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ONE HUNDRED EIGHTEENTH CONGRESS

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MEMORANDUM FOR ALL MEMBERS, OFFICERS, AND EMPLOYEES

FROM: Committee on Ethics
Michael Guest, Chairman
Susan Wild, Ranking Member

SUBJECT: Campaign Activity Guidance

We would like to remind the community of the rules and standards that affect whether, how, when, and where Members, officers, and employees of the House may engage in campaign activities. Those standards include House Rules; rules promulgated by the Committee on House Administration, the Communications Standards Commission, and the Building Commission; federal statutes; and federal regulations. This pink sheet does not announce any new standards or interpretations of existing standards,¹ but instead reviews key issues related to campaign activity and commonly encountered questions.

This document is organized into three parts:

1. A list of [“Top Ten Things to Remember about Campaign Activity,”](#) which contains ten important reminders governing House Members, officers, and employees’ participation in campaign activities. The Committee on Ethics (“Committee”) encourages congressional offices to post the “Top Ten Things to Remember about Campaign Activity” in common areas as a reminder of the rules, and to disseminate this information to staff widely.
2. A [more in-depth discussion, in question-and-answer format](#), tied to each of the ten reminders.
3. Finally, a [list of additional Committee resources and contact information for other relevant offices](#).

¹ Although the pink sheet does not announce new guidance, it does memorialize the Committee’s guidance that campaign use of any portion of an interview means that the official office may not use any part of it.

Although this document contains a lot of information, it is not comprehensive, and it does not address every situation House Members, officers, and employees face when engaging in campaign activities. Members may also wish to share this pink sheet with their campaign staff. The Committee is always happy to schedule office briefings as well.

Remember, the answer to any ethics question will always depend on the specific facts and circumstances, which is why the list contains an important reminder: **Consult with the Committee if you have questions about participation in campaign activities.**

Top Ten Things to Remember about Campaign Activity

1. You may not conduct campaign activities in official buildings or using official resources. This restriction applies to campaign activity at all levels and is not limited to fundraising activities.
2. Principal campaign committee funds may be used for official purposes in some circumstances. Members may not, however, use campaign resources for certain official purposes—communications, salary for performing official duties, office space, office furniture, office equipment, or related information technology services (excluding handheld communications devices). Leadership PAC funds may not be used to offset any official expenses.
3. Members, as well as their communications and press staffers, may answer some campaign-related inquiries in the official office so long as it is not the primary purpose of an interview or inquiry.
4. In many cases, House officers and employees may volunteer for or be paid by a political campaign.
5. House officers and staff who are paid at the “senior staff rate” by the House for their official duties may be paid for campaign work. Senior staffers are subject to a limit on both the type of work and amount of money they may be paid by the campaign and must report their campaign income on their annual financial disclosure statement.
6. A federal statute prohibits House officers and employees from contributing to their employing Member’s campaign. This includes making “outlays,” or payments for goods and services that will be reimbursed by the campaign. However, there is a limited exception for your own campaign-related travel expenses.
7. Although the general rule is complete separation between official and campaign resources, there are a few, very limited, and very specific exceptions that permit the use of official resources for campaign purposes.
8. The staff in charge of the official schedule is permitted to use official resources for limited communication and coordination with the Member’s campaign on the Member’s official and campaign activities. However, there are specific rules for how and what you may coordinate for your employing Member’s schedule.
9. The campaign may only use material created with official resources after its official use has been exhausted. For help with exhaustion, see the [Exhaustion Decision Tree](#).
10. Consult with the Committee on Ethics if you have questions about participation in campaign activities by calling (202) 225-7103.

USE OF OFFICIAL RESOURCES

1. You may not conduct campaign activities in official buildings, using official resources, or on official time.

Q. Do these rules apply to my participation in any federal, state, or local campaign?

A. The rules for campaign activity apply to **all** campaign activity, whether for a local, state, or federal office. The rules are the same for Members, officers, and employees, with some limited exceptions.

TIP: Remember that while you are an employee of the House, you are subject to all House rules and legal authorities concerning your involvement in **any** political campaign.

Q. How do I determine what is “campaign activity,” as opposed to official activity?

A. Members are best positioned to determine whether an activity is campaign or official in nature. In making this determination, Members may consider the purpose of the activity, who is hosting the activity (if not the Member), and the subject matter. Once an event is designated as campaign or official, only the appropriate resources may be used for that event. You may not combine funds for an activity unless you are specifically permitted to use campaign funds for an official activity (see number 4, below).

TIP: A “best practice” is to designate an event as either campaign or official at the beginning stages so that everyone knows what resources may be used to plan and/or staff an event. Note that if a Member intends to conduct campaign activity at the event, including campaign fundraising, or intends to use any media footage or other content generated by the event for campaign purposes, the event should be clearly designated as a campaign event.

Q. What do you mean by official buildings?

A. Official buildings (also called official office spaces) encompass House office buildings, including Members’ personal offices, and all other House facilities; district office space; any Senate office building; the Capitol; the Library of Congress, and any other federal building.

TIP: If you need to send an email or make a phone call to the campaign on your own time using your own device or a device paid for by the campaign, you may do so from campaign headquarters, at home, at a political party office, from a Member’s home, or any other non-official location (for example, the coffee shop down the street from your office).

Q. What is an official resource?

A. An official resource is anything paid for with official funds appropriated to a personal office, a committee, or other office. Official resources include tangible things like computers, printers, letterhead, desks, and telephones. Official resources can also be

services paid for with official funds and work product created for a congressional office, such as a constituent database, social media platform, policy memo, or press release. While on the official payroll or doing official work, officers and employees are also considered to be an official resource (see below for further guidance concerning when your time may be considered your own). Finally, both paid and unpaid interns and fellows are an official resource while they are performing official tasks for a congressional office.

