

Guidance on Political Activities of DON Personnel

BLUF: Public Trust and Confidence Depend on the DON Remaining an Apolitical Body

POLITICS

Army Reserve reprimands soldier who spoke in uniform at Ron Paul rally

By · Fox News

Published March 30, 2012 5:02pm EDT | Updated December 23, 2015 6:20am EST



Cpl. Jesse Thorsen at Ron Paul Iowa Rally

Reserve corporal could face discipline



Video Ad Feedback

Soldier rallies for Ron Paul in uniform



Army Cpl. Jesse Thorsen may be in trouble after lauding Rep. Ron Paul on stage while wearing his Army uniform.

02:27 - Source: CNN

“Now that the 2024 election season is upon us, it is more important than ever for us to remember that the DON is an apolitical body and our members cannot participate in activities that could appear to imply sponsorship, approval, or endorsement of a political candidate, campaign, or cause. ***Public trust and confidence depend on this.***”

- HON Carlos Del Toro, Secretary of the Navy

Service Members on Active Duty

Political Activity Quick Guide

May...	May Not...
Register, vote, and express a personal opinion on a political candidate and issues in a personal capacity.	Attend partisan and nonpartisan political fundraising activities in military uniform.
Attend partisan and nonpartisan political fundraising activities in civilian clothes and in a private capacity.	Volunteer to work on a campaign of a candidate running for partisan political office.
Make a monetary contribution to a political party or candidate running for partisan political office.	Engage in political activity in a federal building.
Engage in nonpartisan political activity, including issue-oriented campaigns (i.e., tax reform, healthcare).	Use your official position or influence to solicit votes for a candidate running for partisan political office, from your coworkers.
Assist an elderly neighbor vote by providing her with transportation to the polls on Election Day.	Be listed as a sponsor of a partisan political group.
Sign a petition for legislative action if the signing is done in your personal capacity.	Speak before a partisan political gathering.
Park a personal vehicle with one partisan political bumper sticker in a government parking lot.	Participate in radio/TV/other program as an advocate for or against a partisan political party, candidate running for partisan political office, or cause.
Write a letter to the editor, in your personal capacity, expressing your personal opinion on a candidate running for partisan political office.	March or ride in a partisan political parade.
Place a campaign sign in the yard of your home (not on a military installation).	Participate in an organized effort to provide voters with transportation to polls if associated with a partisan political party or candidate.
Join a partisan or nonpartisan club and attend meetings in civilian clothes.	Work or stand at the polls for a candidate running for partisan political office or political party on Election Day.
Express personal views on public issues or candidates running for partisan political office on a personal social media platform via personal accounts on social media platforms, making no reference to DoD position.	Solicit, accept, or receive political contributions.
"Follow," "friend," or "like" a political party or candidate running for partisan office on a social media platform.	Use official email or government furnished equipment to engage in political activity.
	"Share," or "re-tweet" links from the account of a candidate for partisan political office on your social media account.

What can you do in your personal capacity?

- Register and vote
- Express your opinion on political candidates
 - CAUTION: Do not violate Article 88 of the UCMJ – “Contempt toward Officials”
 - CAUTION: Don’t try to convince others to adopt your opinions
- **Join** a club and attend its meetings but not in uniform
- Serve as an election official IF you receive SECNAV prior approval
- Sign a petition for legislation or to place a candidate on the election ballot
- **Attend** political fundraising activities and campaign events, but not in uniform

What can you NOT do, even in your personal capacity?

- Engage in political activities in the workplace (includes home when teleworking)
- Use government equipment for political activities
- Display political signs on a military installation
- Display more than one normal-sized political bumper sticker on your vehicle
- Hold an official position with a political club
- **Participate** in political fundraising activities or campaign events
 - Includes marching or riding in a political parade, in or out of uniform
- Soliciting support (fundraising or votes) for a partisan political candidate, group or party
 - Includes publishing written materials, speaking at events, or conducting surveys on behalf of a partisan entity

What about social media when on active duty?

- It is permissible to:
 - Express personal views
 - Friend, like, or follow social media pages of partisan candidates, groups, or causes
- It is prohibited to:
 - Solicit / fundraise for partisan candidates, groups, or causes
 - Forward invites to partisan events
 - Share posts supporting partisan candidates, groups, or causes

Best Practice: Use appropriate disclaimers to clearly indicate that a personal social media account is not official.

