Corporate Political Activity

The Political Law practice advises and counsels a diverse group of corporations, trade associations, other nonprofits and individuals on the suite of laws that govern their political activities.

We help *Fortune* 100 companies, technology leaders, trade associations, lobbying firms and individuals navigate the increasingly complex rules that affect their political participation.

How Perkins Coie Works with Corporate Political Law Clients

- Advising on federal campaign finance law and regulation, including PAC formation and compliance
- Advising corporations with nationwide reach on how to comply with state campaign finance requirements
- Counseling on lobbying disclosure and governmental ethics statutes and rules at the federal, state and local levels
- Designing and implementing internal compliance and training programs to ensure compliance with campaign finance, lobbying and ethics laws and rules
- Representing clients called to testify before Congress
- Advising tax-exempt organizations on compliance with rules governing section 501(c) and section 527 organizations
- Advising corporate entities on the new ways they may participate in the political process after the Supreme Court's decision in *Citizens United v. FEC*
- Litigating in federal and state courts matters relating to political activity and expression
- Providing representation in public corruption and criminal campaign finance investigations
- Defending enforcement actions brought by the Federal Election Commission and its state equivalents
- Providing representation before other administrative agencies such as the Federal Communications Commission and the Internal Revenue Service
- Representing clients in recounts and contested elections
- Advising clients regarding redistricting matters, including conducting litigation
- Counseling ballot measure committees

Political Law Group

Perkins Coie represents individuals, candidates, parties, political committees, lobbyists, corporations, trade associations and tax-exempt organizations seeking to effectively engage in political activity.

REGULATION OF THE POLITICAL PROCESS

Regulation of the political process has undergone revolutionary transformation within the last few years. A series of changes, from statutory enactments to congressional and executive branch rules and guidance, has affected significantly the ways in which private interests may influence government policymaking.

Ethics investigations, lobbying regulations, court decisions, public corruption investigations and prosecutions show the profound effect of these developments. Yet at the same time, deregulatory precedents from the courts and federal agencies are opening up new avenues for corporate involvement in the electoral process. All of this is happening while digital communications and social
media are continuously creating new ways for companies and their representative to reach target audiences.

In Perkins Coie’s Political Law practice, our attorneys have the breadth and depth of experience that companies need to understand these trends and to organize and execute their political activities effectively against them. Our lawyers have extensive knowledge of the Lobbying Disclosure Act (LDA) and related disclosure standards, federal and state campaign finance laws, state and federal pay-to-play laws, IRS rules governing political activity and congressional and agency ethics rules.

We help companies and nonprofits with active government relations and government-facing sales teams design their lobbying and ethics compliance programs. We help those who seek to operate Political Action Committees (PACs) build them into successful fundraising vehicles, and we provide them with the administrative assistance they need to ensure smooth operation. We help develop vehicles for communication and participation that fit within the clients’ cultures and support them with customized campaign finance compliance systems. We work hand in hand with our clients’ compliance and legal staff to design and implement customized, effective compliance programs. We represent all types of entities in congressional and public corruption investigations and in GAO audits, and we defend them in enforcement actions brought by congressional ethics committees and federal and state campaign finance agencies.

**LOBBYING COMPLIANCE**

Perkins Coie's lobbying compliance team helps companies, nonprofits, lobbying firms and law firms build and maintain their lobbying and ethics compliance programs, ensure rules and regulations are met, and avoid pitfalls. In the unfortunate event that an organization does find itself receiving unwanted attention, we help navigate the disclosure process, often leveraging our strong relationships with state and federal officials to minimize exposure.

Assisting clients with lobbying disclosure and governmental ethics rules at the federal, state and local levels, we have extensive knowledge of the Lobbying Disclosure Act (LDA) as well as nonfederal lobbying laws and related disclosure standards. Perkins Coie's lobbying compliance services include lobbying registration and disclosure reports, activity and expense audits, grassroots strategies and compliance programs.

**NEWS**

05.15.2018

**Bob Bauer Leaving Perkins Coie After More than 35 Years**

Press Releases

Perkins Coie announced today that Bob Bauer, partner and former White House Counsel to President Obama, will be leaving Perkins Coie after more than 35 years with the firm to devote more time to his teaching at New York University School of Law and his writing and speaking on contemporary topics in constitutional law, legal ethics and political reform.

