In the wake of the 2018 Midterm Elections, with a new Congress and shifting governmental agendas and goals, many businesses have identified the need to evaluate and recalibrate lobby agendas and campaign finance strategies. Some businesses that have typically concentrated their efforts at the federal level are now turning to the states, where others are utilizing the current climate to aggressively pursue their agendas at unprecedented levels.

Regardless of goals and agendas, it is important for the business lawyer to ensure compliance with campaign finance, lobby and governmental ethics (including gifting) laws when interacting with federal, state and local governments. Government regulators are increasingly asserting their enforcement authority. Mistakes and oversights made when making campaign contributions, interacting with government and engaging in lobbying activities are costly and may result in criminal penalties, civil fines, loss of governmental contracts and serious reputational harm to an organization.

To ensure compliance with campaign finance, lobby and governmental ethics provisions, the business lawyer would be well-served to ensure his or her organization has implemented internal programs where interacting with government. While the appropriate compliance program for a given company will depend on its circumstances, organization and level of government interaction, successful internal programs typically include internal company policies, coordination between the active and interested stakeholders, a training element, tracking of campaign finance, lobby and governmental ethics activities, and finally, an audit function.

I. **Internal Company Policies:**

It is impossible to expect employees to know the campaign finance, lobby and governmental ethics laws of all federal, state and local jurisdictions. Instead, it is reasonable to except employees to know and follow internal company policies. For this reason, companies should develop employee manuals, policies and guidelines to clearly communicate the company's expectations and requirements concerning interactions with government. Given the ever-changing nature and variety of political laws, such policies must be both flexible and accessible.
II. Coordination:

Most companies already have compliance officers in place to ensure compliance with laws and regulations pertinent to their line of business. Corporate governance regulations tied to financial and accounting scandals have accelerated this trend. Further, many companies have designated employees in legal departments or in government affairs to monitor lobby, gift and campaign contribution compliance. Centralizing internal coordination of political law compliance is recommended, not only to encourage uniform compliance, but also to provide a reference point for employees.

III. Training:

Company employees and contractors must be informed of the general scope of political laws, the company’s policies, internal compliance efforts and the costs of violating them. Adding “government ethics” components to regular web-based company training programs is a best practice.

IV. Tracking:

It is not sufficient to develop a company policy without a mechanism to support compliance. The most effective political compliance programs regularly track employee interaction with government officials and employees to keep political compliance top of mind and enable the company to gather data concerning activity that may trigger a registration or reporting obligation.

V. Internal Audits:

Routine internal audits of political activity are necessary not only as a matter of diligence, but in reaction to alleged violations of the law. Companies have found it prudent to either routinely audit compliance (e.g., annually or as part of contract renewals or employee reviews) or to establish protocols for internal audits should an alleged violation occur.

While additional compliance program elements may be appropriate for organizations with aggressive governmental interactions or particular governmental exposures, ensuring these five elements in the company’s political engagement policies will provide protection from missteps for the organization and its employees.
Reflections on the 2018 Midterm Elections:
How It Will Impact the Business Lawyer

Jason A. Abel, Partner :: Steptoe & Johnson LLP
Aaron Tax, Director of Advocacy :: SAGE
Jennie Skelton, Partner :: Politicom Law LLP
Reflections on the 2018 Midterm Elections: How It Will Impact the Business Lawyer

American Bar Association Business Law Section

March 29, 2019
Jason A. Abel
### Roadmap

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<th>House and Senate Agendas</th>
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<td>Tax</td>
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<td>Trade</td>
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<td>Financial Services</td>
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<tr>
<td><strong>Compliance/Enforcement Issues</strong></td>
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<tr>
<td>• Lobbying Disclosure Act</td>
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<tr>
<td>• Foreign Agents Registration Act</td>
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<tr>
<td>• Federal Ethics Rules</td>
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House Agenda

