



Hatch Act and DoD Policy on Political Activities



Communication w/ Presidential Campaigns



- OSD Direction.
 - Prior to election, engagement on transition activities is limited to authorized representatives of eligible candidates only.
 - GSA designates eligible candidates.
 - Until authorized by OSD, DoD personnel may NOT engage with potential candidates or authorized representatives on any matter related to their official duties.
 - Any contact from potential campaigns and their campaign should be reported immediately to Army Administrative Assistant.

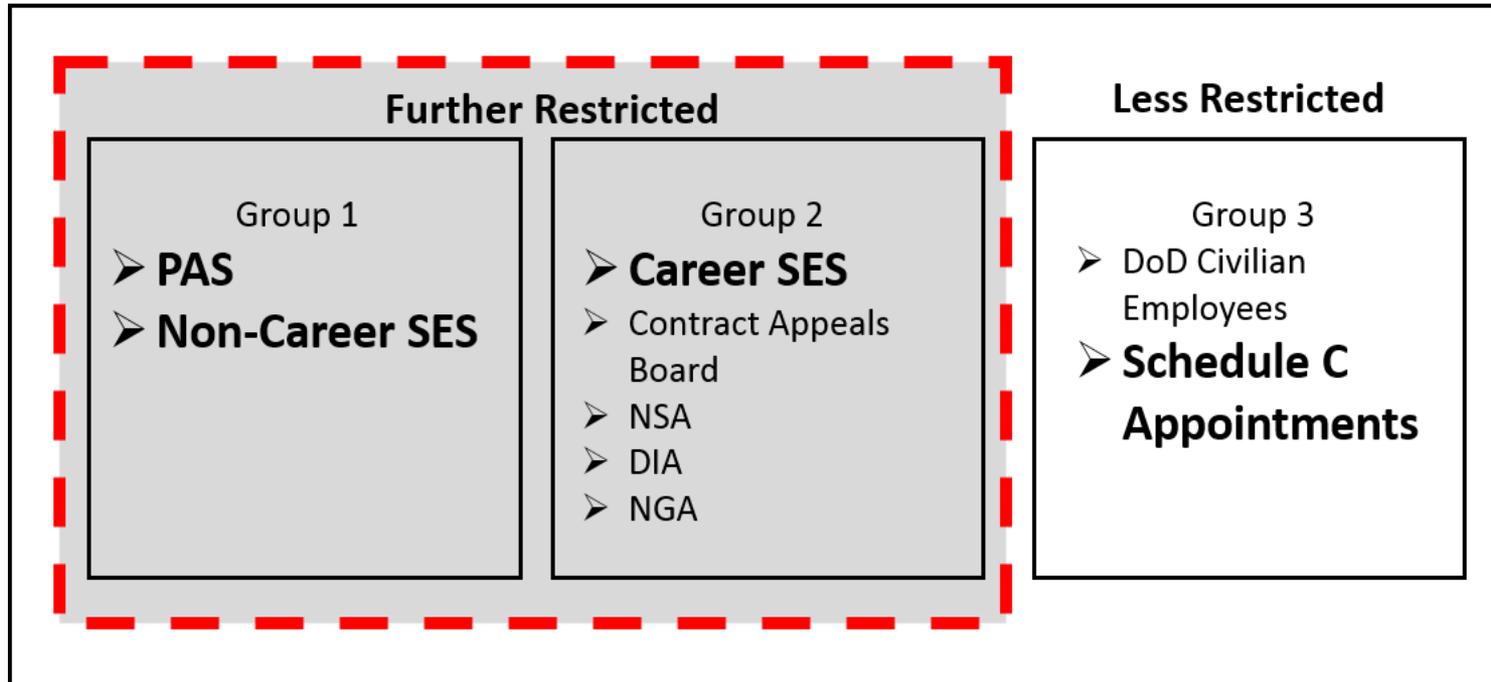


Hatch Act and DoD Policy

- The Hatch Act and DoD Policy restrict partisan political activities of civilian employees.*
 - **“Partisan political activity”** is defined as “Any activity directed toward the success or failure of a partisan candidate, political party, or partisan political group.”
 - Civilian employees are divided into 2 categories:
 - “Further Restricted”; and
 - “Less Restricted.”
- * NOTE: Military personnel are governed by DoD Directive 1344.10, Political Activities by Members of the Armed Forces. Rules are substantially similar to “further restricted” employees.