TIP: Although not required, a “best practice” is to use different vendors for campaign and official services so that staff may easily determine whether a particular vendor or service is considered an official resource or a campaign resource. Although the campaign may use certain official resources in some limited instances (see number 9, below), work product, such as a constituent database, is always considered an official resource and may not be used by the campaign.

Q. If my time can be considered an official House resource, do I have my own time?

A. Yes. What constitutes a staff member’s “own time” is determined by the personnel policies that are in place in the employing office. Time that is available to a staff member under those policies to engage in personal or other outside activities may instead be used to do campaign work, if the individual so chooses. This free time may include, for example, a lunch period, time after the end of the business day, and annual leave. Please note, this does not include the use of sick time. Additionally, under no circumstances may staff be required to work on a campaign as a condition of their House employment.

TIP: If you work for the House and for a campaign, keep a log of when you participate in campaign activities on your own time (e.g., nights, weekends, annual leave). This way, if you are ever challenged about whether you did campaign work on House time, you have a document ready to show that you did not.

Q. When I am not on House time, do I have to tell my employing Member what I am doing or for which campaign I plan to work?

A. There is no specific ethics rule that requires you to inform your employing Member about what you do on your own time, campaign or otherwise. However, your employing office may have a more restrictive policy. Further, the Committee strongly recommends that you keep the lines of communication concerning your outside activities open with your employing Member. Keep in mind that your outside activities could create an actual or perceived conflict of interest for your office, so you should consult with your supervisor and the Committee before engaging in outside activity. Specific to campaign activity, it is important for your employing Member to know for whom you intend to work so they may anticipate potential issues.

TIP: Before you engage in any outside activity, have a discussion with your supervisor about how your outside activities might impact your official duties and the official office.

2. Although the general rule is complete separation between official and campaign resources, there are a *few, very limited, and very specific* exceptions that permit the use of official resources for campaign purposes.

Q. I am a scheduler for a very busy Member of Congress. May I use my official phone, email address, and time while on the official clock to coordinate my Member's official *and* campaign schedules?

A. Yes, as the staff member in charge of maintaining the official schedule, you may use any House resource necessary to coordinate with the campaign. The purpose of this exception is to ensure that your employing Member is not scheduled to be in two places at once. However, there are specific rules for how and what you coordinate for your employing Member's schedule (see number 8, below, or consult with the Committee). For example, although the congressional office and the campaign office may communicate about the schedule, the official office and the campaign may not coordinate on strategy for scheduling, social media posts, or any other business. Staff who serve both the official and campaign offices should review the section titled "campaign or political activity by House officers and employees" below.

TIP: For those offices that have a staff member in charge of scheduling both in Washington, D.C., and in the district, designating one person as the main point of contact for the campaign may help avoid potential miscommunications.

Q. May Members, press secretaries, communications directors, or other official staff talk about campaign activities as part of an official interview?

A. Yes, though it should not be the primary purpose of the interview. A Member, the press secretary, or other staff in the congressional office may answer occasional questions on political matters and may also respond to such questions that are merely incidental to an interview focused on the Member's official activities. However, while in the congressional office, a Member, press secretary, or other staff should not give an interview that is substantially devoted to the campaign, or initiate any communication, such as a press call or email, that is campaign-related. A Member or staff who wishes to do either of those things should do so outside of the congressional office and on their own time.

TIP: Before a Member appears for a campaign-related medial appearance, review the Committee's [2020 Guidance on Campaign-related Media Appearances on Congressional Grounds](#).

Q. Are there specific interview topics to avoid if an interview is held on congressional grounds?

A. Yes, as mentioned above, an interview on congressional grounds may not be substantially devoted to the campaign. Although an official interview could include one or two campaign-related questions, a Member or staffer giving an interview on congressional grounds may not provide information about where to make a campaign

contribution because that would be soliciting campaign donations in a federal building, discussed in more detail below.

TIP: Even if an interview is **not** on federal grounds and a Member or official staffer provides information on where to donate to the campaign, the interview is automatically considered a campaign resource and may not be used by the official side at all.

Q. What do I do if people contact the congressional office about campaign activities?

A. The congressional office may refer to the campaign office letters and other communications and inquiries that it receives concerning the campaign. Likewise, the campaign office may refer to the congressional office any officially-related matters that it receives. A “best practice” is to use the least amount of official resources to get the person contacting your office for a campaign purpose where they need to go. For example, if the campaign-related communication is conducted orally (e.g., a phone call or walk-in), you may in that phone call or during that conversation provide the campaign’s phone number or email address. For letters received in the official office, you may forward the communication to the campaign using campaign-provided envelopes and postage and let the campaign respond. For emails, forward the email to the campaign’s email address. You may respond to the original inquiry to let that person know you may not answer political questions, but that you have forwarded the communication to the campaign for their response.

Q. Because we get so many campaign inquiries through the congressional office, may we just include a link to the campaign in our communications, on our website, on social/new media, and other official sites? What about the reverse—may the campaign post a link to official sites?

A. You may not provide campaign contact information except as discussed above. You may not include a link to the campaign in congressional communications, on official websites, or on official social media. The campaign, however, may redirect constituents who contact the campaign for an official purpose to the official sites only in specific instances, and only using approved language. For more information about when and how the campaign may redirect constituents, please review the Committee’s July 30, 2024, Advisory, titled “Rules Regarding Providing a Hyperlink from Campaign Websites to Official Websites,” which is available on the [Committee’s website](#).

TIP: Ensure that campaign staff know exactly how and when the campaign may link from a campaign site to an official site by providing the Committee’s advisory to campaign staff.