115th House of Representatives

- Republicans: 237
- Democrats: 193
- Vacancies: 7

215 votes needed to pass

116th House of Representatives

- Republicans: 198*
- Democrats: 235
- Not yet called: 1

218 votes needed to pass

Seats flipped R to D (Total: 43)
Seats flipped D to R (Total: 3)
Not yet called (Total: 1)

* Courtesy of National Journal
Senate Agenda

115th Senate

50 votes for majority

60 votes for supermajority

<table>
<thead>
<tr>
<th>Republicans</th>
<th>51</th>
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<tr>
<td>Democrats/Independents</td>
<td>49</td>
</tr>
<tr>
<td>Vacancies</td>
<td>0</td>
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</tbody>
</table>

Seats flipped R to D (Total: 2)

Seats flipped D to R (Total: 4)

116th Senate

50 votes for majority

60 votes for supermajority

<table>
<thead>
<tr>
<th>Republicans</th>
<th>53</th>
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</thead>
<tbody>
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<td>47</td>
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<td>Vacancies</td>
<td>0</td>
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</tbody>
</table>

Courtesy of National Journal
Trump Administration

Priorities

- Immigration
- Trade War/Agreements

Cabinet Changes

- Ambassador to UN
- Attorney General
- Interior

Potential Areas of Cooperation

- Infrastructure
Substantive Policy Oversight

Specter of Impeachment

Committee Chairs

Oversight and Government Reform
- Elijah Cummings (D-MD)

Judiciary
- Jerry Nadler (D-NY)

Permanent Select Committee on Intelligence
- Adam Schiff (D-CA)

Financial Services
- Maxine Waters (D-CA)

Energy & Commerce
- Frank Pallone (D-NJ)
Substantive Policy Oversight

The nexus between traditional Democratic policy interests (e.g., environment and healthcare) and industries that have benefitted from administration policies in the last two years

Health Care
- Efforts to dismantle the ACA
- Drug prices
- FDA oversight on consumer issues (e.g., “vaping”)

Environment
- Clean Air Act and climate change matters
- Favoritism to specific energy industries (e.g., coal)

Communications
- Net Neutrality
Tax

2019 Agenda

- Holdover items from lame duck
- Revenue offsets for new spending
- Democrats’ response to tax reform
- 2019 extenders (CFC look-through, WOTC, NMTC, medical device tax, alcohol excise taxes, family leave, etc.)

Additional Measures

- Retirement savings incentives – Family Savings Act (House GOP), RESA (SFC)
- Extenders
- Technical corrections and other fixes
- IRS reforms
Legislative action on **USMCA** could occur in 2019

**US - China** tensions are likely to continue in 2019 with the future of section 301 tariffs and associated retaliation unclear

**Section 232** tariffs on steel and aluminum will stay in the policy conversation (especially with regard to Mexico/Canada and USMCA)

Potential for new **free trade agreements** (FTAs)
Financial Services

**Senate Banking**

**Chairman Mike Crapo (R-ID)**

- GSE reform
- Bank agency & SEC oversight
- Flood insurance reform (increasing private market participation)
- Data protection and privacy
- Reauthorizations (National Flood Insurance Program (NFIP) (2018); Terrorism Risk Insurance Act (TRIA) (2020)

**Senate Agriculture**

**Chairman Pat Roberts (R-KS)**

- Commodity Exchange Act (CEA) reauthorization
  - CFTC funding
- Oversight of the CFTC

**House Financial Services**

**Chairwoman Maxine Waters (D-CA)**

- Housing affordability issues (GSE reform/flood insurance)
- Administrative/regulatory oversight
  - Dodd Frank Rule-making
  - Enforcement record of agencies
- “Too big to fail”
- Consumer financial protection issues
- Fintech/cryptocurrency
- Reauthorizations (NFIP) (2018); TRIA (2020)

**House Agriculture**

**Chairman Collin Peterson (D-MN)**

- CEA reauthorization
  - CFTC funding
- Oversight of the CFTC
Health Care

Bipartisan Reforms

- ACA tweaks (e.g., streamlining/easing employer reporting requirements; redefining “full-time employee” under the ACA (40 vs. 30-hour work week); HSA reforms; potential delays in ACA taxes)
- Drug pricing transparency