Hatch Act and DoD Policy Restrictions



"Further Restricted" employees may not actively participate in partisan political management and campaigning.

"Further Restricted" employees are prohibited from engaging in any political activity which is "in concert" with a political party, partisan political group, or candidate for partisan political office.



Prohibited Activities - All Employees



24/7 Prohibitions

All employees may NOT:

- Use official authority or influence to affect the outcome of an election.
- Fundraise, i.e., solicit, accept, or receive political contributions.
- Run for partisan office.
- Solicit or discourage the political activity of a person with business before their employing office.



Prohibited Activities - All Employees



24/7 Prohibitions: Use of Official Authority

All employees may NOT use their official authority to influence or affect the outcome of an election. Examples:

- Involving subordinates.
- Using one's official title or position.
- Using agency resources, e.g., an official social media account.
- Using non-public agency information for political purposes.



Prohibited Activities - All Employees



24/7 Prohibitions: Fundraising

All employees may NOT solicit, accept, or receive political contributions. Examples:

- Asking for donations, e.g., by mail, email, or social media.
- Working a phone bank (if asking for contributions).
- Hosting a fundraiser.
- Inviting others to a fundraiser.
- “Sharing” or “liking” fundraising posts on social media.



Prohibited Activities – All Employees



Examples of Impermissible Fundraising (24/7):

- “Share” or “Like” fundraising posts on social media.
 - Not okay
 - It distributes and shares the post w/FB friends thru News Feed
- “Tweet” or “Retweet” on a tweet that seeks political contributions.
 - Not okay
 - It distributes and shares the fundraising post with your followers on your Twitter account page



Prohibited Activities - All Employees



No Political Activity AT WORK Prohibition

All employees may NOT engage in political activity while:

- On duty (including telecommuting).
- In the Federal workplace (including break rooms, conference rooms, if inside a federal building).
- Wearing a government uniform or badge.
- Using a Government vehicle.

On duty prohibition applies even if using personal devices & accounts.



Prohibited Activities – All Employees

Examples of Impermissible Activities ON DUTY/AT WORK:

- Displaying buttons, posters, coffee mugs, screen savers, candidate photographs, etc. that support or oppose partisan parties or candidates at work.
- Wearing t-shirts, hats, buttons, etc. that support or oppose partisan parties or candidates at work.
- Engaging in political activity via social media (e.g., email, blog, tweet, or post) at work, e.g., may not “like” or “follow” the social media page of a candidate or partisan group.
- Making on-line donations.



Prohibited Activities – All Employees

Examples of Impermissible Activities ON DUTY/AT WORK:

- Emailing, blogging, tweeting, posting to social media, etc.
 - Even if using a personal device or email account.
 - Even if sharing or forwarding content authored by others.
 - Even if sharing or forwarding to friends or like-minded co-workers.



Prohibited Activities - “Further Restricted” Employees

- **“Further Restricted”** employees (e.g., PAS, non-career SES political appointees, & career SES) may not engage in partisan political **management or campaigning**. They are prohibited from engaging in any political activity which is **“in concert with”** a political party, partisan political group, or candidate for partisan political office.
- **“In Concert with”** activity is any activity that is sponsored or supported by a political party, partisan political group, or candidate for partisan political office.



Prohibited Activities - “Further Restricted” Employees

Examples: “Further Restricted” employees may NOT, 24/7:

- Attend **and be active** at a political rally or event.
- Make a campaign speech.
- Distribute campaign literature.
- Organize a political rally or fundraiser for a political party.
- Hold political party office.
- Circulate nominating petitions.
- Participate in partisan voter registration drives.



