

# “What do you mean I can’t wear my McCain button to work?!”

by Lauren Pope

Keeping yourself out of trouble while supporting your candidate...

This year’s presidential race is sure to be an interesting and exciting one. But regardless of whether you are an Obama fan, McCain supporter, or Clinton diehard, you may not mix business with politics when you are in the military or a federal employee.

**Why?** While active duty service members and federal civilian employees are encouraged to get involved in political activities and fulfill their obligations as citizens, certain political activities that create a real or apparent conflict of interest with their federal employment are expressly prohibited. The government needs to ensure that every military member and civilian employee is capable of carrying out his/her duties in a fair and impartial way.

**Says Who?** Civilian federal employees must comply with the Hatch Act (5 U.S.C. Sec. 7321, *et seq.*). For active duty military, DOD Directive 1334.10 is your main guide. Army members should also see AR 600-20, paragraph 5-3. Air Force members should refer to AFI 51-902.

## What can’t I do?

Basically, you cannot campaign or solicit for a candidate, party, or issue while at work, on base, in uniform, on duty, in a government owned vehicle, using government owned equipment (including computers, phones, & copiers), or using your government rank or authority. The restrictions are greater for military service members than for civilian employees. Please refer to the publications mentioned above for a complete list of prohibited activities.

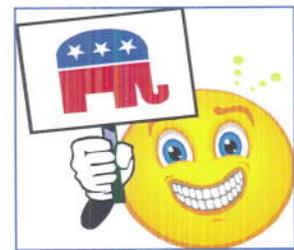
Here are a few examples that you may not have considered: You CANNOT send out emails for or against any candidate or party on your government provided computer or email account. You CANNOT wear political buttons or apparel while working. You CANNOT create, copy, or distribute political materials in conjunction with your employment. This includes stickers and fliers.

## Is there anything I can do?

You may fulfill your private civic obligations. For a full list of allowable activities, please refer to the publications mentioned above. Here are some common examples: You CAN (and should) vote. You CAN express personal opinions on candidates and issues so long as it is clear that you do not speak for your agency or employer. You CAN sign petitions so long as it is in your private capacity. You CAN contribute money to a political party, committee, or candidate. You CAN have a political bumper sticker on your personal vehicle (remembering that decals containing obscenities, vulgar language, or advocating acts of violence, or in support of extremist groups may not be permitted on a military installation).

## What can happen to me if I screw up?

For civilian federal employees, the sanction can range from a 30-day suspension without pay to removal from federal service. Active duty military can find themselves subject to action under Article 92 of the Uniform Code of Military Justice.



## Where can I get more information?

This is a very brief overview. If you need additional information, want to run for office, are retired, or are in the SES or other restricted service, please contact your local Legal Assistance Office for personalized guidance. Alternatively, many resources are available online. For example, civilians can check out <http://www.osc.gov/hatchact.htm> for examples, advisory opinions, and handbooks.