Reservists and Retirees NOT on Active Duty

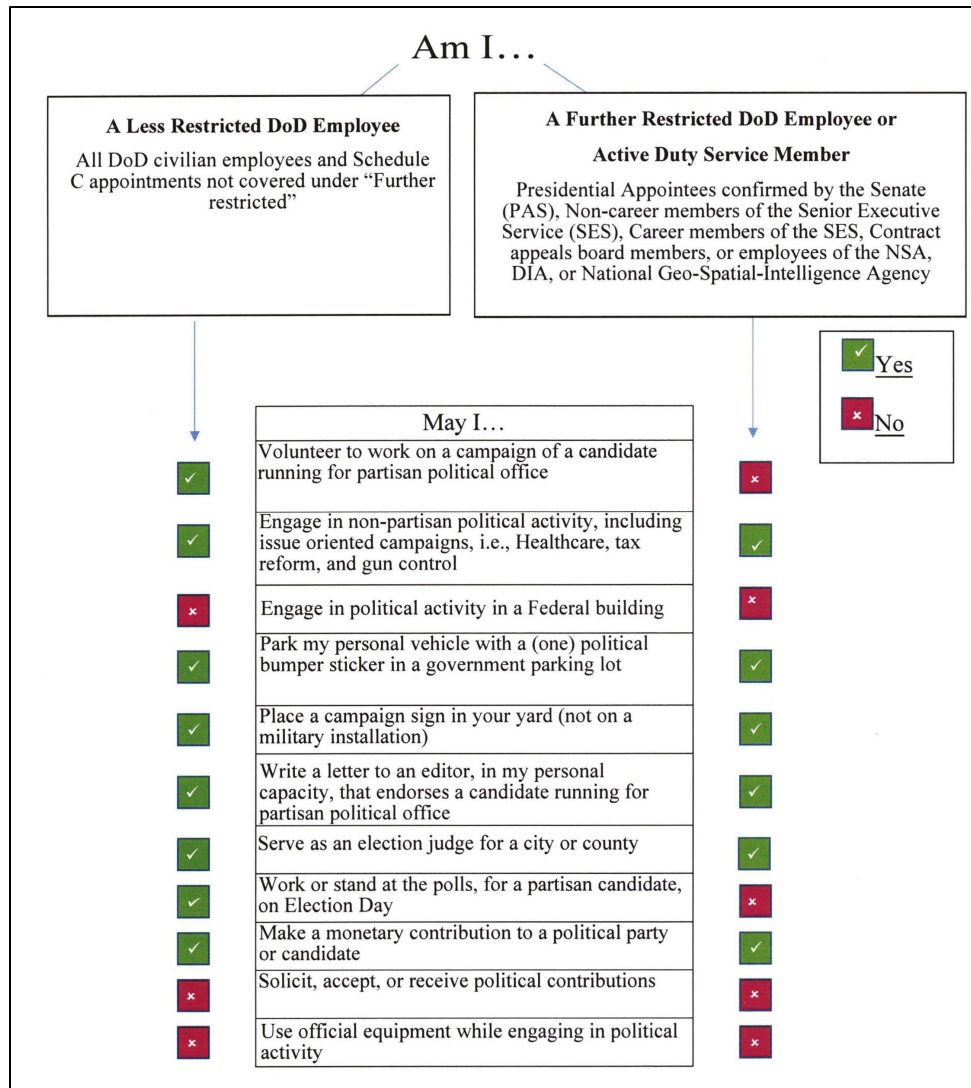
What about Reservists and Retirees?

- If “on active duty” → follow active-duty rules
 - DoDD 1344.10 defines “on active duty” to include:
 - (1) full-time training duty;
 - (2) annual training duty (ADT); and
 - (3) attendance at a Service School
- **Even when not on active duty, including on social media:** You cannot act in a manner that could reasonably create appearance of official sponsorship, approval, or endorsement by the DoD or DON
- Additional restrictions apply to reservists or retirees who are candidates or nominees for political office

Best Practice: Use appropriate disclaimers to clearly indicate that a personal social media account is not official.

Civilians

Political Activity Quick Guide



What can “less restricted” civilians do?

- Express their personal opinions
- Make monetary contributions to a campaign
- **Attend**, but not actively participate in, campaign events or fundraising functions sponsored by candidates for partisan political office or political parties, in their personal capacity
- Volunteer or work in their personal capacity on a campaign of a candidate running for office
- Work or stand at the polls in their personal capacity, for a partisan candidate, on Election Day

How is this different for “Further Restricted” Civilians?

Can:

- Express their personal opinions
- Make monetary contributions to a campaign
- **Attend**, but not actively participate in, campaign events or fundraising functions sponsored by candidates for partisan political office or political parties, in their personal capacity

Cannot:

- Volunteer or work in their personal capacity on a campaign of a candidate running for office
- Work or stand at the polls in their personal capacity, for a partisan candidate, on Election Day

What can ALL civilians NOT do?

