

# ETEXT ATTACHMENT

05/06/2002 17:12

nnnnnnMay 6, 2002

Mr. Scott B. Walker  
Reports Analyst  
Reports Analysis Division  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20002

Re: Wal-Mart Stores Inc. PAC for Responsible Government  
Committee Identification Number: C00093054  
30 Day Post-Special Election Report (11/1/01-12/10/01)

Dear Mr. Walker:

This letter is written in response to your letter to Wal-Mart Stores Inc. PAC for Responsible Government (Wal-Mart PAC), dated April 17, 2002. In your letter you note that

Schedule B of your report (pertinent portion(s) attached) discloses  
one or more contributions which appear to exceed the limits set forth in the Act.

The "pertinent portion" you attach to your letter highlights a contribution made by Wal-Mart PAC to Boozman for Congress. Specifically, the contribution in question is the one made on December 10, 2001 to Boozman for Congress. As noted on Wal-Mart PAC's 30 Day Post-Special Election Report (11/1/01-12/10/01), this contribution was made in connection with Rep. Boozman's 2002 Primary Election. You have apparently aggregated this contribution with one made on September 14, 2001, also to Boozman for Congress. As the attachment to your letter indicates, the September 14, 2001 contribution was made in connection with the 2001 Special Primary Election.

John Boozman was involved in three elections in 2001: Special Primary, Run-Off and Special General. The contribution made on September 14, 2001 by Wal-Mart PAC to Boozman for Congress was made, as indicated in Wal-Mart PAC's FEC Report, in connection with the 2001 Special Primary election. The contribution made on December 10, 2001 by Wal-Mart PAC to Boozman for Congress was made, as indicated in Wal-Mart PAC's FEC Report, in connection with the 2002 Primary election. Each of these elections has a separate contribution limit of \$5,000. 11 CFR §110.2(i)(1).

Since Wal-Mart PAC did not contribute in excess of \$5,000 to Boozman for Congress in connection with any of one of these particular elections, Wal-Mart PAC did not, in fact, make any contributions in excess of the limits prescribed in the Act.

As further evidence that Wal-Mart PAC did not make an excessive contribution in connection with the 2001 Special Primary election, it should be noted that the latter contribution was made on December 10, 2001. The date of the Special Primary election was September 25, 2001. According to FEC regulations, contributions not designated for a particular election are made in connection with the "next election for that Federal office after the contribution is made." 11 CFR §110.2(b)(2)(ii). In this instance, Wal-Mart did not designate the December 10, 2001 contribution to any election and the next regularly scheduled election after that date is the 2002 Primary election; the election for which the contribution was made and the election indicated on Wal-Mart PAC's 30 Day Post-Special Election Report (11/1/01-12/10/01).

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πWe expect that the above explanation with respect to the 30 Day Post-Special Election Report (11/1/01-12/10/01) satisfactorily answers your questions about Wal-Mart PAC's contributions to Boozman for Congress. Should you have any additional questions please feel free to contact me at (479) 273-8610.

πππππSincerely,

πππππMichael Mark

πππππTreasurer

Government

Wal-Mart Stores Inc. PAC for Responsible