



## Droit et politiques américains

"...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

### PERSONNES-RESSOURCES

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- Commerce international, réglementation et affaires gouvernementales
- Droit des sociétés
- Financement
- Propriété Intellectuelle
- Litiges, arbitrage et enquêtes
- Droit immobilier
- Fiscalité
  
- Financial Services
- Energy and Natural Resources

## CAPABILITES

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### 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

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- 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.