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FEDERAL ELECTION COMMISSION
Washington, DC 20463

AGENDA DOCUMENT NO. 22-06-A
AGENDA ITEM
For the meeting of March 10, 2022
SUBMITTED LATE

March 3, 2022

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

Lisa J. Stevenson *NFS for LJS*
Acting General Counsel

FROM: The Forms Committee¹

SUBJECT: Form 1 Revisions Package

Attached are a revised FEC Form 1 and instructions for FEC Form 1 which provide options to register as an independent expenditure-only committee or a hybrid committee. Also attached is an explanation and justification of the changes which will be sent to Congress along with revised FEC Form 1 and its instructions as part of Congress's review of the revisions. We ask that these documents be placed on the agenda for the March 10, 2022 open meeting.

RECOMMENDATIONS

- (1) Approve the revisions to Form 1;
- (2) Approve the revisions to the instructions for Form 1; and
- (3) Approve the Explanation and Justification for the revisions to Form 1 and the revisions to the instructions for Form 1.

Attachments

¹ For this project, the Forms Committee was composed of Debbie Chacona, Greg Scott, Neven Stipanovic, Katherine Carothers, Amy Pike, Duane Pugh, Judith Ingram, Christian J. Hilland, Eileen Leamon, Ken Lally, Nataliya Ioffe, Michael Hartsock, Kristin Roser, Ryan Lanz, Robert Knop, Jill Sugarman, Jim Jones, and Tony Buckley.

**FEC
FORM 1**

**STATEMENT OF
ORGANIZATION**

Office Use Only

1. NAME OF COMMITTEE (in full)

(Check if name is changed)

Example: If typing, type over the lines.

12FE4M5

ADDRESS (number and street)

(Check if address is changed)

CITY ▲

STATE ▲

ZIP CODE ▲

COMMITTEE'S E-MAIL ADDRESS

(Check if address is changed)

Optional Second E-Mail Address

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address is changed)

2. DATE

M M / D D / Y Y Y Y

3. FEC IDENTIFICATION NUMBER ►

C

4. IS THIS STATEMENT

NEW (N)

OR

AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Signature of Treasurer

Date

M M / D D / Y Y Y Y

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 52 U.S.C. §30109.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

Office
Use
Only

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-694-1100

FEC FORM 1
(Revised 06/2012)

5. TYPE OF COMMITTEE:

Candidate Committee:

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate _____

Candidate Party Affiliation Office Sought: House Senate President State District

- (c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate _____

Party Committee:

- (d) This committee is a (National, State or subordinate) committee of the (Democratic, Republican, etc.) Party

Political Action Committee (PAC):

- (e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:

Corporation Corporation w/o Capital Stock Labor Organization

Membership Organization Trade Association Cooperative

In addition, this committee is a Lobbyist/Registrant PAC.

- (f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)

In addition, this committee is a Lobbyist/Registrant PAC.

In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

- (g) This committee is an independent expenditure-only political committee (Super PAC).

In addition, this committee is a Lobbyist/Registrant PAC.

- (h) This committee is a political committee with both contribution and non-contribution accounts (Hybrid PAC).

In addition, this committee is a Lobbyist/Registrant PAC.

Joint Fundraising Representative:

- (i) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.
- (j) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating in Joint Fundraiser

1. _____

2. _____

C _____

C _____

Write or Type Committee Name

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

Two rows of vertical grid lines for text entry.

Mailing Address

Three rows of vertical grid lines for address entry.

CITY

STATE

ZIP CODE

Relationship: Connected Organization Affiliated Committee Joint Fundraising Representative Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name

Row of vertical grid lines for name entry.

Mailing Address

Three rows of vertical grid lines for address entry.

Title or Position

CITY

STATE

ZIP CODE

Row of vertical grid lines for title or position entry.

Telephone number

Row of vertical grid lines for telephone number entry.

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer

Row of vertical grid lines for name entry.

Mailing Address

Three rows of vertical grid lines for address entry.

CITY

STATE

ZIP CODE

Title or Position

Row of vertical grid lines for title or position entry.

Telephone number

Row of vertical grid lines for telephone number entry.

