

U.S. DEPARTMENT OF LABOR

**OFFICE OF THE SECRETARY
WASHINGTON, D.C.
20210**

December 4, 2018

Anne L. Weismann
CREW Citizens for Responsibility and
Ethics in Washington
455 Massachusetts Avenue, NW
Washington, DC 20001
aweismann@citizensforethics.org

Re: Freedom of Information Act Request No. # 867383

Dear Ms. Weismann:

This letter is in response to Citizens for Responsibility and Ethics in Washington's (CREW) Freedom of Information Act (FOIA) request dated September 10, 2018, in which CREW requests the following:

First, CREW requests copies of records sufficient to show all travel taken or planned by all presidentially-appointed Senate confirmed ("PAS") officials in the Labor Department to any event attended by a sitting member of the United States House of Representatives in that member's district between May 1, 2018 through November 6, 2018.

Second, CREW requests copies of records sufficient to show all the political events to which PAS officials in the Labor Department traveled from January 20, 2017 to the present, identifying the event, agency participants, and the costs of each trip.

Third, CREW requests copies of records sufficient to show all the political events PAS officials in the Labor Department are scheduled to attend in 2018, including but not limited to those events expected to have mixed travel, i.e., travel for official and political purposes, identifying the event, agency participants, and anticipated costs of each scheduled trip.

Fourth, CREW requests copies of records sufficient to show the formula the Labor Department uses to apportion costs incurred during travel that has both official and political components.

Fifth, CREW requests copies of all records concerning how the Labor Department ensures compliance with the Hatch Act's restrictions on political travel.

The Office of the Secretary (OSEC) received this request on September 28, 2018, and the request was assigned FOIA tracking number 867383. Based on CREW's requests, OSEC conducted a reasonable search for responsive records. A response to each individual request is set forth below.

Request one. The FOIA does not require agencies to answer questions, create records, or conduct research in response to a FOIA request. Nor does an agency have to organize or re-organize its files to be able to respond to FOIA requests. Consistent with these principles, OSEC conducted a search

of its records and did not locate any records responsive to this request for records showing all travel taken or planned by all presidentially-appointed Senate confirmed ("PAS") officials to any event attended by a sitting member of the United States House of Representatives in that member's district between May 1, 2018 through November 6, 2018.

Request two. Responsive documents are attached and enclosed as Attachment A. Additionally, OSEC maintains a location where you may electronically access and retrieve information that may be requested. If you visit www.dol.gov/general/foia/osec, you may electronically retrieve this information, which is updated periodically.

Request three. The Office of the Secretary does not have any records showing all the political events PAS officials in the Labor Department are scheduled to attend in 2018, including but not limited to those events expected to have mixed travel, *i.e.*, travel for official and political purposes, identifying the event, agency participants, and anticipated costs of each scheduled trip.

Request four. The Office of the Secretary is not in possession of this information and is not the appropriate agency to respond to this request. Accordingly, a separate Department of Labor agency will be responding to this request.

Request five. Responsive documents are attached and enclosed as Attachment B.

If you have questions about this response, you may contact the Office of the Secretary (OSEC) FOIA point of contact at OSEC-FOIA@dol.gov or the DOL FOIA Public Liaison, Thomas Hicks, at 202-693-5427 or by email at hicks.thomas@dol.gov. Alternatively, you may contact the Office of Government Information Services (OGIS), within the National Archives and Records Administration, to inquire about the mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. You can also reach that office by e-mail at ogis@nara.gov, by phone at 202-741-5770, by fax at 202-741-5769, or by calling toll-free at 1-877-684-6448.

Additionally, if you are not satisfied with the response to this request, you may administratively appeal in writing to the Solicitor of Labor within 90 days from the date of this letter. The appeal must state in writing the grounds for the appeal, and it may include any supporting statements or arguments, but such statements are not required. In order to facilitate processing of the appeal, please include your mailing address and daytime telephone number, as well as a copy of the initial request and copy of this letter. The envelope and letter of the appeal should be clearly marked "Freedom of Information Act Appeal." Any amendment to the appeal must be made in writing and received prior to a decision. The appeal should be addressed to the Solicitor of Labor, Division of Management and Administrative Legal Services, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N2420, Washington, DC 20210. Appeals may also be submitted by email to foiaappeal@dol.gov. Appeals submitted to any other email address will not be accepted.

Sincerely,



Thomas DeBusk
Administrative Officer

| Date | Category | Expense Type | Cost | Notes |
|-------------|---------------------|-------------------------|-------------|---|
| 7/20/2017 | Transportation | Airfare | 656.99 | |
| 7/20/2017 | Lodging | Lodging | 178.00 | Perdiem |
| 7/20/2017 | Misc | Lodging Tax | 26.26 | Perdiem |
| 7/20/2017 | Misc | Laundry | 16.08 | |
| 7/20/2017 | Meals & Incidentals | Meals | 51.75 | Perdiem |
| 7/20/2017 | Misc | TMC Fee | 99.21 | Govt Travel Agent Fee for 3 changes each at 33.07 |
| 7/21/2017 | Lodging | Lodging | 178.00 | Perdiem |
| 7/21/2017 | Lodging | Lodging Tax | 26.26 | Perdiem |
| 7/21/2017 | Meals & Incidentals | Meals | 69.00 | Perdiem |
| 7/22/2017 | Lodging | Lodging | 178.00 | Perdiem |
| 7/22/2017 | Misc | Lodging Tax | 26.26 | Perdiem |
| 7/22/2017 | Meals & Incidentals | Meals | 69.00 | Perdiem |
| 7/23/2017 | Lodging | Lodging | 178.00 | Perdiem |
| 7/23/2017 | Misc | Lodging Tax | 26.26 | Perdiem |
| 7/23/2017 | Meals & Incidentals | Meals | 69.00 | Perdiem |
| 7/24/2017 | Lodging | Lodging | 201.00 | Aspen |
| 7/24/2017 | Misc | Lodging Tax | 42.28 | Aspen |
| 7/24/2017 | Meals & Incidentals | Meals | 74.00 | Perdiem |
| 7/25/2017 | Meals & Incidentals | Meals | 55.50 | Perdiem |
| 7/25/2017 | Misc | Voucher Transaction Fee | 15.10 | Voucher Transaction Fee |

| | |
|--------------|----------------|
| TOTAL | 2235.95 |
|--------------|----------------|

| | |
|------------|---------------|
| 22% | 491.91 |
|------------|---------------|

E2 Travel Voucher

Fri Aug 04 08:10:36 CDT 2017

PRIVACY ACT NOTICE: The following information is provided to comply with the Privacy Act of 1974(P.S. 93-579). The information requested on the form is required under the provisions of 5 U.S.C. Chapter 57(as amended), Executive Orders 11609 of July 22, 1971, and 1102 of March 27, 1962, for the purpose of facilitating authorization action and the request for advance of funds for travel and other expenses to be incurred under administrative. The information contained in this form will be used by the Federal agency officers and employees who have a need for such information in the performance of their duties. Information will be transferred to appropriate Federal, State, local, or foreign agencies when relevant to civil, criminal or regulatory investigations, or prosecutions. Failure to provide the information required will result in delay or suspension of the processing of this form.

