

Less restricted employees may also:

- * Volunteer to work on a partisan campaign
- * Attend and be active at political rallies and meetings
- * Go door-to-door with the candidate and distribute campaign literature
- * Write speeches for a candidate
- * Join and hold office in a political party or political organization
- * Endorse a candidate for partisan political office in a political advertisement (may not use DoD/AF title)
- * Organize and work at a fundraising event (NO SOLICITING)
- * Serve as a delegate to a state, local, or national political party convention
- * Work to get out the vote on Election Day
- * Serve as an election judge (for a political party or the city or county).

References:

DoD 5500.7-R; CH-7; Joint Ethics Regulations, 17 November 2011
5 C.F.R. Parts 733, 734
5.U.S.C. §§7321-7326



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This handout provides general information. It is not a substitute for obtaining advice from an ethics counselor on the application of the ethics laws and regulations to a specific set of facts and circumstances. Please contact us at:

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FEDERAL CIVILIAN **POLITICAL ACTIVITIES**

"Integrity First"

FEDERAL CIVILIAN POLITICAL ACTIVITIES

This pamphlet provides general guidance on the Hatch Act, the law that restricts partisan political activity of civilian executive branch employees of the Federal Government. This includes Department of Defense (DoD) civilian employees. The separation between political activities and the federal government is even more crucial when involving the Armed Forces because of the need for public confidence in civilian control over the military.

Political activity is an activity directed toward the success or failure of a political party, candidate for partisan political office, or a partisan political group.

Partisan vs. Nonpartisan

Partisan activities relate to candidates or issues representing national or state political parties. Candidacy for national or state office is partisan, even if the candidate is not affiliated with a national or state political party. Partisan activities are more restricted than nonpartisan activities.

Nonpartisan activities are not associated with a national or state political party but involve “stand alone” political issues, such as constitutional amendments, municipal ordinances, etc. Employees have more leeway with these activities as long as they:

- * Refrain from using government facilities and/or resources
- * Avoid any implication that the Air Force endorses or supports their participation in the activity

Further Restricted and Less Restricted Employees

The DoD has two sets of rules for three groups of employees. Further restricted employees consist of (1) individuals appointed by the President and confirmed by the Senate (PAS) and individuals serving in non-career SES positions, and (2) career members of the SES, contract appeals board members, and all employees of the National Security Agency, the Defense Intelligence Agency, and the National Geo-Spatial Intelligence Agency. Less restricted employees are DoD civilian employees and Schedule C appointments.

Guidelines for DoD Civilian Employees

Under the Hatch Act, **all** DoD civilian employees are **prohibited** from:

- * Using their official authority or influence for the purpose of interfering with or affecting the result of an election
- * Knowingly, personally soliciting, accepting or receiving a political contribution from any person
- * Running for the nomination or as a candidate for election to a partisan political office
- * Participating in political activity while on-duty or in any room or building occupied in the discharge of official duties by an individual employed by the DoD
- * Engaging in political activity while wearing a uniform or official insignia identifying the office or position of the DoD employee
- * Engaging in political activity while using any vehicle owned or leased by the Government of the United States or any agency or instrumentality thereof
- * Knowingly soliciting or discouraging the participation in any political activity of any person who has an application for any compensation, grant, contract, ruling, license, permit, or certificate pending before the employee’s office
- * Knowingly soliciting or discouraging the participation in any political activity of any person who is the subject of or a participant in an ongoing audit, investigation, or enforcement action being carried out by the employee’s office

Additional prohibitions for further restricted employees:

- * May not engage in any political activity which is “in concert” with a political party, partisan political group or candidate for partisan political office.

“In concert” activity is any activity that is sponsored or supported by a political party, partisan political group or candidate for partisan political office.

For example, further restricted employees are prohibited from:

- * Writing speeches or performing research on political issues for a partisan political campaign
- * Making speeches as a surrogate for a candidate for partisan political office
- * Soliciting, accepting, or receiving political contributions
- * Holding office in a political party
- * Hosting a fundraiser for a candidate for partisan political office
- * Knocking on doors to solicit votes or handing out political leaflets for a candidate for partisan political office
- * Serving as a delegate to a political party convention or doing any type of volunteer work for a candidate for partisan political office, including serving on a phone bank

All DoD employees **may** engage in the following activities:

- * Place a campaign sign in their yard
- * Place a campaign bumper sticker on their car (even if they park in a Government parking lot)
- * Make a financial contribution to a political party or candidate running for partisan political office
- * Express personal opinions on candidates and political issues
- * Attend political events
- * Participate in nonpartisan elections
- * Assist in nonpartisan voter registration drives
- * Work for the city or county as a poll worker on Election Day
- * Sign a nominating petition