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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE**MEMORANDUM**

November 9, 2023

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Krista J. Roche *KJR*
Director, ADR Office

Joshua A. Rebollozo *JAR*
Assistant Director, ADR Office

SUBJECT: Recommendation to Approve Negotiated Settlement
ADR 1120 - Michigan Peoples Choice and Kenneth Whittaker, Treasurer (C00733915)

RESOLUTION TERMS: Develop and certify implementation of a compliance operations manual; certify that a representative of the Committee participated in an FEC training; disclose the August 16, 2023, transfer of \$268,000 of Committee funds on the 2023 Year-End Report; and pay a civil penalty of \$8,500.

Attached for your review is a signed Negotiated Settlement pertaining to ADR 1120 (RAD 23L-30). The ADR Office received this referral from the Reports Analysis Division (RAD) on June 27, 2023.

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

During negotiations, the Committee stated it received a transfer of \$268,000 that was intended for an affiliated organization's account on May 20, 2022, which it did not identify prior to filing its initial 2022 July Quarterly Report. Upon discovery, the Committee states it reported the transfer in its Amended 2022 July Quarterly Report, filed on October 14, 2022, and transferred the funds out of the Committee account on August 16, 2023.

RECOMMENDATIONS:

1. Approve the attached Negotiated Settlement of Michigan Peoples Choice and Kenneth Whittaker, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.