Voucher Information

| | |
|-------------|--------------------|
| OA Number | OA Document Number |
| OA1160000-1 | O1160000 |

| | | | | |
|-----------------|----------------|-----------|-------------|--------------|
| Document Number | Trip Status | Trip Id | Submit Date | Approve Date |
| A008519189 | Closed Voucher | 8519189-1 | 2017-07-31 | 2017-08-02 |

| | | | | |
|---------------|-------------|-----------------------|--------------------|--------------------|
| Traveler | Employee Id | Official Duty Station | Title | Final Voucher Flag |
| RENE A ACOSTA | | Washington, DC | Secretary Of Labor | Yes |

| | | |
|--|--------------|------------|
| Mailing Address | Office Phone | Home Phone |
| 200 Constitution Avenue, NW Office of the Secretary Washington, DC 20210 US | 2026936089 | N/A |

| | | | |
|--------------|------------------------|---------------|---------------------------|
| CONUS/OCONUS | Travel Purpose | Agency Travel | Travel Charge Card Holder |
| CONUS | Speech or Presentation | TDL | Yes |

| |
|----------------------------|
| Estimated Dates of Travel |
| 2017-07-20 thru 2017-07-25 |

Itinerary

| Cabin Class | Coach (Air) | | | | | | | |
|-------------|-------------|------|----------------|------|-------|------|--|--|
| Arrive | Depart | Time | Location | Car | Hotel | Mode | Notes | |
| 2017-07-20 | 2017-07-20 | N/A | Washington, DC | NONE | No | CP | | |
| 2017-07-20 | 2017-07-24 | N/A | Denver, CO | GOV | Yes | GA | Temporary Duty, LDG \$178, M & IE \$69 | |
| 2017-07-24 | 2017-07-25 | N/A | Aspen, CO | NONE | Yes | CP | Temporary Duty, LDG \$191, M & IE \$74 | |
| 2017-07-25 | 2017-07-25 | N/A | Washington, DC | NONE | No | NONE | | |

PA-C = Government auto available and committed
 PA-NA = Government auto not available
 PA-NC = Government auto available and not committed

Voucher Expense Totals

| Transport | Lodging | Meals & Incidentals | Car Rental | Local Transport | POV | Misc | Grand Total |
|-----------|---------|---------------------|------------|-----------------|------|--------|-------------|
| 656.99 | 913.00 | 388.25 | 0.00 | 0.00 | 0.00 | 277.71 | 2,235.95 |

Voucher Accounting Information

| Accounting String | Object Code | CBA Amount | Travel Charge Card | Traveler Amount | Voucher Amount |
|---|-------------|------------|--------------------|-----------------|----------------|
| Segment Names: Funding Stream/Benefiting Unit/Project/Task/Reimbursable Agreement No | | 0.00 | 0.00 | 0.00 | 0.00 |

| | | | | | |
|---------|--------|------|--------|------|--------|
| (b) (2) | 210062 | 0.00 | 656.99 | 0.00 | 656.99 |
|---------|--------|------|--------|------|--------|

| | | | | | |
|---------|--------|------|--------|--------|----------|
| (b) (2) | 210061 | 0.00 | 913.00 | 388.25 | 1,301.25 |
|---------|--------|------|--------|--------|----------|

| | | | | | |
|---------|--------|-------|--------|------|--------|
| (b) (2) | 210066 | 15.10 | 262.61 | 0.00 | 277.71 |
|---------|--------|-------|--------|------|--------|

| | | | |
|-------|----------|--------|----------|
| 15.10 | 1,832.60 | 388.25 | 2,235.95 |
|-------|----------|--------|----------|

Traveler Payment Summary

| Total Traveler | Less Liquidated Advance Amount | Total Amount to Traveler |
|----------------|--------------------------------|--------------------------|
| 388.25 | 0.00 | 388.25 |

Traveler Payment Details

| Document Number | Currency Code | Payment Amount (LCU) | Payment Type | Bank Name | Exchange Rate | Payment Amount (USE) |
|-----------------|---------------|----------------------|--------------|-----------|---------------|----------------------|
|-----------------|---------------|----------------------|--------------|-----------|---------------|----------------------|

Voucher Expense Summary

| Location | Expense Category | Expense Type | Amount | Expense Reimbursement |
|-----------|---------------------|---------------|--------|-----------------------------------|
| Aspen, CO | Lodging | Lodging | 201.00 | Actual Lodging / Prescribed Meals |
| Aspen, CO | Meals & Incidentals | Meals Perdiem | 129.50 | Actual Lodging / Prescribed Meals |

| Location | Expense Category | Expense Type | Amount | Expense Reimbursement |
|----------------|---------------------|-------------------------|--------|-----------------------------------|
| Aspen, CO | Misc | Lodging Tax | 42.28 | Actual Lodging / Prescribed Meals |
| Denver, CO | Lodging | Lodging | 712.00 | Perdiem |
| Denver, CO | Meals & Incidentals | Meals Perdiem | 258.75 | Perdiem |
| Denver, CO | Misc | Laundry | 16.08 | |
| Denver, CO | Misc | Lodging Tax | 105.04 | Perdiem |
| Washington, DC | Misc | TMC Fee | 99.21 | |
| Washington, DC | Misc | Voucher Transaction Fee | 15.10 | |
| Washington, DC | Transport | Airfare | 656.99 | |

