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ELECTION LAW NEWS

Developments in All Aspects of Political Law | July 2010

The DISCLOSE Act Passes the House

By Jan Witold Baran, Carol A. Laham, Caleb P. Burns and D. Mark Renaud

On June 24, 2010, the United States House of Representatives passed H.R. 5175, known as the "Democracy Is Strengthened by Casting Light on Spending in Elections Act" or the "DISCLOSE Act." The bill was passed by a largely party-line vote of 219-206. A brief overview of the House-passed version of the bill follows. The bill

- Prohibits various political activities, including certain targeted grassroots TV and radio ads during election years, by:
  - Government contractors with contracts of at least $10 million;
  - Recipients of Troubled Asset Relief Program (TARP) or Emergency Economic Stabilization Act (EESA) funds;
  - Persons who enter into negotiations for an oil or gas exploration, development or production lease under the Outer Continental Shelf Lands Act; and
  - Foreign-controlled or foreign-owned domestic corporations.
- Treats coordinated communications as contributions and defines coordinated communications by whether they refer to a candidate during specified times and are made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate or political party.
- Broadens the definition of a regulated "independent expenditure" to include a communication that, when taken as a whole, expressly advocates the election or defeat of a clearly identified candidate, or is the functional equivalent of express advocacy.

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SEC Adopts New Pay-to-Play Rule—Effective September 13, 2010

By D. Mark Renaud and Andrew G. Woodson

On June 30, the Securities and Exchange Commission (SEC) approved a new rule designed to curb the potential for political contributions to influence the selection and retention of investment advisers to state and local governments. The restrictions and reporting requirements described below will go into effect on September 13, 2010, which is 60 days after the rule's publication in the *Federal Register*.

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Clerk and Secretary Tweak LDA Reporting Guidance

By Jan Witold Baran and Carol A. Laham

On June 15, 2010, the clerk of the U.S. House of Representatives and the secretary of the Senate announced several slight revisions to their Lobbying Disclosure Act (LDA) Guidance. First, the Guidance stresses that both lobbyist employers and individual lobbyists are required to file Form LD-203 by July 30 and January 30 of each year. The filings by the employer do not extinguish the obligation for the individual lobbyist and vice-versa. Second, a lobbyist employer need only list the previous 20 years of covered positions held by a new lobbyist on the first LDA report (Form LD-2) containing the new lobbyist's name. For corporations and trade associations, this means that such a listing will happen only once. For lobbying firms, the covered positions must be repeated each time the lobbyist is listed for the first time on a particular client's reports.

The updated Guidance can be found at http://lobbyingdisclosure.house.gov/amended_lda_guide.html. Lobbyist employers and lobbyist firms must file the second-quarter Form LD-2 by July 20, 2010. Lobbyists, lobbying firms and individual lobbyists must file Form LD-203 on July 30, covering the first half of 2010. ■

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No Missing Links: The OCE, Campaign Contributions and Legislative Action

By Robert L. Walker and D. Mark Renaud

On May 27, 2010, the House Office of Congressional Ethics (OCE) announced its referral to the Department of Justice (DOJ) of "certain evidence collected in the course of its investigation concerning appropriations earmarks and the now defunct PMA lobbying firm." OCE described this evidence as pertaining to its "factual finding . . . that certain persons and companies saw their campaign donations as affecting decisions about earmarks." OCE based this referral on Rule 13 of its Rules for the Conduct of Investigations, which provides that the OCE "may refer information to state and federal authorities in the event that information indicates a crime has occurred or is about to occur." Despite this rule, some observers question whether the OCE is authorized to refer matters to law-enforcement authorities.

In announcing its referral, OCE did not release copies of, or specifically describe, the evidence it forwarded to DOJ. But a review of the OCE's February 2010 reports in its PMA-related investigations reveals the range of conduct that—according to the OCE—suggests that "commercial entities" "appear to have linked contributions to Members' campaigns and/or PACs to specific legislative acts." Whether or not the House Ethics Committee or DOJ would find all such conduct equally troubling, corporations and associations—and their lobbying and Political Action Committee (PAC) personnel—need to know what catches the attention of the OCE.

