



US Law and Policy

"...one of the most high-powered and high-profile lobbying shops in the nation's capital"—*The National Law Journal*

Today's legal issues are contested not only in conventional legal arenas, but also before international tribunals, federal agencies and departments, on Capitol Hill and in the media. We provide our clients with the strategies they need to manage crises and create opportunities.

Successful advocacy before legislative and executive branch decision makers as well as independent federal agencies demands vast experience and insight. The Federal Law and Policy group has the focus, the experience and the drive to achieve our clients' goals. We use a cross-disciplinary approach in our engagements because the path to success frequently is not linear, but one that requires carefully coordinated efforts in different forums. And, as clients increasingly recognize, legislative and administrative advocacy is a skill that is quite distinct from defending an enforcement action or seeking to overturn a recently promulgated rule or regulation.

Many of the lawyers and other professionals in this group have held senior elected, appointed and staff positions in all branches of the federal government and in numerous state governments. Others have important experience in the corporate world.

- Positioning issues for successful advocacy
- Developing congressional and governmental champions
- Managing congressional investigations
- Writing and preparing witnesses to deliver congressional testimony
- Drafting proposed legislation
- Monitor legislation
- Representing clients before regulatory agencies
- Ensuring compliance with campaign finance, ethics and lobbying laws
- Organizing and managing coalitions
- Building grassroots support
- Managing political and public relations crises
- Managing internal corporate communications
- Drafting op-eds, press releases and speeches
- Developing state political outreach
- Engaging foreign policymakers, governments and embassies
- Advising on corporate governance and best practices

KEY CONTACTS

Steven R. Phillips

Partner

Washington, DC

T: +1 202 799 4313

steven.phillips@dlapiper.com

- Regulatory and Government Affairs
- Corporate
- Finance
- Intellectual Property and Technology
- Litigation, Arbitration and Investigations
- Real Estate
- Tax

- Financial Services
- Energy and Natural Resources

CAPABILITES

Congressional Investigations

Congressional investigations are unlike any other legal proceeding. Committees act as both judge and prosecutor. There are no evidentiary rules, and there is no right to call witnesses or to cross examine witnesses making charges against you. Many committees do not recognize the attorney client privilege and proprietary documents are not protected from public disclosure. And in many instances, these investigations play out on the front page of newspapers and on the network news. DLA Piper has very seasoned attorneys who have successfully represented scores of clients in navigating this very unsettling world of congressional investigations.

Cybersecurity

DLA Piper has been working on behalf of clients with Members of Congress and staff on the committees with jurisdiction over cybersecurity, including House and Senate Homeland Security, Commerce Committees, as well as the Intelligence Committee on the House side, in order to not only help shape legislation, but to also provide advice regarding Congressional oversight of DHS, NIST, and the agencies with regulatory authority over industry sectors.

Defense

Our team has a long record of achievement representing defense industry clients in accomplishing their business, legal, and political goals. We are the only firm in the world that offers both a top-tier US defense practice, as well as the ability to draw upon experienced defense, procurement, and infrastructure lawyers throughout the world. We provide innovative business counsel and representation to our defense clients – from contract counseling to corporate strategic advice, to securing objectives through the budget/authorization /appropriation process, to international sales and transactions, to representing companies in litigation arising in conflict and post-conflict environments.

E-Commerce and Privacy

We work with clients to solve business problems wherever their needs may lead. We assist clients in obtaining solutions to issues posed by US legislation, compliance demands, proposed federal and state laws, international compacts, free trade agreements and the World Intellectual Property Organization treaties. Our group counseling companies on the issues they encounter while doing business online, and we counsel copyright owners, ISPs and equipment manufacturers regarding proposed privacy legislation, infringement liability and copy protection technology strategies, as well as a broad range of other liability issues. We have extensive experience in rulemaking and enforcement proceedings before the Federal Trade Commission and have participated in significant Federal Communications Commission proceedings on regulation of the Internet.

