

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: July 27, 2017

ANALYST: Nicole Miller

- I. COMMITTEE: Planned Parenthood Action Fund Inc. PAC, DBA
Planned Parenthood Federal PAC
C00314617
Tshombe Hubbard, Treasurer (1/10/17 - Present)
Liz Gustafson (11/26/14 – 1/8/17)
123 William St, 10th Floor
New York, NY 10038
- II. RELEVANT STATUTE: 52 U.S.C. § 30104(b)(4)
11 CFR § 104.3(b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Planned Parenthood Action Fund Inc. PAC, DBA Planned Parenthood Federal PAC (“the Committee”) amended its 2016 12 Day Pre-General Report to disclose additional disbursements totaling \$51,756.51 which were not disclosed on the original report (Attachment 2).

On October 27, 2016, the Committee filed the original 2016 12 Day Pre-General Report covering the period October 1, 2016 through October 19, 2016. The report disclosed -\$6,029.82 in disbursements on Line 21(b) (Other Federal Operating Expenses), \$104,737.01 in disbursements on Line 23 (Contributions to Federal Candidates and Committees), and \$1,552.81 in disbursements on Line 29 (Other Disbursements) of the Detailed Summary Page (Image 201610279036870979).

On February 21, 2017, the Committee filed an Amended 2016 12 Day Pre-General Report. The report disclosed -\$5,273.31 in disbursements on Line 21(b), \$105,737.01 in disbursements on Line 23, and \$51,552.81 in disbursements on Line 29 of the Detailed Summary Page, a total increase in disbursements of \$51,756.51 from the original report (Image 201702219050477044, Attachment 2). The report also included a

memo text that stated in part, "This amendment is being made to reflect changes in receipts and disbursements that were not included on the original report" (Image 201702219050477070).

On March 26, 2017, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2016 12 Day Pre-General Report, received February 21, 2017. The RFAI requested clarification regarding the substantial increase in disbursements disclosed on the Amended 2016 12 Day Pre-General Report (Image 201703260300083201).

On April 28, 2017, the Committee filed a Miscellaneous Electronic Submission ("FEC Form 99") in response to the RFAI. The Committee stated, in part,

"We received your letter of March 26, 2017 requesting additional information on the Amended 12 Day Pre-General Report (10/01/2016 - 10/19/2016) filed by Planned Parenthood Action Fund Inc. PAC (PP Federal PAC). Your letter notes that the Amended Report discloses an increase in disbursements from the amount disclosed on the original report totaling \$51,756.51.

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 the Amended Report with the Federal Election Commission (FEC) to reflect those changes. These represent four disbursements, only one of which is a federal contribution:

- Line 21b Other Federal Operating Expenditures: a \$701.56 merchant fee paid on October 3, 2016 (October 3 Disbursement) (Transaction ID B640761) and a \$54.95 merchant fee paid on October 4, 2016 (October 4 Disbursement)

- Line 23 Contribution to Federal Candidate: a \$1,000 contribution to a federal candidate committee made on October 11, 2016 (October 11 Disbursement) (Transaction ID B629150); and

- Line 29 Other Disbursement: a \$50,000 non-federal donation to a state-level independent expenditure committee made on October 17, 2016 (October 17 Disbursement) (Transaction ID B640762).

PP Federal PAC omitted the October 17 Disbursement, a non-federal cash donation to a state-level independent expenditure committee, from its original Pre-General Report due to a series of unique circumstances including the rarity of this type of transaction and its proximity to the election. It is very unusual for PP Federal PAC to make 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. Moreover,

because the donation was for a state-level independent expenditure committee, it was directed by a non-PAC staffer who was therefore not systematically involved in the review of the PAC's original report before its filing.

