

## POLITICAL ACTIVITIES BY FEDERAL CIVILIAN EMPLOYEES

1. PURPOSE. To provide information on what types of political activities are permitted and prohibited for Federal civilian employees.

2. REFERENCES.

a. 5 U.S.C. §§ 7321-7326 (“Hatch Act”)

b. DoD Directive 5500.7-R, Joint Ethics Regulation, Chapter 6

3. BOTTOM LINE. While serving as a Federal civilian employee, certain political activities and types of speech are prohibited. Federal employees must refrain from participating in any activity that may be prejudicial to the performance of government duties or is likely to bring discredit upon the Armed Forces. In addition, some activities that could be viewed as associating the Armed Forces directly or indirectly with a partisan political cause or candidate, although not expressly prohibited, must be avoided.

4. DISCUSSION.

a. Federal civilian employees are encouraged to get involved in political activities and fulfill their obligations as United States citizens. However, certain political activities that create a real or apparent conflict of interest with their Federal employment are expressly prohibited. Adherence to the rules regarding political activities is of paramount importance, especially during Presidential election years when political partisanship is at its peak. Rules concerning individual involvement in political activities vary depending on whether the individual is an active duty military member or a Federal civilian employee.

b. A list of permitted and prohibited activities for Federal civilian employees is attached. Other valuable information may be found at the Office of Special Counsel website, <http://www.osc.gov/pages/hatchact.aspx>.

c. Please refer to DoD Directive 1344.10, 19 Feb 08, Political Activities by Members of the Armed forces, for political activity guidance for military members.

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Federal civilian employees are **PERMITTED** to engage in the following political activities:\*

1. Become a candidate for public office in nonpartisan elections (e.g., run for school board in the District of Columbia because school board elections in the District are nonpartisan).
2. Register and vote as they choose (e.g., register to vote Republican and vote for a republican candidate even though one's boss is a Democratic political appointee).
3. Assist in voter registration drives (e.g., assist in a voter registration drive sponsored by the League of Women Voters).
4. Express opinions about candidates and issues (e.g., write a letter to the editor at the *Virginia Pilot* which expresses personal opinion on a candidate or political issue).
5. Contribute money to political organizations.
6. Attend and give a speech at a political fundraiser, rally, or meeting (e.g., must be off duty).
7. Join and be an active member of a political party or club (e.g., serve as a delegate, alternate, or proxy to a state or national party convention).
8. Sign and circulate nominating petitions (e.g., collect signatures for the nominating petitions of individuals who are running for public office).
9. Campaign for or against referendum questions, constitutional amendments, and municipal ordinances (be politically active in connection with a referendum question that seeks to ban smoking in eating establishments).
10. Campaign for or against candidates in partisan elections (e.g., walk around one's neighborhood and introduce a candidate who is running in a partisan election to his neighbors).
11. Distribute campaign literature in partisan elections (e.g., stand outside a polling place on election day and hand out brochures on behalf of a partisan political candidate of political party).
12. Hold office in political clubs or parties (e.g., serve as a vice-president of a political action committee, as long as the position does not involve personal solicitation, acceptance, or receipt of political contribution).

\*Additional rules exist for political appointees, career members of the SES, and all NSA, DIA, and NGA employees.

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Federal civilian employees are **PROHIBITED** from engaging in the following political activities:

1. Use official authority or influence to interfere with an election (e.g., may not sign a letter seeking volunteer services from individuals using official title.)
2. Personally solicit or discourage political activity of anyone with business before agency (e.g., an employee with agency wide responsibility may address a large, diverse group to seek support for a partisan political candidate as long as the group has not been specifically targeted as having matters before the employing agency).
3. Solicit, accept, or receive political contributions (may be done in certain limited situations by Federal labor or other employee organizations).
4. Engage in political activity while on duty, in a government office, while wearing an official uniform, or while using a government vehicle (e.g., may not display a political poster, bumper sticker, or campaign button in one's office or in the common areas of a Federal building).
5. Imply federal government, DoD, or Army endorsement of a partisan political candidate or political issue.