



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 9, 2023

Kenneth Whittaker, Treasurer
Michigan Peoples Choice
P.O. Box 32992
Detroit, MI 48232

**Response Due Date
August 21, 2023**

Re: ADR 1120 (RAD 23L-30)
Michigan Peoples Choice and Kenneth Whittaker, Treasurer (C00733915)

Dear Kenneth Whittaker:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Reports Analysis Division (RAD) was based on a review of reports filed by Michigan Peoples Choice which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

An email was sent to your office on July 18, 2023, regarding an opportunity to participate in the ADR program at the Commission to resolve this matter. To date, the Commission has received no response. The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with Michigan Peoples Choice and Kenneth Whittaker, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

RAD referred Michigan Peoples Choice and Kenneth Whittaker, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on its 2022 July Quarterly

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
1050 FIRST STREET N.E., WASHINGTON, DC 20463
TELEPHONE: (202) 694-1136
EMAIL: JREBOLLOZO@FEC.GOV

Report. On October 14, 2022, the Committee filed an Amended 2022 July Quarterly Report which disclosed \$268,000 in additional receipts.

On April 27, 2023, the Committee filed a Form 99 (Miscellaneous Electronic Submission) stating it had inadvertently received a transfer of \$268,000 in funds that was intended for a non-Committee account which had not been identified when filling its initial report. Further, upon discovery, the Committee stated it unsuccessfully attempted to reverse the transfer, reported the transfer in an untimely amended report, and plans to transfer the funds out of the Committee account as soon as possible.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively by August 21, 2023 will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing.

This matter has been designated as **ADR 1120**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Rebollozo", written in a cursive style.

Joshua A. Rebollozo
Assistant Director
Alternative Dispute Resolution Office