Initial)

B. OTTER FOR IDAHO

Date of Disbursement

08 / 19 / 2002

Mailing Address

1087 W. RIVER STREET SUITE 310

City

BOISE

State

ID

Zip Code

83707

Amount of Each Disbursement this Period

-1000.00

Purpose of Disbursement

Redesignate: General 2002

Candidate Name

Category/
Type

Office Sought:

☒ House

☐ Senate

☐ President

Disbursement For:

2002

Primary

☒ General

Other (specify) ▼

State: ID

District: 01

Transaction ID: SB23.24710

Full Name (Last, First, Middle Initial)

C. OTTER FOR IDAHO

Date of Disbursement

08 / 19 / 2002

Mailing Address

1087 W. RIVER STREET SUITE 310

City

BOISE

State

ID

Zip Code

83707

Amount of Each Disbursement this Period

1000.00

Purpose of Disbursement

Redesignate: Primary 2002

Candidate Name

Category/
Type

Office Sought:

☒ House

☐ Senate

☐ President

Disbursement For:

2002

☒ Primary

☐ General

Other (specify) ▼

State: ID

District: 01

Transaction ID: SB23.24711

SUBTOTAL of Disbursements this Page (optional)

2500.00

TOTAL This Period (last page this line number only)

SAMPLE

REDESIGNATION**ORIGINAL DESIGNATION: YEAR-END REPORT**

SCHEDULE B (FEC Form 3X)		ITEMIZED DISBURSEMENTS	
Use separate schedule(s) for each category of the Disputed Summary Page		FEC LINE NUMBER (check only one)	
		1 2 3 4 5 6 7 8 9 10	
Any information shown on this schedule and Summary Page may not be used by any person for the purpose of making any statement 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)			
James International PAC			
Full Name (Last, First, Middle Initial)			
A. Contribution to Robert Mark's Campaign			
Making Payment		Date of Disbursement	
212 Via Santa Rosa		12 30 2001	
City	State	Zip Code	Amount of Cash Disbursement for Period
Brooklyn	NY	00000	5000.00
Source of Disbursement		Category Type	
Contributor's Name		101	
Candidate Name		Contributor Type	
Mark's Campaign			
Other Source:	Disbursement For:		
☐ House	☒ Primary	☐ General	
☐ Senate	☐ Other (specify):		
☐ President			
Date: NY	Disputed: 23		

Redesignations of Contributions

Use memo entries to show any redesignations of contributions.

If a contribution to a candidate is redesignated 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 undeposited 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 trial for the appropriate category of refund on the Disburse Summary Page (Line 23(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, 104.3(c)(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 3X)		ITEMIZED DISBURSEMENTS	
Use separate schedule(s) for each category of the Disputed Summary Page		FEC LINE NUMBER (check only one)	
		1 2 3 4 5 6 7 8 9 10	
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NAME OF COMMITTEE (in full)			
James International PAC			
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A. Contribution to Robert Mark's Campaign			
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City	State	Zip Code	Amount of Cash Disbursement for Period
Brooklyn	NY	00000	5000.00
Source of Disbursement		Category Type	
Contributor's Name		101	
Candidate Name		Contributor Type	
Mark's Campaign			
Other Source:	Disbursement For:		
☒ House	☒ Primary	☐ General	
☐ Senate	☐ Other (specify):		
☐ President			
Date: NY	Disputed: 23		
B. Contribution to Robert Mark's Campaign			
Making Payment		Date of Disbursement	
212 Via Santa Rosa		01 28 2002	
City	State	Zip Code	Amount of Cash Disbursement for Period
Brooklyn	NY	00000	4500.00
Source of Disbursement		Category Type	
Contributor's Name		101	
Candidate Name		Contributor Type	
Mark's Campaign			
Other Source:	Disbursement For:		
☒ House	☒ Primary	☐ General	
☐ Senate	☐ Other (specify):		
☐ President			
Date: NY	Disputed: 23		

* When using FECFile, this is marked automatically by checking the "Auto-Flagging" box.

* When using FECFile on Schedule B, this is marked automatically by checking "Primary, 100%". See page 42.