Q. May I use my personal phone to post to a campaign’s social media page while inside a House building or the Capitol?

A. No, even if you are using a personal device, you may not engage in any campaign-related activities while in official buildings.

Q. What do I do with an unsolicited campaign contribution that someone brings to the office or to an official event?

A. You must either return the contribution to the donor or forward checks to the campaign. If you mail the contribution to the campaign, federal law requires that you send the contribution within seven days. Moreover, you may **never** accept a campaign contribution that is accompanied by a request or a “thank you” for taking official action. Finally, a federal statute prohibits Members from personally receiving even unsolicited campaign contributions in their office or at an official event, with a very limited exception for Member-to-Member contributions, discussed below.

TIP: Designate one person in the office to log all unsolicited contributions and how the office disposed of them—by sending it back to the donor or by forwarding it to the campaign. The log should include dates to ensure offices can demonstrate sending the donation to the campaign within seven days, if that is the chosen remedy.

Q. May Members, officers, or employees solicit for campaign contributions in official buildings?

A. Generally, no. House officers and employees are absolutely barred by federal statute, subject to a criminal penalty, from soliciting campaign contributions in official buildings. However, Members may solicit **other Members only** for campaign contributions, but may **never** solicit other Members on the House Floor, or in any of the rooms immediately adjacent to the House Floor.

Q. May an email from the campaign include any official information?

A. Yes, a campaign email may include information about the Member’s voting record (i.e., past official action). However, it may not include any contact information or insignia of the official office. The impermissible information in the example below is circled in red.



Q. If the campaign asks, may I give them official materials like issue statements or other things that are available on our official sites?

A. Yes, you may provide **one** copy of any **public** document the campaign requests. You may also respond to an electronic request from the campaign by providing a link to or attach a public document, so long as you would do the same for any other constituent. You may not use official resources to create material specifically to provide a copy to the campaign. The campaign may use the substance in these documents to create its own material. You may not provide the campaign with internal or confidential materials.

TIP: Treat the campaign as if it were a constituent. If you would not provide material to a constituent because it is confidential or internal, you may not provide it to the campaign.

USE OF CAMPAIGN RESOURCES

3. Principal campaign committee funds may be used for official purposes in certain circumstances.

Q. What campaign funds may be used for official purposes?

A. Where permitted, Members may use funds from their principal campaign committee for their House position for an official purpose, including activities for House committees.

TIP: Occasionally Members wish to supply food or refreshments for a caucus or other official meeting. This may be paid for only with principal campaign funds or the Members' personal funds. If the Member would like to use official funds, the Member should seek guidance from the Committee on House Administration.

Q. May a Member use funds from leadership PAC, multicandidate committee, or other campaign entity that is not a principal campaign committee for any of the permissible expenses?

A. No. The allowance only applies to principal campaign committee funds. Questions about the use of other types of campaign funds for non-official purposes should be directed to the Federal Election Commission (FEC).

Q. May the campaign pay for a smartphone or tablet that I use for both official and campaign purposes?

A. Yes. Members may use principal campaign committee funds for a smartphone or tablet for themselves and their staff to be used for both official and campaign purposes. However, use of a smartphone or tablet for either purpose must be done in the appropriate place, at the appropriate time, and using the appropriate resources. House Information Resources may also have additional restrictions. As discussed more fully in number 4, this provision does not extend to laptop or desktop computers.

TIP: You may wish to designate a regular time outside of official time when you will not be in an official building to check campaign email and voice mail.

Q. May a Member use principal campaign committee funds for a car that they use for both campaign and official purposes?

A. Yes. Members may use principal campaign committee funds to pay for a leased car that is used for transportation to and from both campaign and official activities.

TIP: Remember, though the car may be used for both campaign and official activities, the role of the individual who drives must be consistent with the type of activity. Campaign staff may drive the Member to a campaign event in the dual-use car but may not drive the Member to an official event in the dual-use car. The same is true for official staff – yes to an official event, no to a campaign event (unless they are volunteering on their own time). Please note, the Committee on House Administration (CHA) issues regulations and guidance regarding mileage reimbursements from the Members' Representational Allowance (MRA). Please contact CHA for questions regarding the appropriate use of the MRA. See number 7 below for guidance on driving someone other than yourself for the campaign.

Q. May a Member use principal campaign committee funds to pay for refreshments at their official town hall meeting? What about for a social event for official staff?

A. Yes. Members may use principal campaign committee funds to pay for expenses related to an official constituent event including, but not limited to, providing refreshments. If you want to use these funds for expenses related to events for official staff, such as a holiday party, you should seek guidance from the FEC. Remember, however, that there are certain categories for which use of campaign funds is expressly prohibited. (See Top Ten Things to Remember.)

TIP: Generally, you should only use principal campaign committee funds for an official event where at least one constituent is in attendance. If you would like to use principal campaign committee funds for other events, please contact the congressional liaisons at the FEC.

Q. May a Member use principal campaign committee funds to pay for travel expenses for a speaker to appear at a hearing?

A. Yes. Members may use principal campaign committee funds to pay for a speaker to travel to an event the Member or Member's committee is sponsoring.

TIP: The class of travel (e.g., coach, business, etc.) paid for with principal campaign committee funds for this purpose is not limited by House Rules. However, you should check with the FEC to see if it limits the type of travel a Member may provide to a speaker using their principal campaign committee funds.

Q. May a Member use principal campaign committee funds to pay for official travel? What about officially-connected travel?

A. Yes. Members may use principal campaign committee funds to pay for travel for themselves and their staff, so long as the travel is either official or officially-connected.

TIP: The class of travel paid for with principal campaign committee funds for this purpose is not limited by House Rules. However, you should check with the FEC to see if it limits the type of travel a Member may pay for when the travel is for the Member or the Member's staff.