Contribution request forms. Several documents cited in OCE's PMA reports were form questionnaires used by corporate entities and their PACs as part of the process of justifying requests for PAC contributions. On one such form, the proposed PAC contribution was justified by reference to the member's past legislative support of funding for a specific company program and to his intention to continue this support. Another such contribution request form referenced a named "senior legislative staffer's" confirmation that the member intended to support the company's funding request.

But even where PAC contribution request forms described a member's legislative support for a company's programs in a more general way, the OCE expressed concern about linkage. For example, the OCE found question-and-answer

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Honest-Services Fraud—The Supreme Court Whittles away Prosecutors' Big Stick

By Mark B. Sweet and Erin Kepler*

The Supreme Court has issued three opinions substantially limiting the breadth of "honest-services" fraud under 18 U.S.C. § 1346. In the lead case, *Skilling v. United States*, the Court ruled that honest-services fraud—which prosecutors had been using aggressively to criminalize corporate executives' and public officials' failure to disclose personal gains from corporate or government business—only prohibits bribes and kickbacks.

As a result of the Court's ruling, the statute can no longer be used to prosecute executives, fiduciaries and public officials merely for "undisclosed self-dealing," or taking official action to further their own interests while purporting to act in the interests of those owed a fiduciary duty. Courts have already begun to apply the *Skilling* ruling to overturn rulings in a variety of honest-services fraud cases. These decisions, involving defendants ranging from a self-dealing lottery commissioner to self-interested parties writing charitable bingo regulations, are an early indicator of the breadth of the *Skilling* ruling. Of course, this ruling does not go so far as to immunize business actions committed for personal gain from other legal consequences; it simply removes one tool from prosecutors' arsenal and clarifies the scope of an ill-defined criminal statute.

The honest-services fraud statute evolved from the traditional fraud statute, which generally prohibits a "scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises." 18 U.S.C. § 1341. Although the statute did not include the words "honest services," courts interpreted it to involve both property and intangible rights. As such, a number of courts had previously held that honest-services fraud occurred if a victim did not actually lose money or property to an offender through fraud, but instead lost the intangible right to an offender's honest services. Thus, for example, if a government official offered a contract to a contractor in which the official secretly owned a stake, that deal could have given rise to honest-services fraud, even if the general public paid no more for the contract than it would have paid if a different contractor were used.

Prosecutors traditionally enjoyed broad discretion under the honest-services wire fraud statute and brought charges against fiduciaries and public officials for a wide range of unethical actions for personal gain. The Supreme Court first limited this discretion in 1987, declaring that the wire fraud statute protected only property rights. *See McNally v. United States*, 483 U.S. 350.

In response, Congress quickly passed a statute clarifying that fraud explicitly could include "a scheme or artifice to deprive another of the intangible right of honest services." 18 U.S.C. § 1346. The new statute, however, offered no definition of "honest services" or guidance about what actions constituted a scheme to deprive others of such intangible rights. This enabled prosecutors to continue to bring charges under the honest-services fraud statute in a wide variety of cases, including bribery, kickbacks, conflicts of interest and other more amorphous misdeeds, such as concealment of material information. Courts have since struggled to determine the limits of the statute and came to diverging conclusions about what actions could be considered honest-services fraud.

Faced with such a potentially vague criminal statute, the Supreme Court ruled on June 24,2010, that the statute only applied to narrow, well-defined circumstances. In *Skilling*, the government had charged the former CEO of Enron with conspiring to commit honest-services wire fraud by misrepresenting the company's financial health, which resulted in artificially inflated stock prices. At no time, however, did the defendant accept payments from third parties in conjunction with his misrepresentations. Skilling argued that the honest-services fraud statute under which he was charged was unconstitutionally vague because it could apply to an innumerable range of actions. Alternatively, he argued that his conduct did not fall under the statute.