Voucher Expense Lines

| Line # | Date | Location | Expense Category | Expense Type | Claim Amt | Expense Reimbursement | Approved | Reason |
|--------|------------|----------------|---------------------|---------------|-----------|-----------------------|----------|---|
| 1 | 2017-07-20 | Washington, DC | Transport | Airfare | 656.99 | none | 656.99 | Commercial Plane expense generated from Confirmation Number: OTWXGF |
| 2 | 2017-07-20 | Denver, CO | Lodging | Lodging | 178.00 | Perdiem | 178.00 | none |
| 3 | 2017-07-20 | Denver, CO | Misc | Lodging Tax | 26.26 | Perdiem | 26.26 | none |
| 4 | 2017-07-20 | Denver, CO | Misc | Laundry | 16.08 | none | 16.08 | none |
| 5 | 2017-07-20 | Denver, CO | Meals & Incidentals | Meals Perdiem | 51.75 | Perdiem | 51.75 | none |
| 6 | 2017-07-20 | Washington, DC | Misc | TMC Fee | 99.21 | none | 99.21 | 33.07 x 3 |
| 7 | 2017-07-21 | Denver, CO | Lodging | Lodging | 178.00 | Perdiem | 178.00 | none |
| 8 | 2017-07-21 | Denver, CO | Misc | Lodging Tax | 26.26 | Perdiem | 26.26 | none |
| 9 | 2017-07-21 | Denver, CO | Meals & Incidentals | Meals Perdiem | 69.00 | Perdiem | 69.00 | none |
| 10 | 2017-07-22 | Denver, CO | Lodging | Lodging | 178.00 | Perdiem | 178.00 | none |

| Line # | Date | Location | Expense Category | Expense Type | Claim Amt | Expense Reimbursement | Approved | Reason |
|--------|------------|----------------|---------------------|-------------------------|-----------|-----------------------------------|----------|-------------------------|
| 11 | 2017-07-22 | Denver, CO | Misc | Lodging Tax | 26.26 | Perdiem | 26.26 | none |
| 12 | 2017-07-22 | Denver, CO | Meals & Incidentals | Meals Perdiem | 69.00 | Perdiem | 69.00 | none |
| 13 | 2017-07-23 | Denver, CO | Lodging | Lodging | 178.00 | Perdiem | 178.00 | none |
| 14 | 2017-07-23 | Denver, CO | Misc | Lodging Tax | 26.26 | Perdiem | 26.26 | none |
| 15 | 2017-07-23 | Denver, CO | Meals & Incidentals | Meals Perdiem | 69.00 | Perdiem | 69.00 | none |
| 16 | 2017-07-24 | Aspen, CO | Lodging | Lodging | 201.00 | Actual Lodging / Prescribed Meals | 201.00 | none |
| 17 | 2017-07-24 | Aspen, CO | Misc | Lodging Tax | 42.28 | Actual Lodging / Prescribed Meals | 42.28 | none |
| 18 | 2017-07-24 | Aspen, CO | Meals & Incidentals | Meals Perdiem | 74.00 | Actual Lodging / Prescribed Meals | 74.00 | none |
| 19 | 2017-07-25 | Aspen, CO | Lodging | Lodging | 0.00 | Perdiem | 0.00 | none |
| 20 | 2017-07-25 | Aspen, CO | Misc | Lodging Tax | 0.00 | Perdiem | 0.00 | none |
| 21 | 2017-07-25 | Aspen, CO | Meals & Incidentals | Meals Perdiem | 55.50 | Perdiem | 55.50 | none |
| 22 | 2017-07-25 | Washington, DC | Misc | Voucher Transaction Fee | 15.10 | none | 15.10 | Voucher Transaction Fee |

Voucher Remarks

Remark Details

Voucher Remarks - Voucher ID: 8519189-1(1)

Traveler - ACOSTA, RENE A

July 31, 2017 at 03:04 PM

I hereby assign to the United States any right I may have against any parties in connection with reimbursable transportation charges described below, purchased under cash payment procedures (41CFR 101-41.203-2). I certify that this voucher is true and correct to the best of my knowledge and belief, and that payment or credit has not been received by me.

Audit/Approver Information

| Action | Official | Date / Time |
|---------------------------|---------------------------|-------------|
| Approved [OSEC-IMMEDIATE] | JACK3528 [JACKSON, KEVIN] | 2017-08-02 |

History

| Date | Action |
|---------------------|---|
| 17JUL17 Mon 02:26PM | Current status New Authorization |
| 17JUL17 Mon 02:26PM | Created by JOSEPH H VILCA for RENE A ACOSTA |
| 17JUL17 Mon 02:26PM | Created for Minor Customer: Off of the Sect Immediate Off (LOSECI) |
| 17JUL17 Mon 02:27PM | Current status: Reservations Booked |
| 17JUL17 Mon 02:27PM | (OTWXGF) Booked Total Air Amount: 796.40 USD with fare type YCA/YCA, Booked Lodging Rate for Sheraton: 178.00 USD |
| 17JUL17 Mon 02:27PM | Reservation OTWXGF retrieved by JOSEPH H VILCA for RENE ALEXANDER ACOSTA |
| 17JUL17 Mon 02:28PM | Current status: Authorization Approved |
| 17JUL17 Mon 02:28PM | TMC notified of event after Final Approval: SendFundingData for Reservation [OTWXGF] |
| 17JUL17 Mon 02:28PM | Trip ID 8519189 Auto Approved By VILCA, JOSEPH H |
| 17JUL17 Mon 02:28PM | Agency successfully notified of event: TripAuthorizationApproved for trip 8519189 |
| 17JUL17 Mon 02:30PM | Obligation Request Approved by NCFMS for Trip Id: 8519189 |
| 17JUL17 Mon 02:30PM | Message from NCFMS:Document approved in the financial system |
| 17JUL17 Mon 02:49PM | Ticket 0168635348191 for 796.40 USD on United Airlines has been issued by the TMC. |
| 19JUL17 Wed 02:16PM | Ticket 0168639274567 for 0.00 USD on United Airlines has been issued by the TMC. |
| 21JUL17 Fri 07:09PM | Ticket 0168635348191 for 0.00 USD on United Airlines has been issued by the TMC. |
| 21JUL17 Fri 07:09PM | Ticket 0168639274616 for 0.00 USD on United Airlines has been issued by the TMC. |
| 21JUL17 Fri 10:25PM | Ticket 0168635348191 for 0.00 USD on United Airlines has been issued by the TMC. |
| 21JUL17 Fri 10:25PM | Ticket 0168639274567 for 0.00 USD on United Airlines has been issued by the TMC. |
| 21JUL17 Fri 10:25PM | Ticket 0168639274620 for 464.10 USD on United Airlines has been issued by the TMC. |
| 22JUL17 Sat 11:34AM | Ticket 0168635348191 for 0.00 USD on United Airlines has been issued by the TMC. |
| 22JUL17 Sat 11:34AM | Ticket 0168639274567 for 0.00 USD on United Airlines has been issued by the TMC. |
| 22JUL17 Sat 11:34AM | Ticket 0168639274626 for 0.00 USD on United Airlines has been issued by the TMC. |
| 31JUL17 Mon 02:33PM | Current status: Amended |
| 31JUL17 Mon 02:33PM | Created by JOSEPH H VILCA for RENE A ACOSTA |
| 31JUL17 Mon 02:33PM | Created for Minor Customer:Off of the Sect Immediate Off (LOSECI) |