Energy

Our lawyers help clients develop solutions and strategies arising from the ongoing deregulation and restructuring in the energy industry. We have extensive experience in energy and public utility law, providing assistance to industrial and commercial consumers, electric service providers and power producers. The firm has also represented all segments of the oil and gas industry in regulatory matters, as well as in the development and restructuring of federal laws.

Environmental

DLA Piper environmental attorneys anticipate, track, and find solutions to emerging environmental issues that concern its local, national, and international clients. The group has extensive experience with every major environmental policy and proposed legislative issue, spanning air, water, solid and hazardous waste, wetlands, chemical substances, right-to-know, and other areas. The foundation of our group is the in-depth knowledge of these federal regulatory programs and policies, and their state counterparts.

Financial Services

The financial services industry has seen dramatic changes in recent years in federal and state legislatures, regulatory agencies and the

marketplace. The group was actively involved in the development and passage of the Dodd-Frank law as well as subsequent legislative action. Our attorneys and consultants work extensively on the leading issues facing many of the nation's largest diversified financial institutions, trade associations, industry coalitions and individual entities before Congress, the White House, Treasury, SEC and other federal regulatory agencies.

Foreign Government Representation

The group has represented numerous foreign governments, international business organizations, and non-governmental organizations before Congress and the Executive Branch for many years. Members of the group have led the coordinated lobbying, public affairs, and grassroots campaign to achieve NATO and have developed and directed non-governmental business coalitions supporting free trade agreements.

International Policy Development and Business Strategy

Our team has decades of firsthand experience working with the national security committees in Congress, the Departments of State and Defense, the National Security Council and the nation's intelligence agencies. We also have the experience needed to communicate effectively with foreign governments and their diplomatic missions. Our clients are able to call on that experience and knowledge as they work to align their business strategies with evolving US national security policy. We help clients develop market-entry strategies; finance and insure their overseas trade and investments; identify strategic partners and overseas contacts; anticipate, define, and manage political, economic, and financial risk; forecast and defend against adverse action by foreign host governments and regulatory agencies; and establish ties with host government policy makers and regulators.

Political Law

Few areas are as heavily regulated as lobbying, campaign finance and government ethics. At the federal level, new laws, amended congressional rules and policies have resulted in a patchwork of confusing, even conflicting requirements. State and local laws and rules further complicate the situation clients face. While lobbying and political activity are protected rights and often important components in achieving public policy objectives, new rules and closer scrutiny pose serious legal and reputational risks for organizations and individuals. We offer experienced, practical advice and develop appropriate, effective political law compliance programs designed to ensure that companies conduct their lobbying and campaign activities in full compliance with all relevant laws, regulations and best practices.

Tax

We provide clients the experience and skills to integrate business strategies with evolving public policy. We regularly assist clients before Congress and the IRS in obtaining tax legislation and favorable tax rulings. We also have a strong record of representing corporate, educational, and foreign and domestic individual clients in tax related matters.

EXPERIENCE

- Represented a Chinese telecom company on sanctions issues and Congressional investigation into whether the company's products could be used to aid espionage and cyber-spying. Our attorneys successfully advocated on behalf of the client to protect their brand in the US and continue to do so.
- Represent a US joint venture with Japan to develop a high speed rail system in the northeast corridor of the US on environmental impact issues relating to rail corridor development as well as relevant appropriations to fund various rail programs and the American Jobs Act which contain rail development authorizations for true high speed rail as well as creating a national infrastructure bank to support rail development projects.
- Represent a Middle Eastern cable and satellite news television channel in the purchase and launch of a US TV channel. Providing a continued government advocacy campaign to minimize adverse reaction to the acquisition by outreach to the Administration, Congress and third-party groups (think tanks, community leaders, etc.) and regulatory approval by the FCC and the Committee on Foreign Investment in the US (CFIUS).
- Worked with a large Defense company to resurrect a billion dollar defense weapons system, which had been initially cancelled by the Defense Department. The effort involved drafting legislative language and creating a significant strategy for advocating before all Congressional Defense committees.