The Supreme Court determined that the honest-services statute, as written, could only prohibit bribes and kickbacks. The Court declined, however, to deem the entire statute unconstitutionally vague. In coming to this conclusion, the Supreme Court examined the

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Pay-to-Play Spotlight

New Virginia Pay-to-Play Contribution and Gift Limits

By Carol A. Laham and D. Mark Renaud

Although Virginia is considered fairly "liberal" when it comes to campaign finance and gift rules in that it lacks general contribution limits, permits corporate contributions and permits gifts from lobbyists, the state recently enacted legislation that chips away at this image. As of July 1, 2010, Virginia implemented a new pay-to-play gift and contribution limit. The new law prohibits prospective contractors (and their directors and officers) from making any gift or contribution over $50 to the Governor, his PAC or any cabinet secretary with jurisdiction over the contract while the contractor is seeking certain no-bid state contracts. The gift restriction applies during the procurement process. ■

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Illinois Amends Lobbying Law

By D. Mark Renaud and Timothy A. Libutti

As of July 1, 2010, Illinois has adopted several amendments to its lobbying law and procurement code. Among other things, the state adopted a contingency-fee ban that specifically covers attempts to influence the outcome of a procurement decision. Second, in a change that has already made it into state contract packages, prospective contractors must disclose to the state any procurement lobbying costs and are forbidden from billing those costs to the state. Moreover, state officials are required to report to the public (through the Procurement Policy Board) communications made to influence procurement decisions. In conjunction with this added disclosure, lobbyists must submit to the state summaries of any oral communications made by them to state employees about procurements. ■

As of the publication of this newsletter, the state still had suspended its lobbying reporting system, although lobbyist registration is ongoing. *See* https://www.ilsos.gov/lobbyistweb/ for more information, or contact:

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Lobbyist Registration and Reporting Coming to Philadelphia in 2011

By Carol A. Laham and Timothy A. Libutti

The city of Philadelphia joins the ranks of other municipalities, including New York, Los Angeles and Chicago, in regulating lobbyists. On June 16, 2010, Philadelphia's mayor signed into law a new ordinance requiring lobbyist registration and reporting. The new law requires lobbyist registration to begin on July 1, 2011. Highlights of this new ordinance are summarized below.

The new ordinance defines "lobbying" to include any effort to influence legislative action or administrative action. This definition

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District Court Holds That First Amendment Trumps Trademark Rights

By Jennifer L. Elgin

A recent trademark infringement case out of the Eastern District of California demonstrates that the First Amendment may trump a trademark owner's objections to use of a similar mark by a political opponent. In the case of *Protectmarriage.com—Yes on 8, a Project of California Renewal v. Courage Campaign*, 93 U.S.P.Q.2d 1477 (E.D. Cal. 2010), the plaintiff, ProtectMarriage.com, is a nonprofit organization opposed to same-sex marriage in California. The plaintiff's logo consisted of the phrase "Yes on 8 Protect Marriage" and four stylized human figures: two adults and two children.

The defendant, Courage Campaign Institute, is a nonprofit supporter of same-sex marriage and self-proclaimed frequent adversary of ProtectMarriage.com. The defendant created a logo—admittedly derived from the ProtectMarriage.com logo—depicting the silhouette of two women with two children, and used it for a website that provided news coverage of a lawsuit challenging the challenging an amendment to the California State Constitution that outlaws same-sex marriages.

The plaintiff sought a temporary restraining order against the defendants' use of the modified logo. The defendant claimed that the use was protected on grounds of parody under the protections of the First Amendment.

The district court agreed with the defendant and held that First Amendment considerations outweighed the plaintiff's trademark rights. The court held first that, under Ninth Circuit law, contested marks used in connection with artistic works are not actionable under the Lanham Act, 15 U.S.C. § 1114 *et seq.*, unless they have no artistic relevance to the underlying artistic works whatsoever or, if relevant, they are explicitly misleading as to the source or the content of the work. Protectmarriage.com, 93 U.S.P.Q.2d at 1479 (citing to *Rogers v. Grimaldi*, 875 F.2d 994 (2d Cir. 1989)).

