

Benjamin P. Keane

Partner



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Overview

Ben Keane is a Partner in the Washington, DC and Atlanta, GA offices of Dentons and is co-head of the firm's Political Law, Ethics and Disclosure Team. Ben is a Chambers & Partners nationally-recognized political law attorney that focuses his practice on the representation of elected officials, political candidates, PACs, SuperPACs, political parties, corporations, non-profit organizations and other entities with regard to federal, state and local election law, campaign finance, lobbying, pay-to-play, and ethics matters.

As a key part of his practice, Ben frequently advises corporate clients on compliance matters related to federal, state and local "pay-to-play" laws, and serves as the Editor of the firm's award-winning Pay to Play Law Blog, which is one of the leading online communities for the analysis of legislative, regulatory and legal developments affecting corporations and organizations that interact with, lobby and sell to government. He is also a recurring contributor to the firm's Policy Soapbox Blog, which provides bipartisan insight on public policy issues affecting a wide-range of industries and political stakeholders.

In representing clients across the country, Ben brings significant experience navigating the intersection of law, politics, and public policy. Prior to joining Dentons, he served as a Visiting Legal Fellow in the Center for Legal and Judicial Studies at The Heritage Foundation in Washington, DC. During that time, Ben worked under the direction of former US Attorney General Ed Meese on a range of law and policy issues, established valuable relationships with Members of Congress, congressional staff and public policy organizations, and gained valuable expertise in legislative drafting and the composition of congressional testimony. Having spent several years working in the Research, Communications, and Strategic Planning Departments of the Republican National Committee, he also has great familiarity with various aspects of political campaign work, including policy development, communications strategy, grassroots organization, and fundraising compliance.

Ben's legal experience also extends to representing parties in white collar/government investigation matters and complex commercial litigation disputes. At a previous Am Law 100 law firm, he was a key contributor in a high-profile audit committee investigation of a Fortune 500 company and helped secure a summary judgment victory for a national financial entity in a multi-million dollar defamation action. In addition, Ben previously gained valuable experience working on fraud and criminal investigation matters while serving as a legal intern in the US Attorney's Office for the Eastern District of Virginia.

Ben is a graduate of the University of Virginia School of Law. While at UVA, he was a recipient of the Dillard

Fellowship, which is given to recognize excellence in legal research and writing. Additionally, he served on the managing boards of *The Journal of Law and Politics*, The Federalist Society, and the Student Legal Forum.

Experience

Candidate and Campaign Representations

- Served as Outside Deputy National Campaign Counsel to Newt 2012, the presidential campaign committee of former Speaker of the US House of Representatives, Newt Gingrich.
- Served as outside counsel to Georgia Governor Brian Kemp and Georgia Lt. Governor Geoff Duncan and their 2018 state campaign committees.
- Served as Vice-Chair of the Republican National Lawyers Association's Presidential Ballot Access Initiative, which coordinated and disseminated legal guidance on Republican Party ballot access obligations and procedures to all 2016 presidential candidates.
- Served as outside counsel to the campaign committees of US Senators, Members of the US House of Representatives, and other federal candidates.
- Served as outside counsel to the campaign committees of Governors, statewide officials, state legislators, local officials, and other candidates for state and local office across the US.
- Counseled Members of Congress, federal candidates, and their campaign committees on compliance with campaign finance, election, gift and ethics laws.
- Counseled state and local officials, legislators, and their campaign committees on compliance with applicable campaign finance, election, gift and ethics laws.
- Represented the campaign committees of federal elected officials and candidates in investigative and audit matters conducted by the Federal Election Commission (FEC).
- Represented the campaign committees of state elected officials and candidates in investigative and audit matters conducted by the Georgia Government Transparency and Campaign Finance Commission (GGTCFC) and other state regulatory bodies.

PAC, Super PAC & Party Representations

- During the 2015-2016 election cycle, helped to form and served as counsel to some of the largest and most influential federal independent expenditure-only political committees ("Super PACs") operating to support multiple Republican presidential candidates.
- Counseled both individual and organizational clients with the development, formation and operation of Super PACs engaged in advocacy at the federal, state and local levels.
- Helped to form numerous independent PACs and corporate Separate Segregated Funds (SSFs) at the federal, state and local levels, and counseled such entities on compliance with applicable campaign finance, election, gift and ethics laws.
- Counseled state and local political parties and other related political organizations on compliance with federal, state and local campaign finance, election, gift and ethics laws.
- Represented federal PACs and Super PACs in both investigative and audit matters conducted by the FEC.
- Represented state PACs and independent expenditure committees in both investigative and audit matters conducted by the GGTCFC and other state regulatory bodies.

