



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 2018

Sarah Rozensky, Esq.
Planned Parenthood Federation of America
Planned Parenthood Action Fund
123 William Street
New York, NY 10038

Re: ADR 835 Planned Parenthood Action Fund Inc. DBA Planned Parenthood
Federal PAC and Tshombe Hubbard, Treasurer

Dear Ms. Rozensky:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on 1/18/2018 – the effective date of the agreement.

Under the terms of the agreement, a civil penalty in the amount of \$2,600.00 is due on 2/16/2018. Kindly review the attached payment instructions for details on payment methods and the collection of unpaid debts.

As you are aware, the Negotiated Settlement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our negotiations, and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

Krista J. Roche

Krista J. Roche
Acting Director
Alternative Dispute Resolution Office

Enc: Payment Instructions

Compliance Chart
Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office

01-10-2004



FEDERAL ELECTION COMMISSION
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Case Number: 835
Source: RAD 17L-21

Case Name: Planned Parenthood Action Fund, Inc. PAC

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Sarah Rozensky, Esq., representing Planned Parenthood Action Fund, Inc. PAC, DBA Planned Parenthood Federal PAC and Tshombe Hubbard, in his official capacity as Treasurer¹ (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division (RAD) referred Respondents for failing to disclose all financial activity on its 2016 12 Day Pre-General Report. On February 21, 2017, the Committee filed an Amended 2016 12 Day Pre-General Report disclosing an additional \$51,756.51 in disbursements.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 52 U.S.C. §§ 30104(a)(1), 30104(b)(4), 11 C.F.R. §§ 104.1, 104.3(b).
5. In a Miscellaneous Electronic Submission (Form 99) filed on April 28, 2017, the Committee indicated that it performed a voluntary internal review of its 2016 activities and realized the need for an amendment. It was discovered that one \$50,000 disbursement was made to a state-level independent expenditure committee for non-federal activity, which had been timely reported to the relevant state election board four


¹ Mr. Hubbard was not the treasurer at the time of the activity at issue. He was designated as treasurer on January 10, 2017.

days before the election, but had been inadvertently omitted from the original 2016 12 Day Pre-General Report. This donation was one of only six non-federal cash donations made by the Committee over the last three election cycles and the only donation to a state-level independent expenditure committee. The Committee contends that this inadvertent omission of a non-federal donation was a minor reporting oversight that was promptly corrected once discovered and represents a very small portion of its overall reporting. The Committee further contends that it has voluntarily undertaken a thorough review of its reporting procedures to ensure this type of error does not occur in the future.

6. Respondents agree to pay a civil penalty of \$2,600 within thirty (30) days of the effective date of this agreement.
7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 835 (RAD 17L-21), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:


Krista J. Roche, Acting Director
Alternative Dispute Resolution Office



1/18/18

Date Signed

FOR THE RESPONDENTS:



Sarah Rozensky, Esq.
Representing Planned Parenthood Action Fund, Inc. PAC,
DBA Planned Parenthood Federal PAC
and Tshombe Hubbard, Treasurer

12/14/17

Date Signed