



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20418

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Phil Herrington, Treasurer
Mark Pryor for U.S. Senate
Post Office Box 2720
Little Rock, AR 72203

JAN 14 2003

Identification Number: C00366401

Reference: 30 Day Post-General Report (10/17/02-11/25/02)

Dear Mr. Herrington:

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 one or more contributions which appear to exceed the limits set forth in the Act (see attached). You should examine all of your contributions to check for additional excessive contributions. The Committee's procedures for processing contributions should also be reviewed.

An individual or a political committee other than a qualified multicandidate committee may not make a contribution to a candidate for federal office in excess of \$1,000 per election. A qualified multicandidate committee and all affiliated committees may not make a contribution(s) to a candidate for federal office in excess of \$5,000 per election. The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office. (2 U.S.C. §441a(a) and (f); 11 CFR §110.1(b), (e) and (k))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

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If any contribution you received exceeds the limits, you may have to refund the excessive amount. The funds can be retained within sixty (60) days of receipt if, (1) the excessive amount was properly reattributed to another person, such as a joint account holder, by obtaining signed written authorizations from each person making the contribution pursuant to 11 CFR 110.1(k)(3), and (2) the treasurer informs the person making the contribution that he or she may request the return of the excessive portion of the contribution if it is not intended to be a joint contribution. Any request from a donor for a refund must be honored.

Alternatively, the funds can be retained if within sixty (60) days of receipt, the excessive amount was properly designated for a different election, by obtaining signed written authorization from the contributor(s) pursuant to 11 CFR §110.1(b)(5) or §110.2(b)(5). Any request from a donor for a refund must be honored.

If the foregoing conditions for reattributions or redesignations were not met within 60 days of receipt, the excessive amount must be refunded. See 11 CFR §103.3(b)(1).

Please inform the Commission of your corrective action immediately in writing and provide a photocopy of your check for any refund and/or any photocopies of letters reattributing or redesignating the contributions in question. Refunds are reported on Line 20 of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations and reattributions are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation and/or reattribution is received. (11 CFR §104.8(d)(2), (3) and (4))

The acceptance of excessive contributions is a serious problem. Again, the committee's procedures for processing contributions should be examined and corrected in order to avoid this problem. Although the Commission may take further legal action, prompt action by you to refund or seek redesignation and/or reattribution of the excessive amount will be taken into consideration.

-Line 12 of the Detailed Summary Page discloses a transfer from a joint fundraising committee. However, the memo Schedules A supporting Line 12 are less than the amount transferred. Please note that memo Schedules

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A supporting a transfer from a joint fundraising committee should be greater than or equal to the amount reported on Line 12. Each participating committee shall report its share of net proceeds received from the joint fundraising committee as a transfer-in on Line 12. Each participating committee shall also file memo Schedules A itemizing its share of the gross receipts as contributions from the original donors. (11 CFR §102.17(c)(8)(B)(i)) Please amend your report to correct this discrepancy.

-Your committee filed 48 hour notices reporting the following "last minute" contributions:

<u>Contributor</u>	<u>Date</u>	<u>Amount</u>
The Shaw Group Inc./Stone & Webster Inc. Pac	10/23/02	\$1000
Jeffrey Goldberg	10/30/02	\$1000

These contributions do not appear on Schedule A of this report. Please amend your report to include these contributions or provide an explanation of these apparent discrepancies (11 CFR §104.3(a)(4)(i)).

-Schedule A of your report indicates that your committee may have failed to file one or more of the required 48 hour notices regarding "last minute" contributions received by your committee after the close of books for the 12 Day Pre-General report. A principal campaign committee must notify the Commission, in writing, within 48 hours of any contribution of \$1,000 or more received between two and twenty days before an election. These contributions are then reported on the next report required to be filed by the committee. To ensure that the Commission is notified of last minute contributions of \$1,000 or more to your campaign, it is recommended that you review your procedures for checking contributions received during the aforementioned time period. The failure to file 48-hour notices may result in civil money penalties or legal enforcement action. If any contribution of \$1,000 or more was incorrectly reported, you must amend your original report with the clarifying information.

A response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Senate Public Records Office within fifteen (15) days of the date of this letter. Please contact the Senate Public Records Office at (202) 224-6322 for instructions on how and where to file an amendment. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530 (at the prompt

EXCESSIVE
CONTRIBUTIONS ON
THE 2002 30 DAY POST GENERAL
REPORT

P = Primary Election
G = General Election

CONTRIBUTOR NAME		DATE	AMOUNT	ELECTION
CHRISTIAN	EDDIE	07/12/2002	1000	G
CHRISTIAN	EDDIE N	11/01/2002	500	G
DAVID	LAURIE	10/23/2002	1000	G
DAVID	LAURIE	09/20/2002	500	G
MUNRO	DONALD	10/23/2002	500	G
MUNRO	DONALD	01/21/2002	350	P
MUNRO	DONALD	03/23/2002	500	P
MUNRO	DONALD	03/28/2002	350	G
MUNRO	DONALD	05/21/2002	500	G
SCHICKEL	LOU	10/31/2002	1000	G
SCHICKEL	LOUIS E	03/22/2002	500	P
SCHICKEL	LOUIS E	08/28/2002	1000	G
SCHICKEL	LOUIS E	12/29/2001	500	P
WOODS	TODD	11/01/2002	1500	G
DISTRICT NO 1-PCD MEBA PAF		11/04/2002	5000	G
PROFESSIONAL AIRWAYS SYSTEMS SPECIALISTS PAC		09/19/2002	2500	G
PROFESSIONAL AIRWAYS SYSTEMS SPECIALISTS PAC		10/11/2002	2500	G

