



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

May 5, 2011

AARON SAMULCEK, TREASURER
PLANNED PARENTHOOD ACTION FUND INC.
PAC
434 WEST 33RD STREET
NEW YORK, NY 10001

Response Due Date
06/09/2011

IDENTIFICATION NUMBER: C00314617

REFERENCE: OCTOBER MONTHLY REPORT (09/01/2010 - 09/30/2010)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule B of your March Monthly Report (2/1/10 - 2/28/10) discloses a \$5,000 payment on 2/12/10 to your connected organization for "Advance payment for in-kind contributions and other activities". However, your September Monthly (8/1/10 - 8/31/10) and October Monthly (9/1/10 - 9/30/10) Reports combined disclose \$9,707.81 in disbursements disclosed as "Draw down against previous advance to PP Action Fund rptd on Line 21B of 2010 March Monthly Rpt". 2 U.S.C. §441b prohibits a corporation or labor organization from contributing funds for the purpose of influencing any federal election; however, a connected organization may pay for the solicitation and administrative costs of its separate segregated fund. Further, 11 CFR §114.2(f) prohibits corporations and labor organizations from facilitating the making of contributions to candidates or political committees, other than to the separate segregated funds of the corporations and labor organizations. Facilitation means using corporate or labor organization resources or facilities to engage in fundraising activities in connection with any federal election. The use of corporate or labor organization resources in connection with a fundraiser may be permissible for certain fundraising activities only if the corporation or labor organization receives advance payment for the fair market value of such services. 11 CFR §114.2(f)(2)(i)(A), (C) and (E)

Please amend your report(s) to clarify the apparent discrepancy. Although the Commission may take further legal action concerning this matter, your prompt

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action will be taken into consideration.

2. Commission Regulations require that a committee discloses the identification of all individuals who contribute in excess of \$200 in a calendar year. (11 CFR § 104.3(a)(4)(i)) Identification for an individual is defined as the full name (first name, middle name or initial, if available, and last name; initials for first and last name are not acceptable), complete mailing address, occupation, and name of employer. (11 CFR § 100.12) Your report discloses contributions from individuals for which the identification is not complete.

Further, the following appear on your report and are not considered acceptable: "Information Requested/ Information Requested", "Private Investigator/None" and "Self Employed/ Self."

You must provide the missing information or clarify the information provided. If you are unable to do so, you must demonstrate that "best efforts" have been used to obtain the information. To establish "best efforts," you must provide the Commission with a detailed description of your procedures for requesting the information. Establishing "best efforts" is a three-fold process.

First, your original solicitation must include a clear and conspicuous request for the contributor information and must inform the contributor of the requirements of federal law for the reporting of such information. (11 CFR § 104.7(b)(1)) See 11 CFR § 104.7(b)(1)(B) for examples of acceptable statements regarding the requirements of federal law.

Second, if the information is not provided, you must make one follow-up, stand alone effort to obtain this information, regardless of whether the contribution(s) was solicited or not. This effort must occur no later than 30 days after receipt of the contribution and may be in the form of a written request or an oral request documented in writing. (11 CFR § 104.7(b)(2)) The requests must:

- clearly ask for the missing information, without soliciting a contribution;
- inform the contributor of the requirements of federal law for the reporting of such information, and
- if the request is written, include a pre-addressed post card or return envelope.

Third, if you receive contributor information after the contribution(s) has been reported, you should either a) file with your next regularly scheduled report, an amended memo Schedule A listing all the contributions for which additional information was received; or b) file on or before your next regularly scheduled

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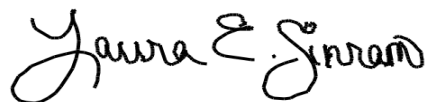
reporting date, amendments to the report(s) originally disclosing the contribution(s). (11 CFR § 104.7(b)(4))

Please amend your report to provide/clarify the information or provide a detailed description of your procedures for requesting the information. For more information on demonstrating "best efforts," please refer to the Campaign Guide.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. 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 5 to reach the Reports Analysis Division) or my local number (202) 694-1157.

Sincerely,

A handwritten signature in black ink that reads "Laura E. Sinram". The signature is written in a cursive, flowing style.

Laura Sinram
Senior Campaign Finance Analyst
Reports Analysis Division