

1 August 2011

INFORMATION PAPER

SUBJECT: Political Activities of Federal Employees and Soldiers.

1. PURPOSE. To define the prohibited and permissible political activities of DoD civilians and active duty Soldiers.

2. DISCUSSION. It is DoD policy to encourage members of the Armed Forces to carry out the obligations of citizenship, however, while on active duty, Soldiers are prohibited from engaging in certain political activities. Additionally, the Hatch Act limits the permissible political activities of DoD civilian employees. No Federal employee may engage in political activities in the workplace or while on duty. Use of government resources, facilities and property, including government communications systems, to support political activities is prohibited for all categories of employees. Soldiers and civilian employees should strive to avoid presenting the appearance of endorsement of a particular candidate or issue by the Army during their participation in political activities.

a. Active Duty Servicemembers.

(1) Soldiers on active duty may register, vote, and express personal opinions on political candidates and issues, but not as a representative of the Armed Forces. Soldiers must not conduct themselves in a manner which would imply that the Army has taken an official position on, is otherwise involved in, or endorses the activity or political issue. A Soldier's participation in political activities must not interfere with their official duties or organizational mission.

(2) Permissible actions include:

(a) Making monetary contributions to political organizations;

(b) Attending partisan and non-partisan political meetings, rallies or conventions as a spectator when not in uniform;

(c) Encouraging other Soldiers to exercise their right to vote, if such promotion does not constitute an attempt to influence other soldiers to favor a particular candidate or stance on an issue.

(3) Prohibited actions include, but are not limited to:

(a) Wearing the uniform or using any government property or facilities while participating;

(b) Using 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 require or solicit political contributions from others;

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(c) Candidacy for, holding, or exercising the functions of civil office;

(d) participating in partisan political management, campaigns, or conventions (unless attending as a spectator when not in uniform);

(e) making campaign contributions to another member of the Armed Forces or an employee of the Federal Government or soliciting campaign contributions from other servicemembers for the purpose of promoting a political objective or cause, including a campaign.

b. DoD Civilian Employees. While most civilian employees may take an active part in political activities, the extent and nature of civilian employees' participation in political activities is limited by the Hatch Act, related statutes, and implementing regulations. Employees must ensure that their political activities do not create a real or apparent conflict of interest with the performance of their official duties.

(1) Permissible activities of civilian employees include:

(a) Participation in political organizations, parties, and partisan groups, including service as officers, attendance at rallies, caucuses, and conventions, and serving as delegates to party conventions.

(b) Active participation in a political campaign, including canvassing voters, displaying campaign materials, endorsing candidates, and distributing literature is permitted off-duty and away from the place of employment so long as the employee does not use his official position or title during these activities.

(c) Civilian employees may participate in election activities such as acting election clerks, recorders, watchers or other polling place activities.

(d) Civilian employees may make financial contributions.

(2) Prohibited activities for civilian employees include but are not limited to:

(a) Acceptance of volunteer services from subordinates or anyone an doing business with DoD.

(b) Use of official authority to influence or interfere with election activities.

(c) Soliciting or receiving campaign contributions or using official titles during fundraising events.

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(d) Participating in otherwise permissible political activity while on duty, in a government office or building, or while using a government vehicle.

c. Ask your Ethics Counselor. This is not intended to be an exhaustive compilation of the permitted and prohibited political activities of Soldiers and civilian employees. If you have questions concerning a specific activity, please contact your local ethics counselor.