Priorities

- Single-payer proposals (e.g., Medicare-for-All, Medicaid buy-in, etc.); heightened oversight/scrutiny of health care regulators and drug companies
- Repealing the ACA is off the table

Executive Branch

- Potential for continued activity and uptick in action at the state level (as the Trump Administration provides greater flexibility via STLDI and 1332 waiver reforms)
Lobbying Disclosure Act Compliance

- Two regimes: Internal Revenue Code (IRC) and Lobbying Disclosure Act (LDA)
- There is a fine line between seeking information and lobbying on the federal level
- To be required to register under the LDA, a person must:
  - make (or intend to make) two or more *lobbying contacts* within any time period; and
  - conduct *lobbying activities* for that client that amount to 20% or more of the time that the individual spends on services for that client over a three-month period.
- The entity must also meet the established monetary threshold
- Compliance with registration and reporting requirements
Foreign Agents Registration Act Compliance

- FARA is a vaguely-worded statute exceedingly broad on its face.
  - Not just foreign governments or political parties
  - Not just lobbying
- FARA does NOT require:
  - A written contract
  - Payment of a fee
  - A foreign government client
- Registration may be triggered by a mere “request” from a foreign principal to:
  - Arrange meetings with U.S. government officials, or
  - Provide advice on how to influence U.S. policy or public opinion.
- Virtually no cases or advisory opinions clarify FARA’s broad provisions, leaving prosecutors with significant discretion to pursue aggressive theories.
Federal Ethics Rules

- Different regimes
  - Rules of the House of Representatives
  - Rules of the Senate
  - Office of Government Ethics Rules
  - Executive Order 13770 (Trump’s “Ethics Pledge”)
- Anti-bribery laws
- Never cash instruments
- No employee solicitation
- No gratuities (“thank you’s”)
Questions

Jason Abel
+1 202 429 6297
jabel@steptoe.com
Reflections on the 2018 Midterm Elections: How it Will Impact the Business Lawyer

Aaron Tax

SAGE
Why this story relevant

A successful, transferable, advocacy strategy.
The Shift
From federal to state and local.
Building a Foundation for change at the federal level.
Playing the Long Game

Building and maintaining relationships with career civil servants.
Reflections on the 2018 Midterm Elections:

How It Will Impact the Business Lawyer

Jennie Skelton, Partner
March 29, 2019
OVERVIEW OF STATE AND LOCAL POLITICAL ENGAGEMENT CONSIDERATIONS

• State and Local Lobby Provisions:

• State and Local Campaign Finance Provisions:

• Pay-to-Play Considerations for Government Contractors:
STATE AND LOCAL LOBBYING

ATTEMPTING TO INFLUENCE
Directly or through others
+
COVERED INDIVIDUALS
May include not only elected officials, but also
government appointees and employees
+
COVERED GOVERNMENT ACTION
Bills, regulations, policies, executive orders, programs, government contracts, etc.
TYPES OF STATE AND LOCAL LOBBYING

• **Legislative Lobbying:** Attempting to influence legislative action, including bills, rules, joint-resolutions, etc.

• **Executive Lobbying:** Attempting to influence executive action, including executive orders, rules, regulations, policies, programs, etc.

• **Procurement Lobbying:** Attempting to influence procurements, including contracts, RFP’s, RFQ’s, purchase agreements, etc.