Full Name of Designated Agent

[Grid for Full Name of Designated Agent]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3 - City]

[Grid for Mailing Address Line 3 - State]

[Grid for Mailing Address Line 3 - ZIP Code]

[Grid for Mailing Address Line 3 - ZIP Code Extension]

CITY

STATE

ZIP CODE

Title or Position

[Grid for Title or Position]

Telephone number

[Grid for Telephone Number Area]

[Grid for Telephone Number Exchange]

[Grid for Telephone Number Number]

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

[Grid for Name of Bank, Depository, etc.]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3 - City]

[Grid for Mailing Address Line 3 - State]

[Grid for Mailing Address Line 3 - ZIP Code]

[Grid for Mailing Address Line 3 - ZIP Code Extension]

CITY

STATE

ZIP CODE

Name of Bank, Depository, etc.

[Grid for Name of Bank, Depository, etc.]

Mailing Address

[Grid for Mailing Address Line 1]

[Grid for Mailing Address Line 2]

[Grid for Mailing Address Line 3 - City]

[Grid for Mailing Address Line 3 - State]

[Grid for Mailing Address Line 3 - ZIP Code]

[Grid for Mailing Address Line 3 - ZIP Code Extension]

CITY

STATE

ZIP CODE

5(g) or (h). **Joint Fundraising Participant:**

1.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
2.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
3.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>
4.	<input type="text"/>	FEC ID number	<input type="text" value="C"/>

6. **Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor**

Mailing Address

Relationship: CITY ▲ STATE ▲ ZIP CODE ▲

Connected Organization Affiliated Committee Joint Fundraising Representative Leadership PAC Sponsor

8. **Designated Agent:** Identify by name, address (phone number – optional)

Full Name

Mailing Address

TITLE OR POSITION ▼ CITY ▲ STATE ▲ ZIP CODE ▲

Telephone Number - -

9. **Banks or Other Depositories:** List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Mailing Address

CITY ▲ STATE ▲ ZIP CODE ▲

FEDERAL ELECTION COMMISSION

Instructions for Statement of Organization (FEC FORM 1)

When to File

New political committees must file this form to register the committee once they exceed the applicable threshold, as described below:

- Principal campaign committees must file this form no later than 10 days after the candidate designates the committee on the Statement of Candidacy (FEC FORM 2). Other authorized committees file this form with the principal campaign committee, which in turn must file this form with the appropriate filing offices.
- Committees sponsored by corporations, labor organizations or trade associations (i.e., separate segregated funds) must file this form no later than 10 days after their establishment.
- Local political party committees must file this form no later than 10 days after exceeding one of the following thresholds during a calendar year: (1) receiving contributions in connection with a federal election aggregating in excess of \$5,000; (2) making exempt payments under 11 CFR 100.80, 100.87, 100.89, 100.140, 100.147 or 100.149 aggregating in excess of \$5,000; or (3) making contributions or expenditures in connection with a federal election aggregating in excess of \$1,000.
- All other political committees must file this form no later than 10 days after receiving contributions or making expenditures in connection with a federal election aggregating in excess of \$1,000 during a calendar year.

Note: Political committees must file reports in an electronic form under 11 CFR 104.18 if they have either received contributions or made expenditures in excess of \$50,000 during a calendar year, or if they have reason to expect that they will exceed either of those thresholds during the calendar year. If your committee has reached this level of activity, you must file this form in an electronic format.

A political committee is considered to have reason to expect it will exceed the electronic filing threshold for the next two calendar years after the calendar year in which it exceeds \$50,000 in contributions or expenditures. Exception: This does not apply to an authorized committee with \$50,000 or less in net debts outstanding on January 1 of the year following the general election that anticipates terminating prior to January 1 of the next election year, as long as the candidate has not qualified under 52 U.S.C. §30102 as a candidate in the next election and does not intend to become a federal candidate in the next election.

A new committee with no previous contributions or expenditures is considered to have reason to expect it will exceed the electronic filing threshold if it exceeds \$12,500 in contributions or expenditures during the first calendar quarter of the calendar year, or \$25,000 in contributions or expenditures in the first half of the calendar year.

Contact the FEC for more information on filing electronically.

