



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

SEP 26 2006

General Counsel
Planned Parenthood Federation of America
434 West 33rd Street
New York, New York 10001

RE: MUR 5808

Dear General Counsel:

On September 12, 2006, the Federal Election Commission found reason to believe that the Planned Parenthood Federation of America violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act."). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file as it pertains to the Planned Parenthood Federation of America. This finding was based upon information ascertained by the Commission in the normal course of its supervisory responsibilities. *See* 2 U.S.C. § 437g(a)(2). The Factual and Legal Analysis, which more fully explains the Commission's finding, is attached for your information.

The Commission reminds you that loan repayments to a political committee using corporate funds are prohibited by 2 U.S.C. § 441b. You should take steps to ensure that this activity does not occur in the future.

You are advised that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Tracey L. Ligon, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

A handwritten signature in black ink, appearing to read "M E Toner".

Michael E. Toner
Chairman

Enclosure
Factual and Legal Analysis

27044154177

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Planned Parenthood Federation of America

MUR: 5808

I. INTRODUCTION

This matter was generated by the Federal Election Commission ("Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities.

II. FACTUAL AND LEGAL ANALYSIS

The Federal Election Campaign Act of 1971, as amended ("the Act"), broadly prohibits corporations from making contributions in connection with any Federal election. 2 U.S.C. § 441b(a). The available information indicates that Planned Parenthood Federation of America ("the Federation"), a domestic not-for-profit corporation registered in the State of New York, transferred a total of \$700,000 in corporate funds to Planned Parenthood Action Fund, Inc. PAC ("the PAC"). The PAC made the following three disbursements to the Federation: \$200,000 on 8/13/2004; \$300,000 on 10/1/2004; and \$200,000 on 10/26/2004. The Federation returned the funds to the PAC in the following four transfers: \$200,000 on 9/13/2004; \$300,000 on 10/15/2004; \$100,000 on 11/17/2004; and \$100,000 on 12/2/2004. The available information suggests that the PAC made the \$700,000 in transfers to address cash flow issues in the Federation's accounts, and that the Federation's \$700,000 in transfers to the PAC were loan repayments. Inasmuch as loan repayments from corporations are prohibited under the Act, *see* Advisory Opinion 1992-28, there is reason to believe Planned Parenthood Federation of America violated 2 U.S.C. § 441b.

27044154178