



**OFFICE OF THE STAFF JUDGE ADVOCATE
501st COMBAT SUPPORT WING
RAF ALCONBURY / RAF CROUGHTON, UK**



POLITICAL ACTIVITIES

DoD policy encourages members of the Armed Forces to carry out the obligations and privileges of citizenship. Even so, there are restrictions on both Air Force active duty and civilian employees in order to maintain good order and discipline, avoid conflicts of interest, and avoid the appearance of improper endorsement of political matters.

Introduction

Active duty servicemembers and civilian employees are encouraged to exercise rights and responsibilities of United States citizenship; however, political speech or activities cannot be conducted while in uniform or while on official duty.

Demonstrations and Similar Activities

Military installations are generally not appropriate public forums for the exercise of the public's first amendment rights. See: *Greer v. Spock*, 424 U.S. 828 (1976). Therefore, installation commanders must be diligent in anticipating demonstrations or other unauthorized disruptive behaviors to avoid impact on mission execution and provide for safety and security of DoD personnel and their families on the installation.

Political rallies, demonstrations and other similar activities, even if non-partisan in nature, may not be held on Air Force installations. These activities are prohibited when: (1) they could result in interference with or prevention of the orderly accomplishment of a mission of the installation; or (2) they present a clear danger to loyalty, discipline, or morale of members of the Armed Forces. Those demonstration or similar activities which would not interfere with the mission and do not present a danger to the loyalty, discipline, or morale of members of the Armed Forces, but are organized by non-Federal entities (NFE), are subject to the provisions of the Joint Ethics Regulation; therefore, you will need to consult with your leadership and the legal office ahead of time.

Military Members, Political Activities, and Rallies

<u>Permissible Activities</u>	<u>Prohibited Activities</u>
<p>Attend a partisan or nonpartisan political fundraising activity, meeting, rally, debate, convention, or activity off the installation, when not in uniform, and when no appearance of sponsorship or endorsement can reasonably be drawn. This does <u>not</u> apply to foreign countries.</p> <p>Must avoid any demonstrations where the activities constitute a breach of law and order or where violence is likely to result.</p> <p>Note: Members must be cognizant of the HPCON and need for social-distancing.</p>	<p>Participating in demonstrations when they are on duty, when they are in a foreign country, when they are in uniform, when their activities constitute a breach of law and order, or when violence is likely to result.</p> <p>Attend partisan political events as an official representative of the Armed Forces, except as a color guard member at certain events.</p> <p>March or ride in a partisan political parade, whether in uniform or not.</p> <p>Participate, as more than a spectator, in partisan political fundraising activities (except as permitted below), rallies, conventions (including making speeches), management of campaigns, or debates.</p>
<p>Encourage other military members to exercise voting rights.</p> <p>Sign petitions for specific legislative action or to place a candidate's name on the ballot.</p>	<p>Participating while in uniform, in any activity such as unofficial public speeches, interviews, picket lines, marches, rallies or any public demonstration which may imply AF sanction of the cause for which the demonstration or activity is conducted.</p>
<p>Join a political club (even if partisan) and attend political meetings, when not in uniform.</p>	<p>Actively advocating supremacist, extremist, or criminal gang doctrine, ideology, or causes, including those that advance, encourage, or advocate illegal discrimination based on race, creed, color, sex, religion, ethnicity, or national origin or those that advance, encourage, or advocating the use of force, violence, or criminal activity or otherwise advance efforts to deprive individuals of their civil rights.</p>
<p>Write a letter to the editor of a newspaper expressing personal views on public issues or political candidates, if such action is not part of an organized letter-writing campaign or a solicitation of votes for or against a political party or partisan political cause or candidate.</p> <p>Note: If the letter identifies the member as on active duty (or if the member is otherwise reasonably identifiable as a military member), it must clearly state that the views expressed are those of the individual only and <u>not</u> those of the AF or DoD. This applies to personal views written for publication in all forms of media (to include blogs and social media).</p>	<p>Commissioned officers shall not use contemptuous words against the President, the Vice President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature of any State, Commonwealth, or possession in which the member is on duty or present as prohibited and punishable under Article 88, UCMJ.</p>