• **Grassroots Lobbying:** Attempting to influence government action indirectly through third parties, etc.
# PUBLIC DISCLOSURE

| **REGISTRATION** | Registration may be required for the organization, individuals or both. Some jurisdictions require registration **prior to** engaging in lobbying. Otherwise, timing varies from within 48 hours up to 30 days. |
| **LOBBYIST REPORTING** | Most jurisdictions require lobbyists to file periodic reports. |
| **LOBBYIST EMPLOYER REPORTING** | Many jurisdictions require filing by an employer in addition to the lobbyist or in lieu of, or may instead require authorization. |
LOBBYING: TRAPS FOR THE UNWARY

• **Timing of Lobbyist Registrations:**
  - Registration often required *prior* to engaging in activity

• **Hiring of New Consultants:**
  - If your organization hires a new consultant, ensure consultants are captured within the organization’s lobby compliance program

• **Contractor Certification:**
  - Many contracts require ethics certification, including confirmation of meeting lobby disclosure requirements. Failure to comply may result in unforeseen circumstances, such as precluding a contracting opportunity

• **Support Activity:**
  - In-house executive and employee time and activities supporting the organization's lobbying efforts may be reportable, even if individual doesn’t personally trigger lobbyist registration
STATE AND LOCAL CAMPAIGN FINANCE

• Corporate Funds Permissible?
  • Approximately half the states, like the federal government, prohibit corporate campaign contributions, including the use of any corporate resources to influence the outcome of an election

• Government Contractors:
  • State and local government contractors face special “pay-to-play” limits and disclosures

• Disqualification:
  • An illegal contribution by an employee can disqualify your organization as a government contractor
STATE AND LOCAL CAMPAIGN FINANCE

• Contribution Limits and Disclosures
  • State and local jurisdictions all have their own contribution limits
  • Disclosure provisions often vary from jurisdiction to jurisdiction as well

• Organization Compliance and Procedures
  • Organization should have a system to assess, track and report all political contributions
  • All corporate campaign contributions should be pre-approved
  • Individual contributions *cannot* be reimbursed by the Organization
CAMPAIGN CONSIDERATIONS

• Examples of Issues to Consider Prior to Contributing:

  • **Who is the Donor?** Rules vary depending on the source of a contribution. Corporate contributions are permissible in roughly half of the states.

  • **Reimbursement?** A political contribution should never appear on an employee expense reimbursement report. Reimbursing political contributions can result in a ‘laundered’ contribution, which exposes the organization to great enforcement risk.

  • **Jurisdiction?** Important to understand the jurisdiction of a contribution to ensure permissibility of a contribution.

  • **Type of Committee?** Candidate committee? PAC? Ballot Measure? Political Party Committee? Caucus Committee? Leadership PAC? Independent Expenditure? The committee type will dictate whether a contribution limit applies.
CAMPAIGN CONSIDERATIONS

• Examples of Issues to Consider Prior to Contributing:
  
  • **Amount?**: The amount of a proposed contribution is vital to determine permissibility
  
  • **Prior Contributions?**: Most jurisdictions impose some sort of contribution limit, particularly for candidate contributions. For corporate contributions, limits often apply to the entire organization. Also pay close attention to prior contributions made for the current election or election cycle
  
  • **Timing Restriction?**: The timing of a contribution is important. As a general rule, a campaign contribution should be avoided while decisions are pending before an officeholder. For this reason, many states prohibit contributions during the legislative session
CAMPAIGN CONSIDERATIONS

• Examples of Issues to Consider Prior to Contributing:

  • *Place or Manner Restriction?*: Note that many states prohibit the delivery of a campaign contribution in public buildings, such as the State Capitol. Many jurisdictions impose special rules on registered lobbyists, including whether they may be involved in recommending or delivering a contribution.

  • *Pay-to-Play?*: Many states and localities prohibit government contractors or regulated entities from making campaign contributions, and may also reach affiliated entities and affiliated persons, including officers, directors, executives and even organization lobbyists.

  • *Reporting?*: Generally, campaign reporting obligations are imposed on the recipient of a contribution, but several jurisdictions impose reporting obligations on the donor of a contribution as well, potentially in as soon as 24 hours within making a contribution.
CAMPAIGN FINANCE

• **Applicable Sources and Limits:** State and local jurisdictions all have their own contribution source and limit provisions

• **Disclosure:** Disclosure provisions may vary from jurisdiction to jurisdiction as well, and may include both donor and lobby reporting

• **Time, Place and Manner Restrictions:** Jurisdictions may restrict the ability to contribute during legislative sessions or on state/local property, or limit or prohibit lobbyist contributions

• **Disqualification:** Contractors may be subject to disqualification provisions if certain contributions are made
PAY-TO-PLAY

- Personal campaign contributions of organization executives and employees may impact the ability of the organization to contract and/or require disclosure in certain jurisdictions, due to so called “pay-to-play” laws or contractor bans.