| Date | Action |
|---------------------|---|
| 31JUL17 Mon 02:35PM | (OTWXGF) Booked Total Air Amount: 258.79 USD with fare type , Booked Lodging Rate for Sheraton: 178.00 USD, Booked Lodging Rate for Sheraton: 178.00 USD |
| 31JUL17 Mon 02:35PM | Reservation OTWXGF retrieved by JOSEPH H VILCA for RENE ALEXANDER ACOSTA |
| 31JUL17 Mon 02:35PM | Refresh Reservation Details by JOSEPH H VILCA for Trip 8519189-1 [OTWXGF] |
| 31JUL17 Mon 02:49PM | Current status: Authorization Approved |
| 31JUL17 Mon 02:49PM | Trip ID 8519189-1 Auto Approved By VILCA, JOSEPH H |
| 31JUL17 Mon 02:49PM | Agency successfully notified of event: TripAuthorizationApproved for trip 8519189-1 |
| 31JUL17 Mon 02:49PM | Obligation Request Approved by NCFMS for Trip Id: 8519189-1 |
| 31JUL17 Mon 02:49PM | Message from NCFMS:Document approved in the financial system |
| 31JUL17 Mon 02:56PM | Voucher 1 created by JOSEPH H VILCA for RENE A ACOSTA |
| 31JUL17 Mon 02:56PM | Created for Minor Customer:Off of the Sect Immediate Off (LOSECI) |
| 31JUL17 Mon 02:57PM | Attachment Folio-A-Attachment (20JUL17-21JUL17).pdf added by JOSEPH H VILCA |
| 31JUL17 Mon 02:57PM | Attachment Folio-A-Attachment (21JUL17-24JUL17).pdf added by JOSEPH H VILCA |
| 31JUL17 Mon 02:57PM | Attachment OTWXGF (dated_Monday, July 17, 2017).pdf added by JOSEPH H VILCA |
| 31JUL17 Mon 02:57PM | Attachment OTWXGF (dated_Saturday, July 22, 2017).pdf added by JOSEPH H VILCA |
| 31JUL17 Mon 02:57PM | Attachment Sheraton Denver.pdf added by JOSEPH H VILCA |
| 31JUL17 Mon 03:04PM | Trip 8519189-1 Voucher 1 current status: Pending Voucher Approval |
| 31JUL17 Mon 03:04PM | Voucher ID 1 submitted to OSEC-IMMEDIATE Approver by ACOSTA, RENE A |
| 02AUG17 Wed 08:38AM | JACKSON, KEVIN locked Voucher(1) for Approval. |
| 02AUG17 Wed 08:38AM | Validation request TDYVCH approved by financial system with a warning. Message from NCFMS: The document is validated with the information provided Please contact NCFMS Help Desk for assistance. |
| 02AUG17 Wed 08:38AM | Trip 8519189-1 Voucher 1 current status: Voucher Awaiting Payment |
| 02AUG17 Wed 08:38AM | Voucher 1 approved by OSEC-IMMEDIATE final Approver JACKSON, KEVIN |
| 02AUG17 Wed 08:38AM | Agency successfully notified of event: TripVoucherApproved for trip 8519189-1, voucher 1 |
| 02AUG17 Wed 08:38AM | Trip 8519189-1 Voucher 1 current status: Closed Voucher |
| 02AUG17 Wed 08:38AM | Current status: Closed Voucher |
| 02AUG17 Wed 08:38AM | Voucher Request Approved by NCFMS for Trip Id: 8519189-1, Voucher:1 |
| 02AUG17 Wed 08:38AM | Message from NCFMS:Travel Voucher Approved in the Financial System |



MEMORANDUM FOR: ALL NONCAREER EMPLOYEES

FROM: NICHOLAS C. GEALE 
Chief of Staff

SUBJECT: Policies and Procedures – Use of Other than Coach-Class
Airline Accommodations and Contract City-Pair Fares

It is important members of the public know taxpayer dollars are being used prudently. To achieve this goal we must make sure that we all know and strictly follow federal travel regulations, especially those that require the use of contract city-pair fares and that limit the use of other than coach-class airline accommodations on official trips.

To avoid any perception that other than coach-class travel or non-contract city-pair fares are being used unnecessarily and/or for the personal convenience or comfort of an employee, noncareer employees should not use government funds for non-contract city-pair fares or for other than coach-class air travel during official trips, even if it is technically allowed under the federal travel regulations. To assist you in understanding the federal travel regulation, the Office of the Chief Financial Officer (OCFO) has prepared the attached summary of the current rules.

I recognize that there may be exigent circumstances where the use of other than coach-class or non-contract city-pair air travel may be necessary. In these instances, the deviation must be: allowable under the federal travel regulations, approved by the agency's administrative officer, reviewed and concurred by the OCFO and the designated ethics official in the Office of the Solicitor, and approved by the Chief of Staff; in advance if at all possible.

This procedure will ensure that the use of federal funds for any air travel will be legally permissible and not for the convenience and/or benefit of the traveler. I am also attaching a form that must be used if a noncareer employee believes that other than coach-class or non-contract city-pair air travel is justified. It will be the employee's responsibility to maintain appropriate documentation to support the representations made on the form and include such in the voucher.

As noted on the attachment from OCFO, employees are allowed to upgrade their airline accommodations by paying for the upgrade personally, using frequent flyer miles, or utilizing a benefit resulting from their membership in an airline-sponsored rewards program.

This new policy and accompanying procedures will go into effect immediately. I appreciate your cooperation in adhering to them.

Attachments

TOP 10 TIPS TO MAKE SURE YOU COMPLY WITH THE HATCH ACT

1. Do not conduct partisan political activity while you are on duty, in your office, or in a government building.
2. While you may voluntarily contribute to the candidate or party of your choice, you are prohibited (even in your personal capacity) from fundraising -- soliciting, accepting, or receiving campaign contributions in any manner.
3. Use your own electronic equipment (smartphone, computer, tablet, etc.) for political activities -- never use any government equipment for this purpose. This includes linking to a personal email account on your government computer.
4. Do not use your official title or DOL affiliation in connection with any partisan political activities.
5. While off duty, you can wear campaign buttons, or display posters or yard signs at your home. Buttons are prohibited while you are on duty, as is the display of campaign-related photos and posters in your office or in common workspaces.
6. It is illegal to take an official action for the express purpose of affecting the outcome of an election.
7. Any reimbursement for campaign-related activities must come from the official candidate or party committee.
8. Do not ask subordinates or persons doing business with the government (contractors, grantees) to support candidates or a political party; do not volunteer services to your supervisor in connection with partisan political activity.
9. You may not run for partisan political office.
10. Always check with your ethics officials (**Rob Sadler at x35528 or Zach Mancher at x35694**) if you have any questions about your own or other people's activities.