- Advising the nation's first proposed offshore wind farm in a multifaceted regulatory and legislative licensing and approval process, including the Department of the Interior, the Department of Energy, the FAA, the Coast Guard, the EPA, the Corps of Engineers and other agencies, while defeating all legislative challenges initiated by project opponents.
- Represented an early education group and helped develop multifaceted congressional strategy to secure an additional \$1.1 billion in funding for early education programs.
- Represent the National Coalition on E-Commerce and Privacy, which has been at the forefront of every major public policy and regulatory development involving the collection, security and use of personally identifiable information.
- Advise clients on lobbying and ethics regulation matters including: training for company attorneys on political law compliance; political activity and PAC strategies; and advise on state lobbying and pay-to-play compliance matters.
- Served as counsel to a small innovative, pharmaceutical company in developing legal, legislative and media strategies to preserve the full patent life of the companies pioneering lifesaving drug. We worked closely with senior Administration policymakers to achieve a positive outcome for our client.
- Represent Analytical Graphics Inc. (AGI) to develop and execute a high level Congressional outreach campaign to advance the sale of AGI's Space Situation Awareness (SSA) technology to the US Air Force. Our representation is focused on educating Congress as well as key stakeholders at the Department of Defense and US Air Force on the benefits of using AGI's commercial technology solutions.
- Represent a Middle Eastern banking industry association before the US government to develop coordinated strategies for addressing international money laundering, terrorism financing, and sanctions compliance efforts.
- Advise an international paint manufacturing company on general Congressional outreach and legislative monitoring of the Chemical Safety Improvement Act (CSIA) of 2013.

INSIGHTS

Publications

New CFIUS Enforcement and Penalty Guidelines signal increased focus on enforcement

26 October 2022

The Guidelines send the message that CFIUS intends to increase its use of its enforcement powers regarding mitigation agreement compliance, among others.

When is a foreign inspection “refused”? FDA final guidance provides clarity

26 October 2022

A foreign food facility that refuses an FDA inspection may find itself placed on the “Red List” – meaning its products could potentially be refused entry into the United States.

Blockchain and Digital Assets News and Trends

24 October 2022

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

OECD releases global tax reporting framework for crypto-assets; SEC investigating NFTs and Yuga Labs.

OECD releases finalized global tax reporting framework for crypto-assets

24 October 2022

Implementation of the CARF will ultimately be left to each country.

SEC investigating NFTs and Yuga Labs

24 October 2022

The SEC has been clear that NFTs are not exempt from the securities law and the manner in which they are offered can make them securities.

Blockchain and Digital Assets News and Trends

21 September 2022

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

IRS releases draft Form 1040 with new cryptocurrency question; lawsuit may expand liability exposure of blockchain software developers.

Biden Executive Order directs a broader national security focus on foreign investments

20 September 2022

This marks the first time since CFIUS was established in 1975 that a president has publicly issued such direction.

FDA Regulatory News and Trends

12 September 2022

[FDA REGULATORY NEWS AND TRENDS](#)

EUAs now permitted in monkeypox health emergency; FDA issues series of warning letters; user-fee reauthorization still not close.

Federal agency reports on responsible development of digital assets are due this week

6 September 2022

An array of agency reports are due.

eSignature and ePayment News and Trends

6 September 2022

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Federal agencies' reports on responsible development of digital assets are due to the President this week.

Blockchain and Digital Assets News and Trends

22 August 2022

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Proposed legislation aims to strengthen CFTC oversight of crypto marketplace; SEC imposes automatic penalties for failure to comply with a consent order; NFT projects reconsider licensing strategies

Inflation Reduction Act seeks to jumpstart electric vehicle market

19 August 2022

Electric vehicle-related tax incentives in the Inflation Reduction Act and the multiple conditions that may initially limit their applicability and use.