The court found that, in this case, not only was the defendant's logo artistic, but also the defendant's website was "undeniably expressive of a political idea, and both political and artistic expression are protected by the First Amendment . . . . Further, the mark does not explicitly mislead as to the source of the work. Any potential for confusion or misdirection was obviated by the images and text that uniformly accompany defendant's use of the mark, namely, photos of homosexual couples together with text explicitly endorsing homosexual marriage." *Id.* at 1480 (citations omitted). In other words, the court found, no visitor to the website might possibly be confused as to whether the site was affiliated with the plaintiff.

The *Protectmarriage.com* decision provides some guidance to political organizations seeking to use parodied marks in connection with core First Amendment activities. If the mark is considered artistic in nature (*e.g.,* not just a word or phrase), is relevant to the underlying work, and the context of the mark's use is not misleading as to source or content, then the parody may pass muster under the First Amendment. ■

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entries like the following on contribution request forms to be problematic:

> *How important is the candidate's sponsorship [of] any programs we are involved in? Very important.*
>
> *Is the candidate in a position to lawfully influence the funding or the ultimate awardee/recipient of the government? Absolutely.*

Did the answers to these questions matter to the OCE? Regardless of any specific answers, consideration of these kinds of questions in the contribution request process for a company's PAC may have been viewed by the OCE as inviting, if not requiring, reference to a member's past or future legislative support for the company.

PAC charts and spreadsheets. The OCE also included in its PMA reports what it viewed as problematic examples of PAC spreadsheets or charts showing past and proposed future contributions for congressional members and candidates. The particular spreadsheets cited by the OCE included columns for the Member/candidate's name, for contributions made in the current election cycle and for contributions proposed for the next cycle—but these spreadsheets also contained a column listing "possible programs" supported by or to be supported by the Member.

Emails and events. The OCE also focused in its PMA reports on a number of emails that, in its view, evidenced linkage between campaign contributions or fundraising for a named member and official actions by or matters before that member. These emails took several forms. Like the questionnaires already discussed, some of the emails cited specific funding actions taken or to be taken by a member as justification for a requested contribution to that member. Another email justified a requested contribution to a Member by more general reference to the member as a "good supporter" of the company and to the overall amount of funding for the company that the Member had supported historically.

Yet another email singled out by the OCE described a campaign fundraising event at which a company representative discussed with the Member specific "ongoing and proposed" company projects and programs for which the company had sought or would be seeking official funding assistance.

Another internal company email cited by the OCE in its PMA reports appears to have simply contained separate discussions of a campaign fundraising event with a Member and of a later official meeting with that Member's staff. There was no explicit indication in the email that official matters were discussed at the campaign meeting or that campaign matters were discussed at the official meeting. Discussion of these two meetings in the same email appears to have been enough to catch the OCE's eye.

Finally, based on its PMA reports, it appears that the OCE was even concerned about campaign contributions given to a Member with the expectation by the donor that they would simply generate personal contacts that—sometime in the future—could be used to benefit the donor's business. In one email cited by the OCE, a company official wrote generically about providing "personal contributions in the past knowing that the resulting contacts could help our business"; the company official went on to write that, in the case of one named Member, "I believe it has [helped] to some extent."

Which—if any—of these or similar instances cited in the OCE PMA reports rise to the level of evidence that "indicates a crime has occurred or is about to occur"? For corporations and associations, or their lobbyists or PACs, called on to provide information to the OCE, this question may be beside the point. With its PMA inquiry as prologue and precedent, if the OCE obtains evidence of what it considers to be improper linkage, a referral to the DOJ may be only a matter of time. ■

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includes attempts to obtain city contracts. Also included within this definition of lobbying are "indirect communications," which are grassroots communications encouraging others to influence legislative or administrative action including the use of mailings, telephone banks and print and media advertising. Importantly, the new ordinance also requires that all indirect communications conspicuously state the name of the person making or financing the communications.