**APPROVAL OF DEVIATIONS FROM CONTRACT CITY-PAIR
FARES OR OTHER THAN COACH-CLASS
AIRLINE ACCOMMODATIONS
BY NON-CAREER EMPLOYEES
IN THE DEPARTMENT OF LABOR**

Name of Employee: _____

Agency: _____

Date of travel: _____

Signature of approval by your agency's administrative officer: _____

Portion(s) of trip where deviations from contract city-pair fares or coach class will be used: [*use additional sheet of paper if needed*]

Justification for deviations from contract city-pair fares or coach class; this should include: a cost comparison; and a detailed justification for the need to deviate from contract city-pair fares or coach class. [*use additional sheet of paper if needed*]

Signature of employee _____

Date _____

Review and concurrence by the Office of the Chief Financial Officer

Signature _____

Date _____

Comments (if any):

Review and concurrence by SOL's Ethics Office

Signature _____

Date _____

Comments (if any)

Approval by the Chief of Staff

Signature _____

Date _____

§301-10.123 When may I use other than coach-class airline accommodations?

Government travelers are required to exercise the same care in incurring expenses that a prudent person would exercise if traveling on personal business when making official travel arrangements, and therefore, should consider the least expensive class of travel that meets their needs. You may use the lowest other than coach-class airline accommodations only when your agency specifically authorizes/approves such use as specified in paragraphs (a) and (b) of this section.

(a) Your agency may authorize/approve first class accommodations if any of the following apply:

(1) No coach-class accommodations are reasonably available. "Reasonably available" means available on an airline that is scheduled to leave within 24 hours of your proposed departure time, or scheduled to arrive within 24 hours of your proposed arrival time;

(2) When use of other than coach-class is necessary to accommodate a medical disability or other special need.

(i) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under §301-13.3(a) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(3) When exceptional security circumstances require other than coach-class airline accommodations. Exceptional security circumstances are determined by your agency and should only be authorized up to the minimum other than coach-class accommodation necessary. These circumstances include, but are not limited to:

(i) Use of coach-class accommodations would endanger your life or Government property;

(ii) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or

(iii) You are a courier or control officer accompanying controlled pouches or packages;

(4) When required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

(b) Your agency may authorize/approve business-class accommodations if any of the following apply:

(1) When use of other than coach-class is necessary to accommodate a medical disability or other special need.

(i) A disability must be certified annually in a written statement by a competent medical authority. However, if the disability is a lifelong condition, then a one-time certification statement is required. Certification statements must include at a minimum:

(A) A written statement by a competent medical authority stating that special accommodation is necessary;

(B) An approximate duration of the special accommodation; and

(C) A recommendation as to the suitable class of transportation accommodations based on the disability.

(ii) A special need must be certified annually in writing according to your agency's procedures. However, if the special need is a lifelong condition, then a one-time certification statement is required;

(iii) If you are authorized under §301-13.3(a) of this Subchapter to have an attendant accompany you, your agency may also authorize the attendant to use other than coach-class accommodations if you require the attendant's services en route;

(2) When exceptional security circumstances require other than coach-class airline accommodations. Exceptional security circumstances are determined by your agency and should only be authorized to the minimum other than coach-class accommodation necessary to meet the agency's mission. These circumstances include, but are not limited to:

(i) Use of coach-class accommodations would endanger your life or Government property;

(ii) You are an agent on protective detail and you are accompanying an individual authorized to use other than coach-class accommodations; or

(iii) You are a courier or control officer accompanying controlled pouches or packages;

(3) Coach-class accommodations on an authorized/approved foreign air carrier do not provide adequate sanitation or health standards;

(4) Regularly scheduled flights between origin/destination points (including connecting points) provide only other than coach-class accommodations and you certify such on your voucher;

(5) Your transportation costs are paid in full through agency acceptance of payment from a non-Federal source in accordance with chapter 304 of this Title;

(6) Where the origin and/or destination are OCONUS, and the scheduled flight time, including stopovers and change of planes, is in excess of 14 hours, in accordance with §301-10.125;

(7) The use results in an overall cost savings to the Government by avoiding additional subsistence costs, overtime, or lost productive time while awaiting coach-class accommodations;

(8) No space is available in coach-class accommodations in time to accomplish the mission, which is urgent and cannot be postponed; or

(9) When required because of agency mission, consistent with your agency's internal procedures pursuant to §301-70.102(i).

Note 1 to §301-10.123: You may upgrade to other than coach-class accommodations at your personal expense, including through redemption of frequent flyer benefits.

Note 2 to §301-10.123: Blanket authorization of other than coach-class transportation accommodations is prohibited and shall be authorized on an individual trip-by-trip basis, unless the traveler has an up-to-date documented disability or special need.

§301-10.124 What are coach-class Seating Upgrade Programs?

Sometimes these programs are called "Coach Elite," "Coach Plus," "Preferred Coach" or some other identifier. Under these airline programs, a passenger may obtain for a fee a more desirable seat choice within the coach-class cabin. These airline upgrade or preferred seat choices are generally available for an annual fee, at an airport kiosk or gate or as a frequent flier perk. These coach upgrade options are not considered a new or higher class of accommodation since the seating is still in the coach cabin. However, the use of these upgraded/preferred coach seating options is generally a traveler's personal choice and therefore is at the traveler's personal expense. An agency travel authorization approving official or his/her designee (e.g., supervisor of the traveler) may authorize and reimburse the additional seat choice fee according to internal agency policy (see 301-70.102(k)).

§301-10.125 When may I use the 14-hour rule to travel other than coach-class (see §301-10.123(b)(6))?

(a) You may use the 14-hour rule to travel via other than coach-class when:

(1) The origin and/or destination are OCONUS; and

(2) The scheduled flight time, including non-overnight stopovers and change of planes, is in excess of 14 hours; and

(3) You are required to report to duty the following day or sooner.

(b) Scheduled flight time is the flight time between the originating departure point and the ultimate arrival point including scheduled non-overnight time spent at airports during plane changes. Scheduled non-overnight time does not include time spent at the originating or ultimate arrival airports.

(c) If other than coach-class accommodation is authorized based on the 14-hour rule then you will not be eligible for a rest stop en route or a rest period upon arrival at your duty site, in accordance with internal agency procedures pursuant to §301-70.102(j).

Use of Contract City-Pair Fares

§301-10.106 When must I use a contract city-pair fare?

If you are a civilian employee of an agency as defined in §301-1.1 of this chapter, you must always use a contract city-pair fare for scheduled air passenger transportation service unless one of the limited exceptions in §301-10.107 exist. An Internet listing of contract city-pair fares is available at <http://www.gsa.gov/citypairs>.

§301-10.107 Are there any exceptions to the use of a contract city-pair fare?