Q. May my employing Member purchase gifts using principal campaign committee funds from the House gift shop for foreign dignitaries they will be meeting next week?

A. Yes. Members may use principal campaign committee funds for gifts intended to be given to foreign dignitaries, regardless of where purchased.

TIP: Find out what items your employing Member likes to give to foreign dignitaries and use a campaign credit card to purchase several of the same items for the Member's various encounters with foreign dignitaries over the year.

Q. May a Member use principal campaign committee funds to pay for personal expenses?

A. No. Members may **never** use principal campaign committee funds for personal expenses. Personal expenses generally arise due to activities that are unrelated to a Member being a federal candidate or officeholder, whereas official expenses often arise **solely** as a result of a Member being an officeholder. Additionally, House Rules require Members to take steps and keep sufficient records to ensure that the legitimacy of their campaign spending can be verified.

TIP: If you are unsure whether an expense is personal in nature, consult with the Committee and the FEC for additional guidance.

4. Members may not use campaign resources for certain official purposes—communications, salary for performing official duties, office space, office furniture, office equipment, or related information technology services (excluding handheld communications devices).

Q. May we use campaign funds to send out an official newsletter?

A. No, you **may not** use campaign funds to pay for **any** official communication, regardless of the medium. This prohibition is very broad, and encompasses everything from a relatively straightforward communication, like a letter, to items that you might not think of as a communication, such as a coin with the Member's name and district on it. The same prohibition applies equally to traditional and social/new media. As an example, the campaign may not use any method to promote or advertise a Member's official event.

TIP: Because “communication” is interpreted very broadly, if there are words on something paid for by the campaign, it likely may not be used for an official purpose.

Q. May we use campaign funds to pay for an additional staff person or to pay for an intern’s services in the congressional office?

A. No, you may not use campaign funds to pay for official staff salary, whether the staff would otherwise be paid or unpaid.

TIP: Ensure that anyone paid by the campaign does not perform official work while they are on “campaign time.”

Q. May we use campaign funds to pay for a satellite office or a mobile district office?

A. No, you may not use campaign funds to pay for any type of office space for an official purpose, regardless of the size or type.

TIP: Plan ahead so that you use your official funds in the most efficient manner to maximize office space.

TIP: Seek out government owned meeting space (such as a City Hall) for satellite office hours to manage expenses.

Q. May we use campaign funds to purchase chairs or computers for our office?

A. No, you may not use campaign funds to pay for any furniture or office equipment (except a smartphone or tablet), regardless of type (chairs, desks, printers, etc.).

TIP: Make an inventory of official furniture and office equipment at the beginning of every Congress and plan your workspaces accordingly.

Q. May we use campaign funds to pay for official database management services or a mailing list?

A. No, you may not use campaign funds to pay for any services for an official purpose, nor for expenses related to official mail or communications.

TIP: To avoid confusion, you may wish to use different vendors for official and campaign services.

Q. May a Member purchase challenge coins with principal campaign funds?

A. If the Member wants to purchase challenge coins for **official use** and the coin will have the Member’s name or any personally identifying mark (e.g., the office logo, a military rank, or personal slogan), you may not use campaign funds to pay for the coins because campaign funds may not be used for an official communication. If the coins will not include the Members’s official name or identifying mark, such as a coin that only displays the House seal purchased from the House gift shop, then you may use campaign funds to purchase the coins. Any person who wishes to make a purchase from the gift shop using

campaign funds should contact the House Gift shop to ensure the shop will accept those funds.

TIP: If the Member wants to purchase challenge coins for **campaign use**, you may use principal campaign funds to pay for challenge coins that have the campaign's identifying marks, such as a campaign seal or slogan, imprinted on them. The coins may not contain the words "House of Representatives," "United States Congress," or "congressional," unless clearly in the context describing the office for which the Member is running. Further, the coins may not include any likeness of any official seal, including the Seal of the United States, or the Seal of the House or the Congress. A coin that displays the House seal purchased from the House gift shop may not be used by the Member's campaign. You can find additional guidance on challenge coins from the Committee on House Administration in [the Members' Congressional Handbook](#). The Member's office should also contact the FEC about campaign challenge coins to confirm the proposal meets all campaign laws.

CAMPAIGN OR POLITICAL ACTIVITY BY HOUSE OFFICERS AND EMPLOYEES

5. In many cases, officers and employees may volunteer for or be paid by a political campaign.

Q. I feel like I have to work on the campaign, or I will lose my House job. Can I be forced to work on the campaign?

A. **Absolutely not.** If you wish to work for your employing Member's campaign, you certainly may do so as long as you do it voluntarily, without using official resources, not on official grounds, and on your own time (item 1 in this list has more information about what is "your own time"). Work on your employing Member's campaign may not be coercive. **Your position in the congressional office may not be threatened or influenced if you choose not to work on any campaign.** If you feel pressured to do campaign work to keep or improve your congressional employment, you should immediately address the matter with a supervisor or contact the Committee. The Committee takes allegations of coerced campaign work very seriously and the House has disciplined Members for such actions.

TIP: Especially if you are in a supervisory position, emphasize for staff that campaign activity is entirely separate from their official work. Discussions between supervisory and subordinate staff may be interpreted as directives because of the nature of the supervisor/subordinate relationship. As a result, supervisors should be clear when communicating with staff about opportunities to volunteer for the employing Member's campaign (or any other campaign) that official work and positions will not be impacted by an employee's decision about volunteering or working for a political campaign.

Q. May my employing Member prohibit me from working on a campaign?

A. Although a Member may not fire or refuse to hire an employee on the basis of race, color, religion, sex (including marital or parental status), sexual orientation, gender identity, disability, age, or national origin, Members may take domicile, political affiliation, and political compatibility with the employing office into consideration when making employment decisions for their campaign.

