

# William A. Powers

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Bill Powers represents nonprofits, PACs and companies of all sizes, advising them on how to leverage the legal and regulatory landscape to maximize their political and business objectives. Bill's practice lies at the intersection of policy and innovation, helping clients bring to market and advance groundbreaking ideas in politics, digital media and emerging sectors, such as green tech and gov tech. Bill deploys his unique blend of government experience, which includes serving as an Assistant General Counsel for Enforcement for the Federal Election Commission (FEC), and private sector know-how to resolve clients' matters before federal and state agencies regulating campaign finance, gifts and gratuities, lobbying, ethics and pay-to-play.

Bill's clients include national advocacy organizations, start-up tech ventures, as well as multi-national corporations and their government affairs departments. He also serves as counsel to individuals, ballot measure committees, Super PACs, and tax-exempt, nonprofit organizations, such as 501(c)(3) charities, 501(c)(4) social welfare organizations and 501(c)(6) trade associations.

Bill provides guidance in all aspects of political law, including:

- Federal Election Campaign Act (FECA) and Bipartisan Campaign Reform Act (BCRA or McCain-Feingold);
- Lobbying Disclosure Act (LDA);
- U.S. House and Senate Ethics Rules;
- Financial Disclosure requirements and the STOCK Act;
- Foreign Agents Registration Act (FARA);
- Similar rules at the state, local and municipal level.

Bill's practice also involves internal investigations and white-collar defense, especially those related to election law, bribery, and anti-corruption statutes, such as the Foreign Corrupt Practices Act (FCPA). He represents clients facing parallel or overlapping criminal and civil investigations, including those before by the Department of Justice (DOJ), FEC, and Internal Revenue Service (IRS).

## EXPERIENCE

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### Helping PACs and Advocacy Campaigns

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- Counsel to 2020 Presidential draft committee encouraging popular senator to declare for office;
- Represents first-of-its-kind Hybrid PAC that enables musicians to leverage social media platforms to transform enthusiasm into political activism;

- Advises multi-national corporation in formation and operation of Federal PAC, while achieving fundraising and participation goals during launch;
- Counsels multi-state, strategic effort to educate and engage millennials and other disenfranchised citizens in the political process; and
- Guides nonprofits, major donors, and other entities with ballot measure compliance in states such as California, Florida, Massachusetts, Oregon, and Washington, as well as in major municipalities.

### Regulatory Enforcement Defense

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- Successfully defended multiple FEC and state enforcement complaints;
- Guided major nonprofits through state-level lobbying audit and advises on future compliance;
- Conducts internal investigations for corporations and other clients related to financial discrepancies; and
- Leads internal audits of PACs for FEC compliance and adherence to best practices.

### Corporate Ethics Compliance and Tax Counseling

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- Manages 50-state compliance program for Fortune 50 financial company involving lobbying, ethics, and pay-to-play laws including those of the Securities Exchange Commission (SEC), the Municipal Securities Rulemaking Board (MSRB), and the Commodity Futures Trading Commission (CFTC);
- Formation of and counsel to 501(c)(3) public charities, 501(c)(4) social welfare organizations, and 501(c)(6) trade associations, including successfully applying for tax exempt determinations from the IRS; and

### Advising Tech Ventures and Start-Ups

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- Counsel to online platform that integrates social media and fundraising tools; and
- Advises tech start-ups on bringing their products to market and complying with FEC rules as vendors to presidential and other federal campaigns.

## INSIGHTS

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### SPEAKING ENGAGEMENTS

Speaker, "The Integrity of the Profession: Discrimination, Harassment, and Attorney Misconduct," Transportation Research Board's 59th Annual Workshop on Transportation Law, 09.15.2020 - 09.16.2020

Speaker, "Emerging From Lockdown on Solid Footing: How Nonprofits Can Prepare for Whatever Comes Next," Nossaman Webinar, 05.20.2020

Speaker, "Nonprofit Rules of the Road for 2020 Election Activity," Nossaman Government Relations & Regulation Live Webcast, Los Angeles, CA & Washington, DC or via Webinar, 11.05.2019

Speaker, "Politics at the Water Cooler: What's NSFW?," American Public Power Association's 2019 Legal & Regulatory Conference, Portland, OR, 10.23.2019

Speaker, "Hot Topics in Trade Association Law," Tax Exempt Community, DC Bar, Washington, DC, 05.2019

