



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

October 17, 2018

DEREK EDWARD BELL, TREASURER
SURGERY PARTNERS, INC. POLITICAL
ACTION COMMITTEE
310 SEVEN SPRINGS WAY SUITE 500
BRENTWOOD, TN 37027

Response Due Date
11/21/2018

IDENTIFICATION NUMBER: C00520833

REFERENCE: APRIL QUARTERLY REPORT (01/01/2018 - 03/31/2018)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report 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 enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A discloses the receipt of funds from your connected organization totaling \$5,000.00. The Act prohibits the receipt of funds from national banks, corporations, and labor organizations. However, a separate segregated fund may be reimbursed for any solicitation or other administrative expense provided that the reimbursement is made no later than thirty days after the expense was paid by the separate segregated fund. (52 U.S.C. §30118 (formerly 2 U.S.C. §441b) and 11 CFR §114.5(b)(3))

If the contribution(s) in question was incompletely or incorrectly disclosed, you should amend your original report with the clarifying information. Please provide further clarifying information regarding the date(s) on which the committee made payments for any solicitation or other administrative expenses.

To the extent that the reimbursement was made beyond thirty days after the expense was paid, you may have to make a refund. If within 30 days of receipt you (1) transferred the prohibited amount to an account not used to influence federal elections, and (2) provided written notice to your connected organization of the option of receiving a refund, you may retain the contribution in an account not used to influence federal elections. Any request from your connected organization for a refund must be honored.

If the foregoing conditions for transfers to a non-federal account were not met

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within 30 days of receipt, the prohibited amount must be refunded. (11 CFR §103.3(b)(1))

Please inform the Commission of your corrective action promptly in writing and provide a copy of your check for any transfer out or refund. In addition, any transfer out or refund made should be disclosed on Schedule B supporting Line 22 or 28 of the report covering the date on which the transaction was made.

Although the Commission may take further legal action concerning the acceptance of a prohibited contribution, prompt action by your committee to refund or transfer out the amount will be taken into consideration.

2. Your filings disclose that your committee may have satisfied the criteria set forth at 11 CFR §100.5(e)(3) for becoming a multicandidate committee; however, the Commission has no record of a FORM 1M (Notification of Multicandidate Status) filed by your committee. Please be advised that once a political committee meets the certification requirements **or** becomes affiliated with an existing multicandidate committee, whether or not that political committee has certified its status as a multicandidate committee, it automatically attains multicandidate status and must file a FORM 1M (Notification of Multicandidate Status) within ten (10) calendar days. The certification requirements for multicandidate status have been satisfied when a political committee:

- 1 - has received contributions for federal elections from at least 51 persons;
- 2 - has been registered with the Commission for at least 6 months; and
- 3 - has made contributions to at least five federal candidates.

For further guidance on the multicandidate certification requirements, please see 11 CFR §§102.2(a)(3), 110.2(a)(1) and (2). Please submit a FORM 1M to disclose the required information for the public record. A copy of FEC FORM 1M can be downloaded from the FEC website at <https://www.fec.gov/help-candidates-and-committees/forms/>, or requested through the FEC Fax line at (202) 501-3413.

- Your report discloses certain categories of financial activity that have been reflected on the wrong lines of the Detailed Summary Page. For your information and consideration when preparing future filings, Other Disbursements (Including Non-Federal Donations) should be properly disclosed on a separate Schedule(s) B, supporting Line(s) 29 of the Detailed Summary Page. Please refer to the instructions for each line when determining the proper categorization(s) for your next filing. (52 U.S.C. §30104(b) (formerly 2 U.S.C.

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§434(b)) and FORM 3X Instructions)

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. For additional information about the report review process or specific filing information for your committee type, please visit the Reports Analysis Division's Frequently Asked Questions on the FEC website. 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) 694-1179.

Sincerely,



Corinne Lucas
Campaign Finance Analyst
Reports Analysis Division