Q. May I be paid by the campaign?

A. Yes, if offered, you may accept compensation for working on a campaign. However, your pay must be commensurate with the work you are doing for the campaign and may not be over-inflated to make up for the salary your employing Member wishes they could give you in the congressional office. In addition, if you are paid at the senior staff rate, there may be restrictions on the kind of work you may do and the amount of income you may accept from the campaign (see number 6, below).

TIP: If you are paid by the campaign, ask how much other people who have had the same position were compensated to ensure your compensation falls within a reasonable range for the work you do.

TIP: If you will have any contact with a federal government entity as part of your work for a campaign, you should first consult with the Committee.

Q. I am considering running for office myself. Is that permissible?

A. Yes, you may run for state or local office. However, a staffer considering running for or serving in a state or local office should first consult their employing Member on the matter and should refrain from doing so if the Member objects. Further, if your employing Member is leaving office and you decide to run for their seat, you must terminate your current employment before you commence campaigning for election to your employing Member's seat.

TIP: Before you decide whether you want to run for office, you should tell your employing Member, and you should consult with the Committee.

Q. I ran for state or local office and won. May I both hold my new elected position and continue to serve as a House employee?

A. Although it may be possible, you are strongly encouraged to contact the Committee for further guidance before beginning service in the elected position. There may be limits on the work you do in your new elected position, and there may be limits on your ability to be compensated for that office. The Committee also encourages you to discuss your new elected position with your employing Member to ensure that your new duties will not conflict with your duties for your House position. Whenever possible, the Committee encourages you to seek guidance before running for state or local elected office. Also, please keep in mind that the other elected body may be subject to its own laws, rules, or other standards of conduct that may affect whether and how you may serve in both roles.

6. House officers and staff who are paid at the “senior staff rate” by the House for their official duties may be paid for campaign work, but are subject to a limit on the amount of money they may be paid by the campaign, and must report their campaign income on their annual financial disclosure.

Q. I am paid at the senior staff rate. What additional restrictions apply to my campaign pay?

A. House officers and employees who are paid at the senior staff rate for 60 days or more in a calendar year must file an annual financial disclosure statement. For 2024, the senior staff rate is \$147,649, or a monthly salary at or above \$12,304. An officer or employee who is paid by a campaign and files a financial disclosure statement must report their income from the campaign on their statement. In addition, House officers and employees who are paid at the senior staff rate for more than 90 days in a calendar year are subject to a limit on the amount of outside earned income they may receive in a calendar year and the types of work for which they may be paid. For 2024, the annual outside earned income limit is \$31,815. In addition, senior staff may not be paid to perform work that involves a fiduciary duty. For example, a House employee paid at the senior staff rate for more than 90 days in a calendar year could not be paid to act as a campaign’s legal counsel, although they could volunteer to do that work without compensation.

7. As a general rule, House officers and employees may not contribute to their employing Member’s campaign. This includes making “outlays,” or payments for goods and services that will be reimbursed by the campaign. However, there is a limited exception for your own travel expenses for campaign activity.

Q. I want to support my employing Member. May I contribute to their campaign?

A. No. Federal law prohibits you from making any contribution or outlay, whether monetary or in-kind, to your employing Member. Purchasing tickets for a fundraiser for your Member’s campaign or hosting a fundraiser for your employing Member in your home are prohibited by this law. This prohibition extends to any outlay, regardless of whether or not the outlay will be reimbursed.

TIP: If an individual with whom you share an account – such as your spouse – expresses interest in contributing to your employing Member, ensure that they make the contribution using their own individual funds. Please recognize that some assets may not be separable, such as your personal residence. Please contact the FEC for further guidance regarding shared assets.

TIP: Review the Committee’s Pink Sheet “[Reminder: Prohibition Concerning Campaign Contributions and Outlays](#)” for an in-depth review.

Q. You said in the previous answer that I may not make an outlay to my employing Member. What is an outlay?

A. An outlay is using your own funds to pay for something for the campaign, and the campaign reimburses you for your expenses (for example, buying pizza for the campaign office or gas for the Member's car). This also extends to making in-kind or non-monetary contributions. Goods or services offered for free or at less than the usual charge result in an in-kind contribution.

The prohibition on making campaign contributions to your employing Member's campaign applies to outlays as well. However, you are permitted to make an outlay to your employing Member's campaign for your **own** campaign travel so long as the campaign reimburses you for your travel expenses within the appropriate timeframe, as specified by the FEC. If you wish to drive your employing Member to and from campaign events in your personal vehicle, please contact the FEC congressional liaison office at (202) 694-1006 prior to providing such transportation.

TIP: If you intend to work for your employing Member's campaign, ask for a campaign-issued credit card to avoid even the possibility of making an outlay to your employing Member.

Q. As a House employee, may I solicit campaign contributions for my employing Member?

A. Yes. Although your ability to solicit campaign contributions for your employing Member may be limited by federal or state law, you are generally permitted to solicit campaign contributions for your employing Member from your friends and family, as examples.

Q. May the campaign solicit donations from federal employees? What about from the Member's staff?

A. No. A federal campaign may not knowingly solicit for donations from any federal employee, including the Member's own staff.

TIP: Before the campaign sends out a solicitation, it should, at a minimum, ensure that the Member's own staff are not on the list.

8. The staff in charge of maintaining the official schedule is permitted to use official resources for limited communication and coordination with the Member's campaign on the Member's schedule, subject to specific rules on how and what you may coordinate.

Q. What may the staff in charge of maintaining the official schedule share with the campaign?

A. Those who maintain the official schedule may share information about the Member's availability and may share publicly-available details of the Member's official activities, e.g., the Member hosting a town hall event, when Congress is in session, or when

Committee hearings or mark-ups will take place. Staff may also use official resources to inform the staff point of contact for the campaign event if there is a schedule change. However, **staff may not use official resources to actually schedule campaign events.** The staff may not confirm attendance at campaign events or schedule travel or other logistics for a Member's attendance at a campaign event.

