

# **POLITICAL ACTIVITIES IN THE MILITARY**

## **JB LANGLEY-EUSTIS LAW CENTER**

### **INTRODUCTION**

Servicemembers must be politically neutral in carrying out military duties. To do so, servicemembers need to be aware of legal limitations on engaging in partisan political activities. Partisan political activities include those relating to candidates or issues identified with specific political parties. For the Air Force, AFI 51-902 outlines specific permitted and prohibited political activities. Air Force members should review the AFI before participating in political activities for a comprehensive list of permitted and prohibited activities; however, outlined below are just a few key points:

### **WHAT ACTIVE DUTY SERVICEMEMBERS MAY DO**

- Register to vote, vote, and express a personal opinion on political candidates and issues, but not as a representative of the Air Force or DoD.
- Make monetary contributions to a political organization or political committee favoring a particular candidate or slate of candidates.
- Attend political meetings or rallies as a spectator when not in uniform.
- Join a political club and attend its meetings when not in uniform and not in any official capacity nor listed as a sponsor.
- Sign a petition for specific legislative action or a petition to place a candidate's name on an official election ballot, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the Air Force or DoD.
- Write a letter to the editor of a newspaper expressing the member's personal views concerning public issues or political candidates, if not part of an organized letter-writing campaign or if those views do not attempt to promote a partisan political cause.
- Display one political sticker on the member's private vehicle, or wear a political button when not in uniform and not on duty.

- Write a personal letter, not for publication, expressing preference for a specific political candidate or cause, if the action is not part of an organized letter-writing campaign on behalf of a partisan political cause or candidate.

### **WHAT ACTIVE DUTY SERVICEMEMBERS MAY NOT DO**

- Use official authority or influence to interfere with an election, or to solicit votes or political contributions.
- Participate in partisan political management, campaigns, or conventions, or make public speeches in the course of such activity.
- Serve in any official capacity or be listed as a sponsor of a partisan political club.
- Speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate or cause.
- Participate in any radio, television, or other program or group discussion as an advocate of a partisan political party, candidate or cause.
- Conduct a political opinion survey for a partisan political group, or distribute partisan political literature.
- Perform clerical or other duties for a partisan political committee or candidate during a campaign or on election day.
- March or ride in a partisan political parade.
- Attend, as an official representative of the Air Force or DoD, partisan political events, even without actively participating.
- Participate in any organized effort to provide voters with transportation to the polls, if the effort is organized by or associated with a partisan political party, cause, or candidate.
- Sell tickets for, or otherwise actively promote, partisan political dinners and similar fundraising events.
- Make a campaign contribution to, or receive or solicit a campaign contribution from, any other member of the Armed Forces on active duty, or an officer or employee of the federal government for promoting a political objective or cause.

- Use contemptuous words against the office holders described in Article 88 of the UCMJ (the President, Vice President, Congress, etc.).
- Display a large political sign, banner, or poster on a private vehicle (as distinguished from a bumper sticker).
- Sell tickets for, or actively promote, political dinners and other such fund-raising events.

## CONCLUSION

Members should note that some of the above restrictions are prohibited even out of uniform and when acting as a private citizen. The bottom line is that as military members, we give up some political rights in order to defend our system of government. Use common sense and avoid activities that associate the Armed Forces with a partisan candidate or cause. Also remember that if you are a citizen, you still have the right to vote. Visit the Secretary of State's website for your state if you need to register to vote or request an absentee ballot. Remember to consult the AFI if you plan to participate in political activities. If you have any questions about these issues, contact the 633 ABW Legal Office at 757-764-3277.

**Note: The information in this handout is general in nature. It is not to be used as a substitute for legal advice from an attorney regarding individual situations.**