Nevertheless, while this non-federal donation was inadvertently omitted from the original Pre-General Report, the public interest was still served; the October 17 Disbursement -- which represents only 0.3% of the total number of cash donations and contributions PP Federal PAC made in the 2016 election -- was reported by the recipient committee to its relevant state election board in a timely fashion on November 4, 2016, four days before the election. When PP Federal PAC identified this inadvertent omission during its voluntary review of the committee's activities, the Amended Report was filed. Moreover, PP Federal PAC, as a part of its thorough review of its reporting procedures, is developing enhanced procedures to minimize administrative errors in all circumstances, including in infrequent cases such as this one

PP Federal PAC also amended the Pre-General Report to disclose an additional \$1,756.51 in disbursements -- which represents less than 0.2% of PP Federal PAC's total disbursements in the 2016 election. During the voluntary review of the committee's 2016 activities, PP Federal PAC determined that due to an administrative error, the October 3 Disbursement and October 4 Disbursement -- which represent approximately 1% of the total Other Federal Operating Expenditures incurred in the 2016 election -- and the October 11 Disbursement -- which represents less than 0.1% of the total Federal contributions made in the 2016 election -- were inadvertently left off our original Pre-General Report. The Pre-General Report has since been amended to reflect these corrections.

In conclusion, PP Federal PAC has already begun undertaking a thorough review of its reporting procedures to ensure that minor inadvertent omissions, like those referenced here, are avoided in the future." (Image 201704289053486819-20).

On May 3, 2017, the Reports Analysis Division (RAD) Analyst called Tshombe Hubbard, the Committee's Treasurer, and left a voicemail message to inform him that the FEC Form 99 response to the RFAI referencing the Amended 2016 12 Day Pre-General Report was inadequate and asked for a return call (Attachment 3).

On May 18, 2017, the RAD Analyst called Mr. Hubbard and left a voicemail message to inform him that the increase in disbursements disclosed in the Amended 2016 12 Day Pre-General Report, received February 21, 2017 would be referred for potential further action. The Analyst stated that the Committee could file an FEC Form 99 if there was further information to disclose about the increase in activity (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

100-1001001001

Treasurer Name: HUBBARD, TSHOMBE Address: 123 WILLIAM ST, 10TH FLOOR, NEW YORK, NY 10038												
Cmte. Type: Q (QUALIFIED NON-PARTY) Cmte. Designation: B (LOBBYIST/REGISTRANT PAC) Filing Frequency: MONTHLY FILER												
Recpt Dt	Pgs	Begin Img#	Reg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Lo	Lo
3/7/2017	1	201703079050757946										
4/28/2017	2	201704289053486819										
2/17/2017	9	201702179049714095	1/1/2017	1/31/2017		\$406,516	\$7,693	\$20,127	\$394,082			
2/22/2017	10	201702229050498487	1/1/2017	1/31/2017		\$402,516	\$7,693	\$20,127	\$390,082			
3/7/2017	10	201703079050756863	1/1/2017	1/31/2017		\$404,016	\$7,693	\$20,127	\$391,582			
3/17/2017	9	201703179050877875	2/1/2017	2/28/2017		\$391,582	\$1,548	(\$2,414)	\$395,545			
4/20/2017	9	201704209052359881	3/1/2017	3/31/2017		\$395,545	\$15,508	\$2,332	\$408,721			
5/19/2017	11	201705199054027396	4/1/2017	4/30/2017		\$408,721	\$633	\$7,693	\$401,662			
6/20/2017	13	201706209063513014	5/1/2017	5/31/2017		\$401,662	\$5,352	\$32,062	\$374,952			
7/20/2017	14	201707209066817701	5/1/2017	5/31/2017		\$401,662	\$5,482	\$32,062	\$375,082			
7/20/2017	14	201707209066817715	6/1/2017	6/30/2017		\$375,082	\$31,377	\$51,717	\$354,742			
1/10/2017	6	201701109041361396										
							\$62,243	\$111,518				