TIP: Treat the campaign like any other constituent. If you would not share the details of the activity with a constituent, then you should not share that information with the campaign. To avoid miscommunications, maintain one point of contact for the official schedule and one point of contact for the campaign schedule. Forward all campaign-related scheduling requests to the campaign point of contact. Consider logging all referrals to document compliance with this requirement.

Q. May the staff in charge of maintaining the official schedule maintain a “master calendar” for the Member?

A. Yes, the staff in charge of the official calendar may maintain a master calendar for the Member, with details of both official and campaign related activities. The Member may determine that they would like other House staff to have access to the master calendar, and those staff may access the top-line details about the campaign events on the master calendar. Those top-line details are (1) date, (2) time, (3) location, (4) subject line, and (5) staff point of contact. Official staff who are not in charge of the official calendar may not access additional details about campaign events (for example, donor information, talking points, invitees, etc.) from their House accounts. The same restriction applies for campaign staff and the details of official events.

TIP: Depending on the calendar program you use, consider managing the levels of user permissions to ensure that congressional staff only receive the information they should receive regarding particular events from the appropriate calendar. The official and campaign staff may not share a calendar between them; each office must maintain their own calendar.

Q. If I serve as the scheduler in a Member's congressional office, may I also be the scheduler for my employing Member's campaign?

A. Yes. If you choose to work for your employing Member's campaign, whether in a voluntary or paid capacity, you may also serve as the scheduler for your employing Member's campaign. You are required to maintain the same separation of calendars as described above and are prohibited from engaging in campaign scheduling in official House office space, using official resources, or on House time.

TIP: If your employing Member has provided you a smartphone, tablet, or other handheld communications device for you to use for official and campaign activity, leave the House premises to schedule campaign activities for your employing Member using that device on your own time.

This will help to ensure that you are not engaging in campaign activity while you are in official House office space or on House time.

9. The campaign may only use material created with official resources, if at all, after its official use has been exhausted.

Q. When has something's official use been "exhausted?" Once something is in the public domain, is its official use exhausted?

A. Generally, an item's official use has been exhausted when the official material has been released or the office would provide the material to the media or public, **and** the congressional office is no longer using it. The standard **is not** whether something is in the public domain. For example, the fact that a news outlet posted an interview with the Member does not mean that both the official side and the campaign side may use the interview. Depending on the subject matter, relevance, and where the materials appear, each official product may exhaust its official use at different times. The standard applies to all types of media, including, but not limited to, documents, recordings, and social/new media posts. The key in each case is that the item in question must no longer appear anywhere on an official site or be used for an official purpose. One exception is official press releases (see Q&A, below).

TIP: Consider cataloging the life cycle and location of all materials prepared for a congressional office so you may track when an item is internal/confidential, when it is being used for an official purpose, and when its official use has been exhausted. Keep in mind, however, that once something is used as a campaign resource after it has exhausted its official use, **it may never go back to being an official resource**. Accordingly, you should make decisions concerning exhaustion of an official resource with caution.

TIP: This memo includes an [exhaustion decision tree](#) at page 24 to assist you with determining whether a resource has been exhausted.

Q. If I previously created a memo for the Member and now that memo has relevance for a campaign event, may I share that previously created memo if I don't do anything to update it?

A. The memo may be shared with the campaign if you would share it with anyone else who asks. Unless the Member has absolutely no plans to ever use it again, the memo's official use has not been exhausted. The official office may not solely provide a list of background materials for the campaign office to use. The campaign must conduct its own research.

Q. May the congressional office draft a document and immediately exhaust its official use so the campaign can use it?

A. No. Official resources may only be used for official purposes. Congressional staff may not create something and immediately exhaust its official use simply to provide source

material for the campaign. Doing so could be interpreted as using official resources to prepare a campaign document, which is a prohibited use of official resources.

TIP: Remind staff that they may only use official resources for official purposes. The campaign's need for content is not an appropriate official purpose for which congressional offices may use official resources, including staff time to create official materials.

Q. May the campaign use confidential official materials or information?


A. The campaign may be able to use official materials or information that were once but are no longer confidential, so long as their use is consistent with ethics rules, including exhaustion. However, the campaign may not be the first source to disclose previously confidential official materials. For example, if a Member plans to vote on a bill, but the official office has not released any information to the public about how the Member will vote, the campaign may not send out a press release regarding how the Member plans to vote.

Q. When does an official press release exhaust its official use?

A. Generally, an official press release has exhausted its official use 72 hours after its release. If the press release announces an event, the press release exhausts its official use after the event occurs, or 72 hours after the press release is issued, whichever is later. Once a press release has exhausted its official use, the campaign may use it word-for-word, but must remove any official indicia (e.g., logo/letterhead) or contact information from the press release and the Member may only be referred to using their personal title, not their official title. The congressional office and campaign may simultaneously release their own press releases where appropriate, but the congressional office must use its own resources and intellectual property to create the official press release. The campaign must similarly use its own resources and intellectual property to create the campaign press release. This might occur if both sides would like to respond to an important issue on social media, but the campaign and official offices may not coordinate on the issuance of press releases. Unlike other official materials, a press release may remain on the official website after it has exhausted its official use for purposes of this rule. An example of permissible official and campaign press releases is on the following page.


TIP: If the official office has a listserv or other similar distribution list that is open to the public, the campaign may sign up for that list as any other member of the public.