  - Examples of jurisdictions that have adopted “pay-to-play” restrictions:
    - **States:** CA, CT, HI, IL, IN, KY, MD, MO, MT, NJ, NM, OH, PA, RI, SC, TX, UT, VT, VA and WV
    - Many **local** level jurisdictions as well, including: Chicago, Denver, Detroit, Houston, the City of Los Angeles, Indianapolis/Marion County, New York City, Philadelphia and Seattle
PAY-TO-PLAY: TRAPS FOR THE UNWARY

• Disqualification:

  • Company, PAC and personal campaign contributions may disqualify the organization from bidding on a contract, including the contribution activity of the *spouse* of an organization employee.

  • In some cases, the campaign contributions of a subcontractor may disqualify the organization from bidding or require the public officials in question to recuse themselves from voting on a particular matter.

• Timing of Contributions:

  • Even in jurisdictions that do not have “pay-to-play” restrictions, organization and PAC contributions must be reviewed to ensure compliance with applicable campaign finance laws. Further, contributions should also be considered in the broader context of the organization’s business plan. A contribution made right after a contract has been awarded raises the appearance of impropriety.
INTERNAL COMPLIANCE PROGRAMS

• Essential Elements to Successful Political Engagement Policies:

  • **Internal Coordination:** Centralized internal coordination is often necessary as a reference point for employees, as well to encourage uniform compliance

  • **Written Policies:** Written policies and guidelines should be established to clearly communicate the organization’s expectations and requirements

  • **Training:** Employees and contractors must be informed of organization’s policy and compliance programs and the cost of violating such provisions, possibly via regular web-based training programs

  • **Who is Covered:** Clearly identify the scope and coverage of the policy. For example, who is covered (covered affiliates) under the organization’s pay-to-play policy
INTERNAL COMPLIANCE PROGRAMS

• **Pre-Clearance:** The most effective political contribution and pay-to-play programs require pre-clearance of all proposed campaign contributions to identify permissibility, limits, time/place/manner restrictions, contractor restrictions and disclosure obligations

• **Prohibition of Quid Pro Quo:** Clarify that the organization will not tolerate the use of contributions to motivate or reward official action

• **Audits:** Internal audits are necessary not only as a matter of diligence, but in reaction to alleged violations of the law. Active organizations have found it prudent to either routinely audit compliance or to establish protocols for internal audits should an alleged violation occur
CONTACT

If you have any questions, please contact:

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Politicom Law LLP
Telephone :: 415.275.6128
Email :: jskelton@politicomlaw.com
Aaron Tax
Director of Advocacy
SAGE

Aaron Tax is the Director of Advocacy for SAGE. He advocates for LGBT-inclusive federal aging policies that account for the unique needs of LGBT older adults.

Until June 2011, Aaron served as the Legal Director at Servicemembers Legal Defense Network (SLDN), the leading organization challenging “Don’t Ask, Don’t Tell” (DADT) in Congress and in the courts. He started there as a staff attorney in 2006, and for nearly five years at SLDN, he took part in a multifaceted approach to advancing the civil rights of LGBT servicemembers through law, policy, outreach, and education. As the Legal Director, Aaron was responsible for running the legal services program at SLDN, the only organization providing free legal services to service members impacted by DADT and related forms of discrimination, including those who are HIV positive and/or transgender.

