



AMC DCSPER News Item



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The Hatch Act and the Election 96

In 1993, the Hatch Act Reform Amendments revised and expanded the rights of Federal employees to engage in the political process. The Hatch Act was originally enacted in 1939 to bar Federal employees from engaging in most forms of political activity. President Clinton signed legislation to expand the rights of Federal employees to engage in several aspects of the political process previously prohibited. Since passage of the legislation we have operated under interim rules. The Office of Personnel Management has promulgated final rules which are applicable to the upcoming election season.

We provide you with a basic list of permitted and prohibited activities. We urge those who intend to participate in the political process to get advice and counsel from their local legal office prior to starting their political activities. Penalties for Hatch Act violations remain severe to include discipline and removal from Federal service. The following list highlights certain common issues, but does not address all specific circumstances; again, consult with legal counsel.

It is important to note that career SES members are not covered by the Hatch Act revisions, so their activities are more restrictive than other Federal employees. Additionally, military personnel have specific restrictions concerning political activities, outlined in DOD Directive 1344.10.

PERMITTED ACTIVITIES

1. Running for public office in nonpartisan elections.
2. Assisting in voter registration drives.
3. Joining and being active in a political party or club.
4. Campaigning for or against candidates in a partisan election.
5. Holding office in political clubs or parties.
6. Attending political fund-raising activities.
7. Contributing money to political organizations.

8. Displaying partisan bumper stickers on private automobiles, even when used occasionally for official business. If the private automobile is used recurringly for official business the partisan bumper sticker must be covered.
9. Stuffing envelopes with campaign literature that includes an appeal for political contributions.
10. Voluntarily contributing to a political action committee through payroll deduction.
11. Soliciting, accepting and receiving political contributions for your own campaign for public office in a local nonpartisan election.
12. Soliciting, accepting and receiving political contributions on behalf of a candidate for public office in a local nonpartisan election.
13. Soliciting, accepting and receiving uncompensated volunteer services from any individual who is not a subordinate employee.
14. Serving as treasurer of a campaign or political organization if the duties are limited to preparing financial disclosure forms, giving advice, etc.
15. Soliciting, receiving and accepting political contributions on behalf of a nonpartisan group.

PROHIBITED ACTIVITIES

1. Displaying partisan buttons, posters or similar items on federal premises, on a government vehicle, while on duty, or while in uniform.
 2. Engaging in political activity while on duty, using a government vehicle, or in an official uniform.
 3. Engaging in political activity in any government office.
 4. Soliciting or collecting political contributions from a subordinate employee.
 5. Soliciting or discouraging the political activity of one who has business before the agency.
 6. Running for elective office in partisan elections.
 7. Serving as treasurer if the duties include solicitation, acceptance or receipt of political contributions.
 8. Participating, even anonymously, in phone bank solicitations for political contributions in partisan elections (Note the broad right to solicit in nonpartisan elections under items 11, 12 and 15 above).
 9. Coercing another employee to make a political contribution.
 10. Using your name on a fund-raising invitation, as a sponsor of a fund-raiser, or as a point of contact for the fund-raiser.
 11. Signing campaign letters that include a solicitation for political contributions.
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