Line-by-Line Instructions

LINE 1. Print or type full name and mailing address of the committee. The name of a principal campaign committee or other authorized committee must include the name of the candidate who authorized the committee. A political committee which is not an authorized committee cannot include the name of any candidate in its name, except that a delegate committee must include the word “delegate(s)” in its name and may also include the name of the Presidential candidate which it supports. A political committee established solely to draft an individual or to encourage an individual to become a candidate may include the name of the individual in the name of the

committee, provided the committee’s name clearly indicates that it is a draft committee. The name of a separate segregated fund must include the full name of its connected organization. Any abbreviation or acronym used by the fund must also be reported. Finally, list the committee’s electronic mail address and the Internet address (URL) of the committee’s official Web site, if such a Web site exists.

LINE 2. State the date the group or organization became a political committee. If this filing is an amendment, note the date of the change in information.

LINE 3. Only committees that have previously filed a Statement of Organization should fill in this block with the number that was originally assigned to the committee. All new committees will be assigned identification numbers when the completed statement has been received.

LINE 4. All political committees registering for the first time check the box labeled “NEW.” Committees that have previously filed FEC FORM 1 and are now submitting changes or corrections check the box labeled “AMENDED.” If “AMENDED” is checked, complete Lines 1 through 4. With respect to Lines 5 – 9 include only the change(s) in information previously submitted. Committees are reminded that any change or correction in the information previously filed in the Statement of Organization shall be reported no later than 10 days following the date of the change or correction. Committees that are required to file electronically are also required to file amendments to the Statement of Organization in an electronic format.

INSTRUCTIONS FOR FEC FORM 1 AND RELATED SCHEDULES

LINE 5. Check and fill out ONE of the eight sections as follows:

- (a) All principal campaign committees check (a) and fill in the corresponding information for the candidate under (b).
- (b) All other authorized committees check (b) and fill in the corresponding information for the candidate. In the boxes for candidate/party affiliation, list the abbreviation of the party (e.g., for Democratic party, list "DEM," for Republican party, list "REP," for Reform party, list "REF," for Green party, list "GRE" or for Independent, list "IND.") Consult the Commission's Web site at www.fec.gov if unsure of the proper abbreviation to use.
- (c) A committee supporting/opposing a single federal candidate which is not authorized by a candidate checks (c), and includes the candidate's name on the line provided. Delegate and draft committees must check (c), and provide the name of the candidate supported.
- (d) All national, State and subordinate committees of a political party check (d) and fill in whether the party is the national party (use code NAT), state party (use code STA) or subordinate committee (use code SUB). In the boxes for candidate/party affiliation, list the abbreviation of the party (e.g., for Democratic party, list "DEM," for Republican party, list "REP," for Reform party, list "REF," for Green party, list "GRE" or for Independent, list "IND.") Consult the Commission's Web site at www.fec.gov if unsure of the proper abbreviation to use.
- (e) All separate segregated funds check (e). A separate segregated fund is a political committee established, financed, maintained or controlled by a corporation, labor organization, membership organization, cooperative or trade association. Check the appropriate box to identify the type of connected organization and provide

its name and address on line 6. If a lobbyist/registrant established or controls the committee, check the Lobbyist/Registrant PAC box. See 52 U.S.C. 30104(i)(7) and 11 CFR 104.22(a)(2), (3) and (4).

- (f) A committee supporting/opposing more than one federal candidate, ~~but and~~ which is not a separate segregated fund or a political party committee (i.e., a nonconnected committee), and which does not intend to raise unlimited amounts to make independent expenditures or to establish separate bank accounts to raise unlimited amounts to make independent expenditures, checks box (f). If a lobbyist/registrant established or controls the committee, check the Lobbyist/Registrant PAC box. See 52 U.S.C. 30104(i)(7) and 11 CFR 104.22(a)(2), (3) and (4). ~~In addition,~~ If the committee is directly or indirectly established, financed, maintained or controlled by a federal candidate or officeholder, but is not an authorized committee or party, it must check the Leadership PAC box and identify its sponsor on line 6.
- (g) A committee that intends to raise unlimited amounts to make independent expenditures, but will not make contributions, checks box (g). If a lobbyist/registrant established or controls the committee, check the Lobbyist/Registrant PAC box. See 52 U.S.C. 30104(i)(7) and 11 CFR 104.22(a)(2), (3) and (4).
- (h) A committee that intends to establish separate bank accounts to make contributions and to raise unlimited amounts to make independent expenditures checks box (h). If a lobbyist/registrant established or controls the committee, check the Lobbyist/Registrant PAC box. See 52 U.S.C. 30104(i)(7) and 11 CFR 104.22(a)(2), (3) and (4).
- (i), (j) All joint fundraising representatives must check either (g i) or (j h). A committee established to act as a joint fundraising representative is a political committee selected or

