

## INFORMATION PAPER

AFKA-DVE-JA  
10 January 2012

SUBJECT: Political Activities by Members of the Armed Forces and Civilian Employees

1. **Purpose.** To provide information on what types of political activities are permitted and prohibited for active duty military members, reserve component members, and civilian employees.

2. **References.**

- a. 5 U.S.C. §§ 7321-7326 (“Hatch Act”)
- b. DoD Directive 1344.10, Political Activities by Members of the Armed Forces
- c. DoD Directive 5500.7-R, Joint Ethics Regulation (JER), Chapter 6
- d. AR 600-20, Army Command Policy, Paragraph 5-3, Appendices B and C

3. **Bottom Line:** All federal employees should steer clear of any activity that may be reasonably viewed as directly or indirectly associating DoD or the military with a partisan political activity.

4. **Discussion.** Service members and employees are encouraged to get involved in political activities and fulfill their obligations as United States citizens. Certain political activities that create a real or apparent conflict of interest with their federal employment, however, are expressly prohibited. Adherence to the rules regarding political activities is important, particularly during Presidential election years when political partisanship is at its peak. Rules concerning individual involvement in political activities vary depending on whether the individual is an active duty member, reserve component member, or federal civilian employee.

a. Active Component. Service members on full-time active duty in the military service of the United States, including full-time or annual training duty, are considered part of the active component and thus must adhere to strict guidelines concerning political activities. See detailed discussion at Tab A.

b. Reserve Component. Reserve and National Guard personnel on active duty are subject to the same restrictions as their active component counterparts. Most restrictions, however, do not apply to members of the reserve component not on active duty as long as the service members are not in uniform or otherwise cause an appearance of official endorsement or sponsorship.

c. Civilian. Federal civilian employees are subject to some prohibitions that are not as strict as those for active duty members. See detailed discussion at Tab B.

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TAB A – Guidelines for Active Duty Service Members**

Active duty service members are **PERMITTED** to engage in the following political activities:

1. Register, vote, and express a personal opinion on political candidates and issues, but not as a representative of the Armed Forces.
2. Promote and encourage others to exercise their voting franchise, if such promotion does not constitute use of their official authority or influence to interfere with the outcome of any election.
3. Join a partisan or nonpartisan political club and attend its meetings when not in uniform (except that one may not serve in any official capacity with a partisan political club, or be listed as a sponsor of a partisan political club).
4. Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with the performance of military duties, is performed when not in uniform, and the SECARMY has given prior approval.
5. Sign a petition for a specific legislative action or a petition to place a candidate's name on an official election ballot, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the Armed Forces.
6. Write a letter to the editor of a newspaper expressing the member's personal views on public issues or political candidates, if such action is not part of an organized letter-writing campaign or a solicitation of votes for or against a political party or partisan political cause or candidate. If the letter identifies the member as on active duty (or if the member is otherwise reasonably identifiable as a member of the Armed Forces), the letter should clearly state that the views expressed are those of the individual only and not those of the Department of Defense.
7. Make monetary contributions to a political organization, party, or committee favoring a particular candidate or slate of candidates.
8. Display a political bumper sticker on the member's private vehicle.
9. Attend partisan and nonpartisan political fundraising activities, meetings, rallies, debates, conventions, or activities as a spectator when not in uniform and when no inference or appearance of official sponsorship, approval, or endorsement can reasonably be drawn.
10. Participate fully in the Federal Voting Assistance Program.

Active duty service members are **PROHIBITED** from engaging in the following activities:

1. Participate in partisan political fundraising activities (except as permitted in #7 on the above list of permissible activities), rallies, conventions (including making speeches in the course thereof), management of campaigns, or debates, either on one's own behalf or on that of another, without respect to uniform or inference or appearance of official sponsorship, approval, or endorsement. Participation includes more than mere attendance as a spectator.
2. Use official authority or influence to interfere with an election, affect the course or outcome of an election, solicit votes for a particular candidate or issue, or solicit political contributions.

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**TAB A – Guidelines for Active Duty Service Members**

3. Allow or cause to be published partisan political articles, letters, or endorsements signed or written by the member that solicits votes for or against a partisan political party, candidate, or cause. (This includes using official e-mail to generate or forward messages that tend to encourage others to support or oppose a particular political candidate.) (This is distinguished from a letter to the editor as permitted under # 6 on the above list of permissible activities.)
4. Serve in any official capacity with or be listed as a sponsor of a partisan political club.
5. Speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate, or cause.
6. Participate in any radio, television, or other program or group discussion as an advocate for or against a partisan political party, candidate, or cause.
7. Conduct a political opinion survey under the auspices of a partisan political club or group or distribute partisan political literature.
8. Perform clerical or other duties for a partisan political committee or candidate during a campaign, on an election day, or after an election day during the process of closing out a campaign.
9. Solicit or otherwise engage in fundraising activities in Federal offices or facilities, including military installations, for any political cause or candidate.
10. March or ride in a partisan political parade.
11. Display a **large** political sign, banner, or poster (as opposed to a bumper sticker) on a POV.
12. Display a partisan political sign, poster, banner, or similar device visible to the public at one's residence on a military installation, even if that residence is in privatized housing.
13. Participate in any organized effort to provide voters with transportation to the polls if the effort is organized by or associated with a partisan political party, cause, or candidate.
14. Sell tickets for or otherwise promote partisan political dinners and similar fundraising.
15. Attend partisan political events as an official representative of the Armed Forces, except as a member of a joint Armed Forces color guard at the opening ceremonies of the national conventions of the Republican, Democratic, or other political parties recognized by the Federal Elections Committee or as otherwise authorized by the SECARMY.
16. Make a campaign contribution to, or receive or solicit (on one's own behalf) a campaign contribution from, any other member of the Armed Forces on active duty.

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TAB B – Guidelines for Federal Civilian Employees**

Federal civilian employees are **PERMITTED** to engage in the following political activities during their off-duty time. (Additional rules exist for political appointees, career members of the SES, and all NSA, DIA and NGA employees.)

1. Become a candidate for public office in nonpartisan elections. (e.g., an employee may run for school board in the District of Columbia because school board elections in the District are nonpartisan)
2. Register and vote as they choose. (e.g., an employee may register to vote Republican and vote for a Republican candidate even though his boss is a Democratic political appointee, or vice-versa.)
3. Assist in voter registration drives. (e.g., an employee may assist in a voter registration drive sponsored by the League of Women Voters.)
4. Express opinions about candidates and issues. (e.g., an employee may write a letter to the editor which expresses her personal opinion on a candidate or political issue.)
5. Contribute money to political organizations.
6. Attend and give a speech at a political fundraiser, rally or meeting.
7. Join and be an active member of a political party or club.
8. Sign and circulate nominating petitions.
9. Campaign for or against referendum questions, constitutional amendments, and municipal ordinances.
10. Campaign for or against candidates in partisan elections.
11. Distribute campaign literature in partisan elections.
12. Hold office in political clubs or parties.

Federal civilian employees are **PROHIBITED** from engaging in the following political activities:

1. Use their official authority or influence to interfere with an election.
2. Personally solicit or discourage political activity of anyone with business before his or her agency.
3. Solicit, accept or receive political contributions (may be done in certain limited situations by federal labor or other employee organizations).

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**TAB B – Guidelines for Federal Civilian Employees**

4. Engage in political activity while on duty, in a government office, while wearing an official uniform, or while using a government vehicle. (E.g., an employee may not display a political poster, bumper sticker or campaign button in his or her office or in the common areas of a federal building.)

5. Become a candidate in a partisan election.