

**PREVENTIVE LAW
SERIES**

Legal Assistance Program

TOPIC:

***POLITICAL ACTIVITIES
AND
THE MILITARY***

April 2014

If you have questions concerning the topic
of this pamphlet, please contact the
Legal Assistance Office

For additional information & useful links, please visit:

<https://aflegalassistance.law.af.mil>

**Legal Assistance Office
Phone: 226-4022**

**Office of the
Staff Judge Advocate
Misawa AB, Japan**

POLITICAL ACTIVITIES AND THE MILITARY

Although the lists of what is permissible and what is impermissible are long and even more detailed than the simple outlines provided in this pamphlet, the basic policy behind the rules is the concept of the civilian-soldier as well as our long held and traditional caution of military involvement in the democratic process. Both federal law and Air Force instructions, specifically AFI 51-902, attempt to strike a balance between the two sometimes conflicting public interests. If there is any doubt as to the propriety of a particular political action, contact the Legal Assistance Office or the Voting Assistance Representative.

As military members, we are both encouraged and expected to be responsible and politically aware citizens. Every base has a program to encourage voter registration and facilities for voting by absentee ballot. For more information, contact your unit Voting Assistance Officer.

However, military members' ability to actively campaign for a candidate or political party, as well as our ability to hold elected or appointed offices are specifically limited by Federal laws and Air Force Instructions.

I. PERMITTED ACTIVITIES FOR ACTIVE DUTY MEMBERS INCLUDE:

- Registering, voting, and expressing personal political opinions on candidates and issues as long as it is done in an individual capacity and not representing the views of the Air Force or respective service.
- Making monetary contributions to political parties or political action committees, but not to individual candidates.
- Attending political meetings or rallies as spectators when out of uniform.
- Joining political clubs and attending meetings when out of uniform.
- Serving as an election official provided that the position is nonpartisan (some states require every precinct to have two election judges, one Republican and one Democrat; which is partisan by definition and therefore, prohibited), and does not conflict with official duties.
- Signing a petition for specific legislative action or to qualify a candidate for a ballot, as long as rank is not used or the member does not act in an official capacity as a military member.
- Writing opinion letters to newspapers or magazines on public issues, as long as the letter does not promote a partisan political cause, so long as you do not use your position and rank.
- Displaying bumper stickers (as long as they are not placards or signs and are otherwise acceptable forms of expression) or wearing political buttons when not in uniform. Remember, our

duty under the UCMJ, Article 88, not to publicly criticize the officials appointed over us, including the Commander-in-Chief.

- Writing letters to elected representatives or government agencies expressing support for a particular cause, as long as the letter is not part of an organized partisan cause or on behalf of a particular political candidate.

- Giving subordinates time off to vote.

II. PROHIBITED ACTIVITIES FOR MILITARY MEMBERS INCLUDE:

- Using official position to influence elections.

- Coercing subordinates into voting for or against an issue or candidate.

- Running for or holding elected civil office. (Enlisted members may run for and hold offices on school boards, planning commissions, and similar governing bodies if the election and position are nonpartisan.)

- Participating in partisan campaigns or conventions including fund raising activities.

- Making political speeches.

- Writing or publishing political articles for or against a particular partisan candidate or political party.

- Serving as an officer or sponsor of a political club.

- Speaking before a partisan political gathering of any kind to promote a political party or partisan candidate.

- Conducting political opinion surveys.

- Using contemptuous words concerning the President of the United States, the Vice President of the United States, Congress, the Secretary of Defense, the military secretaries, the Secretary of Transportation, or the governors of the fifty states and their legislatures.

THE INFORMATION CONTAINED IN THIS PAMPHLET IS OF A GENERAL NATURE AND IS PROVIDED FOR YOUR ASSISTANCE AND CONVENIENCE. IT IS NOT INTENDED AS LEGAL ADVICE AND IS NOT A SUBSTITUTE FOR LEGAL COUNSEL. IF YOU HAVE ANY QUESTIONS AS TO HOW THE LAW IN THIS AREA AFFECTS YOU OR YOUR LEGAL RIGHTS, CONTACT YOUR CIVILIAN ATTORNEY OR THE MISAWA AIR BASE LEGAL OFFICE FOR AN APPOINTMENT WITH A LICENSED ATTORNEY.