

Congress of the United States

House of Representatives

August 30, 2021

Afghanistan Humanitarian Relief Efforts

Dear Colleague:

Several offices have contacted the Committee on House Administration, the House Communications Standards Commission (Commission), and the Committee on Ethics to inquire about the use of official resources to provide information to constituents and/or about the extent to which official resources may be used to help those affected by the issues arising out of the situation in Afghanistan. We want to take this opportunity to provide a review of the applicable rules, regulations, and procedures.

Solicitations

There are many international, federal, state, and local government agencies and departments responsible for providing or coordinating the delivery of U.S. aid and participation in relief efforts. Telephone numbers and other contact information for several of the key agencies, departments, and organizations can be found at the following websites.

U.S. Department of State

<https://www.state.gov/afghanistan-inquiries/>

United States Agency for International Development (USAID)

<https://www.usaid.gov/afghanistan/hart>

Department of Veterans Affairs

<https://blogs.va.gov/VAntage/93577/lets-talk-about-afghanistan-resources-veterans-families/>

All of the above information may be communicated to your constituents via the usual and customary official communication tools, including the congressional frank, subject to applicable statutes and House rules and regulations. In addition, a Member may post on an official website, channel, or page (including official Twitter or Facebook pages) a directory of and/or links to third-party organizations that are germane to the official content of the Member's official postings. However, referrals to organizations or links to sites whose primary purpose is the solicitation of goods, funds, or services on behalf of individuals or organizations are ***not*** permitted under the rules of the House.

In addition, Members have asked to what extent they may use their official resources to solicit or collect donations of goods, funds, or services on behalf of charities and other private organizations involved in relief efforts. We understand the good intentions of those making such inquiries, but the rules of the House preclude Members from using official resources for any purpose other than in support of the conduct of the Member's official and representational duties on behalf of the district which the Member represents. This has been interpreted in the past to mean that charitable solicitations using official resources are not permitted.

However, it would be permissible for Members to link to official *government* websites that give details about the delivery of relief aid, including information about how Members' constituents may provide aid or assistance during a crisis. With respect to the emergency in Afghanistan, it would be permissible to provide links to any of the government websites noted above. It is permissible to notify constituents about the existence of these websites, provided franking regulations are followed. Members may also post on official websites and social media accounts.

Official resources may not be used to solicit contributions for charitable organizations or to imply that such organizations or purposes have been endorsed by the House of Representatives. However, Members and staff may solicit in their personal capacities on behalf of organizations that are qualified under § 170(c) of the Internal Revenue Code, including, for example, § 501(c)(3) charitable organizations such as the American Red Cross. These personal efforts do not require Ethics Committee approval, but they may not use official resources (including staff on official time; House telephones, office equipment, or supplies; and official mailing lists). Other restrictions also apply.

Members who wish to solicit on behalf of an organization not recognized under IRC § 170(c) must seek approval from the Committee on Ethics, which considers and decides on solicitation requests on behalf of non-qualified entities on a case-by-case basis. For example, solicitations of donations directly to specific individuals, as opposed to § 501(c)(3) charities, would need prior Ethics Committee approval. Members may use the [“Solicitation Waiver Request” form](#) to request permission to assist with solicitations for individuals and organizations not recognized under IRC § 170(c), which is on the Committee on Ethics' website at <https://ethics.house.gov>. Please note the Committee will not approve requests for fundraising activities that provide a direct personal or financial benefit to the requestor or the requestor's immediate family.

We hope this information is helpful to inform your constituency of our nation's response and the aid and resources supporting the relief efforts.

For questions regarding:

- official resources in general, please contact the Committee on House Administration at [\(202\) 225-2061](tel:(202)225-2061) (majority) or [\(202\) 225-8281](tel:(202)225-8281) (minority)

- official communications, please contact the Commission at [\(202\) 225-9337](tel:(202)225-9337) (majority) or [\(202\) 226-0647](tel:(202)226-0647) (minority)
- personal or campaign resources and solicitations, please contact the Committee on Ethics at [\(202\) 225-7103](tel:(202)225-7103).

Sincerely,

Chairperson Zoe Lofgren
Committee on House Administration

Ranking Member Rodney Davis
Committee on House Administration

Chairman Ted Deutch
Committee on Ethics

Ranking Member Jackie Walorski
Committee on Ethics