



123 William Street  
New York, NY 10038  
p: 800.430.4907 · f: 202.123.4567  
www.plannedparenthood.org

---

**Planned Parenthood Federal PAC**

August 25, 2017

Ms. Krista Roche  
Acting Director, Alternative Dispute Resolution Office  
Federal Election Commission  
999 E Street, NW  
Washington D.C. 20463  
kroche@fec.gov

Re: ADR 835

Dear Ms. Roche:

We received your letter of August 3, 2017. This response and attached form indicate agreement by Planned Parenthood Action Fund Inc. PAC ("PP Federal PAC") and Tshombe Hubbard, in his official capacity as Treasurer,<sup>1</sup> to participate in Alternative Dispute Resolution. We have provided additional factual information below and respectfully request dismissal of this matter with no further action.

During the compilation of the Year End Report, PP Federal PAC conducted a voluntary review of the committee's 2016 activities, identified several minor corrections that needed to be made to the Pre-General Report, and filed an amended report with the FEC to reflect those changes ("Amended Report") disclosing an additional \$51,756.51 in disbursements. This included a \$50,000 non-federal cash donation to a state-level independent expenditure committee, which was inadvertently omitted.

PP Federal PAC rarely makes non-federal cash donations. In fact, this donation is one of only six non-federal cash donations the PAC made over the last three election cycles and the only donation to a state-level independent expenditure committee. As a consequence, given the unusual nature of the disbursement and the proximity to the election, the disbursement was not captured in the reconciliation process prior to filing the original report.

The non-federal donation at issue here was reported by the recipient committee to the relevant state election board in a timely fashion on November 4, 2016, four days before the election. Therefore, the public was on notice that this donation had been made. Moreover, when PP

---

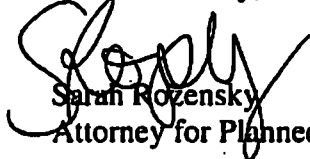
<sup>1</sup> Mr. Hubbard was not the treasurer at the time of the activity at issue in ADR 835. He was designated as treasurer on January 10, 2017.

Federal PAC identified its inadvertent reporting omission during its voluntary review of the committee's activities, the Amended Report was promptly filed.

In order to ensure that similar errors are avoided in the future, PP Federal PAC has implemented remedial measures to enhance its political compliance and reporting procedures. PP Federal PAC has engaged a new compliance vendor to assist with the thorough review of its reporting procedures, including a comprehensive update of the PAC Operating Manual, which, among other enhancements, will include improved procedures for election-sensitive periods. Additionally, Planned Parenthood Action Fund has allocated additional personnel resources to assist with political compliance and reporting.

The omission of the non-federal donation at issue here represents a very small portion of PP Federal PAC's overall reporting in the 2016 election. And more importantly, the contribution was publicly disclosed through timely reporting to the relevant state election board before the election. Furthermore, PP Federal PAC has already undertaken remedial measures to enhance its political compliance and reporting procedures to minimize administrative errors. For these reasons, we respectfully submit that this matter should be dismissed.

Yours sincerely,



Sarah Rozenky  
Attorney for Planned Parenthood Federal PAC

Attachment

Commitment to Participate in ADR Form



COMMITMENT TO PARTICIPATE IN ADR

ADR # 835

I confirm that I read the material describing the Federal Election Commission's (FEC) Alternative Dispute Resolution (ADR) program and request that my case be considered for this program. I agree to the following conditions:

1. To engage in the FEC's ADR process;
2. To participate in good faith in negotiations to resolve the case, and, if unsuccessful, to engage in mediation with the aim of achieving a mutually acceptable resolution; and
3. All parties and their representatives or counsel agree that all proceedings during negotiations to resolve the matter, including any statements made or documents prepared by any party, attorney or representative, may not be disclosed for any purpose; and
4. To toll the statute of limitations for any civil enforcement action that the FEC might bring in my case pursuant to 2 U.S.C. § 437g(a)(6) for the same number of days my case is being processed in the Commission's ADR Program; and
5. To designate the representative named below to receive all communications from the FEC on behalf of Respondents in this case and to authorize the named representative to participate in the FEC's ADR program on behalf of Respondents, including negotiating on behalf of Respondents with the full authority to make and/or accept settlement offers and legally bind Respondents upon the execution of a written agreement formalizing the settlement of this case.

NAME OF RESPONDENT: Planned Parenthood Action Fund Inc. PAC & Tshombe Hubbard  
ADDRESS: 123 Williams St. 10th Floor (Treasurer)  
New York, NY 10038  
TELEPHONE: 212-541-7800  
EMAIL ADDRESS: \_\_\_\_\_

STATEMENT OF DESIGNATION OF REPRESENTATIVE/COUNSEL

NAME OF REPRESENTATIVE/COUNSEL: Sarah Rozenky  
FIRM NAME: Planned Parenthood Action Fund  
ADDRESS: 1110 Vermont Ave. NW  
Washington DC 20005  
TELEPHONE: 202-973-4800  
EMAIL ADDRESS: sarah.rozenky@ppfa.org

8.25.17  
DATE

[Signature]  
SIGNATURE OF RESPONDENT