



Federal Election Commission
Washington, DC 20463

March 29, 2010

Daniel E. Mielke
Citizens for an Open and Honest Government
Supporting Dan Mielke for Congress
2550 Country Road 11
Rudolph, WI 54475

Re: ADR 537 (MUR 6248)
ADR 539 (PMUR 495)
Citizens for an Open and Honest Government Supporting Dan Mielke for Congress and
Robin K. Mielke, Treasurer

Dear Mr. Mielke:

The Federal Election Commission (FEC/Commission) received a complaint filed against Citizens for an Open and Honest Government Supporting Dan Mielke for Congress and Robin K. Mielke, Treasurer (Respondents). The Commission has also received your submission regarding the Respondents. The Commission reviewed your letter and voted to refer the matter to the Alternative Dispute Resolution Office (ADR Office). These cases have been designated as ADR 537 and 539. Please refer to these numbers in all future correspondence.

The FEC established the ADR Program to provide an informal means for resolving complaints. The ADR program provides Respondents with an opportunity to negotiate, and if necessary, mediate settlement of a complaint that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If the negotiations and/or mediation are successful, the resulting settlement concludes the matter.

The Commission, in referring the matter to the ADR Office, determined that your case is eligible for processing in that program. To be considered for ADR processing; i.e., negotiation and/or mediation, you must: 1) indicate a willingness to have your case submitted to the ADR process; 2) agree to participate in the bilateral negotiations, and, if necessary, mediation; and 3) waive the statute of limitations while the matter is being processed under the Commission's ADR program. Additional information about the ADR program is provided in the enclosed material.

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

SUMMARY: Citizens For An Open And Honest Government Supporting Dan Mielke For Congress and Robin K. Mielke, Treasurer (Respondents or the Committee) filed a *sua sponte* submission acknowledging that they may have violated the FECA by using the names and addresses of contributors disclosed on the 2009 October Quarterly Report filed by Duffy for Congress to solicit contributions. Respondents contend they did not realize it was a violation of any law, and do not believe they received any contributions as a result of the 30-40 letters sent.

If, after reviewing the material, you would like your case to be identified for ADR processing, you need to affirmatively indicate that desire on the enclosed form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter 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 returned to the Commission's Office of General Counsel for further processing.

If you decide to participate in the ADR Program, please provide any additional response Respondents would like to make, including proposed stipulations or terms to resolve the matter. **Please also provide some dates and times when you'd be available to discuss this matter in detail on a separate sheet of paper.** I will then review my calendar, so that a time can be scheduled.

If you have any questions about the ADR Program, please contact me directly at the number given below.

Sincerely,

Lynn Fraser, Director
Alternative Dispute Resolution Office
202-694-1661/1665

Enclosures:

1. ADR Frequently Asked Questions
2. ADR Commitment Statement
3. Designation of Counsel/Representative