Yes, your agency may authorize use of a fare other-than a contract city-pair fare when—

(a) Space on a scheduled contract flight is not available in time to accomplish the purpose of your travel, or use of contract service would require you to incur unnecessary overnight lodging costs which would increase the total cost of the trip;

(b) The contractor's flight schedule is inconsistent with explicit policies of your Federal department or agency with regard to scheduling travel during normal working hours;

(c) A non-contract carrier offers a lower fare to the general public that, if used, will result in a lower total trip cost to the Government (the combined costs of transportation, lodging, meals, and related expenses considered);

Note to paragraph (c): This exception does not apply if the contract carrier offers the same or lower fare and has seats available at that fare, or if the fare offered by the non-contract carrier is restricted to Government and military travelers performing official business and may be purchased only with a contractor-issued charge card, centrally billed account (e.g., YDG, MDG, QDG, VDG, and similar fares) or GTR where the two previous options are not available;

(d) Cost effective rail service is available and is consistent with mission requirements; or

(e) Smoking is permitted on the contract air carrier and the nonsmoking section of the contract aircraft is not acceptable to you.

Note 1 to §301-10.107: Any group of 10 or more passengers traveling together on the same day, on the same flight, for the same mission, requiring group integrity and identified as a group by the travel management service upon booking is not a mandatory user of the Government's contract city-pair fares. For group travel, agencies are expected to obtain air passenger transportation service that is practical and cost effective to the Government.

Note 2 to §301-10.107: Contractors are not authorized to use contract city-pair fares to perform travel under their contracts.

Note 3 to §301-10.107: If the Government contract city-pair carrier offers a lower cost capacity-controlled coach class contract fare (MCA, QCA, VCA, etc.) in addition to the unrestricted coach class contract fares (YCA), the traveler should use the lower cost capacity-controlled fare when it is available and meet mission needs.

§301-10.108 What requirements must be met to use a non-contract fare?

(a) Before purchasing a non-contract fare you must meet one of the exception requirements listed in §301-10.107 and show approval on your travel authorization to use a non-contract fare; and

(b) If the non-contract fare is non-refundable, restricted, or has specific eligibility requirements, you must know or reasonably anticipate, based on your planned trip, that you will use the ticket; and

(c) Your agency must determine that the proposed non-contract transportation is practical and cost effective for the Government.

Note to §301-10.108: Carrier preference is not a valid reason for using a non-contract fare.

§301-10.109 What is my liability for unauthorized use of a non-contract carrier when contract service is available and I do not meet one of the exceptions for required use?

Any additional costs or penalties incurred by you resulting from unauthorized use of non-contract service are borne by you

Political Activities

Summary of the Hatch Act Rules

U.S. Department of Labor



U.S. Department of Labor
Office of the Solicitor
Office of Legal Counsel
Counsel for Ethics (202) 693-5528

POLITICAL ACTIVITIES

Basic Principle: Keep Government and Political Activities Separate

The principle behind the rules on political activities is generally the same as with other outside activities: you should not mix your duties to the Government with your personal activities, including political activities. The rules on political activities are intended to allow you to actively participate in the political process without being subject to coercion by any other Federal employee. Most employees may engage in a wide range of partisan political activities during off-duty hours, but may not engage in on-duty political activities. "Political activity" includes any activity directed toward the success or failure of a political party or group or a candidate for a partisan political office.

Special rules apply to certain Federal employees. Employees who are appointed by the President with the advice and consent of the Senate may generally engage in on-duty political activities as long as the costs of such activities are not borne by the Government. On the other hand, career members of the Senior Executive Service (SES), administrative law judges, and the Inspector General have significant limitations placed on their off-duty political activities, as well as their on-duty conduct.

Office of Legal Counsel

To obtain legal advice regarding limitations on political activities and other ethics rules contact the **Counsel for Ethics** at **(202) 693-5528**.

Office of the Special Counsel

The Office of the Special Counsel (OSC) is an independent Federal agency solely responsible for providing definitive counsel on the Hatch Act and for investigating reports of violations and for prosecuting violators. The Counsel for Ethics provides advice, but neither provides definitive guidance on such issues nor investigates allegations of violations of the Hatch Act, the statute that governs Federal employee participation in political activities. You may report possible violations of the Hatch Act or seek advisory opinions by contacting the OSC at (202) 653-7143, or 1-800-854-2824. You may also seek opinions by sending your questions to hatchact@osc.gov.

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DO'S AND DON'TS: GENERAL RULES ON POLITICAL ACTIVITIES FOR MOST EMPLOYEES

Federal employees¹ may:

- register and vote
- be a candidate for public office in a nonpartisan election
- assist in voter registration drives
- attend political fund-raising events
- contribute money to political organizations and candidates
- attend and be active at political rallies and meetings
- campaign for or against candidates, referendum questions, constitutional amendments, or local ordinances
- sign and circulate nominating petitions
- deliver or write campaign speeches for candidates
- personally distribute campaign literature (except for fund-raising literature)
- hold office in political clubs or political parties
- attend or serve as a delegate to a political caucus or convention
- stuff envelopes for a political party or candidate
- display a political bumper sticker on a personal vehicle [unless the vehicle is used to conduct official business, such as inspections or other compliance activity].
- “Like,” “friend,” or “follow” a candidate on social media.

¹ Except for career members of the Senior Executive Service, administrative law judges, and administrative appeals judges; see page 5 for rules applicable to these employees.

Federal employees² may not:

- use Government resources, including supplies, time, title, or personnel, for a political activity
- use official authority or influence to interfere with an election
- personally solicit, accept, or receive political contributions (including soliciting contributions on phone banks or by email or social media)
- coerce other Federal employees regarding political activities
- knowingly solicit or discourage the political activity of persons with business before their agencies
- be candidates for public office in partisan elections³
- engage in political activity while on duty
- engage in political activity in a Government office
- engage in political activity while wearing an official uniform
- engage in political activity while using a Government vehicle
- wear political buttons while on duty
- make partisan political remarks in the context of an official speech or other activity.

² Except for Presidential Appointees requiring Senate confirmation; see page 6 for rules applicable to these employees.

³ Except as an independent in certain areas with high concentrations of federal employees.

DO'S AND DON'TS: SPECIAL RULES FOR CAREER MEMBERS OF THE SENIOR EXECUTIVE SERVICE, ADMINISTRATIVE LAW JUDGES, AND THE INSPECTOR GENERAL

Certain Federal employees have more limitations placed on their political activities. In the Department of Labor, these employees include career members of the Senior Executive Service (SES), administrative law judges, and administrative appeals judges. In general, these employees are prohibited from engaging in partisan political management or partisan political campaigns; i.e., they may not work on a campaign where any candidate is running as the representative of a political party.

