



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 9, 2021

Kimberly VanWyhe, Treasurer
Denali Leadership PAC
41 D Street SE
Suite 500
Washington, DC 20003

Response Due Date
March 30, 2021

Re: ADR 997 (RAD 20L-06)
Denali Leadership PAC and Kimberly VanWyhe, Treasurer (C00438291)

Dear Kimberly VanWyhe:

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 was based on a review of reports filed by Denali Leadership PAC which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

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 Denali Leadership PAC and Kimberly VanWyhe, 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 Denali Leadership PAC and Kimberly VanWyhe, Treasurer (Respondents or the Committee) for failing to disclose all financial activity on its 2020 October Monthly Report, originally filed on October 20, 2020. On November 4, 2020, the

Committee filed an Amended 2020 October Monthly Report including \$100,702 in additional disbursements.

In a Form 99 (Miscellaneous Electronic Submission) filed on January 21, 2021, the Committee stated the checks were inadvertently omitted from the initial October Monthly Report and were ultimately disclosed after reconciling the October bank statements. In addition, the Committee states that it has since implemented additional accounting procedures to ensure future compliance.

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 within fifteen (15) business days from the date 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 sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 997**. 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,



Joshua A. Rebollozo
ADR Specialist
Alternative Dispute Resolution Office