O-Index (2015-2016)												
Cmte. ID: C00314617 Cmte. Name: PLANNED PARENTHOOD ACTION FUND INC. PAC, DBA PLANNED PARENTHOOD FEDERAL PAC												
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Cmte. Type: Q (QUALIFIED NON-PARTY) Cmte. Designation: B (LOBBYIST/REGISTRANT PAC) Filing Frequency: MONTHLY FILER												
Recpt Dt	Pgs	Regin Img#	Reg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Lo	Lo
3/26/2017	2	201703260300083201	10/1/2016	10/19/2016	3/26/2017							
2/7/2017	2	201702080300077361	11/29/2016	12/31/2016	2/7/2017							
2/18/2015	7	15950623713	1/1/2015	1/31/2015		\$412,327	\$7,013	\$22,704	\$396,636			
3/20/2015	8	15970307739	2/1/2015	2/28/2015		\$396,636	\$8,290	\$56	\$404,869			
4/20/2015	13	15970656856	3/1/2015	3/31/2015		\$404,869	\$71,972	\$22,183	\$454,658			
5/19/2015	9	15970707105	4/1/2015	4/30/2015		\$454,658	\$13,826	\$326	\$468,158			
6/19/2015	11	15951500120	5/1/2015	5/31/2015		\$468,158	\$16,094	\$19,507	\$464,744			
7/20/2015	16	201507209000285379	6/1/2015	6/30/2015		\$464,744	\$71,145	\$16,550	\$519,339			
8/20/2015	9	201508209000865232	7/1/2015	7/31/2015		\$519,339	\$10,479	\$21,929	\$507,889			
9/18/2015	10	201509189002716249	8/1/2015	8/31/2015		\$507,889	\$3,182	\$10,197	\$500,874			
10/20/2015	100	201510209003164581	9/1/2015	9/30/2015		\$500,874	\$330,337	\$41,248	\$789,962			
11/20/2015	34	201511209003414683	10/1/2015	10/31/2015		\$789,962	\$140,687	\$6,001	\$924,648			
12/18/2015	15	201512189004313109	11/1/2015	11/30/2015		\$924,648	\$39,332	\$2,976	\$961,004			
1/29/2016	16	201601299004870948	11/1/2015	11/30/2015		\$924,648	\$43,547	\$2,976	\$965,219			
1/29/2016	19	201601299004871005	12/1/2015	12/31/2015		\$965,219	\$27,640	\$26,805	\$966,054			
2/19/2016	12	201602199008503968	1/1/2016	1/31/2016		\$966,054	\$6,908	\$5,197	\$967,765			
3/18/2016	12	201603189009797047	2/1/2016	2/29/2016		\$967,765	\$29,127	\$5,112	\$991,780			
4/20/2016	25	201604209014505202	3/1/2016	3/31/2016		\$991,780	\$30,064	\$87,376	\$934,468			
5/20/2016	24	201605209015602263	4/1/2016	4/30/2016		\$934,468	\$8,892	\$126,376	\$816,984			
10/31/2016	24	201610319037012865	4/1/2016	4/30/2016		\$934,468	\$8,892	\$126,376	\$816,984			
6/20/2016	13	201606209018593249	5/1/2016	5/31/2016		\$816,984	\$911	\$27,567	\$790,328			
7/20/2016	28	201607209021673873	6/1/2016	6/30/2016		\$790,328	\$2,239	\$136,564	\$656,003			
2/21/2017	30	201702219050474377	6/1/2016	6/30/2016		\$790,328	\$2,239	\$142,064	\$650,503			
6/10/2016	19	201606109009574950	7/1/2016	7/31/2016		\$656,003	\$269	\$22,069	\$624,203			

10/20/2016	55	201610209034130450	9/1/2016	9/30/2016	\$606,526	\$131,237	\$104,560	\$633,203
2/21/2017	56	201702219050475652	9/1/2016	9/30/2016		\$598,026	\$131,237	\$108,060
10/27/2016	49	201610279036870976	10/1/2016	10/19/2016		\$633,203	\$119,573	\$100,260
2/21/2017	52	201702219050477041	10/1/2016	10/19/2016		\$621,203	\$119,024	\$152,016
12/8/2016	46	201612089039993264	10/20/2016	11/28/2016		\$652,517	\$69,851	\$274,547
2/21/2017	47	201702219050477093	10/20/2016	11/28/2016		\$588,211	\$69,241	\$274,177
3/7/2017	47	201703079050756731	10/20/2016	11/28/2016		\$588,211	\$70,041	\$274,177
1/31/2017	11	201701319042329257	11/29/2016	12/31/2016		\$393,934	\$12,918	\$477
2/21/2017	14	201702219050496229	11/29/2016	12/31/2016		\$383,275	\$12,918	(\$7,022)
3/7/2017	14	201703079050756849	11/29/2016	12/31/2016		\$384,075	\$12,918	(\$7,022)
2/5/2016	6	201602059008440652						
7/8/2016	6	201607089020384109				\$1,155,875		\$1,164,186