When registering, a lobbyist must disclose, among other things, the name and business address of each principal for whom the lobbyist will engage in lobbying and the name and registration number of a lobbying firm with which the lobbyist has an economic relationship.

The ordinance requires a lobbyist, lobbying firm, or principal to register with the Board of Ethics (Board) within 10 days of acting in such a capacity. After this initial registration, registration occurs annually, and amended registration statements must be filed within 14 days of any change of information.

When registering, a lobbying firm or principal must disclose, among other things, the nature of its business and the name and business address of each individual who will receive economic consideration to lobby on its behalf. When registering, a lobbyist must disclose, among other things, the name and business address of each principal for whom the lobbyist will engage in lobbying and the name and registration number of a lobbying firm with which the lobbyist has an economic relationship.

In addition to registration requirements, the new Philadelphia ordinance requires regular reporting. A registered principal must file an expense report within 30 days of the end of each quarter. This report must list the names and registration numbers of the lobbyists working on the principal's behalf, as well as the issue, administrative action or legislative action being lobbied. The report must also list the total cost of lobbying, including office and personnel expenses. This total cost must further be allocated among three different categories: gifts, hospitality, transportation and lodging to city employees or officials; direct communications; and indirect communications. The expense report must further identify each occurrence where a city official or city employee receives anything of value that must be reported on the official's or employee's state-mandated Statement of Financial Interests.

A lobbying firm or a lobbyist, if not associated with a lobbying firm, must sign each principal's expense reports. A lobbying firm or a lobbyist is not required to submit an expense report unless the lobbying activity is not contained in any principal's filed expense report.

There are several exemptions to these registration and reporting requirements. Most notably, registration and reporting requirements generally do not apply to an individual whose total economic consideration from lobbying is $2,500 or less during a reporting period; an individual who lobbies on behalf of his or her employer for fewer than 20 hours during a reporting period; and a principal whose lobbying expenses are $2,500 or less during a reporting period. Further, responding to publicly advertised invitations to bid and requests for proposals will not trigger registration and reporting.

There are several other relevant provisions in this ordinance. Among other things, the ordinance prohibits lobbyists, from charging a contingency fee, and the ordinance imposes conflict-of-interest rules on lobbyists, as well as a process to receive waivers to any conflict. ■

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The DISCLOSE Act Passes the House *continued from page 1*

- Substantially expands the time period during which coordinated communications are regulated.
- Broadens the definition of a regulated "electioneering communication" to include TV and radio ads disseminated 120 days—increased from 60 days—before a general election.
- Imposes, among other things, the following new requirements on corporations, labor unions, tax-exempt and other organizations engaged in communications that qualify as "independent expenditures" or "electioneering communications:"
  - Public disclosures to the Federal Election Commission of donations received by the organization (similar disclosures can also be required of the donating entities);
  - Identification of top donors in the communications;
  - A statement by the highest ranking officer identifying himself or herself and stating that he or she has approved the communication;
  - Disclosures to shareholders, members or donors; and
  - A link on the organization's home page to the location on the Federal Election Commission website where the organization has reported its "independent expenditures" and "electioneering communications."
- These new requirements do not apply to 501(c)(4) tax-exempt organizations that have 500,000 individual members representing each state with corporate and labor union funding that does not exceed 15% of total funding, provided that the organization does not use its corporate and labor union funding for campaign-related activity—known colloquially as the "NRA" exception.

Of course, the foregoing is only a summary of a fairly complex bill. If the DISCLOSE Act becomes law, it will impose new and burdensome requirements, the most complicated of which appear to apply to trade associations and other membership organizations.

The Senate must still pass the DISCLOSE Act before it can become law. Senate Republican Leader Mitch McConnell (R-KY) has publicly stated that he opposes passage of the bill. Stay tuned to *Election Law News* for future updates. ■

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legal precedent prior to *McNally*, noting that the bulk of the honest-services fraud cases traditionally arose from bribes and kickbacks. The Court also found persuasive that Congress passed the honest-services statute in response to *McNally*, which was a kickback case. The Court concluded that because Skilling did not accept payments from third parties in conjunction with his actions, his actions did not constitute bribery or a kickback, and he did not violate the honest-services fraud statute.