established by joint fundraising participants as the committee responsible for keeping joint fundraising records, allocating proceeds and expenses among participants and reporting the overall financial activity of the fundraiser. If one or more federal candidates are participating in the joint fundraiser, check (g i). If not, check (h j). List the participating committees and their FEC identifications numbers in the space provided. NOTE: If a participating committee serves as the joint fundraising representative, it must check (g i) or (h j) in addition to the appropriate box above (a-f h).

LINE 6. Political committees must list all affiliated committees and connected organizations (defined below) as follows. Do not leave this line blank. If there are no affiliated committees as described below, enter "None" on this line. Examples of affiliated committees include:

INSTRUCTIONS FOR FEC FORM 1 AND RELATED SCHEDULES

- Principal campaign committees list all other committees authorized by the same candidate. Under “Relationship,” enter “affiliated.”
- Political committees authorized by the same candidate (other than the principal campaign committee) list the principal campaign committee authorized by the same candidate. Under “Relationship,” enter “affiliated.”
- Political committees which have been established, financed, maintained or controlled by the highest level parent organization (i.e., the corporation, labor organization, membership organization, cooperative or trade association) list:
 - The name of the parent organization.
 - Under “Relationship,” enter “connected” AND
 - The name of any other political committee(s) established, financed, maintained or controlled by the same parent organization or by a subsidiary, branch or State, local, or other subordinate unit of the same parent organization. Under “Relationship,” enter “affiliated.”
 - Political committees which have been established, financed, maintained or controlled by a subsidiary, branch or State, local, or other subordinate unit of an organization list:
 - The name of the subsidiary, branch or State, local, or other subordinate unit and the name of the parent organization of which it is a part. Under “Relationship,” enter “con-nected” AND
 - The name of the highest level political committee sponsored by the parent organization. Under “Relationship,” enter “affiliated.”
 - State party committees list any subordinate committees (i.e., any county, district or local committee) under the control or direction of the State committee. Under “Relationship,” enter “affiliated.” (See 11 CFR 110.3(b).)
 - Subordinate State party committees list the State party committee. Under “Relationship,” enter “affiliated.” (See 11 CFR 110.3(b).)

•Joint fundraising participants list the committee established to act as the joint fundraising representative. Under “Relationship,” enter “joint fundraising representative.”

Leadership PACs (as defined in item 5(f) above) must identify their sponsoring candidate or officeholder, but should not list that candidate’s campaign committee as an affiliated committee.

Separate segregated funds must provide the full name and address of their “connected organization.” Note: The term “connected organization” means any organization which is not a political committee but which directly or indirectly establishes, administers or financially supports a political committee. A connected organization may be a corporation (including a corporation without capital stock), a labor organization, a membership organization, a cooperative or a trade association. The definition of “affiliated committee” is contained at 11 CFR 100.5(g).

LINE 7. Enter the name, address and committee position or the title of custodian of the committee’s books and records on Line 7. The telephone number is optional, but is helpful in expeditiously resolving potential filing problems. If the treasurer is the custodian of records, the term “treasurer” is sufficient for Line 7.

LINE 8. Enter the name and address of the committee’s treasurer on Line 8. The name and address of any designated agent (e.g., assistant treasurer) must also be included on Line 8. Every political committee must have a treasurer and may designate an assistant treasurer who shall assume the duties and responsibilities of the treasurer, in the event the treasurer is unavailable. The Commission recommends that each political committee designate an assistant treasurer because no contribution or expenditure may be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of the treasurer. No expenditure may be made for or on

behalf of a political committee without the authorization of its treasurer or another agent authorized orally or in writing by the treasurer.

