

Civilian Political Activities

This handout provides a brief overview of regulations for participating in political activities as a Civilian Federal Government employee. 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.

What is a political activity?

It 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

GUIDELINES FOR FEDERAL EMPLOYEES

Following is a list of guidelines for Federal Employees covered under the Hatch Act.

Civilian Federal Employees May:

- Be candidates for public office in nonpartisan elections;

- Register and vote as they choose;
- Assist in voter registration drives, drive voters to a polling place, and act as a recorder, watcher or challenger at a polling place;
- Serve as election judge or clerk;
- Express opinions about candidates and issues;
- Display a political sign, sticker, button, etc. but not while on duty, in a government office, or using a government vehicle
- Contribute money to political organizations;
- Attend political fundraising functions;
- Join and be an active member or a political party or club, or even manage a political campaign or circulate nominating petitions;
- Campaign for or against referendum questions, constitutional amendments and municipal ordinances;
- Campaign for or against candidates in partisan elections;
- Make campaign speeches for candidates in partisan elections;
- Distribute campaign literature in partisan elections;
- Hold office in political clubs or parties, including serving as a delegate to a convention.

Civilian Federal Employees Should Avoid:

- Using their official authority to interfere with an election;
- Soliciting, accepting or receiving political contributions unless both

individuals are members of the same Federal labor organization or employee organization, and the one solicited is not a subordinate;

- Knowingly soliciting or discouraging the political activity of any person who has business before the agency;
- Engaging in political activity while on duty;
- Engaging in political activity in any government office;
- Engaging in political activity while wearing an official uniform;
- Engaging in political activity while using a government vehicle;
- Becoming a candidate for public office in partisan elections;
- Wearing political buttons while on duty.
- Host or sponsor a political fundraiser (although you may attend it, and your spouse may host the fundraiser.)

PROHIBITED AGENCIES AND DIVISIONS

Certain Federal employees are subject to more extensive restrictions than the previous rules listed in this handout. Employees in the following agencies, divisions, and categories must abide by additional prohibitions listed later in the handout:

- Career members of the Senior Executive Service (SES)
- Defense Intelligence Agency
- Federal Election Commission
- Federal Bureau of Investigation (FBI)
- Secret Service
- Central Intelligence Agency (CIA)
- National Security Council
- National Security Agency
- Merit Systems Protection Board

- Office of Special Counsel
- Office of Criminal Investigation of the IRS
- Office of Investigative Programs of the Customs Service
- Office of Law Enforcement of BATF
- Criminal Division of the Department of Justice
- Central Imagery Office
- Administrative law judges
- Contract appeals board members

ADDITIONAL PROHIBITIONS FOR THE AFOREMENTIONED EMPLOYEES

In addition to the previous restrictions, these employees *may not*

- Take an active role in managing the political campaign of a candidate for partisan political office or a candidate for political party office;
- Campaign for partisan political office;
- Distribute fliers printed by a candidate's campaign committee, a political party or a partisan political group;
- Serve as an officer of a political party, a member of a national, state, or local committee of a political party, an officer or member of a committee of a partisan political group, or be a candidate for any of these positions;
- Organize or reorganize a political party organization or partisan political group;
- Serve as a delegate, alternate, or proxy to a political party convention;
- Address a convention, caucus, rally or similar gathering of a political party or partisan political group in support of or in opposition to a candidate for partisan political office or political party office;
- Organize, sell tickets to, promote, or actively participate in a fund-raising activity of a candidate for partisan

political office or of a political party or partisan political group;

- Canvas for votes in support of or in opposition to a candidate for partisan political office or a candidate for political party office;
- Endorse or oppose a candidate for partisan political office, political office, or for political party office in a political advertisement, broadcast, or in campaign literature;
- Initiate or circulate a partisan nominating petition;
- Act as a recorder, watcher, challenger, etc. at polling places;
- Drive voters to polling places.

FURTHER RESTRICTIONS FOR PRESIDENTIAL APPOINTEES AND ALL NON-CAREER SES

In addition to all aforementioned restrictions, these individuals may not engage in any other activities that could be interpreted as associating the department with any partisan political cause or issue. Such employees *may not*

- Participate as organizers, speakers, hosts, or special guests at political activities, such as fundraisers. (SES may attend solely as spectators.)

However, these employees *may*

- Brief partisan groups on issues of national defense or foreign policy, but not at fundraising events;
- Be at a political fundraiser merely as an attendee.

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If you need advice on a particular situation please contact SAF/GCA at (703) 697-7430 or by email at saf.ethics@pentagon.af.mil to set up an appointment with one of the attorneys. Please also view the website at www.safgc.hq.af.mil/ethics.htm

References: JER DOD 5500.7-R; CFR § 734