In two other decisions issued simultaneously, the Court applied *Skilling* to vacate honest-services fraud convictions of corporate executives and an elected official. In *Black v. United States*, Conrad Black and other executives of Hollinger International, a publicly held company that owned newspapers, were charged with honest-services fraud for failing to disclose their receipt of bogus "noncompetition fees." The Hollinger executives had arranged for a Hollinger subsidiary to pay them millions of dollars not to compete with the subsidiary's small-town newspaper. Neither Hollinger's audit committee nor its board of directors was informed about this transaction between the company and the executives, and the payments were backdated and never disclosed in securities filings. In *Weyhrauch v. United States*, a member of Alaska's House of Representatives, who also worked as a private attorney, submitted his resume to an oil company and offered to vote favorably on oil legislation in exchange for receiving future legal work from the company.

Lower courts have already begun to apply *Skilling*. In *Geddings v. United States*, Kevin Geddings was appointed to serve as a North Carolina lottery commissioner. After accepting the appointment, Geddings failed to acknowledge on a disclosure of economic interests that a company vying for a contract to run the North Carolina lottery had paid about $160,000 to entities under his control. Geddings was convicted of honest-services fraud and was serving time in prison. After *Skilling*, the government acknowledged that Geddings' conviction should be vacated, and Geddings was released on recognizance. In *Hope for Families & Cmty. Svc., Inc. v. Warren*, the sheriff of Macon County was entrusted by the Alabama legislature to draft and enforce charitable bingo regulations. The sheriff's lawyer, who happened to be the son and law partner of the counsel and minority shareholder of a charitable bingo operator called VictoryLand, drafted the regulations. Subsequently, a single charitable bingo operator obtained licensure in Macon County: VictoryLand. In a civil suit, the sheriff, his lawyer and VictoryLand were accused of Racketeer Influenced and Corrupt Organizations Act (RICO) violations predicated on honest-services fraud for self-dealing, conflicts of interest and bribery. The court awarded summary judgment to the defendants on the charges of honest-service fraud for self-dealing and conflicts of interest under *Skilling*, then did the same for the honest-services fraud for bribery charge based on a theory unrelated to *Skilling*.

Despite these recent cases reining in honest-services fraud, the *Skilling* ruling should not be interpreted as a license for executives and government officials to engage freely in business activities that result in personal gain. First, there is significant overlap between the conduct that previously fell under honest-services fraud and conduct falling under other fraud statutes. Corporate executives and government contractors who engage in business for personal gain may still be violating securities laws, insider trading or conflict-of-interest regulations and other forms of fraud, plus face civil liability from shareholders. Even with his victory, Jeffrey Skilling, for example, may still face a jail sentence for his securities fraud charge. Likewise, public officials and those who deal with public officials (including government contractors) are still subject to a host of other criminal statutes that encompass conduct that may have previously been covered by the honest-services fraud statute, including, for example, statutes regarding conflicts of interest, bribery, gifts and gratuities, kickbacks, false statements, and fraud or false claims.

Second, Congress may respond to *Skilling* as it did to the decision in *McNally,* that is, by revising the statute to explicitly include conduct that the court found was not covered by the current law. Thus, while certain actions may no longer (at least for the present) be considered honest-services fraud, they may result in a host of other repercussions both now and in the future, meaning that those in positions with the government or as fiduciaries should still be extremely cautious about engaging in undisclosed business activities that result in personal gain. ■

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SEC Adopts New Pay-to-Play Rule *continued from page 1*

Under the new rule, if an investment adviser (or certain of its executives or employees) makes a political contribution to an elected state or local official or candidate with an ability to influence the selection of an adviser, the adviser is prohibited from providing compensated advisory services to the state or local government for two years. (In its final rulemaking, the SEC noted that this prohibition would extend to federal candidates holding positions of influence in state or local government at the time they were running for federal office.) The two-year "time out" provision is similar to Rule G-37 of the Municipal Securities Rulemaking Board, which applies to municipal securities broker dealers.

