

Preface

It has been seven years since the last edition of this book. Historically, a new edition came out every four years or even more frequently, ideally in conjunction with the beginning of a presidential election cycle. But in recent years the fast-changing landscape of campaign finance and lobbying laws kept delaying new editions. Each time I started work on revisions, a major change would occur and signs of more changes would appear on the horizon. With fingers crossed, I submitted this edition to the American Bar Association with a forced show of confidence that its content will remain up-to-date and useful for the next few years.

Some content has remained constant from one edition to the next. In particular, the rules about forming and operating political action committees (PACs) have been essentially the same since the 1970s. Even after the Supreme Court decision in *Citizens United v. Federal Election Commission*, traditional PACs maintained their roles as the only lawful vehicles by which corporations, unions, and trade associations could raise and directly donate campaign funds to candidates and political parties.

On the other hand, numerous court decisions and new laws dramatically altered the ways in which groups, including corporations, could lawfully finance political activity outside of the political parties and the candidates. Independent advertisers and super PACs have new roles and new rules since the last edition. Contribution limits have changed and aggregate limits on individuals have been eliminated. In addition, the Lobbying Disclosure Act, as well as new congressional ethics rules, have increased compliance burdens for persons engaged in lobbying and government relations.

This Sixth Edition of *The Election Law Primer for Corporations* has been updated to reflect all of the above changes and more. That includes new citations to the campaign finance laws prompted by the recodification of statutes into Title 52 of the U.S. Code. As in the past, the text of this book regularly refers to charts, government publications, forms, and resource materials that appear in the Appendix. These items have also been updated or revised. The back cover of the book lists the content of the Appendix and also correlates to where each category appears within the book via printed marks or tabs as a sort of thumb index without the thumb cuts. As always, the goal of *The Primer* is to educate the reader on the basic rules that govern corporate political and lobbying activity and to provide references and materials that can lead to additional information.

Acknowledgments

For over thirty years, I have benefitted from the patience and support of my partners at the law firm of Wiley Rein LLP who gave me the time to write and rewrite this book.

I am very grateful. Two of my partners, Caleb Burns and Mark Renaud, contributed substantively to earlier editions. Their work in various form lives on in this edition. I also want to acknowledge the contribution of my colleague, Robert L. Walker. Rob is the former Chief Counsel and Staff Director of the Senate Select Committee on Ethics and previously the House Committee on Ethics. He reviewed and edited the portion of this edition that describes the idiosyncratic rules on gifts to public officials.

I want to thank my former special assistant, Kayla Stuart. Kayla conducted research, provided citations, prepared the manuscript, and compiled the Appendix material.

Finally, I thank the Business Law Section of the American Bar Association and ABA Publishing for continued support of this work. Former Executive Editor Susana Darwin, in particular, was very helpful with this and earlier editions.

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