These employees **may**:

- register and vote
- assist in nonpartisan voter registration drives (but not partisan drives)
- participate in campaigns in nonpartisan elections
- contribute money to political organizations and candidates
- attend political fund-raising events
- attend political rallies and meetings
- sign nominating petitions
- campaign for or against referendum questions, constitutional amendments, or local ordinances.

These employees **may not**:

- use Government resources for a political activity
- use official authority or influence to interfere with an election
- personally solicit, accept, or receive a political contribution
- coerce another Federal employee regarding political activities
- knowingly solicit or discourage the political activity of any person with business before their agencies
- be a candidate for public office in a partisan election
- campaign for or against a candidate in a partisan election
- circulate a nominating petition
- distribute campaign literature
- serve as an officer in a political party or as a delegate to a convention
- stuff envelopes for a political party or candidate
- wear a political button on duty
- make telephone calls on behalf of a political party or campaign.

SPECIAL SITUATIONS REGARDING THE POLITICAL ACTIVITIES OF PRESIDENTIAL APPOINTEES

Special Rules for Presidential Appointees. A Presidential Appointee in a position requiring Senate confirmation (PAS official) must generally abide by the rules covering most Federal employees. However, a PAS official **may** engage in political activities:

- while on duty, and
- while in a Government office

but **may not** use Government funds or other resources for political activities.

Special Situations for Employees Working with a Presidential Appointee. Although a PAS official may engage in political activities during regular working hours, no similar rule covers other employees, including non-career SES and Schedule C employees. Non-PAS employees must abide by the general rules on political activities as outlined on page 3, including the rule that they may not engage in political activities while on official duty or in a Government office.

Regardless of position, an employee may not be asked to engage in political activities as part of Government duties and a request to do so is improper. While on duty or while in a Government office, a non-PAS employee **may not**:

- attend a political meeting,
- write a campaign speech,
- perform advance work for a political event, or
- provide advice regarding a political campaign.

However, an employee who works for a PAS official **may** perform regular clerical and administrative tasks in connection with the political activities of the PAS official (such as maintaining the PAS official's schedule), provided that such duties are part of normal Government duties of the employee and they are strictly limited to the logistics of getting the official safely and conveniently to the event. The employee may not be involved with any aspect of the planning for, or the content of, the political event.

An employee who works for a PAS official generally **may not** accompany the PAS official to a political activity or event held in a Government office or during the employee's duty hours. However, an employee may accompany a PAS official on official travel to a political event if it is deemed necessary for the employee to perform necessary and incidental Department business that may arise during the travel or event. Thus, security personnel and a Government liaison may accompany a PAS official on a political trip. The non-PAS employee on official travel may not participate in, or assist the PAS official with, partisan political activities, even during non-duty hours; the employee must limit activities to supporting the PAS official as an employee of the Department.

POLITICAL FUND-RAISING

As noted above, a Department employee, regardless of position, **may not** solicit, accept, or receive political contributions, including:

- making telephone calls to solicit campaign contributions (including anonymous service on a phone bank);
- Forwarding a solicitation for political contributions using social media or email
- hosting a political fund-raiser (See below for rules regarding donating one's personal residence);
- permitting the use of a Government title in connection with fund-raising activities;
- serving on a political fund-raising committee;
- personally handing out fliers containing fund-raising requests; or
- asking for donations at a fund-raising event.

However, Department employees **may**:

- attend a political fund-raiser; and
- make a political contribution.

In addition, most Department employees (with the exception of career SES employees, Administrative Law Judges, and the Inspector General) **may**:

- stuff envelopes with requests for donations;
- solicit or accept political contributions from a union member, provided that the employee is a member of that union and the donor is not a subordinate;
- provide advice regarding a fund-raiser; and
- donate one's personal residence for a fund-raising event and attend that event, **provided that**:
 - the employee **does not** serve as the host or on a host committee and **is not** listed as inviting persons to attend; and
 - the invitation to the event **does not** identify the location of the event by using the employee's name (e.g., "at the home of . . .").

RUNNING FOR OFFICE

A Federal employee (including a Presidential Appointee) **may not** run for office as a candidate in a partisan election (i.e., an election in which candidates are designated by political affiliation). Similarly, a Federal employee (including a Presidential Appointee) **may not** run for a Federal office (Congress). To run as a candidate for such an office, an employee would need to resign their Federal position.

Q: When is one considered to be "running" for office?

A: Very early in the process. Because the Hatch Act has been interpreted to prohibit preliminary activities regarding candidacy, any action that can reasonably be construed as evidence that the individual is seeking support or undertaking an initial "campaign" to

secure nomination or election to office would be viewed as candidacy.

An employee **may** run for office in a nonpartisan election (i.e., an election in which none of the candidates are designated by party affiliation). Although generally a Federal employee **may not** be a candidate in a partisan election (either as a party candidate or as an independent), employees **may** run for office in local elections in the Washington, D.C. suburbs (but not in D.C. itself) and other designated areas as independent candidates (i.e., candidates not designated by party affiliation), even in partisan elections.

USE OF GOVERNMENT RESOURCES FOR POLITICAL ACTIVITIES

Government resources **may not** be used for political activities, such as:

- Government equipment, services, and supplies, including Government mail;
- Government time;
- nonpublic information, including potential donor lists;
- a Government title; or
- the authority of his or her position.

Services of Subordinates: Supervisory officials -- career and noncareer ^B may not solicit, accept, or receive uncompensated volunteer services from a subordinate for any political purposes. This is true even if the employee's offer is entirely voluntary and self-initiated. For example, a member of the Secretary's staff may not volunteer directly to the Secretary to write a speech for the Secretary's use at a political event or to accompany the Secretary to the political event to do advance work. Employees may, however, independently volunteer their services to a party or candidate committee to work at an event outside of duty hours and, in turn, be assigned at the discretion of the party or candidate committee.

Providing Briefing Materials: It is appropriate for the Secretary or other senior Department official to request from employees publicly available, ^Aoff-the-shelf[@] materials, even though the senior official may be using them in connection with a political activity or event. Employees **may not** be requested to write or prepare any materials in a federal office during normal duty hours that will be used solely for political purposes nor may they prepare materials containing statements of political advocacy.

