

CHAPTER 20

POLITICAL ACTIVITIES

20-1. GENERAL.

The policy governing the political activities of civilian DOD employees is derived from the Hatch Act Amendments, 5 USC 7321 through 7325. It is DOD policy to encourage civilian DOD employees to carry out the obligations of citizenship to the maximum extent possible consistent with the restrictions imposed by law and the Joint Ethics Regulation (JER). Each employee is responsible for insuring that he/she does not engage in prohibited political activities.

20-2. PERMITTED ACTIVITIES.

Subject to limitations in paragraph 20-3 and prohibited activities in paragraph 20-4 below, civilian DOD employees may, in their personal capacities:

- a. Be candidates for public office in nonpartisan elections.
- b. Register and vote as they choose.
- c. Assist in voter registration drives.
- d. Express opinions about candidates and issues.
- e. Contribute money to political organizations.
- f. Attend political fundraising functions
- g. Attend and be active at political rallies and meetings.
- h. Join and be an active member of a political party or club.
- i. Sign nominating petitions.
- j. Campaign for or against referendum questions, constitutional amendments, or municipal ordinances.
- k. Campaign for/against candidates in partisan elections (unless limitations apply in paragraph 20-3.)

1. Make campaign speeches for candidates in partisan elections (unless limitations apply in paragraph 20-3).

m. Distribute campaign literature in partisan elections (unless limitations apply in paragraph 20-3).

n. Hold office in political clubs or parties (unless limitations apply in paragraph 20-3).

20-3. LIMITATIONS.

a. DOD employees who are appointed by the President, by and with the advice and consent of the Senate (e.g., the Secretary of Defense, the Secretaries of the Military Departments, etc.), and DOD employees who are appointed by the Secretary of Defense to non-career Senior Executive Service positions may not engage in activities that could be interpreted as associating the DOD with any partisan political cause or issue.

b. The following DOD employees (except for presidential appointees who are confirmed by and with the consent of the Senate) are prohibited from engaging in the activities listed in paragraph 20-2.k-n above.

- (1) Employees of the National Security Agency.
- (2) Employees of the Defense Intelligence Agency.
- (3) Career members of the senior executive service.
- (4) Administrative Law Judges, and
- (5) Contract appeals board members.

20-4. PROHIBITED ACTIVITIES.

DOD employees may not:

a. Use official authority or influence for the purpose of interfering with or affecting the result of an election.

b. Collect political contributions unless both the collector and the donor are members of the same union or employee organization and the donor is not a subordinate.

c. Knowingly solicit or discourage the political activity of any person who has business with DOD.

d. Engage in political activity while on duty.

e. Engage in political activity while in any Federal workplace.

f. Engage in political activity while wearing an official uniform or displaying official insignia identifying the office or position of the DOD employee.

g. Engage in political activity while using a Government owned or leased vehicle.

h. Solicit political contributions from the general public.

i. Wear political buttons on duty.

j. Be a candidate for public office in partisan elections.

k. Contribute to the political campaign of another Federal Government employee who is in the DOD employee's chain of command or supervision, or who is the employing authority, including the political campaign to re-elect the President or Vice President.

20-5. QUESTIONABLE MATTERS.

Ignorance of the provisions of the law will not excuse an employee from penalties for any violation; therefore, questionable matters concerning political activities should be presented to the Labor Management Office to obtain guidance on the matter before engaging in the activity. Employees may also consult the Hatch Act Amendment or call the Hatch Act Hotline at the office of the Special Counsel, 1-800-854-2824.