



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RQ-3

December 28, 2000

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

Identification Number: C00000901

Reference: July Monthly Report (6/01/00-6/30/00)

Dear Mr. Barney:

On November 29, 2000, you were notified that a review of the above-referenced report(s) raised questions as to specific contributions and/or expenditures, and the reporting of certain information required by the Federal Election Campaign Act.

Your December 15, 2000 response is incomplete because you have not provided all the requested information. For this response to be considered adequate, the following information is still required.

-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

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writing and provide a photocopy of the refund or redesignation 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.

-The totals listed on Lines 11(a)(i) and 11(a)(ii), Column B of the Detailed Summary Page appear to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B totals. When an individual's aggregate exceeds the \$200 threshold, the amount should not be deducted from the Column B figure for Line 11(a)(ii). Please amend your report and any subsequent reports that may be affected by this correction.

-The total listed on Line 22, Column B of the Detailed Summary Page appears to be incorrect. Please be advised that you should add the "Calendar Year-to-Date" total from your previous report to the current "Total This Period" figure from Column A to derive the correct Column B total. Please amend your report and any subsequent reports that may be affected by this correction.

-Your calculations for Line 30, Column A appear to be incorrect. FEC calculations disclose this amount(s) to be \$84,891.78. Please provide the corrected total(s) on the Detailed Summary Page.

-Please amend Schedule B supporting Line 23 by providing the office sought (House or Senate) for each contribution made. 11 CFR §104.3(b)(3)(ii) and (v)

-The Summary Page discloses \$79,916.78 on Line 7, Column A but the Detailed Summary Page shows the Line 30, Column A total to be \$84,921.78. These figures should be the same. Please amend your report accordingly.

-The Summary Page discloses \$908,439.18 on Line 7, Column B but the

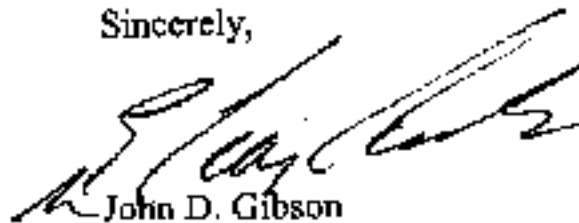
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Detailed Summary Page shows the Line 30, Column B total to be \$913,414.18. These figures should be the same. Please amend your report accordingly.

An adequate response must be received at the Commission by January 17, 2001. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. **Requests for extensions of time in which to respond will not be considered.** Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

If you should have any questions related to this matter, please contact Antoinette Kitchen on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or our local number (202) 694-1130.

Sincerely,



John D. Gibson
Assistant Staff Director
Reports Analysis Division