Corporate Representations

- Counseled financial and investment advisory firms and a range of government contracting clients on the development, implementation and monitoring of compliance systems designed to protect against violations of federal, state and local “pay-to-play” laws.
- Counseled Fortune 500 and other corporate clients on the development, implementation and monitoring of traditional lobbying and procurement lobbying compliance frameworks at the federal, state and local levels.
- Counseled Fortune 500 and other corporate clients on the development, implementation and monitoring of campaign finance, PAC, gift and ethics compliance frameworks at the federal, state and local levels.
- Drafted political law, ethics and lobbying compliance policies for both corporate and governmental clients.
- Conducted in-house political law, ethics and lobbying compliance training seminars for both corporate and governmental clients.
- Advised corporate clients on the political law and government affairs ramifications of mergers, acquisitions, and spin-offs.
- Advised corporate clients on compliance with the demands of the Foreign Agent Registration Act (FARA).
- Served as outside general counsel to former Speaker of the House Newt Gingrich and his private corporate entities.
- Served as outside counsel to several private corporate entities founded by former elected officials, including former Congressman and HHS Secretary Tom Price and former Congressman J.C. Watts.

Non-Profit & Association Representations

- Leading into the 2016 election cycle, helped to form and served as co-counsel to some of the largest and most influential 501(c)(4) social welfare organizations advocating on policy issues of importance to multiple Republican presidential candidates.
- Assisted individual and institutional clients with the development, formation and operation of 501(c)(4) social welfare organizations designed to advocate on a wide range of public policy issues.
- Assisted individual and institutional clients with the development, formation and operation of 501(c)(3) charitable organizations designed to educate the public on a wide range of public policy issues.
- Counseled a wide range of tax-exempt, non-profit organizations and trade associations on the development, implementation and monitoring of political law and lobbying compliance frameworks at the federal, state and local levels.
- Served as outside counsel to a variety of non-profit organizations and charitable foundations established by former elected officials, including the Gingrich Foundation and the Zell Miller Foundation.

Congressional and Executive Branch Investigation Representations

- Successfully counseled and represented corporate and individual clients in a variety of congressional investigation settings before various committees of the Senate and House, including the House Committee on Oversight and Reform, the House Committee on Science, Space & Technology, and the Senate Finance Committee.
- Successfully advised and counseled corporate and individual clients in a variety of federal executive branch investigative settings, including matters involving the US Department of Justice’s enforcement of the Lobbying Disclosure Act (LDA) and FARA.

Ethics Representations

- Successfully represented Members of Congress and congressional staff in ethics matters before the Office of

Congressional Ethics, the US House Committee on Ethics, and the Senate Select Committee on Ethics.

- Served as co-counsel to former Georgia Governor Nathan Deal and his gubernatorial campaign committee, Nathan Deal for Georgia, in the successful defense of eight separate ethics matters filed with the GGTCFC.
- Successfully represented clients before the Georgia State Bar in matters involving complaints alleging the unauthorized practice of law.

Federal Nomination and Confirmation Representations

- Served as nomination and confirmation counsel to a variety of nominees for Senate-confirmed (PAS) executive branch positions, including cabinet secretaries, assistant secretaries, US Ambassadors, independent regulatory agency leaders, and special advisory commission members.
- Served as nomination and confirmation counsel to a number of successful PAS nominees for judicial positions on various U.S. Courts of Appeal and U.S. District Courts.
- Advised and counseled numerous federal political appointees - including high-ranking officials in the Executive Office of the President and individuals seeking to serve as special government employees - on legal, financial and ethical matters associated with their public service and entry/exit from government.

Lobbyist Representations

- Counseled federal, state and local lobbyists, lobbying firms and lobbying principals on compliance with applicable disclosure and reporting requirements, including those set forth in the federal LDA and various state equivalents.
- Successfully provided counsel to registered lobbyists, lobbying firms and lobbying principals in audit investigations conducted by the New York State Joint Commission on Public Ethics (JCOPE), the GGTCFC, and other state regulatory bodies across the US.