Inside the Inflation Reduction Act

19 August 2022

A look at the business-critical aspects of this sweeping, extraordinary legislation and its implications for clean energy projects, electric vehicle development, corporate taxes, healthcare, and environmental policy.

The historic Inflation Reduction Act makes significant changes to federal environmental law and programs

19 August 2022

The IRA aims to achieve environmental policy goals through an array of programs addressing greenhouse gas and methane emissions, environmental justice, and climate resilience.

The clean energy provisions of the Inflation Reduction Act of 2022 – a historic effort to encourage the development of clean energy and reduce carbon emissions

17 August 2022

The IRA will have a dramatic impact on development and financing of clean energy projects in the US over the next ten years, not least by expanding tax credits to additional technologies and allowing project owners to directly transfer those credits.

eSignature and ePayment News and Trends

2 August 2022

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

ULC approves important new amendments to the Uniform Commercial Code for state adoption.

Inflation Reduction Act: 15 percent minimum book tax in the context of Pillar 2

1 August 2022

US Treasury and the OECD appear committed to finding a solution that could incorporate some kind of tracing mechanism for Pillar 2 purposes into GILTI.

Food and Beverage News and Trends

22 July 2022

FOOD AND BEVERAGE NEWS AND TRENDS

The soaring cost of fertilizer is bringing long-term changes to the global food system.

Committing to measurable ESG initiatives in the Food and Beverage Sector: Doing well by doing good

6 July 2022

ESG HANDBOOKS AND GUIDES

At least 73 percent of the world's largest companies in the food and beverage sector have a sustainable development target, but only a quarter of these are setting time-bound targets and the remaining 27 percent have no sustainability strategy, according to the World Benchmarking Alliance.

The rise of global telehealth

30 June 2022

AT THE INTERSECTION OF SCIENCE AND LAW PODCAST SERIES

Partners Kristi Kung and Greg Bodulovic discuss the rise of telehealth amid the COVID-19 pandemic, as well as advancements in technology aiming to address disparate access to healthcare globally.

Dobbs v. Jackson Women's Health : Implications for business of a post-Roe landscape

23 June 2022

Dobbs raises a number of important questions for companies and entities.

Protecting your IP in Russia: Best practices, action steps

18 May 2022

INTELLECTUAL PROPERTY AND TECHNOLOGY NEWS

US companies may take action in Russia to protect their IP rights, notwithstanding US economic and trade sanctions.

New wave of US sanctions on Russia targets services, broadcasting, banking, and US exports

16 May 2022

GLOBAL SANCTIONS ALERT

The US government continues to announce new measures.

eSignature and ePayment News and Trends

11 May 2022

ESIGNATURE AND EPAYMENT NEWS AND TRENDS

Embracing the movement towards digital and ESG.

US Citizenship and Immigration Services filing period now open for selected H-1B Visa registrants

20 April 2022

Selected registrants may now file a corresponding H-1B petition between April 1 and June 30, 2022.

FDIC issues new crypto-asset guidance and notification requirements

19 April 2022

New requirements for FDIC-supervised institutions that engage, or intend to engage, in any crypto-related activities.

Implications of recent Treasury Green Book tax proposals

29 March 2022

Taken together, the Treasury Department concludes that the proposals would raise more than \$2.5 trillion over the ten-year budget cycle.

New wave of US sanctions targets Russian Duma, additional elites, defense entities; BIS extends export controls to more than 100 Russian aircraft

29 March 2022

[GLOBAL SANCTIONS ALERT](#)

The latest sanctions affect all members of the Duma, Russian elites, bank executives and board members, and Russian defense firms, and BIS has extended export controls to certain Russian aircraft.

US lifts Section 232 tariffs on steel and aluminum from the UK effective June 1, 2022

28 March 2022

The US-UK agreement includes novel requirements that deserve special attention.

Biden Administration urges American companies to act quickly to improve cybersecurity safeguards

22 March 2022

[GLOBAL SANCTIONS ALERT](#)

The White House stresses the importance of taking key steps to thwart nation-state bad actor activities.

