

# Political Law

## Compliance and Investigations Update

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If you have any questions regarding the matters discussed in this memorandum, please contact the following attorneys or call your regular Skadden contact.

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## Federal Shutdown: Complying With Political Law Filings and Gift Rules

### Executive Summary

- **What's new:** Many federal agencies, including the FEC, are operating at reduced staffing levels due to the government shutdown, impacting the ability to contact staff and process political law disclosure filings.
- **Why it matters:** These developments affect companies and organizations required to comply with political law disclosure requirements, as technical support and manual processing may be delayed or unavailable, and filing deadlines remain in place.
- **What to do next:** Companies should attempt to comply with all reporting requirements, document any technical issues and continue to monitor for agency updates, especially regarding FEC and LDA filings, while ensuring compliance with federal gift rules.

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As a result of the government shutdown, many federal agencies are operating at reduced staffing levels, making it difficult to contact agency staff regarding questions or technical difficulties when complying with required political law disclosure requirements.

Companies should plan to comply with all reporting requirements, to the extent feasible. If specific circumstances arise that make filing impossible, please contact legal counsel for assistance.

The Federal Election Commission (FEC) provided specific guidance regarding the shutdown, as described below. We will continue to monitor other agencies that accept required disclosures for any updates, including from the secretary of the Senate and the clerk of the House, which administer filings under the Lobbying Disclosure Act (LDA).

### FEC Filings

The FEC is closed for the duration of the government shutdown, with significantly reduced staffing levels. Furloughed staff include those who provide technical support to the public. While the filing systems are available, given that staff are not able to monitor the systems, there may be technical issues that arise during filing. Any paper reports will not be accepted during the shutdown. In addition, staff will not be available to answer any questions.

The FEC does not have statutory authority to extend any filing deadlines. However, the commission indicated that it will not pursue administrative fines against filers who fail to file on a timely basis, so long as they file within 24 hours of the FEC resuming normal operations. To the extent possible, we recommend that all companies make attempts to file all required reports in a timely manner and document such filings or any technical issues that arise.

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The FEC plans to reopen on the first regular business day after its funding legislation is enacted.

## LDA Filings

This shutdown severely curtails operations of the legislative branch as well as the executive branch. All congressional offices are permitted to exempt those from furlough who perform constitutional duties (for example, legislative functions) or emergencies involving safety and property. This means many of the staff that work for various members in their personal D.C. offices will be protected.

However, the secretary of the Senate and the clerk of the House may be operating with significant reductions in staff. This likely will result in delays for activities that require personnel to manually assist, such as applying for LDA filing credentials and processing certain registration changes.

As of now, these offices have not issued any guidance regarding late filings, but we will continue monitoring, especially as we approach the next quarterly LDA filing deadline on October 20, 2025. Companies should plan on proceeding to file these quarterly reports.

## Federal Gift Rules

As a reminder, federal gift rules continue to apply to furloughed employees. Indeed, the Office of Government Ethics previously issued guidance reminding employees that they need to continue complying with such restrictions. While companies may want to assist federal employees that will not be receiving paychecks, any things of value provided to employees must comply with the federal gift rules, such as those falling under the enumerated exceptions.

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