



Update about the coronavirus and solicitation: joint House Administration-Ethics guidance

Sending Office: Committee on House Administration

Dear Colleague:

We all recognize we are in unprecedented times. We must come together as a nation to address the coronavirus pandemic. Helping our constituents meet and overcome this challenge is inherently an appropriate – and necessary – aspect of our official and representational duties. One immediate and pressing issue of national concern is ensuring that frontline healthcare workers have the critical supplies they need to continue their vital work.

Accordingly, we wish to take this opportunity to announce a new, temporary exception to longstanding guidance regarding solicitation activity. Effective immediately, Members are permitted to use official communications for some solicitation activities during the COVID-19 pandemic.* **This guidance only applies during the COVID-19 pandemic.**

During this crisis, Members are **temporarily** permitted to use official communications to solicit for blood donations and in-kind resources—such as volunteer services, food, hand sanitizer, disinfecting materials, and personal protective equipment (PPE) including, but not limited to, gloves, masks, and gowns—on behalf of organizations defined as charitable under Internal Revenue Code (IRC) § 170(c). Qualified organizations under IRC § 170(c) include those charitable organizations recognized under IRC § 501(c)(3), as well as state or local governmental entities, including public schools, and certain veterans' organizations. **Please note the use of official communications to solicit for such organizations only applies to blood donations and in-kind resources, and does not allow for the solicitation of money for any individual or organization.**

If Members wish to solicit on behalf of an organization not recognized under IRC § 170(c), they 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. The Committee on Ethics is currently reviewing and processing all requests relating to COVID-19 response efforts on an expedited basis. 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 that all unsolicited mass communications still require an advisory opinion from the House Commission on Congressional Mailing Standards (Commission), except for emails sent at no cost to the office, which need to be disclosed to the Commission within two days of sending. Members are generally limited from sending mass mailings and mass communications in the "blackout period," the 90 days prior to any primary or general election or caucus for any federal, state, or local election in which the Member is a candidate. However, Commission regulations expressly permit Members to send communications regarding threats to life safety. The coronavirus qualifies as a threat to life safety, so mass communications and Franked mail limited to information about the coronavirus will generally be exempt from the blackout rule. A Member who is otherwise in a blackout period is strongly advised to get prior approval from the Commission for a communication about the coronavirus. All regulations and the standard advisory opinion requirements still apply to communications sent during the blackout. Please contact the Commission with any questions.

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 Kenny Marchant
Committee on Ethics

*The Committee on Ethics is issuing this solicitation waiver under its authority in 5 U.S.C. § 7353.