08.15.2017

**Best Lawyers® 2018 Recognizes 281 Perkins Coie Attorneys**

Press Releases

Perkins Coie is proud to announce that 281 of its attorneys were selected by their peers for inclusion in the 2018 edition of *The Best Lawyers In America®*.

**PUBLICATIONS**

08.02.2019

**How Companies Can Get Politically Active Without Breaking the Law**

Articles

*FastCompany*

From taking a stance on issues ranging from Charlottesville to the immigration crisis, companies are getting politically engaged like never before. But they need to be careful to hew closely to the morass of federal campaign finance laws that govern this sort of activity.

04.04.2019

**Corporate Political Participation: New Opportunities to Reach Customers and Engage Employees**

Updates

With the 2020 election season already underway, there are new opportunities emerging for companies that choose to harness political engagement as an important, innovative component of their business strategy.

04.02.2019

**Changes to Lobbying Disclosure Act Registration and Reporting Forms**

Updates

As of March 29, 2019, the Lobbying Disclosure Act (LDA) online reporting forms comply with the disclosure requirements of the Justice Against Corruption on K Street Act of 2018 (JACK Act).
Reminder for Lobbying Disclosure Act Registrants

Updates
The fourth quarter federal lobbying activity reports, covering the period from October 1, 2018 through December 31, 2018, are due on Tuesday, January 22, 2019.

08.08.2018
Court Opens Door to Expanded Disclosure for Nonprofits Making Independent Expenditures in Federal Campaigns

Updates
The U.S. District Court for the District of Columbia holds that organizations that make independent expenditures must disclose to the FEC more information about their donors than required by the FEC’s current regulation.

06.18.2018
Taking Stock of Newly Released FARA Advisory Opinions

Updates
In this update, we detail some of the opinions and share the conclusion that overall, the opinions confirm that DOJ’s application of FARA tends to be extremely fact-specific, particularly where the foreign principal is directed, controlled or funded by a foreign government or political party.

12.08.2017
Top Considerations for Companies Engaging in Political Expression

Updates
We all know to avoid the topic of politics with family and friends at the holidays, but in recent months, American companies and the CEOs who lead them have spoken publicly on social and political issues like never before.

11.06.2017
Proposed Legislation Boosts Enforcement of Foreign Agents Registration Act

Updates
U.S. Senate Judiciary Chairman Chuck Grassley introduced the “Disclosing Foreign Influence Act” last week, a Senate bill which would amend the Foreign Agents Registration Act, to remove an exemption from registration and boost enforcement by the DOJ.

09.05.2017
CEOs, Politics and the Law: Guidelines for a New Era in Corporate Social Speech

Updates
In recent weeks, America’s CEOs have spoken out on social issues like never before, placing the business community firmly within the national debate.

07.12.2017
U.S. House Considering Change to Enforcement of Trade Association PAC Rules

Updates
A bill currently being considered by the U.S. House Committee on Appropriations could significantly alter the way trade associations may solicit contributions for their political action committees (PACs) in fiscal year 2018.

2017
Political Participation in 2017: Top Legal Concerns for Your Company

Attorney Publications
Change has come to Washington, D.C. and state legislatures around the country. The fast pace of political changes ushered in during early 2017 can create both challenges and opportunities when it comes to complying with the rules governing corporate participation in the political process. Review our list of key areas to focus on when reviewing company practices and ways to navigate the most common issues that can arise.

03.2017
New Ethics and Campaign Contribution Rules Enacted in San Francisco

Updates
San Francisco voters enacted Proposition T by an overwhelming majority in the November 2016 election; the measure was placed on the ballot by a unanimous vote of the San Francisco Ethics Commission.

03.10.2017
Department of Justice Posts Foreign Agent Informational Materials Online

Updates
The Foreign Agents Registration Unit of the U.S. Department of Justice has updated its website to make available to the public searchable and downloadable informational materials filed by foreign agents. Informational materials are documents or other communications distributed on behalf of a foreign principal to two or more people.

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