**Congressional
Press
Release**



**CONGRESSWOMAN
CECILIA CEDAR**

PRESS RELEASE




**Congresswoman Cedar Announces \$2 Million Grant
Towards Hospital Facility**
October 20, 2023, 12:00 PM

Washington, D.C. — On October 20, U.S. House of Representatives Congresswoman Cecilia Cedar announced a \$2 million grant has been awarded to the Poplar Hill Hospital through federal Community Project Funding. The hospital provides care to over 3,000 citizens every year, with an entire wing devoted to pediatric care.

"The grant is crucial for the hospital in order to provide better, more efficient care to its patients. We can't thank Congresswoman Cedar enough, she worked tirelessly to make sure the hospital got this funding," state Senator Mary Magnolia said of the grant.

The grant will be used to update the hospital's equipment.

Please contact us with questions at CedarPress@mail.house.gov, or give our office a call at 202-225-1234



**CONGRESSWOMAN
CECILIA CEDAR
FOR CONGRESS**

PRESS RELEASE

**Congresswoman Cedar Announces \$2 Million Grant
Towards Hospital Facility**
October 23, 2023, 12:00 PM

Washington, D.C. — Today, Congresswoman Cecilia Cedar announced a \$2 million grant has been awarded to the Poplar Hill Hospital through federal Community Project Funding. The hospital provides care to over 3,000 citizens every year, with an entire wing devoted to pediatric care.

"The grant is crucial for the hospital in order to provide better, more efficient care to its patients. We can't thank Congresswoman Cedar enough, she worked tirelessly to make sure the hospital got this funding," state Senator Mary Magnolia said of the grant.

The grant will be used to update the hospital's equipment.

**Campaign
Press
Release**

Q. Do social media posts follow the press release rule?

A. No, social media posts follow the standard exhaustion rule and not the 72-hour rule for press releases. Therefore, a social media account of the campaign may not share, like, retweet, etc., a post from an official social media account because that post's official use has not been exhausted if it is still active on the official social media account.

Q. What if the Member issues a video “press release,” does that follow the press release rule?

A. No. Because the media is a video, it may not be exhausted in the same way as a traditional press release. However, if the congressional office removes the video from any official website and social media and no longer uses it, then the campaign could use it after removing anything official from the video, including any congressional floor or committee footage.

Q. May the official office coordinate with the campaign office on social media posting or other communications?

A. No, the campaign office may not coordinate with the official office on social media posts, for example by determining which materials the campaign will publish and which the official office will publish. However, the campaign office may follow and review the Member's official public activities to ensure that any resources the campaign plans to use have not been used by the congressional office. But remember, the campaign may not be the first source to disclose previously confidential materials or information.

Q. What if the Member wants to make a statement about an issue on both the campaign and official side at the same time?

A. A Member's official office may craft a statement and the campaign office may separately craft a statement about the issue. The official office may post their statement on official channels and the campaign office may post their statement on campaign channels around the same time. However, the two offices may not assist each other or coordinate on the posts. In addition, the official office may not provide materials other than publicly-available materials to the campaign office to assist the campaign in creating its post.

Q. When does an official photograph exhaust its official use?

A. An official photograph exhausts its official use when the congressional office is no longer using it for any purpose, and it comes down from any site where it may have been posted, including the official website and official social/news media sites.

TIP: Because an official photograph has not exhausted its official use until it comes down from all official sites and there is no plan to use it in the future, you may need to remove materials from your website that contain the photograph in question. For example, if you use a photograph in a newsletter, and the newsletter is on your website, the photograph has not yet exhausted its official use.

Q. May the campaign take photographs at official events to use in campaign materials?

A. Yes, if the event is held outside of official House or federal space and is open to other constituents, the campaign may attend just like any other constituent. However, the campaign staff must not engage in overt campaign or political activity while at an official event. Nor may the campaign coordinate with the official office on covering the event.

Q. May a Member conduct an interview in their campaign capacity and discuss an official meeting that was not open to the public?

A. Yes, as long as the Member does not use any official resources to prepare for that campaign-related appearance. For example, if official House staff prepared the Member for the meeting, the Member and their campaign staff may not rely on those same preparations for the campaign-related appearance, unless the Member is willing to share that information with anyone who asks for them, and the official office has otherwise exhausted their use.

Q. May the campaign use a clip from an interview where House staff booked the appearance, coordinated the logistics of the trip, and prepared the talking points for the appearance?

A. Because official resources were used to schedule and prepare for the interview, it is an official resource and must be exhausted on the official side before the campaign may use it.

TIP: Although Members have some flexibility to determine whether their appearances are officially-related or campaign-related, always take into consideration what other resources the Member used in connection with those appearances. The use of official office staff on House time would make an appearance an official one.

Q. The Member gave an official interview to a local news channel and the news channel posted the interview on their website. The campaign used a clip of the interview, but not the whole interview. May the official office use the portion of the interview that the campaign didn't use?

A. No, once the campaign uses any portion of the interview, the official office may not use any part of it.

Q. May the campaign ever use footage of House or Senate Floor activities or committee proceedings? Does the same "exhaust its official use" standard apply?

A. No. House rules specifically prohibit the use of footage of House Floor activities and committee proceedings for any partisan political purpose. Additionally, the Committee has determined that under House Rule 23, clause 2, Members may not use footage of Senate Floor or committee proceedings for any partisan political purpose, either. **Footage of the House or Senate Floor or of committee proceedings may never be exhausted.** If such footage is embedded in a third-party article or news clip, the campaign may use the article or clip if otherwise appropriate but must first remove the prohibited footage. The example

below shows a social media post on a Member's campaign account that impermissibly uses Senate floor footage.

TIP: Educate campaign staff about the prohibition on the use of footage of committee proceedings and House and Senate Floor activities to avoid any inadvertent impermissible use.