LINE 9. The committee must provide the name and mailing address of any bank, repository, or depository where the committee holds funds. Each political committee must have a checking account or transaction account at one of its depositories. All receipts of a political committee must be deposited into a designated campaign depository. All disbursements must be made by check or similar drafts drawn on an account at a designated campaign depository, except for expenditures of \$100 or less made from a petty cash fund.

Submit any additional information required for any Line on separate continuation sheets appropriately labeled and attached to the Statement of Organization. Indicate in the appropriate section when information is continued on separate page(s).

Treasurer’s Responsibilities

The treasurer of the political committee must preserve a copy of the Statement of Organization and each amendment for a period of not less than 3 years after the date of filing. The treasurer of the political committee is personally responsible for the timely and complete filing of this Statement and for the accuracy of any information contained in it.

Where to File

The original Statement of Organization (FEC FORM 1) and all amendments must be filed with the appropriate office as follows:

- All political committees file with the Federal Election Commission, 1050 First Street, N.E., Washington, DC 20463.
- An authorized committee which is not the principal campaign committee of a candidate files with the principal campaign committee which must forward a copy to the appropriate office listed herein.

Principal campaign committees of House and Senate candidates must file a copy of this form with the state in which the office is sought, with the exception of committees of candidates in states that have qualified for the Commission’s state filing waiver program. Principal campaign committees of Presidential candidates must file a copy of this form in each state in which they have made expenditures, with the exception of those states that have qualified for the Commission’s state filing waiver program. A list of qualified states is available from the Federal Election Commission.

Unauthorized political committees must continue to file copies of this form with the states in which they have their headquarters, with the exception of committees that are located in states that have qualified for the state waiver program.

The Treasurer must sign the Statement of Organization.

1 **EXPLANATION AND JUSTIFICATION FOR REVISIONS TO FEC FORM 1**
2 **AND THE INSTRUCTIONS FOR FEC FORM 1.**

3

4 The Commission has revised FEC Form 1 and the instructions for FEC Form 1.
5 FEC Form 1 is required of all political committees and implements the registration
6 requirements of 52 U.S.C. § 30103(a). The form has been revised to include Independent
7 Expenditure Only Political Committees (commonly known as “Super PACs”) and Hybrid
8 PACs.

9 **A. Background**

10 Super PACs are nonconnected political committees that came into existence after
11 the decision of the Supreme Court in *Citizens United v. Federal Election Commission*,
12 558 U.S. 310 (2010) (“*Citizens United*”) and the decision of the U.S. Court of Appeals
13 for the District of Columbia Circuit in *SpeechNow.org v. Federal Election Commission*,
14 599 F.3d 686 (D.C. Cir. 2010) (*en banc*) (“*SpeechNow*”). *Citizens United* held that
15 corporations may make unlimited independent expenditures using corporate treasury
16 funds. *Citizens United*, 558 U.S. at 365-366. *SpeechNow* subsequently held that the
17 contribution limits in the Federal Election Campaign Act (“FECA” or the “Act”) are
18 unconstitutional as applied to individual contributions to SpeechNow.org, an
19 unincorporated nonprofit association that intended to make only independent
20 expenditures. *SpeechNow*, 599 F.3d at 686. *SpeechNow* held that groups like

1 SpeechNow.org may accept unlimited contributions from individuals, and individuals
2 may contribute unlimited funds to these entities.¹

3 Following the *Citizens United* and *SpeechNow* opinions, the Commission has
4 concluded that entities seeking to make only independent expenditures also may accept
5 unlimited contributions from corporations, labor organizations, and other political
6 committees. Advisory Opinion 2010-11 (Commonsense Ten). The Commission stated
7 that a committee intending to accept unlimited contributions for the purpose of making
8 independent expenditures may include a letter with its Form 1 Statement of Organization.
9 *Id.* at 3, n.4 (noting also that electronic filers may include such a letter as a Form 99);
10 Attachment A (providing a sample letter).