The new rule does allow an executive or employee to make small contributions without violating the prohibition. Where an executive or employee is entitled to vote for the candidate, he or she is allowed to contribute up to $350 per election. For those not eligible to vote for a particular candidate, the limit is $150.

As part of an anti-circumvention rationale, other provisions of the new rule prohibit investment advisers from engaging in certain other practices such as bundling (*e.g.*, where the investment adviser collects and delivers a number of small employee contributions that could not be made by the adviser due to the "time out" period) and soliciting/coordinating payments to state or local political parties where the adviser is seeking business. The rule also imposes new record-keeping requirements on advisors who provide investment services or who advise certain investment pools in which a state or local government is an investor. Investment advisors with no government business are excluded from the record-keeping requirements.

The new rules, can be found at http://edocket.access.gpo.gov/2010/pdf/2010-16559.pdf. ■

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Corporate Political Activities 2010: Complying with Campaign Finance, Lobbying & Ethics Laws

October 5–6, 2010 | Hyatt Regency, Washington, DC

Jan W. Baran, Co-Chair, **Caleb P. Burns**, Speaker

Conference Overview: The Obama administration has implemented and proposed changes to the regulation of political contributions from lobbyists, corporations, trade and membership associations, and unions. The states are also regulating, thereby making compliance with federal, state and local laws more complex than ever. Congressional ethics rules and the Lobbying Disclosure Act place new responsibilities on your client or company. To stay above reproach, be sure to attend this acclaimed program, where high-level officials from the Federal Election Commission, Department of Justice and Congressional ethics committees, as well as expert private practitioners, will explain how to comply with the laws at all government levels regulating political and lobbying activities.

To register, call: 800.260 4PLI (4754)
or visit www.pli.edu/product/seminar_detail.asp?id=62514.

UPCOMING EVENTS

PLI's Corporate Political Activities 2010: Complying with Campaign Finance, Lobbying & Ethics Laws Conference | Washington, DC

October 5, 2010

Contributions to Parties, 527s and 501(c)s
Caleb P. Burns, Speaker

Federal Lobbying Disclosure Laws and Federal Ethics Rules
Jan Witold Baran, Speaker

Political Action Committees
Jan Witold Baran, Speaker

October 6, 2010
Criminal and Civil Enforcement of Election and Ethics Laws
Jan Witold Baran, Speaker

UPCOMING DATES TO REMEMBER

July 15, 2010

Second-Quarter FEC report due for federal candidates

Second-Quarter FEC report due for federal PACs filing quarterly §

Second-Quarter IRS Form 8872 due for nonfederal PACs filing quarterly* §

July 20, 2010

July monthly FEC report due for federal PACs filing monthly

July monthly IRS Form 8872 due for nonfederal PACs filing monthly*

Second-Quarter Lobbying Disclosure Act Report (Form LD-2) due

July 30, 2010

Semiannual Lobbying Disclosure Act Report (Form LD-203) due from federal lobbyists, lobbying firms and employers of in-house lobbyists

August 20, 2010

August monthly FEC report due for federal PACs filing monthly

August monthly IRS Form 8872 due for nonfederal PACs filing monthly*

FEC and IRS deadlines are not extended if they fall on a weekend.

* Note: Qualified state and local political organizations are not required to file Form 8872 with the IRS.

§ If a PAC filing quarterly makes a contribution with respect to a primary or special election, the PAC may have additional reporting obligations.

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32nd Annual Conference

December 5–8, 2010

The Fairmont | Washington, D.C.

The COGEL Conference is an invaluable opportunity for professionals working in the fields of government ethics, campaign finance and disclosure, lobbying regulation, elections, and Freedom of Information to learn and network. This year's conference is organized around the general theme of the evolution of reform, what's changed and what hasn't.

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