O-Index (2013-2014)
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Receipt Dt	Pgs	Begin Img#	Beg Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Lo
3/21/2013	2	13940498525									
2/20/2013	6	13940109408	1/1/2013	1/31/2013		\$188,541	\$1,670	\$1,076	\$189,134		
3/20/2013	6	13940490066	2/1/2013	2/28/2013		\$189,134	\$170	\$16,087	\$173,217		
4/19/2013	14	13940602666	3/1/2013	3/31/2013		\$173,217	\$25,575	\$30,707	\$100,005		
4/19/2013	15	13940602686	3/1/2013	3/31/2013		\$173,217	\$25,575	\$38,707	\$160,085		
5/17/2013	16	13940748521	4/1/2013	4/30/2013		\$160,085	\$56,750	\$29,561	\$187,274		
10/1/2013	17	13941674066	4/1/2013	4/30/2013		\$160,085	\$56,750	\$29,561	\$187,274		
6/20/2013	11	13963143779	5/1/2013	5/31/2013		\$187,274	\$6,094	\$7,302	\$186,067		
6/20/2013	11	13963144358	5/1/2013	5/31/2013		\$187,274	\$6,094	\$7,302	\$186,067		
6/20/2013	10	13963146529	5/1/2013	5/31/2013		\$187,274	\$6,094	\$6,802	\$186,567		
7/19/2013	21	13941196536	6/1/2013	6/30/2013		\$186,567	\$25,188	\$42,971	\$168,784	\$3,650	
8/20/2013	14	13941463123	7/1/2013	7/31/2013		\$168,784	\$12,297	\$9,869	\$171,212	\$0	
9/20/2013	17	13941620350	8/1/2013	8/31/2013		\$171,212	\$5,523	\$14,689	\$162,046		
10/18/2013	69	13964813358	9/1/2013	9/30/2013		\$162,046	\$186,600	\$25,142	\$323,504		
11/20/2013	39	13942556787	10/1/2013	10/31/2013		\$323,504	\$134,747	\$29,372	\$428,879		
12/20/2013	25	13964944466	11/1/2013	11/30/2013		\$428,879	\$39,443	\$46,570	\$421,752		
1/31/2014	19	14940254158	12/1/2013	12/31/2013		\$421,752	\$33,635	\$9,424	\$445,962		
2/20/2014	15	14940527734	1/1/2014	1/31/2014		\$445,962	\$40,910	\$17,491	\$469,380		
3/20/2014	23	14960531292	2/1/2014	2/28/2014		\$469,380	\$55,283	\$42,857	\$481,806		
4/18/2014	22	14960833082	3/1/2014	3/31/2014		\$481,806	\$26,745	\$48,375	\$460,176		
4/25/2014	25	14960866448	3/1/2014	3/31/2014		\$481,806	\$26,745	\$48,375	\$460,176		
5/20/2014	23	14961170120	4/1/2014	4/30/2014		\$460,176	\$21,635	\$102,216	\$379,594		
6/20/2014	15	14941617424	5/1/2014	5/31/2014		\$379,594	\$16,091	\$36,101	\$359,584		
7/18/2014	15	14941874640	6/1/2014	6/30/2014		\$359,584	\$18,706	\$30,183	\$348,107		
7/29/2014	16	14942380884	6/1/2014	6/30/2014		\$359,584	\$18,706	\$30,183	\$348,107		
8/20/2014	13	14950061355	7/1/2014	7/31/2014		\$348,107	\$5,790	\$24,570	\$329,326		
9/19/2014	20	14070845046	8/1/2014	8/31/2014		\$329,326	\$2,145	\$416,544	\$215,000		

**Planned Parenthood Action Fund Inc. PAC, Dba Planned Parenthood Federal PAC
(C00314617)**

2016 12 Day Pre-General Report/Amended 2016 12 Day Pre-General Report

Overview of Additional Disbursements

Report Line	Original 2016 12 Day Pre-General Report (Image 201610279036870979)	Amended 2016 12 Day Pre-General Report, Received 2/21/2017 (Image 201702219050477044)	Variance Amount
Line 21(b): Other Federal Operating Expenses	- \$6,029.82	- \$5,273.31	\$756.51
Line 23: Contributions To Federal Candidates And Committees	\$104,737.01	\$105,737.01	\$1,000.00
Line 29: Other Disbursements	\$1,552.81	\$51,552.81	\$50,000.00
		Total:	\$51,756.51