10. Consult with the Committee on Ethics if you have questions about participation in campaign activities.

Q. How do I contact the Ethics Committee?

A. Call (202) 225-7103 and ask to speak to an attorney. If you have a relationship with a particular attorney, you may email or call them directly. Advice and Education attorneys are available Monday through Thursday, from 9 AM until 6 PM, and Friday from 9 AM to 5 PM Eastern time. In addition, the Committee routinely makes attorneys available to conduct in-person training sessions for individual offices.

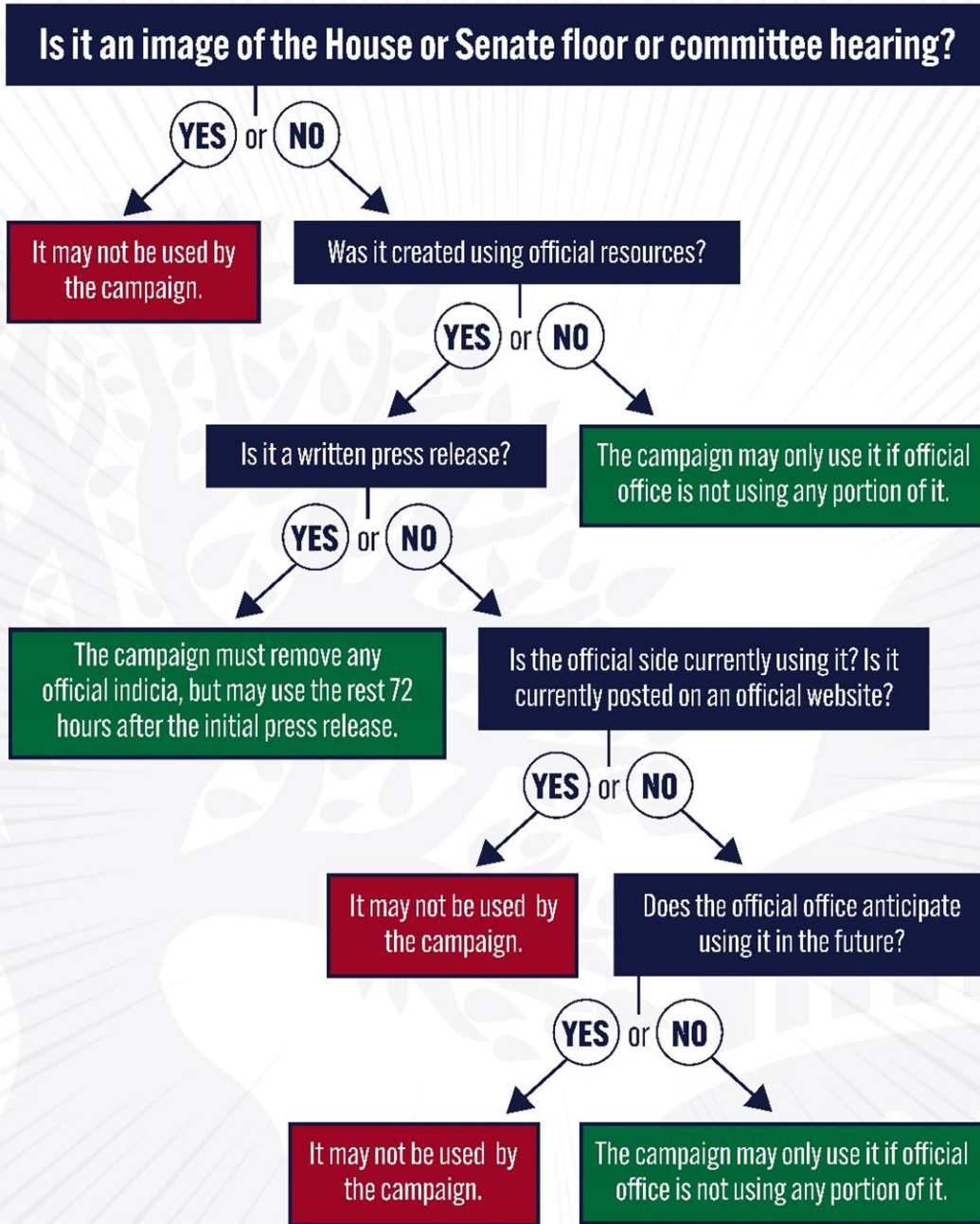
TIP: Your conversations with Committee counsel are confidential. The benefit of asking for advice before taking an action is that you can often avoid even the appearance of an inappropriate action. Ask as many questions as you have, ask as often as you like, and always ask before acting if you have any doubt about the permissibility of your proposed campaign activity.

Q. How do I stay up to date on the latest guidance issued by the Ethics Committee?

A. From time to time the Committee issues general advisory memoranda (or pink sheets) like this one, to provide reminders or updates to the House community about existing rules or issue guidance about new standards. Those memoranda are distributed by email to the House community and posted on the Committee's website, <https://ethics.house.gov/>. Be on the lookout for our newsletters and other emails in your inbox.

EXHAUSTION DECISION TREE

Can you use the item on the campaign side?



Additional Committee Resources:

1. The Committee’s 2020 Reminder on the Prohibition Concerning Campaign Contributions and Outlays, available [here](#).
2. The Committee’s 2020 Guidance on Campaign-related Media Appearances on Congressional Grounds, available [here](#).
3. House Ethics Manual December 2022 Print, Chapter 4: Campaign Activity, available [here](#).

Additional Contact Information:

Committee on House Administration	<i>Republican Office: 5-8281 Democrat Office: 5-2061</i>
Communication Standards Commission	<i>Republican Office: 6-0647 Democrat Office: 5-9337</i>
Federal Election Commission (Congressional Liaison)	(202) 694-1006
CAO Technical Service Desk	5-6002