

What Is a Super PAC?

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Super PACs have been in the news quite a bit recently, but exactly what are they?

A Super PAC is a new type of political action committee (PAC) created by the Federal Election Commission (FEC) through the advisory opinion process and in response to landmark court cases like *Citizens United*, which opened the door for corporations to make independent expenditures in connection with federal elections. A Super PAC may accept unlimited individual and corporate contributions for the sole purpose of making independent expenditures supporting or opposing federal candidates. Unlike traditional PACs, a Super PAC may not make direct contributions to candidates or other political committees. A Super PAC is subject to the same registration and reporting requirements as a traditional PAC, including the identification of all individuals and corporations that have made contributions to the Super PAC in excess of \$200 in the aggregate per calendar year.

Super PACs have become an increasingly popular political vehicle for outside groups, effectively replacing so-called 527 organizations, because Super PACs allow for the acceptance of unlimited individual and corporate contributions while permitting express advocacy in communications. Although 527 organizations could also raise unlimited individual and corporate contributions, they could not engage in express advocacy for fear of triggering FEC registration and the requisite contribution limits and prohibitions. The advent of the Super PAC, therefore, fundamentally changed the political landscape and such entities will likely continue to play a prominent role for many years to come.

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As of August 31, 2011, 128 Super PACs have already registered with the FEC.