- Use or permit the use of their government position or title in a manner that could reasonably be construed to imply that the DoD or DON sanctions or endorses their personal activities or those of another
- Use government equipment for political activities
- Send or forward political emails or post political messages to a social media account while in the Federal workplace (including their home while teleworking)
- Solicit, accept, or receive political contributions

What about social media for civilians?

- It is permissible to:
 - Express personal opinions on social media on personal time
- It is prohibited to:
 - Send or forward political emails or messages in Federal workplace (including from home while teleworking), using either personal or official email

Best Practice: Use appropriate disclaimers to clearly indicate that a personal social media account is not official.

Contractors

Activities by Contractors

- NOT subject to prohibitions we have covered
- Are subject to restrictions imposed by installation commanders for activities on base
 - Within the Pentagon Reservation, restrictions on political activities are imposed by Washington Headquarters Service
- Individual contracts may further restrict
- If you have questions, contact the contracting officer or their representative

Questions?

Back-Up Slides

Guidance on Political Activities of DON Personnel

“Now that the 2024 election season is upon us, it is more important than ever for us to remember that the DON is an apolitical body and our members cannot participate in activities that could appear to imply sponsorship, approval, or endorsement of a political candidate, campaign, or cause. ***Public trust and confidence depend on this.***”

***- HON Carlos Del Toro
Secretary of the Navy***

Political Activity

- **Partisan political activity** is “activity supporting or relating to candidates representing, or issues specifically identified with, national or State political parties and associated or ancillary organizations or clubs.” *DoDD 1344.10, Enclosure 2, para E2.5. (Definitions)*
- **Nonpartisan political activity** is “activity supporting or relating to candidates **not** representing, or issues **not** specifically identified with, national or State political parties and associated or ancillary organizations or clubs.” *DoDD 1344.10, Enclosure 2, para E2.4. (Definitions)*

Permissible Activities for All Service Members

- Register and vote.
- Express political opinion on political candidates and issues in your personal capacity.
- Promote and encourage others to vote.
- Join a partisan or nonpartisan political club in your personal capacity and attend its meetings when not in uniform.
- Serve as an election official if certain requirements are met, including SECNAV approval.
- Sign a petition in your personal capacity for a specific legislative action or a petition to place a candidate's name on an official election ballot.
- Write a letter to the editor expressing personal views on public issues or political candidates.
- Donate money to a political organization, party, or committee favoring a particular candidate or slate of candidates.
- Display one normal sized political bumper sticker on POV.
- Attend partisan and nonpartisan political fundraising activities, meetings, rallies, debates, conventions, or activities as a spectator, when not in uniform.
- Express personal views on social media that do not promote the success or failure of a partisan political candidate or party.
- “Friend,” “like,” or “follow” a social media page/account of a political party or candidate.



Prohibited Activities for Service Members

Reservists Not on Active Duty and Retirees May Not:

All Service Members May Not:

Active Duty Only May Not:

- Use their military rank, job, title, or photographs in uniform in campaign literature to imply endorsement.
- Use or allow the use of photographs of themselves in uniform in campaign literature, unless such photos are not the primary graphic representation; and, are accompanied by the required disclaimer.
- Depict themselves in campaign literature or in uniform in a manner that does not accurately reflect their actual performance of duty.
- Use official Navy or Marine Corps seals or emblems in campaign literature.
- On social media - act in a manner that could reasonably create the appearance of official sponsorship, approval, or endorsement of the DoD or DON.

- Act in a manner that could reasonably create appearance of official sponsorship, approval, or endorsement by the DoD or DON.
- Use government equipment for political activities.
- Send or forward political emails or post political messages to a social media account while in the Federal workplace (including telework), even if using a personal electronic device.
- Provide support, in an official capacity, to political campaign events (e.g., color guard, band, singing the National Anthem, etc.).

Catch-All: “Any activity that may be reasonably viewed as directly or indirectly associating the Department of Defense or any component of these Departments with a partisan political activity or is otherwise contrary to the spirit and intention of [DoDD 1344.10] shall be avoided.”