Prohibited Activities - “Further Restricted” Employees

“Further Restricted” employees may **NOT, 24/7:**

- Write speeches or perform research on political issues for a partisan campaign.
- Serve as a delegate to a political party convention.
- Do any type of volunteer work for a candidate for partisan political office, including serving on a phone bank.
- Host a fundraiser for a candidate for partisan office.
 - Can attend fundraiser hosted by spouse at home but may not assist in organizing, hosting, or facilitating event



Prohibited Activities - “Further Restricted” Employees

“Further Restricted” employees Also **MAY NOT, 24/7:**

- “Share” a post **from** a campaign Facebook page (24/7).
- “Retweet” a message **from** a political party (24/7).
- “Like” a post that requests contributions for a candidate (24/7).
- Post or link to campaign or other partisan material of a partisan group or candidate in a partisan race.



EMPLOYEES UNDER THE INTERGOVERNMENTAL PERSONNEL ACT

- A non-Federal employee who is appointed to a Federal position under the Intergovernmental Personnel Act (IPA) is considered to be a Federal employee for virtually all purposes, including application of the Hatch Act. Therefore, the Hatch Act guidance is applicable to an IPA employee.



SPECIAL GOVERNMENT EMPLOYEES

- A Special Government Employee (SGE) is covered by the provisions of the Hatch Act only during the hours that he/she is "on-duty" for the Government. While in his/her personal capacity, a SGE is free to participate in partisan political activities, including running for partisan political office and soliciting political contributions



MILITARY

- Members of the military are not covered by the Hatch Act. The primary guidance concerning political activity for military members is found in DoD Directive 1344.10 [Guidance for Military Personnel].



MILITARY

- Per longstanding DoD policy, active duty personnel may not engage in partisan political activities and all military personnel should avoid the inference that their political activities imply or appear to imply DoD sponsorship, approval, or endorsement of a political candidate, campaign, or cause.



MILITARY

- Members on active duty may not campaign for a partisan candidate, engage in partisan fundraising activities, serve as an officer of a partisan club, or speak before a partisan gathering. Active duty members may, however, express their personal opinions on political candidates and issues, make monetary contributions to a political campaign or organization, and attend political events as a spectator when not in uniform.



Permissible Activities – All Employees



All Employees MAY:

- Vote.
- Display bumper sticker on POV (1 per candidate).
- Place a campaign sign in yard of personal residence (except if living on post).
- Contribute to a campaign (during non-duty hours, not at work, and not using gov't resources).
- Express personal opinions about candidates and issues.
- Attend (*but not be active*) at a political event (exception: PAS officials may not attend Presidential Nominating Conventions).



Permissible Activities – All Employees

All Employees MAY:

- Sign nominating petitions.
- Participate in nonpartisan activities.
- In a personal capacity expressing personal views, write letter to the editor or post a blog endorsing a candidate.
 - Provided not on duty.
 - Not in a Federal building.
 - Not using agency resources, e.g., an official social media account.
 - Not using official title or referring to DoD position. (Disclaimer likely required for senior Army officials).



Permissible Activities – All Employees

All Employees MAY:

- Identify one's political party affiliation on a personal social media profile which also contains one's official title or position.
- While off duty and away from the workplace, may “friend,” “like,” or “follow” a partisan group's social media page. (Remember, you cannot like, share, or retweet a post that solicits political contributions or includes fund raising events.)



Permissible Activities – “Less Restricted” **Employees**

“Less Restricted” Employees **MAY** also:

- Volunteer in candidate’s campaign.
- Attend and be active at political rallies and meetings.
- Join and hold office in a political party or organization.
- Work at the polls on election day for a candidate or political party.
- Assist in partisan voter registration.



SOCIAL MEDIA

- With respect to Social Media, civilian and military personnel may generally express their personal views on public issues or political candidates via social media platforms, such as Facebook, Twitter, or personal blogs, much the same as they would be permitted to write a letter to the editor of a newspaper.



