

### ***Legal Guidance for inviting candidates to Relay For Life events***

Because the American Cancer Society is a public charity, it cannot support or oppose political candidates or parties. The following guidelines will help you as you plan for and volunteer at your Relay For Life event.

- 1. Q: May we endorse a candidate at a Relay For Life meeting, kick-off, or event?**
  - a. **No.** ACS and representatives of ACS cannot make a formal or informal endorsement of a candidate for local, state, or national public office. Moreover, you cannot use ACS resources to support or oppose candidates. So ACS cannot make a financial or in-kind contribution, which includes providing mailing lists, facilities, or opposition research, to a candidate or political party.
  
- 2. Q: Can a candidate campaign while at a Relay For Life meeting, kick-off, or event?**
  - a. **No.** No one may campaign or fundraise for a candidate or a political party at a Relay For Life event. Further, no campaign materials may be posted or otherwise distributed at a Relay For Life event.
  
- 3. Q: Can we invite an elected official who is not a candidate to a Relay For Life meeting, kick-off, or event?**
  - a. **Yes.** You may invite a legislator or other public official to any ACS event no matter where it is held or what activities take place at the event as long as they are not also candidates.
  
- 4. Q: Can we invite an elected official who is also a candidate to attend or speak as an elected official at a Relay For Life meeting, kick-off, or event?**
  - a. **Yes.** An elected official who is also a candidate may be invited to appear or speak at an ACS event as long as:
    - The individual is chosen solely for reasons other than candidacy for public office (for example, the individual has been a longstanding supporter of funding for cancer research, or the event is located in his or her legislative district).
    - The individual attends only as an elected official (and not as a candidate) and ACS clearly indicates the capacity in which the individual is appearing (for example, the individual is introduced as the Mayor, and not as someone ACS would like to see in the Mayor's office for the next four years.)
    - In connection with the event, neither the individual nor ACS makes any mention of the candidacy or the election before, during, or after the event.
    - No campaign activity occurs and ACS maintains a nonpartisan atmosphere at the event.

- 5. Q: If we invite an elected official who is also a candidate to attend or speak as an elected official, do we also have to invite his or her opponents?**
- a. **No.** As long as the elected official who is also a candidate is properly invited to appear or speak at a Relay For Life meeting, kick-off, or event in his or her capacity as an elected official (see Question 4 above), his or her opponents do not have to be invited. If, however, a candidate is invited to attend in his or her capacity as a candidate (see Question 6 below), ACS must provide an equal opportunity to all viable political candidates seeking the same office to participate.
- 6. Q: Can we invite a candidate to attend a Relay For Life meeting, kick-off, or event in his or her capacity as a candidate?**
- a. **Yes.** A candidate may be invited to attend a Relay For Life meeting, kick-off, or event in his or her capacity as a candidate as long as:
- ACS provides an equal opportunity to participate to all viable political candidates seeking the same office (for example, ACS is not permitted to invite one candidate to attend at the heavily attended event if the other candidate is invited to attend only at a sparsely attended event.)
  - ACS does not indicate support of or opposition to the candidate (including candidate introductions and communications concerning the candidate's attendance).
  - No campaign activity (including political fundraising) occurs during or in connection with the event.
- 7. Q: How should we invite an elected official or a candidate to a Relay For Life meeting, kick-off, or event event?**
- a. Send a written letter or invitation to the elected official or the candidate and keep a copy. Include the following disclaimer in your letter or invitation:  
*Please note that as a condition of its tax-exempt status, ACS is prohibited from supporting or opposing any candidate for public office. Even the appearance of support or opposition creates a risk to ACS's ability to continue to operate as a public charity. Accordingly, this invitation must not be treated as support by ACS for your candidacy or as opposition to any opponent's candidacy. In connection with your participation in this ACS event, we ask that you, your staff and your volunteers help us comply with these requirements by refraining from mentioning or promoting your or anyone else's candidacy or the election, distributing campaign literature, soliciting or receiving campaign contributions, or engaging in any activity that suggests that ACS supports or opposes a*

*candidate. For example, we ask that campaigns not use depictions of ACS logos—such as those that appear on t-shirts, signs, and event banners—or photographs taken at the event. If any statement or activity appears to indicate that ACS endorses a candidate, ACS will issue a public statement to clarify that it did not, in fact, endorse the candidate*

**8. Q: Can I volunteer for or contribute money to a candidate outside of ACS?**

- a. **Yes.** You may definitely volunteer your own time or give your own money to a candidate. However, when doing so, do not hold yourself out as a representative of ACS, and do not use any ACS resources, including email, telephones, photocopiers, or office space.

**9. Q: If I have other questions, who can I ask?**

- a. You may contact your staff partner, Kjestine Woods at 202-661-5747 [Kjestine.Woods@cancer.org](mailto:Kjestine.Woods@cancer.org), or Joy Ginsburg at 913-747-6016 [Joy.Ginsburg@cancer.org](mailto:Joy.Ginsburg@cancer.org) who will contact the Advocacy Legal team.