SEC proposes mandatory climate-related disclosure and governance rules

21 March 2022

The SEC's latest effort to advance the Biden Administration's climate agenda.

OECD releases commentary on the Pillar Two GloBE Rules – observations on selected topics

17 March 2022

A look at six topics found in the commentary which have particular relevance for multinational companies and other stakeholders.

US announces new trade restrictions against Russia as well as a new round of sanctions against Russian political elites

16 March 2022

GLOBAL SANCTIONS ALERT

Many of the newly announced measures will require Congressional action.

US continues to escalate sanctions against Russia and Belarus

4 March 2022

GLOBAL SANCTIONS ALERT

White House announces new sanctions while putting in place extensive new export control measures against Russia and Belarus; DOJ announces Task Force KleptoCapture; OFAC closes some loopholes.

US escalates its sanctions regime against Russia, targeting its financial system

28 February 2022

GLOBAL SANCTIONS ALERT

And additional measures are expected to be announced by the US and its allies in the coming days

US imposes further sanctions and export controls against Russia

25 February 2022

GLOBAL SANCTIONS ALERT

The White House emphasized that these newly announced sanctions and export controls will be complemented with similar measures imposed by US allies and partners.

New US sanctions in response to Russia's actions against Ukraine

23 February 2022

GLOBAL SANCTIONS ALERT

Additional sanctions are expected that will target Russia's financial, technology, and defense sectors.

Blockchain and Digital Assets News and Trends

18 February 2022

BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS

Lawsuit tackles tax treatment of staking rewards; SEC settles with crypto lending platform; emergency measures in Canada affect financial services entities.

eSignature and ePayment News and Trends

31 January 2022

[ESIGNATURE AND EPAYMENT NEWS AND TRENDS](#)

Recently enacted federal and state laws, federal and state regulatory activities, fresh judicial precedent and more.

Israel Group News January 2022

24 January 2022

[ISRAEL GROUP NEWS](#)

In this issue, our global activities, latest publications, recent events and more.

Supporting the health of your health system: 2022

3 January 2022

Helping you tend to healthcare system wellness throughout the business life cycle.

Blockchain and Digital Assets News and Trends

21 December 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Breaking legal news on cryptoassets and cryptocurrency, plus: Google sues to disrupt massive botnet

Treasury releases 2021 Sanctions Review: Its key recommendations and their implications for the private sector

28 October 2021

[GLOBAL SANCTIONS ALERT](#)

The Report puts into perspective recent Biden Administration sanctions while helping to forecast what will come.

Israel Group News October 2021

25 October 2021

[ISRAEL GROUP NEWS](#)

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Blockchain and Digital Assets News and Trends

18 October 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Non-fungible tokens: What are the legal risks?

Five issues to watch for at COP26 in Glasgow

12 October 2021

Hopes had already been high for COP26 even before the pandemic paused it. The pent-up potential has only heightened those expectations.

New antidumping and countervailing duty petition: Oil country tubular goods from Argentina, Mexico, the Republic of Korea, and Russia – consequences for industry and downstream consumers

8 October 2021

US AD and CVD investigations can result in the imposition of substantial duties in addition to already applicable duties and tariffs.

House tax proposal: significant statutory changes include raising corporate rate, overhauling international taxation system

21 September 2021

While the Senate is likely to cut back on some of the proposals, tax increases for business and individuals are expected to be enacted by Thanksgiving.

Blockchain and Digital Assets News and Trends

17 September 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules.

Commodities News and Trends

20 September 2021

[COMMODITIES NEWS AND TRENDS](#)

Brazil and Argentina lead the way in biofuels; CFTC: we will support transition to a low-carbon economy; is the end in sight for the shale-driven pipeline building boom?

Proposed infrastructure bill would subject cryptocurrencies to wash sale and constructive sale rules

17 September 2021

The move comes as part of the Ways and Means Committee's attempt to raise revenue to finance infrastructure spending.