11 Hybrid PACs resulted from the decision of the U.S. District Court for the District
12 of Columbia in *Carey v. Federal Election Commission*, 791 F.Supp.2d 121 (D.D.C.
13 2011). In *Carey*, the court issued a preliminary injunction enjoining the Commission
14 from enforcing the Act’s contribution limits against a plaintiff that planned to (1) make
15 direct contributions to federal candidates from an account subject to the Act’s limitations
16 and source prohibitions; and (2) make independent expenditures from a separate account
17 not subject to the Act’s limitations and source prohibitions. *Carey*, 791 F.Supp.2d at 136.
18 The Commission subsequently entered into a stipulated order and consent judgment with
19 the plaintiffs, *see Carey*, No. 11-259-RMC, ECF No. 28 (D.D.C. Aug. 19, 2011), and
20 announced that it would no longer enforce the Act’s contribution limits, as well as any
21 implementing regulations, against any nonconnected political committee with regard to

¹ The court also held, however, that because SpeechNow.org’s activity brought it within the Act’s definition of a “political committee,” it must comply with the Act’s registration and reporting requirements. 599 F.3d at 697-698.

1 contributions received from individuals, political committees, corporations, and labor
2 organizations, as long as the committee maintains separate bank accounts to: (1) receive
3 such contributions for the purpose of making independent expenditures, other
4 advertisements that refer to a federal candidate, and generic voter drives (the “Non-
5 Contribution Account”); (2) receive source- and amount-limited contributions for the
6 purpose of making candidate contributions; and (3) pay a percentage of the committee’s
7 administrative expenses that closely corresponds to the percentage of activity for that
8 account. *See* “FEC Statement on *Carey v. FEC*: Reporting guidance for political
9 committees that maintain a non-contribution account,” Fed. Election Comm’n, Oct. 5,
10 2011.² The Commission also specified how the receipts and disbursements for such
11 accounts should be reported. *Id.*

12 **B. Changes to Form 1, Statement of Organization**

13 As noted above, currently, Super PACs and Hybrid PACs are instructed to attach
14 a letter to FEC Form 1 stating their intent to accept unlimited contributions for the
15 purpose of making independent expenditures, if the filer is a Super PAC, or to establish a
16 separate Non-Contribution Account consistent with the stipulated judgment in *Carey*, if
17 the filer is a Hybrid PAC. These revisions to FEC Form 1 and the instructions for Form 1
18 will obviate the need for Super PACs and Hybrid PACs to attach such a letter to FEC
19 Form 1.

20 On page 2 of Form 1, part 5, (“Political Action Committee (PAC)”), sections (g)
21 and (h) have been moved to new sections (i) and (j). Checking the box for section (g)
22 now identifies the committee as an “independent expenditure-only committee (Super

² *See* <https://www.fec.gov/updates/fec-statement-on-carey-fec/> (last visited Feb. 9, 2022).

1 PAC).” Checking the box for section (h) now identifies the committee as a “political
2 committee with both contribution and non-contribution accounts (Hybrid PAC). Sections
3 (g) and (h) each have an additional box to be checked under them if the committee is a
4 Lobbyist/Registrant PAC.

5 The instructions for Form 1 have been updated to reflect these new options.
6 Section (f) has had language added toward the end which further describes the committee
7 as one that “does not intend to raise unlimited amounts to make independent expenditures
8 or to establish separate bank accounts to raise unlimited amounts to make independent
9 expenditures. . . .” Additionally, language has been added, which states: “(g) A
10 committee that intends to raise unlimited amounts to make independent expenditures, but
11 will not make contributions, checks box (g). If a lobbyist/registrant established or
12 controls the committee, check the Lobbyist/Registrant PAC box. See 52 U.S.C.
13 30104(i)(7) and 11 CFR 104.22(a)(2), (3) and (4). (h) A committee that intends to
14 establish separate bank accounts to make contributions and to raise unlimited amounts to
15 make independent expenditures checks box (h). If a lobbyist/registrant established or
16 controls the committee, check the Lobbyist/Registrant PAC box. See 52 U.S.C.
17 30104(i)(7) and 11 CFR 104.22(a)(2), (3) and (4).” Additionally, the instructions for
18 reporting committees involved in joint fundraising have been updated to include
19 references to Super PACs and Hybrid PACs.

20 The Commission is prescribing these forms under the authority granted to it by
21 the Act. *See* 52 U.S.C. §§ 30111(a)(8); 30111(d). The Commission anticipates that the
22 revisions to Form 1 and the instructions for Form 1 will become effective within ten
23 legislative days of the date of their transmittal to Congress. 52 U.S.C. § 30111(d).