Speaker, "Politics in the Workplace," American Society of Association Executives Webinar, 03.2017

### PUBLICATIONS

Author, "Is Crypto a Security or Commodity? Look to Congress' Ethics Rules," *Bloomberg Law*, 07.14.2022

Co-Author, "California Charts Regulatory Path for NFTs in Campaign Finance," *Law360*, 05.13.2022

Co-Author, "Donors and Super PACs Beware: Reporting Sources of LLC Contributions Will Now Be Strictly Enforced," *Nossaman eAlert*, 04.19.2022

Co-Author, "New Guidance on Campaigns' Use of NFTs Could Pave the Way for Use of Other Digital Assets in Politics," *Nossaman eAlert*, 04.12.2022

Co-Author, "Trade Sanctions Abound: Know Your Customers and Transactions," *Nossaman eAlert*, 03.02.2022

Co-Author, "Government Relations Pros and Politicos Take Note – Possible Changes to Foreign Intervention and Lobbying Rules Are on the Horizon," *Nossaman eAlert*, 12.13.2021

Co-Author, "What Biden's Ethics Pledge Means for Gov't Revolving Door," *Law360*, 02.26.2021

Co-Author, "Federal Contribution Limits Increased for 2021-2022 Election Cycle," *Nossaman eAlert*, 02.02.2021

Co-Author, "President Biden Releases Ethics Pledge Aimed Largely at Revolving Door," *Nossaman eAlert*, 01.21.2021

Co-Author, "New Year, New Congress, New Administration: Tips for Federal PAC & Lobbying Compliance in 2021," *Nossaman eAlert*, 01.12.2021

Co-Author, "Biden-Harris Transition & Inaugural Committee Raise Specific Compliance Issues," *Nossaman eAlert*, 12.01.2020

Co-Author, "Virtual Conventions Yield to Real Campaign Law Enforcement: What Your Organization Needs to Remember," *Nossaman eAlert*, 08.27.2020

Co-Author, "New IRS Rule Allows Many Nonprofits to Withhold Donor Information From the IRS," *Nossaman eAlert*, 05.28.2020

Co-Author, "Financial Aid Expected for Struggling Nonprofits: The HEROES Act and Accessing PPP Loans," *Nossaman eAlert*, 05.15.2020

Co-Author, "Lobbying in the Era of COVID-19: What to Expect," *Nossaman eAlert*, 05.04.2020

Co-Author, "Increased Scrutiny Ahead as GAO's LDA Audit Highlights Noncompliance," *Nossaman eAlert*, 04.02.2020

Co-Author, "Supreme Court Decision Foretells Increased Donor Scrutiny in 2020 Federal Elections," *Nossaman eAlert*, 03.27.2020

Co-Author, "Primary Election Postponements: Where Things Stand and What to Expect," *Nossaman eAlert*, 03.24.2020

Co-Author, "PAC Operations in the Wake of COVID-19," *Nossaman eAlert*, 03.18.2020

Co-Author, "Happy New Year: Tips for Federal PAC & Lobbying Compliance in the 2020 Election Year," *Nossaman eAlert*, 01.14.2020

Co-Author, "Trump's Tweets: A Warning to Public Officials," *Daily Journal*, 08.08.2019

Author, "New England Roundup: Political Law News from the Town Square to the Region's Capitals," *Client Newsletter*, 07.01.2018

## HONORS & RECOGNITIONS

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Individual recognition for Political Law – Nationwide, *Chambers USA*, 2021-2022

## COMMUNITY & PROFESSIONAL

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Policy Advisor to 2020 Presidential Candidate for the Democratic Nomination (Democracy Reform Issues)

Founding Member, 2020 Lawyers Guild, Ballot Initiative Strategy Center

DC Bar, Taxation Community

## PRACTICES

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Government Relations & Regulation  
Campaign Finance, Election Law & Ethics  
Federal Advocacy  
Associations, Coalitions & Foundations  
Foreign Corrupt Practices Act  
Litigation  
Lobbyist Registration & Reporting  
White Collar Defense

## EDUCATION

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University of Connecticut School of Law, J.D., *magna cum laude*  
University of Massachusetts Amherst, B.A / B.S., *summa cum laude*

## ADMISSIONS

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District of Columbia  
New York  
Connecticut  
Massachusetts