Prior to joining SLDN, Aaron spent three years working for the Department of the Army in the Office of EEO and Civil Rights, the first two years as a Presidential Management Fellow (PMF). As a PMF, he worked for the Office of the Staff Judge Advocate, V Corps, Heidelberg, Germany, and served as a Special Assistant United States Attorney in the US Attorney’s Office for the District of Columbia, where he tried more than two dozen cases. A graduate of Cornell University with honors and distinction and the George Washington University Law School with honors, he currently resides in Washington, DC.
Jennie Skelton is a partner and co-founder of Politicom Law LLP. Ms. Skelton specializes in federal, state and local lobby, campaign, “pay-to-play,” gift, “revolving door” and ethics laws and compliance, as well as enforcement actions before federal, state and local ethics agencies.

As counsel, Jennie Skelton advises business entities and individuals on how to comply with contribution, lobby and ethics legal and compliance issues nationwide. Specifically, she assists entities and individuals with multistate needs regarding the development and administration of comprehensive lobby compliance programs, “pay-to-play” compliance programs, and corporate and PAC campaign contribution compliance at the federal, state and local level. Ms. Skelton provides counsel regarding state and local gift activity, conflicts of interests and “revolving door” issues. Ms. Skelton also assists companies with the filing of federal lobbying reports under the Lobbying Disclosure Act (LDA), as well as compliance with the Honest Leadership and Open Government Act.

Prior to co-founding Politicom Law, Jennie Skelton was a partner in the political law practice of Nielsen Merksamer. Ms. Skelton also served as Enforcement Division counsel with the California Fair Political Practices Commission (“FPPC”). As former FPPC Counsel, Ms. Skelton has expertise in FPPC enforcement matters and complaints. Ms. Skelton has represented clients with enforcement matters before the FPPC, the Federal Election Commission, and numerous other state and local agencies across the country.

Ms. Skelton is a double graduate of the University of the Pacific, McGeorge School of Law, with a Juris Doctor/Certificate in Governmental Affairs and a Master of Laws (LLM) in Government and Public Policy. She received her BA in Political Science and Pre-Law from the University of the Pacific. Ms. Skelton is a member of the bar in California, New York and Washington State.
REPRESENTATIVE EXPERIENCE

- Expertise in political law and ethics issues, including federal, state and local lobby, campaign finance, “pay-to-play,” gift, “revolving door” and ethics laws and compliance.
- Represents public officials and entities with pending enforcement matters before federal, state and local ethics agencies.
- Assists entities and individuals with the development and administration of comprehensive lobby compliance programs, “pay-to-play” compliance programs, and campaign contribution compliance (both corporate and PAC) at the federal, state and local level.
- Counsels Fortune 500 business entities, non-profit organizations and individuals on contribution, lobby and ethics legal and compliance issues nationwide, including the preparation and filing of disclosure filings.
- Provides counsel regarding state and local gift activity, conflicts of interests and “revolving door” issues.
- Serves as counsel and professional treasurer for federal and state PACs, as well as ballot measure committees across the country.
- Assists companies and non-profit entities with legal counsel regarding the filing of federal lobbying reports under the Lobbying Disclosure Act (LDA), as well as compliance with the Honest Leadership and Open Government Act.

PUBLICATIONS AND PRESENTATIONS

- Council on Governmental Ethics Laws (COGEL) 2018 Annual Conference, Panelist, “We’re All Atwitter: Understanding How Technology is Changing the Face of Lobbying Registration & Disclosure”
- American Bar Association (ABA) Business Law Section August 2018 “In the Know” Webinar, Panelist, “It’s Always Election Season: Building Effective Campaign Finance and Pay-to-Play Compliance Programs”
- Council on Governmental Ethics Laws (COGEL) 2012 Annual Conference, Moderator, “Rouge Treasurers: Case Studies of the Embezzlement of Campaign Funds”
Overview

