

Congress of the United States
House of Representatives
Washington, DC 20515

April 23, 2012

Mr. Michael T. Duke
Chief Executive Officer
Wal-Mart Stores, Inc.
702 SW 8th Street
Bentonville, AR 72716

Dear Mr. Duke:

Earlier this week, the New York Times published a detailed article outlining the results of its investigation revealing that top Wal-Mart executives covered-up the actions of company officials in Mexico who “orchestrated a campaign of bribery to win market dominance.”¹

According to the article, a former executive alerted company officials in 2005 that, during the company’s meteoric rise in Mexico, it “paid bribes to obtain permits in virtually every corner of the country.” The former official, who served as “the lawyer in charge of obtaining construction permits for Wal-Mart de Mexico,” reportedly provided company officials in the United States with “names, dates, and bribe amounts.”

In addition, the Times reported that investigators in the company’s Corporate Investigations Unit uncovered evidence of more than \$24 million in bribes allegedly used to facilitate the process of obtaining permits to assist with Wal-Mart’s rapid expansion in Mexico. According to the article, Wal-Mart’s lead investigator concluded: “There is reasonable suspicion to believe that Mexican and USA laws have been violated.”

The article also describes how, when “[c]onfronted with evidence of widespread corruption in Mexico, top Wal-Mart executives focused more on damage control than on rooting out wrongdoing.” According to the article, H. Lee Scott, Wal-Mart’s CEO at the time, “rebuked investigators for being overly aggressive.” Company executives then opted to transfer the investigation to the same business unit that was under investigation and that was led by one of its major targets. This official “promptly exonerated his fellow Wal-Mart de Mexico executives” in a report that was “truly lacking,” according to the company’s Director of Corporate Investigations at the time.

¹ *Vast Mexico Bribery Case Hushed Up by Wal-Mart After Top-Level Struggle*, New York Times (Apr. 21, 2012) (online at www.nytimes.com/2012/04/22/business/at-wal-mart-in-mexico-a-bribe-inquiry-silenced.html?_r=1).

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The New York Times report, which is based on the review of thousands of documents and interviews with multiple company officials, raises serious questions about potential violations of United States law, including the Foreign Corrupt Practices Act. It also raises significant questions about the actions of top company officials in the United States who reportedly tried to disregard substantial evidence of abuse.

For these reasons, we are initiating an investigation into these matters and request a meeting with company officials who can respond to these allegations no later than April 27, 2012.

If you have any questions about this request, please contact Una Lee of the Oversight Committee staff at (202) 225-5051 or Tiffany Benjamin of the Energy and Commerce Committee staff at (202) 226-3400.

Thank you for your cooperation with this request.

Sincerely,


Elijah E. Cummings
Ranking Member
Committee on Oversight and
Government Reform


Henry A. Waxman
Ranking Member
Committee on Energy and
Commerce

cc: The Honorable Darrell E. Issa, Chairman
Committee on Oversight and Government Reform

The Honorable Fred Upton, Chairman
Committee on Energy and Commerce