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September 1, 2017

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2017 SEP 14 AM 11:19

**VIA FAX & U.S. MAIL**

Laura Beaufort, Sr. Campaign Finance & Reviewing Analyst  
Federal Election Commission-Reports Analysis Division  
999 E Street, NW  
Washington, DC 20463

**RE: Planned Parenthood Action Fund of the Pacific Southwest (ID  
#C90011412) – Year-End Report (10/01/2016-12/31/2016)**

Dear Ms. Beaufort:

Our office acts as campaign counsel for Planned Parenthood Action Fund of the Pacific Southwest (ID #C90011412). We are in receipt of your letter dated August 3, 2017 regarding our client's year-end Report of Independent Expenditures Made and Contributions Received (FEC Form 5) covering the period October 1, 2016 through December 31, 2016.

Your letter requests additional information regarding any contributors who made donations in excess of \$200 to fund the independent expenditures disclosed on our client's report. Federal regulations require a person filing FEC Form 5 to identify each person who made a contribution in excess of \$200 to the person filing the report if the contribution "was made for the purpose of furthering the reported independent expenditure." (11 CFR 109.10(e)(1)(vi).) Our client did not receive any contributions in excess of \$200 for the purpose of making the reported independent expenditures. As a result, our client's year end filing is accurate and no amendment is required.

In addition, your letter questions why 48-hour reports were filed late for expenditures dating from 10/6/16 to 10/9/16 in support of Hillary Clinton and in opposition to Donald Trump. A 48-hour report was filed initially on 10/19/16 to report these expenditures, and was subsequently amended. At the time the 48-hour report was initially filed on 10/19/16, the campaign's figures indicated that the expenditures in the presidential race would not exceed \$10,000 until 10/17/16, meaning that the report was not due until 10/19/16.

The 48-hour report filed initially on 10/19/16 was subsequently amended on 11/2/16 to reflect the committee's revised expenditures, as permitted under FEC regulations. The figures included on the amended report disclosed a total increase in expenditures of \$3,615.30, due to some additional phone-banking costs. When the report was amended to reflect these actual figures, the organization determined that its expenditures in the presidential race actually exceeded \$10,000 on 10/11/16. This fact was disclosed in the public note included on the amended report.

The vast majority, nearly 90 percent, of the expenditures required to be disclosed were included on the initial 48-hour report filed on 10/19/16, and, importantly, all expenditures were reported by the organization in advance of the election.

Please feel free to contact me with any additional questions.

Very truly yours,

**OLSON HAGEL & FISHBURN LLP**



LACEY E. KEYS

LEK:EAA

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2017-09-14 03:00:17 4073



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

August 3, 2017

PLANNED PARENTHOOD ACTION FUND OF  
THE PACIFIC SOUTHWEST  
1075 DAMINO DEL RIO SOUTH  
SAN DIEGO, CA 92108

**Response Due Date**

**09/07/2017**

IDENTIFICATION NUMBER: C90011412

REFERENCE: YEAR-END REPORT (10/01/2016 - 12/31/2016)

Dear Filer:

This letter is prompted by the Commission's preliminary review of the Report of Independent Expenditures Made and Contributions Received (FEC Form 5) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **An adequate response must be received at the Commission by the response date noted above.** Additional information is needed for the following 2 item(s):

1. Line 7 of your FEC Form 5 filing discloses disbursements made for independent expenditure(s). However, no contributions are disclosed on Line 6, "Total Contributions." Each contributor who made a donation in excess of \$200 to further the independent expenditure(s) must be itemized on Schedule 5-A, including their identification information. Please amend your report to provide the missing information or provide clarifying information. (11 CFR §§ 109.10(e) (1)(vi) and 114.10(f))

2. It appears that 48-hour notice(s) for the attached independent expenditures was filed late. Please be advised that you are required to file 48-hour reports once you make independent expenditures aggregating \$10,000 or more with respect to a given election any time during the calendar year up to and including the 20th day before the election. The report must be received at the Commission 11:59 p.m. Eastern Standard/Daylight Time by the second day after the communication was publicly distributed or otherwise disseminated. In the report, you must include information for all independent expenditures that have not been previously reported. Each time you make subsequent independent expenditures relating to the same election that aggregate \$10,000 or more, you must file another 48-hour report disclosing these independent expenditures. (11 CFR § 109.10(c) and (e)) Please provide clarification regarding the timeliness of your 48-hour reporting for the independent expenditures in question. Further, if the

2017-09-14 03:00:17 4074

PLANNED PARENTHOOD ACTION FUND OF THE PACIFIC SOUTHWEST

Page 2 of 2

date disclosed on your Form 5 was the date of payment, rather than the date of public dissemination or distribution, please provide the date of dissemination or distribution.