Jason Abel leads Steptoe's political law and campaign finance practice and advises clients on a range of government affairs issues, including legislative strategy and process. Jason served as chief counsel for US Senate Committee on Rules & Administration Chairman Charles Schumer and prior to that, as counsel for Senator Schumer in his personal office. Clients benefit from Jason's valuable Capitol Hill experience, where he worked with Senate leaders on both sides of the aisle to craft and execute strategy for several successful pieces of bipartisan legislation.
Recognized by *Chambers USA* in the political law arena and named a "Top Lawyer" for Campaign and Election Law by *Washingtonian*, Jason counsels corporations, trade associations, individuals and nonprofits on the complex intersection of law and political activity. His federal campaign finance practice includes PAC formation and compliance, and he counsels clients on Federal Election Commission rules and regulations. Jason has significant experience working on complicated questions arising under the House and Senate Ethics and Gift Rules, the Lobbying Disclosure Act (LDA), the Honest Leadership and Open Government Act (HLOGA), the Foreign Agents Registration Act (FARA), the Federal Election Campaign Act (FECA), and the various statutory provisions and rules surrounding conflict of interest and "revolving door" employment. He also advises financial services firms, government contractors and other businesses, as well as nonprofit entities on federal, state, and local pay-to-play and campaign finance matters, lobbying compliance, and gift and entertainment rules.

As counsel to Sen. Schumer, Jason was a part of the team that investigated the firing of US attorneys by the Department of Justice (DOJ), and led a successful effort to persuade the DOJ to reverse course and extend benefits to the family members of fallen firefighters and auxiliary police officers. As chief counsel of the Senate Committee on Rules & Administration, Jason led the strategic development and passage of the bipartisan Military and Overseas Voter Empowerment Act (MOVE) Act of 2009, and the Presidential Appointment Efficiency and Streamlining Act of 2011. Notably, Jason was the lead Senate aide for campaign finance issues including the DISCLOSE Act, the Democratic response to the Supreme Court’s opinion in *Citizens United v. FEC.*
Jason is active in the firm's pro bono program and also has extensive experience in voter protection and voting rights. He was part of the first "election protection" poll monitoring in 2001, led the 2008 Democratic coordinated campaign voter protection operations for the state of Mississippi, and, most recently, served as a volunteer boiler room hotline attorney for the successful Doug Jones for Senate campaign in the Alabama 2017 special election. Jason is a professorial lecturer in law at George Washington University Law School, where he teaches campaign finance law and Congressional procedure.

Bar & Court Admissions

- District of Columbia
- Maryland
- US District Court, District of Columbia
- US District Court, District of Maryland
- US Court of Appeals, Fourth Circuit
- US Court of Appeals, District of Columbia

Education

- J.D., University of Pennsylvania Law School, 2003, Editor-in-Chief, *Journal of Constitutional Law*, Winner and Best Oralist, Edwin R. Keedy Cup Moot Court Competition
- University of Pennsylvania Wharton School of Business, 2003, Certificate of Business and Public Policy
- B.A., University of Illinois, 2000

Areas of Practice

**Government Affairs & Public Policy**

**Campaign Finance & Political Law**
Congressional Oversight & Investigations

Vetting & Government Ethics

Crisis Management

National Security/CFIUS

Financial Services

Blockchain & Cryptocurrency

Speaking Engagements

- Conference, Philadelphia, PA, December 9, 2018

- 2018

"It's Always Election Season: Building Effective Campaign Finance and Pay-to-Play Compliance Programs," ABA Business Law Section, Washington, DC, August 16, 2018
- 2018

Moderator, "Third Annual State of Voting Rights," ABA Section of Civil Rights and Social Justice, Washington, DC, July 12, 2018
- 2018

"Lobbying Rules, Advice, and Tips for the New Administration," ABA Business Law Section Annual Meeting, Chicago, IL, September 15, 2017
- 2017

- 2017
"Post-Election Analysis: New President; New Congress; What Does it Mean for Business Lawyers?," American Bar Association Business Law Section's

- Spring Meeting, New Orleans, LA, April 8, 2017

"Whose Voice is it Anyway? The Influence of Campaign Finance on Party Politics," University of Pennsylvania Law School's 36th annual Edward V.