SOCIAL MEDIA

- If, when expressing a personal opinion, personnel are identified by a social media site as DoD employees, the posting must clearly and prominently state that the views expressed are those of the individual only and not of the Department of Defense.



SOCIAL MEDIA

- Active duty military and further restricted civilian employees are prohibited from participating in partisan political activity. Therefore, while these employees may “follow” “friend” or “like” a political party or candidate running for partisan office, they may not post links to, “share” or “re-tweet” comments or tweets from the Facebook page or twitter account of a political party or candidate running for partisan office. Such activity is deemed to constitute participation in political activities.



SOCIAL MEDIA

- Service members must also be careful not to comment, post, or link to material that violates the Uniform Code of Military Justice (UCMJ) or Service regulation. Examples include showing contempt for public officials, releasing sensitive information, or posting unprofessional material that is prejudicial to good order and discipline under the UCMJ.



Social Media Recap



All DoD employees may NOT:

- Engage in any personal social media political activity while on duty or in the workplace or using government equipment.
- Refer to one's official title or position while engaged in political activity on social media.
- Suggest or ask anyone to make political contributions at any time. May not link to the political contribution page of any partisan group, nor “like,” “share,” or “retweet” a solicitation, including an invitation to a fundraising event.



Social Media Recap

“Further Restricted” employees may NOT:

- Post **to**, or link **to**, campaign or partisan material of a partisan candidate or group.
- “Share” these entities’ Facebook pages or content.
- “Re-tweet” posts from these entities’ Twitter accounts.

Hatch Act Social Media Quick Guide

Please note that this Quick Guide is not comprehensive. For complete guidance, see [Hatch Act Guidance on Social Media](#).

FOR ALL FEDERAL EMPLOYEES

Social Media Action	May Not Do Anytime	May Not Do on Duty or at Work	May Do Anytime
1. Like, share, or retweet a post that solicits political contributions, including invitations to fundraising events	X		
2. Post or tweet a message that solicits political contributions or invites people to a fundraising event	X		
3. Use an alias on social media to solicit a political contribution for a political party, candidate in a partisan race, or partisan political group	X		
4. Use a social media account designated for official purposes to post or share messages directed at the success or failure of a political party, candidate in a partisan race, or partisan political group	X		
5. Engage in political activity on a personal social media account if you use such an account for official purposes or post in your official capacity	X		
6. Send to subordinates, or a subset of friends that includes subordinates, any message that is directed at the success or failure of a political party, candidate in a partisan race, or partisan political group	X		
7. Use your official title or position when posting messages directed at the success or failure of a political party, candidate in a partisan race, or partisan political group	X		
8. Post, like, share, or retweet a message in support of or opposition to a political party, candidate in a partisan race, or partisan political group		X	
9. Like, follow, or friend the social media account of a political party, candidate in a partisan race, or partisan political group		X	
10. Use an alias on social media to engage in any activity that is directed at the success or failure of a political party, candidate in a partisan race, or partisan political group		X	
11. Accept invitations to, or mark yourself as “attending,” a fundraising event on social media		X	
12. Include your official title or position and where you work in your social media profile, even if you also include your political affiliation or otherwise use your account to engage in political activity			X
13. Continue to follow, be friends with, or like the official social media accounts of government officials after they become candidates for reelection			X

FOR FURTHER RESTRICTED FEDERAL EMPLOYEES ONLY

Social Media Action	May Not Do Anytime	May Not Do on Duty or at Work	May Do Anytime
1. Share or retweet posts from, or the page of, a political party, candidate in a partisan race, or partisan political group	X		
2. Link to campaign or partisan material of a political party, candidate in a partisan race, or partisan political group	X		
3. Post to or like the social media accounts or messages of a political party, candidate in a partisan race, or partisan political group		X	
4. Engage in political activity on social media that is not done in concert with or on behalf of a political party, candidate in a partisan race, or partisan political group		X	