



**U.S. Department of Justice**  
**Federal Bureau of Prisons**

Office of the General Counsel  
Washington, DC 20534

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September 15, 2022

Kathy P. Chiron  
President  
League of Women Voters DC

Dear Ms. Chiron,

I am reaching out to address your recent requests that Bureau of Prisons (Bureau) Reentry Services Division staff share candidate information with inmates. As previously discussed, federal law prohibits the Bureau from taking such actions. I hope that this written guidance will help to refresh your memory and reiterate our position.

The Hatch Act, as codified under 5 U.S.C. § 7323(a) and 7324(a), generally prohibits federal government employees from engaging in partisan political activity while on duty, in a federal facility, or using federal property. Political activity is activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. These restrictions prohibit the Bureau and its employees from advocating for or against candidates running in a partisan political campaign on government property, which would include posting biographies/other information about partisan political candidates on our inmate web resources.

Further, 5 C.F.R. § 2635.702 prohibits the Bureau and its employees from endorsing, or creating the appearance of endorsing, outside entities. As such, while Bureau staff can provide inmates with information from various entities for purposes of voting information, and other beneficial resources, staff cannot give preference to one entity's resources over another in doing so.

With the above guidance in mind, this does not prohibit staff from making materials available to inmates, such as placing physical material in staff offices, including providing your organization's contact information, among a variety of other similarly situated organizations and resource materials, without giving preference to one outside entity over another. Should inmates need assistance with voter registration, or voter

questions, our staff is equipped to direct them to a number of resources and entities who assist with voter registration/assistance.

We have consulted with the Department of Justice's Ethics Office and are firm in our decision to deny the request to disseminate candidate information. We hope this addresses your concerns and provides additional clarity on what the Bureau will do in relation to making such resources and information available to the inmate population.

Respectfully,

Danielle M. Clarke  
Associate General Counsel/Ethics Officer