In addition, please be advised that you are required to disclose these independent expenditures, along with contribution and disbursement information, on Form 5 as a regularly scheduled quarterly report. (11 CFR § 109.10(b) and (e))

**Please note, you will not receive an additional notice from the Commission on this matter. Requests for extensions of time in which to respond will not be considered.** Failure to comply with the provisions of the Act may result in an enforcement action against the entity. Any response submitted by your entity will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

For additional information about the report review process or specific filing information, please visit <http://transition.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll free number (800) 424 9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1187.

Sincerely,



Laura Beaufort  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

2017-09-14 03:00:17 4075

**Late Filed 48 Hour Reports**  
**Planned Parenthood Action Fund of the Pacific Southwest (C90011412)**

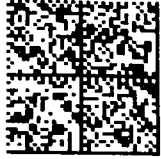
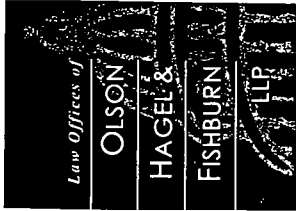
Name	Date	Amount	Purpose	Candidate
Moxie Media, Inc.	10/6/16	\$1,063.11	Mailer; Does Not Reach \$10,000 Until 10/11	Clinton, Hillary
Moxie Media, Inc.	10/6/16	\$1,677.00	Mailer; Does Not Reach \$10,000 Until 10/11	Trump, Donald J.
Moxie Media, Inc.	10/6/16	\$449.22	Postage For Mailer; Does Not Reach \$10,000 Until 10/11	Trump, Donald J.
Planned Parenthood Action Fund of the Pacific Southwest	10/6/16	\$1,526.61	Staff Time And Expenses For Phonebanking; 10/6 - 10/22 (Estimate) Does Not Reach \$10,000 Until 10/11	Clinton, Hillary
Protecting Choice in California, A Project of Planned Parenthood Affiliates of California	10/6/16	\$46.52	Data; Does Not Reach \$10,000 Until 10/11	Clinton, Hillary
Protecting Choice in California, A Project of Planned Parenthood Affiliates of California	10/6/16	\$93.03	Data; Does Not Reach \$10,000 Until 10/11	Trump, Donald J.
KRQB-FM Que Buena 96.1 FM	10/7/16	\$739.38	Radio Advertisement; Does Not Reach \$10,000 Until 10/11	Trump, Donald J.
PhonetiCall, Inc.	10/9/16	\$887.50	Phonebanking; 10/9 - 11/8; Does Not Reach \$10,000 Until 10/11	Trump, Donald J.
PhonetiCall, Inc.	10/9/16	\$3,550.00	Phonebanking; 10/9 - 11/8; Does Not Reach \$10,000 Until 10/11	Clinton, Hillary
PhonetiCall, Inc.	10/9/16	\$2,625.00	Phonebank; Does Not Reach \$10,000 Until 10/11	Clinton, Hillary

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555 Capitol Mall, Suite 1425  
Sacramento, CA 95814-4602

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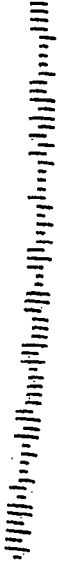


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Barbara Beutloff, Sr. Campaign Finance & Rev  
Federal Election Commission-Records Analysis  
603 J Street NW  
Washington, DC 20543

20463-



Federal Election Commission  
**ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS**  
 The FEC added this page to the end of this filing to indicate how it was received.

<input type="checkbox"/> Hand Delivered	Date of Receipt
<input checked="" type="checkbox"/> USPS First Class Mail	Date of Receipt
Postmarked <b>9/6/2017</b>	<b>9/14/2017</b>
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
<input type="checkbox"/> USPS Priority Mail Express	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
	Next Business Day Delivery <input type="checkbox"/>
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked

PREPARER **MP** **9/14/2017**  
 (3/2015) DATE PREPARED

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