Blockchain and Digital Assets News and Trends

23 August 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

New information reporting requirements for cryptocurrency transactions; CFPB involvement in cryptocurrency oversight; NCUA seeks comments on use of DLT and DeFi by credit unions.

Israel Group News August 2021

16 August 2021

[ISRAEL GROUP NEWS](#)

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Blockchain and Digital Assets News and Trends

19 July 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

IRS says tax-deferred like-kind exchange is not available for cryptocurrency trades; copyright issues plague NFTs; crypto venture investments continue to accelerate.

When will Washington regulate artificial intelligence?

June 2021

Seeking to ensure a leading global role for the US in AI development and implementation is a prime motivator for American policymakers.

Biden Administration tax compliance plan targets cryptocurrency assets

21 June 2021

The plan would give the IRS greater authority and resources to collect information on Americans' financial assets and transactions, including cryptocurrency transactions.

Blockchain and Digital Assets News and Trends

21 June 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

Biden tax plan spotlights cryptocurrency transactions; FTC announces spike in cryptocurrency investment scams; El Salvador is first country to adopt bitcoin as legal tender.

Biden's FY 2022 budget and Treasury Green Book – additional details on international tax proposals

2 June 2021

Fleshing out revenue proposals in the White House's American Jobs Plan and American Families Plan.

Blockchain and Digital Assets News and Trends

20 May 2021

[BLOCKCHAIN AND DIGITAL ASSETS NEWS AND TRENDS](#)

SEC issues Staff Statement on investments in the bitcoin futures market, plus latest legal developments governing the use and acceptance of blockchain technology, smart contracts and digital assets.

The Russia sanctions and their impacts on commodities companies: Action steps for companies engaged in transactions with Russian gas and energy companies

11 May 2021

Implications of key provisions in President Biden's Executive Order.

Israel Group News May 2021

1 May 2021

[ISRAEL GROUP NEWS](#)

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US government announces sweeping sanctions against Russia

16 April 2021

[GLOBAL SANCTIONS ALERT](#)

The newly imposed sanctions represent a significant escalation and addition to the sanctions architecture put in place by the Obama and Trump Administrations.

Representing individuals in interviews – the US perspective

30 March 2021

Determining whether to consent to an interview, and any interview itself, can be pivotal.

CFTC's new Climate Risk Unit: Another tool in the Biden Administration's "whole of government" campaign against climate change

23 March 2021

With this move, the US joins governments across the globe in recognizing the vital role derivatives markets will play in developing new solutions to address climate and sustainability challenges.

United States imposes significant new export controls and sanctions on Russia and China

23 March 2021

Reflecting a further hardening of US foreign policy and national security policy positions with those two countries.

Reform to the Electric Industry Law: a new risk for energy projects in Mexico

10 March 2021

Foreign investors involved in energy projects in Mexico may wish to consider their rights and potential remedies under applicable investment treaties.

Climate change disclosures – under SEC scrutiny

25 February 2021

This new directive does not come as a surprise.

The Biden Administration's impact on oil and gas

18 February 2021

These actions will add an additional layer of regulations for oil and gas operations.

China's Blocking Rules: New trade-compliance dilemmas for third-country companies

25 January 2021

The Blocking Rules respond to the increased use of "secondary" economic sanctions and export controls by the US.

Israel Group News January 2021

19 January 2021

ISRAEL GROUP NEWS

In this issue, our global activities, latest publications, recent events and more.

Who's responsible for content posted on the Internet? Section 230, explained

22 December 2020

What the law does, what people are saying it should do, and what might happen next.

US DOT issues groundbreaking proposals for regulation of automated driving systems, seeks input

11 December 2020

The rulemaking initiates an important new chapter in autonomous vehicle development and commercialization in the US.

SEC 2021 and beyond: What to expect

7 December 2020

Some likely areas of SEC focus, from both the regulatory and enforcement perspectives, in 2021 and beyond.
