

7 FAM 1560

POLITICAL ACTIVITIES AND THE OVERSEAS VOTING PROGRAM GUIDANCE

(CT:CON-125; 01-25-2006)
(Office of Origin: CA/OCS/PRI)

7 FAM 1561 SUMMARY

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- a. This section highlights a few issues concerning political activities that are specific to the voting assistance program and the operation of U.S. political parties abroad. (See 3 FAM 4123.3).
- b. **Ethics Program Website:** The Department’s general guidance on permissible political activities by individuals is available on the Department’s ethics programs website. The website discusses the 1993 revisions to the Hatch Act (Public Law 103-94) and implementing regulations (5 CFR 734). In addition, it incorporates policy restrictions specific to the Department of State.
- c. Permissible political activities vary depending on the status of the employee (e.g., the rules for ambassadors and non-Chief of Mission (COM) Foreign Service (FS) officers are not identical).
- d. Violations of the Hatch Act restrictions can lead to criminal and civil penalties, as well as disciplinary action.
- e. Questions in the area of political activities should be directed to L/EMP/Ethics by email at “L-EMP-Ethics-Attorney mailbox” or, if necessary, by phone at (202) 647-4646.
- f. See the U.S. Office of Special Counsel web page for additional information about the rights of U.S. Government employees under the Hatch Act. This web page is accessible on the Department’s ethics program website.

7 FAM 1562 ELECTION ACTIVITIES ON U.S. EMBASSY OR CONSULAR PREMISES

(CT:CON-125; 01-25-2006)

- a. Employees **are generally prohibited** from engaging in any partisan political activities while at post.

- b. Voting Assistance Officers **may** brief and meet on embassy and consular premises with private U.S. citizen groups abroad about the overseas voting program.
- c. Voter registration drives on embassy or consulate premises **are permitted**.
- d. Partisan political rallies on embassy or consulate premises **are not permitted**.
- e. Posts abroad **may not** conduct polling or mock election results tallying of post employees, dependents or private citizens.
- f. Voting Assistance Officers **may not** participate in such mock election exercises at “American schools” abroad.

7 FAM 1563 PARTICIPATION BY VOTING ASSISTANCE OFFICER IN PARTISAN ELECTION EVENTS OUTSIDE CONSULAR PREMISES

(CT:CON-125; 01-25-2006)

- a. Voting Assistance Officers **may** attend meetings of private U.S. citizen groups to provide general information about the overseas voting program. However, they must avoid giving preferential treatment to any particular group or individual.
- b. Here is some guidance that relating to situations that arise frequently and the general issue of political neutrality.
 - 1. **Newsletter or Warden Message Announcements:** In newsletters, we can identify Democrats Abroad and Republicans Abroad, along with other U.S. citizen groups such as American Citizens Abroad (ACA), Association of Americans Resident Overseas (AARO), Federation of American Women’s Clubs Overseas, Inc., or League of Women Voters as sources for non-partisan assistance with voter registration. Please note that the Federal Voting Assistance Program (FVAP) lists these groups on its website and in the Voting Assistance Guide. Voting Assistance Officers can write an article asking for voting volunteers who would be willing to work with the Embassy or Consulate (and its network of groups) to provide voting assistance for the coming year. (See 7 FAM 058 and 7 FAM 070 for guidance about Warden Messages and Warden Systems.) You **can** encourage the groups to advertise in the local English-language media.
 - 2. **Events Hosted By Political Parties:** Voting Assistance Officers

- cannot** advertise partisan meetings or partisan fundraisers. If there is a partisan meeting, after which or before which there is non-partisan voter registration, Voting Assistance Officers can advertise the voter registration portion and attend that voter registration effort to register and provide voting-related notariats. The two major political parties often hold joint, non-partisan voter registration drives – which Voting Assistance Officers can attend.
3. **Speaking to Democrats Abroad and Republicans Abroad:** To appear non-partisan, Voting Assistance Officers should plan to talk to both groups. Voting Assistance Officers can discuss the post's role in providing voting assistance and education to U.S. citizens in the consular district. They can ask both groups to hold non-partisan voter registration events to help reach out to all U.S. citizens, and can give Guides, election calendars and motivational posters to both groups.
 4. **Events that the Embassy/Consulate hosts:** Voting Assistance Officers can send out a note that Republicans Abroad and Democrats Abroad will be in attendance at an Embassy-hosted town hall meeting to handle non-partisan voter registration, and can invite both groups to staff a voter registration booth at your July 4th event. Voting Assistance Officers' booths can have signs that say "**VOTE!**" or "**Register to vote here**" or something similar, but they should not contain any signs that identify candidates or support either party.
 5. **What Voting Assistance Officers cannot do:** They cannot provide partisan information on candidates and issues to U.S. officials or U.S. Government employees, private U.S. citizens or military personnel. Further, they cannot distribute any literature from candidates or partisan organizations.
 6. **What Voting Assistance Officers can do as private citizens employed by the U.S. Government:** See the Department's ethics program website and the U.S. Office of Special Counsel web page for information about the rights of U.S. Government employees under the Hatch Act.

7 FAM 1564 THROUGH 1569 UNASSIGNED