

## **REQUESTS BY POLITICAL CANDIDATES TO TOUR DOE FACILITIES**

- Requests by political candidates to tour DOE facilities are subject to the provisions of the Hatch Act; the statute regulating the political activity of Federal employees. Any proposed site visit by a candidate **MUST** go through legal review before it can go forward. DOE employees authorizing prohibited political activities by candidates in DOE facilities or on DOE property are subject to penalties under the Hatch act.
- DOE employees may not engage in political activity: (1) while on duty; (2) while on Federal property or in a room or building engaged for the purpose of conducting official duties; (3) while wearing a uniform or other item identifying the employee as a Federal employee; or (4) while using a government vehicle. Federal employees may not engage in political activity using government resources such as e-mail, photocopiers, telecommunications equipment or internet access.
- DOE buildings and property may not be authorized for campaign activities such as town hall meetings, rallies, speeches, fundraisers, press conferences, photo opportunities, etc. (This is true even if a facility has a policy to permit use of some portion of the facilities by the public).
- DOE employees authorizing prohibited political activities by candidates in DOE facilities or on DOE property will be subject to penalties under the Hatch Act, including a minimum 30 day mandatory suspension, without pay.
- If a DOE facility has a policy of allowing public tours, DOE employees may authorize a candidate's request in the same manner as a request from a member of the general public (for officeholders, see guidance below); however, the following conditions must be followed: (1) all tours must be arranged by the candidate and not campaign staff; (2) DOE must ensure that tours do not turn into campaign events; (3) candidates cannot be permitted to wear campaign pins or distribute any type of literature; (4) candidates must be escorted to ensure they do not promote their campaign with employees; (5) candidates cannot be permitted to tour the facility with more than a personal assistant, (no large number of campaign staff); and (6) the candidate cannot be accompanied by any entourage including media, photographers, or campaign consultants or volunteers.
- If the candidate seeking a tour is a current officeholder, the above restrictions still apply; however, the officeholder staff may be actively involved in setting up the tour provided the officeholder is undertaking the tour in his or her official capacity. In addition, current officeholders may be able to tour facilities that are not open to the public, with restrictions similar to those above, when there is a nexus between their office and the mission of the facility. Prior to authorizing these non-public tours or for any other questions, please contact Susan Beard or Sue Wadel for assistance at 202-586-1522.