



JAG Quarterly

501st Combat Support Wing



April 2012

POLITICAL ACTIVITIES

*Capt Isaac C. Kennen
Deputy Staff Judge Advocate*

The 2012 election cycle is in full swing. Along with a Presidential election, states are electing U.S. Representatives and members of their own legislative bodies. Counties may also be electing local officials.

Military and civilian personnel are encouraged to exercise their right to register and vote. They may also assist in non-partisan voter registration drives and contribute money to partisan political organizations, if they choose to. Personnel are further encouraged to express their political viewpoints within the limitations imposed on political activities by federal personnel. Limitations for civilian employees are dictated by the Hatch Act of 1939. Restrictions nearly identical to those in the Hatch Act exist for military members via DoD Directive 1344.10 and AFI 51-902.

Whether they are active duty military or civilian employees, federal personnel may NOT:

- Engage in partisan political activity (such as wearing buttons, sending partisan emails, or distributing leaflets) while either on-duty, in a government facility, in uniform, or in a government vehicle.

- On or off-duty, use the authority of their positions to interfere with or affect the result of an election.

- On or off-duty, solicit, accept, or receive a donation or political contribution from any person for a political party, candidate, or partisan political cause. Linking your website, blog, or Facebook page to a candidate or campaign's website could violate this rule if that site solicits contributions.

- On or off-duty, host or invite anyone to a political fundraiser.

- On or off-duty, participate in partisan political fundraising activities, rallies, conventions, management of campaigns, or debates. "Participation" includes anything more than mere attendance as a spectator.

- Run for office in a partisan election. A "partisan election" is an election where candidates may be elected under a party label. The basic rule is that personnel cannot run as candidates in partisan elections even as independents.

- Display campaign materials or items at work. Official photographs of the President are permissible. No other photographs of officials who are candidates are permissible unless: the photograph was on display in advance of the election season, the employee is in the photograph with the candidate, and the photograph is a personal one as opposed to one from a campaign event or some other type of partisan political event.

501 CSW Legal Offices

501 CSW/JA, RAF Alconbury 268-3535
421 ABG/JA, Menwith Hill 262-7997
422 ABG/JA, RAF Croughton 236-8652
426 ABS/JA, Stavanger, Norway 224-0532

Additionally, under penalty of punishment under Article 92, UCMJ, active duty military personnel may NOT:

- On or off-duty, sponsor or serve in any official capacity with a partisan political club.
- On or off-duty, speak at a partisan political gathering.
- On or off-duty, perform clerical or other duties for a partisan political committee or candidate.
- On or off-duty, distribute campaign materials or conduct partisan political opinion surveys.
- On or off-duty, display large partisan political signs in support of a candidate, party, or cause on their vehicles or at their on-base residence. Normal-sized bumper stickers are permitted so long as they are not detrimental to good order and discipline and are not of a nature to bring discredit upon the Armed Forces.
- On or off-duty, publish their partisan political views as part of an organized effort. This prohibits publication in all forms of written or electronic media (including posting on social media websites such as Facebook) if that publishing is done as a part of an organized partisan political effort. Therefore, active duty members may publish their personal political views on a party, candidate or cause so long as they are not contributing as a part of an organized effort. Additionally, if the member is “reasonably identifiable” as a member of the Armed Forces, then he or she should include a statement clarifying that the views expressed are theirs alone and not representative of the Air Force or DoD.
- Commissioned officers may not, on or off-duty, use contemptuous words against the President, Vice President, Congress (or its members), the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature (or its members) of any State, Territory, Commonwealth or possession in which he or she is on duty or present. The truth or falsity of the statements is immaterial.

Federal contractors are also precluded from engaging in partisan political activities in the federal workplace. Additionally, a federal contractor may not make contributions to partisan political campaigns from either personal or business funds. However, a person who is merely an employee of a company that has a Federal contract is not considered to be a “federal contractor.”

OLYMPIC TICKETS

*Paul Kyberd
British Liaison Officer*

The below message from the Metropolitan Police is useful if you are thinking of purchasing tickets for the forthcoming Olympics. Tickets are very expensive for some events and the only way of purchasing them with confidence is through the proper authorities.

Police are warning the public of some recent advertisements that have appeared in national and international media advertising tickets for the Olympic and Paralympic Games.

The advertisements just feature a mobile phone number or email address to contact for more information.

Detective Superintendent Nick Downing, from Operation Podium, said: "Please do not attempt to buy tickets from adverts such as these, as you risk paying over the odds for tickets that may not exist and your personal details may be stolen and used in other crimes. The safest way to buy tickets for the Olympic and Paralympic Games is from the London 2012 website. On this site you will find the most up to date information about tickets, future Olympic and Paralympic Games ticket sales and the London 2012 website checker."

If you have tried to buy a ticket in this way please contact Operation Podium: OperationPodium@met.pnn.police.uk It is illegal to advertise or sell an Olympic or Paralympic Games ticket without the appropriate authorization from the event organizers, LOCOG, and this carries a fine of up to £20,000 for each offence.

Operation Podium is the Met's dedicated team to tackle serious and organized economic crime against the Games and is working to disrupt those serious and organized criminals looking to target London 2012.

For full crime prevention advice on safe ways to buy your ticket for the London 2012 Games, visit the MPS Operation Podium website at:
http://www.met.police.uk/olympic_and_paralympic_games_policing/ticketing.htm

PROOF OF CAR INSURANCE PROBLEM

*Paul Kyberd
British Liaison Officer*

In the United Kingdom most insurance companies belong to an organization called The Motor Insurers' Bureau (MIB). The MIB informs the Driver's Vehicle Licensing Authority (DVLA) of all their clients. DVLA is responsible for ensuring that all motorists in the United Kingdom have the required insurance, and it uses the list provided by MIB to determine who is insured and who is not.

Some American insurance companies – such as USAA – are not involved with the MIB. Therefore, those drivers do not get reflected in the list that the MIB sends to DVLA. As a result, the DVLA has come to believe that USVF drivers are un-insured. DVLA has begun to send such drivers financial penalty notices of 80 pounds for lacking insurance.

If this happens to you, then make contact with the Legal Office so that we can assist you in communicating with the DVLA. Provided you actually have insurance, the DVLA will close the matter and cancel out the penalty. USAFE-UK is addressing this problem with USAA, but it is unknown when or if a solution will be found.

The fact that a driver is identified as lacking insurance can also create difficulties with British police. Drivers insured with USAA or other American companies may be reflected in the police's electronic systems as being uninsured. This can cause problems for the USVF member if they are stopped by the police. In such a circumstance, police will ask the member to produce an Insurance Certificate. If such a certificate is not provided, then police have the authority to seize and impound the vehicle.

To avoid this happening it is highly encouraged that all USVF personnel and dependants carry a copy of their certificate of insurance in their vehicle at all times.

THE BLOTTER

1st Quarter 2012

Punishments under Article 15, UCMJ

- A Master Sergeant was punished for misusing his government travel card and for making a false official statement to a program administrator when questioned about the improper use. He was reduced in grade to Technical Sergeant.

This list reflects all UCMJ actions taken by 501 CSW units throughout the UK and Norway during the specified time period. The punishments reflected do not include collateral administrative consequences such as negative performance reports or adverse promotion/retention recommendations.