Legislative & Governmental Affairs Representations

- Advised corporate and other organizational clients on a wide range of public policy matters, including criminal justice, economic development, education, firearm, gaming, public safety, and transportation issues.
- Advised corporate and other organizational clients on how best to comply with complex statutory and regulatory regimes, including those associated with criminal justice, education, firearm and transportation matters.
- Drafted numerous pieces of introduced and adopted state legislation on a wide range of government affairs and public policy issues, including criminal justice, education, gaming, health care, public safety, telecommunications, and technology matters.
- Drafted or advised on the legal implementation of several comprehensive state constitutional amendments involving matters associated with education, health care and gaming.
- Drafted or advised on the development of regulatory comments for a wide range of interest groups seeking to influence federal, state and local administrative rules and processes.

Recognition

- Ben has been recognized by *Chambers & Partners* as a nationwide “Up and Coming” political law practitioner in both 2019 and 2020, and was previously ranked as a national “Associate to Watch” in political law in 2018.
- Ben has been recognized as a “High-Profile Lawyer Politico” and one of Georgia’s “Most Influential Attorneys” by *James Magazine* in its 2019 and 2020 lists of politically-connected Georgia lawyers.

- Ben is a 2016 Graduate of the Political Leaders Program in the Sorensen Institute for Political Leadership at the University of Virginia. This bipartisan program annually selects 30 to 35 of Virginia's up-and-coming political and community leaders, including lawyers, executives and elected officials.

Insights

- Editor of and contributing author for the award-winning *Pay to Play Law Blog*
- Contributing author for Dentons' Policy Soapbox Blog
- "Georgia Governor Brian Kemp signs expansive new elections bill," Dentons client alert, March 29, 2021
- "FEC increases certain federal contribution limits for 2021-2022," Dentons client alert, February 5, 2021
- "Biden issues new executive order setting ethical commitments for executive branch personnel," Dentons client alert, January 22, 2021
- "Department of Treasury Issues Final Rules Concerning Donor Disclosure for Section 501(c)(4)s and Certain Other Tax-Exempt Organizations," Dentons client alert, June 1, 2020
- "The Current State of Election Postponements and Federal Election Commission Public Disclosure Changes in the Wake of the COVID-19 Pandemic," Dentons client alert, March 31, 2020
- "IRS holds public hearing on donor disclosure requirements," Dentons client alert, February 13, 2020
- "Duo of federal court rulings deal blow to dark money disclosure laws," Dentons client alert, October 17, 2019
- "Ninth Circuit ends prohibition on political robocalls," Dentons client alert, September 19, 2019
- "Grassley introduces bipartisan legislation amending FARA," Dentons client alert, June 18, 2019
- "Georgia Campaign Finance Commission raises limits on state election contributions," Dentons client alert, May 6, 2019
- "With Introduction of H.R. 1, House Democrats Push Significant Campaign Finance, Ethics and Voting Reforms," Dentons client alert, February 19, 2019
- "FEC releases new disclosure guidance in the wake of recent federal court decision," Dentons client alert October 10, 2018
- Co-Author, "Essential Guidelines For Georgia Lobbyists," *James Magazine*, September 2018
- "IRS eliminates donor disclosure obligations for many nonprofit entities," Dentons client alert, July 24, 2018
- "Roadmap for US corporate political engagement in the 2018 midterm elections" Dentons client alert, July 17, 2018
- Co-author, "Georgia campaign finance commission signals intent to be active in 2018 election" *ABA Government Affairs Newsletter*, April 2018
- Co-author, "What all defense contractors should know about new DOD-specific lobbying restrictions," Dentons client alert, March 7, 2018
- "Lobbyists beware: Georgia Campaign Finance Commission levies largest ever fine for lobbying non-compliance in advance of 2018 legislative session," Dentons client alert, January 18, 2018
- "Georgia campaign finance commission signals intent to be active in 2018 election," Dentons client alert, October 10, 2017
- Co-author, "State Vendor and Procurement Lobbying: A Growing Regulatory Focus," *James Magazine*,