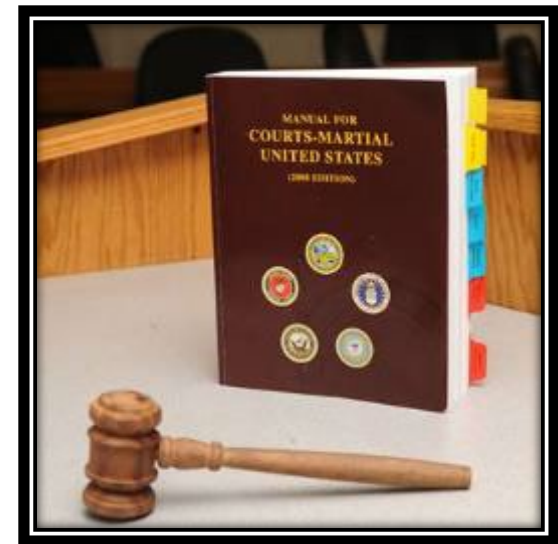
- Participate in partisan political fundraising activities.
- Use official authority/influence to interfere with an election.
- Allow or cause to be published written materials that solicit votes on partisan grounds.
- Serve in any official capacity with or be listed as a sponsor of a partisan political club.
- Speak before a partisan political gathering.
- Participate in any program or group discussion as an advocate for or against a partisan cause.
- Conduct a political opinion survey for a partisan political club or group or distribute partisan political literature.
- Perform clerical or other duties for a partisan political committee or candidate.
- March or ride in a political parade.
- Solicit or otherwise engage in fundraising activities for any political cause or candidate in federal offices or facilities.
- Participate in any organized effort to provide voters with transportation to the polls if the effort is organized or associated with a political party, cause or candidate.
- Display a large political sign, poster, banner visible to public on a private vehicle.
- Display a partisan political sign, poster, banner, at one’s own residence on a military installation.
- Sell tickets for or actively promote partisan political dinners or similar fundraising events.
- Attend political events in an official capacity.
- Make a campaign contribution to, or receive or solicit a campaign contribution from, any other member of the Armed Forces on active duty.
- Promote the success or failure of a partisan political candidate or party on social media.

Civilian Personnel – The Hatch Act

<u>Permissible</u> for All to:	<u>Permissible</u> for Less Restricted to: <u>Prohibited</u> for Further Restricted to:	<u>Prohibited</u> for All to:
<ul style="list-style-type: none"> Express their personal opinions. Make monetary contributions to a campaign. Attend, but not actively participate in, campaign events or fundraising functions sponsored by candidates for partisan political office or political parties, in their <u>personal capacity</u>. 	<ul style="list-style-type: none"> Volunteer or work in their <u>personal capacity</u> on a campaign of a candidate running for office. Work or stand at the polls in their <u>personal capacity</u>, for a partisan candidate, on Election Day. 	<ul style="list-style-type: none"> Use or permit the use of their government position or title in a manner that could reasonably be construed to imply that the government sanctions or endorses their personal activities or those of another. Use government equipment for political activities. Send or forward political emails or post political messages to a social media account while in the Federal workplace (including their home while teleworking). Solicit, accept, or receive political contributions.

UCMJ Articles Applicable to Political Activities

- **Article 88** – Contempt Toward Officials
- **Article 92** – Failure to Obey Order or Regulation
 - DoDD 1344.10, Para. 4.1-4.5 are punitive
- **Article 134** – General Article
 - Actions prejudicial to good order and discipline



Nominees or Candidates for Political Office

- The following personnel may not be a nominee or candidate without SECNAV permission (not delegable):
 - Active Duty (AD) Service Members.
 - Retired AD under an order to AD of more than 270 days.
 - Reservists on AD under an order to AD of more than 270 days.
- All candidates on AD orders (regardless of length) must complete Acknowledgement of Limitations (DoDD 1344.10, Enclosure 4).
- If SECNAV permission is required and granted, the candidate may not participate in any campaign activity, including behind-the-scenes activity while on AD. Additionally, the candidate **MUST**:
 - Take affirmative documented efforts to inform campaign workers that the candidate cannot participate in the campaign.
 - Take reasonable efforts to stop advertisements for their campaign including on their own campaign website.

Social Media and Political Activities

<u>Prohibited</u> for All, including Reservists NOT on Active Duty and Retirees to:	<u>Permissible</u> for All to:	<u>Prohibited</u> only for Active Duty to:
<ul style="list-style-type: none"> Act in a manner on social media that implies DOD endorsement. 	<ul style="list-style-type: none"> Express <u>personal</u> views. Friend, like, or follow social media pages of partisan candidates, groups, or causes. 	<ul style="list-style-type: none"> Solicit / fundraise for partisan candidates, groups, or causes. Forward invites to partisan events. Share posts supporting partisan candidates, groups, or causes.
<u>Permissible</u> for DON Civilians to:	<u>Prohibited</u> for DON Civilians to:	
<ul style="list-style-type: none"> Express personal opinions on social media on personal time. 	<ul style="list-style-type: none"> Send or forward political emails or messages in Federal workplace (including from home while teleworking), using either personal or official email. 	

Best Practice: Use appropriate disclaimers to clearly indicate that a personal social media account is not official.