<p>Register, vote, and express personal opinions on political candidates and public issues.</p>	<p>Speaking before a partisan political gathering, including any gathering that promotes a partisan political party, candidate or cause.</p>
<p>Express opinions on social media via Facebook, Twitter, personal blogs, etc., so long as they are personal accounts, targeting all followers and <u>not</u> intended to influence subordinates one way or another.</p> <p>Accounts MAY NOT be updated with political statements while on duty or in the federal workplace.</p> <p>Accounts MAY NOT include links to donation or campaign contribution sites.</p> <p>Be aware of who reads your online posts, especially those who may supervise other airmen, so as not to inadvertently influence subordinates.</p>	<p>Allow or publish partisan political articles, letters, or endorsements signed or written by the member that solicit votes for or against a partisan party, candidate, or cause (other than a letter to an editor as noted below).</p> <p>Participate in any radio, television, or other program or discussion as an advocate for or against a partisan party, candidate, or cause.</p> <p>Use official authority or influence to interfere with an election, affect the course or outcome of an election, solicit votes for a particular candidate or issue, or require or solicit political contributions from others.</p>
<p>Serve as an election official, if such service is <u>not</u> as a representative of a partisan political party, does not interfere with the performance of military duties, is performed when not in uniform, and with SecAF approval.</p>	<p>Serve in any official capacity with or be listed as a sponsor of a partisan political club.</p>
<p>Make monetary contributions to a political organization, party, or committee favoring a particular candidate or slate of candidates.</p>	<p>Make a campaign contribution to or receive or solicit a campaign contribution from any other active duty member.</p> <p>Solicit or otherwise engage in fundraising activities in Federal facilities for any political cause or candidate.</p>
<p>Display a political bumper sticker on the member's private vehicle.</p>	<p>Display a partisan political sign, banner, or similar device visible to the public at one's residence on a military installation, even if that residence is part of a privatized housing development. Do not include the above on a private vehicle (as distinguished from a political bumper sticker).</p>

Civilian Employees, Political Activities, and Rallies

<u>Permissible Activities</u>	<u>Prohibited Activities</u>
Attend political events off the installation while off-duty and not wearing a uniform or official insignia identifying the office or position of the DoD employee.	Participating in political activity while on-duty or in any room or building occupied in the discharge of official duties by an individual employed by DoD.
Note: Civilian employees must be cognizant of the HPCON and need for, for example, social-distancing.	Engaging in political activity while wearing a uniform or official insignia identifying the office or position of the DoD employee.
Express opinions via Facebook, Twitter, personal blogs, etc., so long as they are personal accounts, targeting all followers and not intended to influence subordinates one way or another. Accounts MAY NOT be updated with political statements while on duty or in the federal workplace.	Violating the law to include 18 U.S.C. Chapter 115, and specifically §2385, Advocating the overthrow of the Government.
Express opinions about candidates and issues. Join and be an active member of a political party or Club. Campaign for or against candidates in partisan Elections.	Use their official authority or influence to interfere with or affect the results on any election.
Contribute money to political organizations	Solicit or receive political contributions or allow their official titles to be used in political fundraising.
Attend and give a speech at a political fundraiser, rally or meeting.	Run for partisan office (except as independent candidates in certain local elections).
Sign and circulate nominating petitions Distribute campaign literature in partisan elections Campaign for or against referendum questions, constitutional amendments, and municipal ordinances	Displaying political/campaign literature, materials, and information in their DoD workspace. Employees are prohibited 24/7 from sending or forwarding political/campaign literature, materials, information (including jokes) while using their DoD email account or while using a DoD computer.

Resources

DoD Directive 1344.10, *Political Activities by Members of the Armed Forces*, 19 February 2008
AFI 51-508, *Political Activities, Free Speech and Freedom of Assembly of Air Force Personnel*, 12 October 2018

DoDI 1325.06, *Handling Dissident and Protest Activities Among Members of the Armed Forces*, 27 November 2009

5 C.F.R. Parts 733 and 734

Conclusion

Make sure you know the left/right limits of how to exercise and express your political views.

RAF Alconbury and RAF Croughton Legal Office Hours

All Services by Appointment Only (email 501cswja@us.af.mil)

Tuesdays and Thursdays 1000-1200 & 1300-1400

Current as of May 2022