

Political Law Compliance

If your business requires working with government officials in the legislative and executive branches of government, then our job is to help you comply with the federal and state laws that govern these interactions. We can help you maneuver through the maze of compliance requirements so you can keep doing what you do best.

We are a one-stop shop for the full range of political law compliance matters — lobbying disclosure, federal and state elections, campaign finance, and ethics rules.

Our team has many years of experience advising clients on all aspects of U.S. federal, state and local government lobbying disclosure requirements, ethics laws, campaign finance and election laws, including those under the Federal Election Campaign Act, the Lobbying Disclosure Act, and the Foreign Agents Registration Act, among others. Additionally, the lawyers in our international offices work regularly with government officials and understand well the requirements associated with those interactions.

U.S. Lobbying Disclosure Requirements: Since the federal Lobbying Disclosure Act (LDA) took effect on January 1, 1996, Hogan Lovells has been a leading advisor on compliance with the LDA. We provide compliance guidance, conduct compliance training, review existing procedures, advise on optimal LDA-related internal controls and represent clients through LDA audits and investigations. We also have extensive experience assisting clients with the registration and

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Practices

Government Relations
and Public Affairs

reporting obligations for state lobbying activities, as well as the interplay between state lobbying, gift, and campaign finance laws.

U.S. Campaign Finance and Election Laws: Our experienced lawyers provide sophisticated counseling and advocacy on the full range of campaign finance issues for corporations, individuals, Political Action Committees (PAC) and trade associations. In addition to federal compliance, we have broad experience representing clients on state campaign finance issues, including state committee formation, fundraising limits, disclosure requirements, and advising on developments in jurisprudence and rulemaking by the state regulatory agencies.

U.S. Government Ethics Laws: Organizations that engage with government officials must have a robust compliance program. We regularly advise clients regarding compliance with government ethics laws at the federal, state and local levels. Our guidance includes advice regarding prohibited activities, reporting requirements and compliance programs, federal, state and local laws governing conflicts of interest, gifts to public officials and legal gratuities.

Foreign Agents Registration Act: FARA is a public disclosure statute that applies to “agents” (persons) acting on behalf of “foreign principals” who are engaged in a range of activities occurring within the United States, including but not limited to advocating before the U.S. Government. Unlike the LDA, FARA registration could be triggered by activities in the United States that do not involve U.S. officials. Hogan Lovells is adept at advising clients on all of their FARA compliance needs—from determining whether registration may be required to assisting clients with the range of disclosure and reporting requirements required under the statute.

U.S. Tax Law Related To Political and Lobbying Activity: We are well versed in the myriad of U.S. tax rules related to lobbying and political activities both for for-profit entities, including corporations, partnerships

and LLCs, as well as for not-for-profit entities including 501(c)(4), 501(c)(6) and 501(c)(3) organizations, and with regard to the section 527 rules and their relevance to political committees and political activities. We are experienced in establishing and ensuring tax compliance for organizations subject to section 527, and for 501(c) entities that will be engaged in lobbying and/or political activities.

Foreign Corrupt Practices Act Compliance: Hogan Lovells knows the FCPA and bribery and corruption laws around the world. We help you design intelligent and analytics-driven compliance programs that are practical and reduce your risk. We have experience in the entire spectrum of anti-corruption compliance and transactional due diligence, from designing compliance programs, conducting risk-based diligence, performing effective internal investigations and fact-finding, to ensuring complete post-acquisition integration.

International Political Law Compliance: With a broad global team, we have advised clients on a range of political law compliance issues around the globe, including on the statutory registration of lobbyists, Ministerial Codes, Parliamentary rules and other provisions governing engagement with government officials. We regularly assist clients moving into new jurisdictions develop their compliance protocols, understand the cultural and legal norms and regulations, and advise on appropriate and legal strategies for engagement with government officials.

Representative experience

Assisting with the formation and administration of U.S. federal and state political action committees (PACs).

Developing and implementing extensive corporate compliance policies and programs.

Assisting clients on all aspects of Lobbying Disclosure Act (LDA) compliance – registration, reporting, audits and general counseling.

Assisting with Federal Election Commission (FEC) compliance issues.

Counseling on U.S. federal, state and local election law compliance matters.

Advising clients on Foreign Agent Registration Act (FARA) compliance.

Advising on international ethics issues governing communications with government officials.

Advising clients on political advertising laws and regulations in the U.S. and internationally.

Assisting clients with the complex pay-to-play laws that govern political contributions from government contractors.

Counseling clients on direct political expenditures in the U.S. and internationally.

Preparing Advisory Opinion requests to the Federal Election Commission.

Defending against enforcement actions, including FEC investigations, GAO audits, DOJ investigations and Office of Government Ethics investigations.

Counseling clients on all aspects of federal and state election law compliance.

Developing governing structures for corporate PAC's.

Drafting PAC bylaws, solicitation materials, and guidelines for the PAC treasurer.

Conducting training for corporate employees on all political activity.

Briefing company executives and other employees on corporate political activity.

Assisting corporations with establishing payroll deduction plans for their PAC.

Advising non-political entities on direct political expenditures.

Advising clients on Foreign Corrupt Practices Act (FCPA) compliance.

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among other significant changes to the forthcoming AI
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