September 27, 2016

- Co-author, "California State Treasurer Sets His Sights on Curbing Pay-to-Play in the Municipal Bond Arena," *ABA Government Affairs Newsletter*, September 2016
- "New IRS notification process announced for 501(c)(4) nonprofits," Dentons client alert, July 26, 2016
- "The McDonnell Case: Limitations on public corruption prosecutions and a victory for the social compact of representative government," Dentons client alert, June 30, 2016
- "Sponsoring events during the upcoming Democratic and Republican national conventions," Dentons client alert, May 19, 2016.
- "State disclosure laws suffer a setback," Dentons client alert, April 26, 2016
- "Rule changes affecting the Georgia Government Transparency and Campaign Finance Act," Dentons client alert, January 28, 2016
- "2016 Key Georgia Election and Disclosure Dates," Dentons Client Alert, January 25, 2016.
- "New procurement lobbying, ethics and pay-to-play provisions," Dentons client alert, January 13, 2016
- "Corporate political law compliance for the 2016 election cycle: Candidate appearances on corporate property," Dentons client alert, September 25, 2015
- "Lawful advocacy: Contractor compliance with federal campaign contribution requirements," Dentons client alert, July 15, 2015
- "Inside the Minds: Navigating Election and Political Law," *Thomson Reuters*, 2014
- "Georgia State and Local Government Contracts," *Thompson Reuters*, Contributing Author on Vendor Lobbying Laws, (2012-13 ed.)
- Co-author, "Overcriminalization and the Constitution," The Heritage Foundation, Legal Memorandum, No. 64, April 13, 2011
- Co-author, "Overcriminalization: An Ounce of Prevention is Worth a Pound of Cure," Inside ALEC, February 2011
- "Private Securities Suit 'Reform': Undermining Economic Recovery to Aid and Abet Lawyers," Washington Legal Foundation, Critical Legal Issues: Working Paper Series, No. 172, April 2010

Activities and Affiliations

Community Involvement and Pro Bono

- Federalist Society, Atlanta and Washington DC Lawyers Chapters
- Princeton Club of Washington & Princeton Club of Georgia
- Republican National Lawyers Association, Vice-Chair of GOP Presidential Ballot Access Initiative
- University of Virginia Law School Foundation, Class and Regional Liaison

Presentations

- "Corporate Political Law Compliance During Election Season," Dentons CLE Seminar, October 28, 2020
- "Representing Political Clients: Organizing a PAC, and Other Practical Legal Considerations for Campaigns and Political Organizations," Republican National Lawyers Association: National Election Law Seminar, White

Sulphur Springs, WV, July 11, 2020

- "Tribal and Federal Election Law 101," Federal Bar Association's 21st Annual D.C. Indian Law Conference, Washington DC, October 25, 2019
- "Campaign Finance, Lobbying and Foreign Agent Registration," State Bar of Georgia, Young Lawyers Division Spring Meeting, Washington DC, April 27, 2019
- "Corporate Political and Policy Engagement Dos and Don'ts for the 2018 Midterms," Dentons CLE Seminar, Washington DC, October 17, 2018
- "You Can't Always Get What You Want," Alliance for Charitable Reform Summit for Leaders, Washington DC, April 12, 2016
- "Overcoming State-Level Compliance Concerns," Public Affairs Council: State Government Relations Workshop, Atlanta, GA, November 18, 2015
- "Ballot Access for Presidential Campaigns", Republican National Lawyers Association: National Election Law Seminar, New York, NY, August 14, 2015
- "They Just Voted to ... What?" Understanding the New Georgia Regulations on Campaigns and Lobbying," McKenna Long & Aldridge Political Law Webinar, March 31, 2015
- "Election Law Seminar Presentation," The 14th Congressional District & DeKalb County GOP Candidate Training Conference, Atlanta, GA, May 26, 2012
- "Effective Corporate Political Engagement and Compliance in the 2012 Election Year," McKenna Long & Aldridge LLP, Washington DC, January 2012

Memberships

- State Bar of Georgia, Young Lawyers Division, Ethics & Professionalism and Legislative Affairs Committees
- University of Virginia, National Trial Advocacy College, 2006 Graduate

Areas of focus

Practices

- Political Law, Ethics and Disclosure
- Public Policy and Regulation
- Advocacy and Government Affairs
- Charities and Nonprofit Taxation
- Compliance and Risk Management
- Congressional Investigations (United States)
- Corporate
- Corporate Governance
- Financial Institutions Regulatory
- Litigation and Dispute Resolution
- Public Law

- State Attorneys General (United States)
- Tax
- US Policy
- White Collar and Government Investigations

Industry sectors

- Aviation and Aerospace
- Educational Institutions
- Financial Institutions
- Gaming
- Government
- Government Agencies
- Government Contractors and Grantees
- Infrastructure and PPP
- Life Sciences and Health Care
- National Governments
- Nonprofit Entities
- State, Regional, Provincial, Municipal and Local Government Bodies
- Transportation

Education

- University of Virginia School of Law, 2006, JD
- Princeton University, 2001, BA

Admissions and qualifications

- District of Columbia
- Georgia