De Minimis Resources: Infrequent *de minimis* use of some Government resources, i.e., local faxes and telephone calls, by Presidential Appointees in connection with political activity is allowable under guidance issued by the Office of Special Counsel. **PAS officials are the only persons who may conduct political activity during duty hours in or outside of a Federal building.**

POLITICAL TRAVEL

The prohibition on the use of Government funds for political purposes also applies to travel expenses of Presidential Appointees and others attending political events. For travel to purely political events, the political campaign for which the Presidential Appointee is traveling must make all the arrangements and pay all costs. For travel that includes both political and Government events, the campaign or political organization must pay in advance a *pro rata* share of the costs based on the time spent on political activities or, for campaign events relating to a Presidential campaign, the costs which would have accrued if the trip was solely for the Presidential campaign. For both exclusively political travel and mixed political/official travel, Department employees may accompany a Presidential Appointee on a trip to perform necessary and incidental Department business, as noted above at page 6. Because the formulas for calculating costs associated with mixed trips are complicated and may have implications on federal election laws, employees involved in mixed trips (including those planning the trips) should consult the Counsel for Ethics well in advance.

POLITICAL RECOMMENDATIONS

Government officials with examining or appointing authority may not solicit, receive, or consider an oral or written recommendation from a Member of Congress regarding an applicant for a competitive service position, unless the recommendation is limited to the character or residence of the applicant or unless it is based on the sender's actual personal knowledge of the applicant's work performance and qualifications. This same rule applies to recommendations or statements from a Member of Congress regarding personnel actions for current Government employees, including promotions or disciplinary actions. Employees who receive a recommendation letter from a Member of Congress should contact the Counsel for Ethics at (202) 693-5528 for advice on whether the letter may be considered when evaluating an applicant or a current employee regarding a personnel action. This restriction in no way disqualifies or prevents consideration of a particular candidate.

OTHER ETHICS LAWS AND REGULATIONS

Although there are specific laws and regulations governing the political activities of Government employees, employees also need to consider and follow the general ethics statutes and the Standards of Conduct. General ethics rules cover outside employment, financial conflicts of interest, appearances of impropriety, gifts, lobbying the Government, and, as explained in part above, misuse of Government resources.

The interplay between the political activities rules and the basic ethics rules may not be readily evident. For example, although a Federal employee generally may serve as an officer of a political campaign, he or she may not represent the campaign in a dispute before the Federal Election Commission because such action would be a violation of

the basic prohibition on Government employees contacting a Federal agency or court on behalf of another person or entity. Similarly, although an employee may run for office in a local jurisdiction in a nonpartisan election, the employee may not accept the position and retain Federal employment if it is inconsistent with the employee's Government duties, such as if the duties include working with the local government.

POLITICAL ACTIVITIES RULES EXAMPLES

NO PROBLEM

1. A GS-9 discusses with her colleagues in the cafeteria a partisan election for city mayor.
2. A Schedule C employee is elected chair of a local political party.
3. A Special Assistant runs for City Council in an election where candidates are not listed by party.
4. A non-career employee accompanies a Presidential Appointee to a political rally during duty hours to assist with Department scheduling.
5. An employee writes a campaign speech using her computer at home.
6. A Confidential Assistant volunteers to work on a political event during non-duty hours.
7. A GS-15 stuffs envelopes with a fund-raising letter for a candidate.
8. A GS-11's spouse, who is not a Government employee, hosts a fund-raising event at her home.
9. An employee places a political bumper sticker on her personal car.
10. A Schedule C employee makes calls requesting votes for a candidate.

PROBLEM

1. A GS-9 holds a campaign organizing meeting in her Government office on behalf of a candidate in a partisan election for city mayor.
2. A career Senior Executive Service member is elected chair of a local political party.
3. A Special Assistant runs for City Council in an election where candidates are designated by political party.
4. A non-career employee accompanies a Presidential Appointee to a political rally during duty hours to participate in the rally.
5. An employee writes a campaign speech using her office computer.
6. A Presidential Appointee asks her Confidential Assistant to work on a political event during non-duty hours.
7. A GS-15 hands out a fund-raising letter for a candidate.
8. A GS-11 employee hosts a fund-raising event at her home.
9. An employee places a political bumper sticker on a Government car.
10. A Schedule C employee makes calls requesting funds for a candidate



MEMORANDUM FOR: NICHOLAS C. GEALE
Chief of Staff

FROM: KATE S. O'SCANNLAIN
Solicitor of Labor

A handwritten signature in black ink, appearing to read "KATE S. O'SCANNLAIN", written over the printed name.

SUBJECT: Recommended Procedures and Form
for Review of Political Travel

In order to ensure that the Secretary and the Department comply with all laws and regulations regarding the proper allocation of travel costs by the Secretary and other officials that involve political activities, I recommend the immediate adoption of a review procedure that involves the Office of the Secretary, the Office of the Solicitor, and the Office of the Chief Financial Officer. The review procedure is detailed and documented in the attached "Political Travel Review Form."

The Counsel for Ethics or Associate Solicitor for Legal Counsel will be the primary reviewing official for the Office of the Solicitor and will be available for advice and assistance on political travel issues, generally, as well as the implementation of these procedures.

I believe that this review procedure will best ensure compliance with the applicable laws and regulations, as well as to provide documentation that the relevant offices within the Department have conducted a thorough review of political travel by DOL officials.

cc: Geoffrey Kenyon
Office of the Chief Financial Officer

POLITICAL TRAVEL REVIEW FORM

1. Description of the Event (including sponsor and expected number of attendees / audience make-up):

2. Trip Itinerary

- ___ 100% Political
- ___ Mixed Official / Political
- ___ Other Briefly describe:

Dates:

Itinerary (identify each specific event and amount of time for event, meeting or activity, including sponsor/host and location/s) and indicate whether political or official):

3. Date trip discussed with SOL

- **Date:**
- **SOL reviewer:**
- **OSEC contact:**

4. Review of invitations, announcements, program materials for compliance with the Hatch Act, Federal Election Commission requirements, or any other relevant law or legal requirement.

- **Date/s:**
- **SOL reviewer:**

5. Estimated Cost Allocation

- If 100% political, verify that campaign organization will pay in advance: ____
- Mixed Trip, describe and detail the cost allocation below (Costs associated with political activity DO NOT include any costs that the government would have or have incurred regardless of the activity, such as compensation / expenses of an employee on duty, the value of any leased space, or cost of security arrangements)

Formula to make determination:

Determine total relevant costs of entire trip: Per diem, airfare, train fare, taxis, meals, lodging, etc., for employee engaging in political activity: _____

Itemize costs (e.g. per diem, airfare, train fare, taxis, meals, lodging, etc.):

Determine total activity time: total time spent in official activity + time spent in political activity = total activity time (include only "hard" time (no down time, travel time, etc.)): _____

Time spent in political activity ÷ total activity time = % of trip that is political: _____

Cost allocation: % political x relevant cost total = the amount that must be paid or reimbursed by the political entity or organization:

Date of payments / reimbursement: _____

- **SOL reviewer:**
- **Date:**
- **Any consultation with OCFO on allocation? ___ YES ___ NO**

If yes, provide details:

6. Post Trip reconciliation (if necessary):