



Political Law & Compliance

Overview

In today's high-stakes political landscape, federal, state, and local laws that govern political activities can pose significant challenges. Attorneys in Archer's nonpartisan Political Law & Compliance Group are recognized for providing sophisticated compliance advice and representation in the political space. We advise businesses, trade associations, nonprofits, candidates, political parties and contributors, political action committees and lobbying firms in navigating the political landscape while keeping in compliance with legal obligations.

Our attorneys bring a deep understanding of the political arena, having served in public offices, and represented stakeholders at nearly every level of government. We stay at the forefront of the evolving legal landscape in helping to mitigate risk to ensure our clients' success. From vetting candidate filings, providing advice on "pay-to-play" restrictions, lobbying regulations and campaign finance laws and ethics rules, we offer comprehensive support to ensure our clients can focus on campaigns and elections.

We advise clients across many facets of compliance and political law, including:

Formation of Advocacy Organizations

Politically active corporations and organizations have varying compliance obligations at the federal and state levels. Archer's decades of experience and sophisticated understanding of the complex federal and state laws governing advocacy and campaign finance reporting is vital to our clients' success in this challenging environment. We establish and maintain various political organizations, review campaign finance filings, pre-clear political advertising, and implement robust internal compliance programs to guide our clients.

Vendor Compliance and Procurement

Private businesses contracting with government entities have certain compliance obligations and, in some cases, must make public disclosures. Effective legal representation in government procurement matters requires more than thorough knowledge of the technical aspects of procurement law and these compliance obligations. It also requires an understanding of the public policy and the agency decision-making process. We assist vendors in navigating this complex, highly regulated process and the requirements associated with public procurement. We provide services throughout every phase of the process, including providing strategic advice on submission of bids and negotiation of proposals, contract administration and formation, the filing and defense of bid protests, contract performance and claims resolutions. We also guide our clients in complying with compliance obligations.

Corporate Campaign Finance Compliance & Training

Clients rely on our extensive knowledge of federal and state campaign finance laws to assist them in navigating through this complex area. Our team crafts compliance policies and provides training to businesses and executives on compliance with laws governing political advocacy, ethics, and contributions to ensure that businesses operating in the public space comply with federal and state law, including contribution limits and prohibitions, the application of pay-to-play laws; disclosure and reporting requirements triggered by participating in elections; and compliance issues associated with establishing state and local PACs.

Investigations

Businesses and advocacy organizations operating in the political arena are overseen by regulators at the federal and state levels and, as a result, must take proactive steps to mitigate risk and avoid compliance problems before they occur. We perform internal investigations and compliance reviews for clients to guard against the occurrence of violations in the future and to take steps to remediate any violations that may have occurred. Our attorneys also represent individuals and entities under investigation by regulatory authorities or which are the subject enforcement actions involving political activity.

Lobbying and FARA Compliance

Increased scrutiny and enforcement activity by the U.S. Department of Justice concerning the Foreign Agents Registration Act (FARA) has given rise to concerns for the regulated community on when and how to comply with this statute. FARA registration and reporting can be complex and impose a heavy administrative burden. We advise clients on FARA compliance and the complex statutory provisions that determine whether activities require registration. Our team also advises on federal and state lobbying laws, reviews lobbying disclosure reports, consults on planned events, and designs tailored lobbying compliance programs.

Candidate and Officeholder Representation

Our attorneys have represented candidates for public office and political parties at the federal, state, and local level. We provide advice on a variety of legal issues surrounding the operation of political organizations, political campaigns, and elections, including campaign formation, campaign finance obligations, candidate petition filing process, day-to-day campaign activity, election challenges, ethics laws, crisis management, defamation suits, and review of required disclosure forms.

Election Law Litigation

Our attorneys have experience litigating on behalf of our clients in the political arena, whether they be candidates, political parties, or different types of political committees. Our attorneys skillfully navigate what can be contentious litigation over election-related issues, including ballot access, ballot design, expenditures of funds during an election, recounts, and election contests.



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