- Sparer Symposium, Philadelphia, PA, January 13, 2017

"Elections Have Consequences: An Examination of the 2016 Elections, the Respective Candidates' Post-Election Legislative Agendas and the Impact on You and Your Clients," American Bar Association Business Law Section

- Annual Meeting, Boston, MA, September 7, 2016

"Whose Vote Will Count? The State of Voting Rights and the 2016 Election," American Bar Association Section of Civil Rights and Social Justice,

- Washington, DC, February 29, 2016


- IL, September 17, 2015

"Beyond Watts and Ferguson: Reconciling Law Enforcement and Communities of Color," American Bar Association Section of Individual

- Rights and Responsibilities, July 31, 2015

News & Publications

CLIENT ALERTS

JACK Act Notice: What You Need to Know
January 25, 2019
By: Scott A. Sinder, Jason Abel, Amanda Powell

PRESS RELEASES

Steptoe Announces Promotions
January 9, 2019
PRESS RELEASES
The Hill Again Names Jason Abel, Luis Fortuño, Micah Green to Top Lobbyists List
December 13, 2018

CLIENT ALERTS
DC Poised to Join the Ranks of Pay-to-Play Jurisdictions
December 6, 2018
By: Scott A. Sinder, Jason Abel, Chelsea Gold

PRESS RELEASES
Washingtonian Names Steptoe Attorneys to 'Top Lawyers' List
December 3, 2018

MEDIA MENTIONS
Media Cover Steptoe's Post-Election Analysis of 2018 Midterms
November 28, 2018

MEDIA MENTIONS
National Law Journal Quotes Jason Abel on Congressional Investigations
November 13, 2018

MEDIA MENTIONS
Law360 Quotes Jason Abel on US Voting Security
November 7, 2018

ACCOLADES
Steptoe Receives 32 Practice, 135 Individual Mentions in Legal 500 US 2018
May 30, 2018
ACCOLADES
Steptoe Receives 25 Practice, 67 Individual Mentions in *Chambers USA 2018*
May 3, 2018

Events
WEBINARS
Post-Election Recap
Policymaking Agenda for 2019
November 8, 2018
Speakers: Jason Abel, James D. Barnette, Leslie A. Belcher, Elizabeth Hurley Burks, George Callas, John T. Collins, Luis G. Fortuño, Micah S. Green, Kate Jensen, N. Hunter Johnston, Darryl Nirenberg, Eva Rigamonti, Scott A. Sinder

SEMINARS & EVENTS
The Foreign Agents Registration Act (FARA): Assessing Risks for Nonprofits
October 9, 2018
Speaker: Jason Abel
Steptoe's Washington Office
1330 Connecticut Ave NW
Washington, DC 20036

WEBINARS
August Recess Tax Policy Webinar
August 16, 2017
Speakers: Jason Abel, Leslie A. Belcher, Lisa M. Zarlenga
SEMINARS & EVENTS

Tax Reform: How Exempt Organizations Could Be Affected
January 31, 2017
Speakers: Jason Abel, Suzanne Ross McDowell, Scott A. Sinder, Lisa M. Zarlenaga
The Dupont Circle Hotel
1500 New Hampshire Avenue NW
Washington, DC 20036

WEBINARS

Policymaking Agenda for 2017
Post-Election Recap
November 10, 2016

Noteworthy

  
  *Washingtonian* magazine's "Best Lawyers," Campaign and Election Law (2017-2018)


- *The Hill*, "Top Lobbyists" (2016-2018)


Previous Employment

- Chief Counsel, US Senate Committee on Rules & Administration Chairman, Senator Chuck Schumer (2009-2011)
- Counsel, Senator Chuck Schumer (2007-2009)

Professional Affiliations

Chair, Civil Rights and Equal Opportunity Committee of the Section on Civil Rights and Social Justice, American Bar Association

Compliance Committee Director, Online Programming Subcommittee Chair, Government Affairs Practice Committee of the Business Law Section,

- American Bar Association
- Fellow, American Bar Foundation

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