



# Political Activities

Office of Under Secretary of  
Defense for Personnel & Readiness  
Office of Legal Policy



# Overview

- **Political Activities by Military Personnel**
- **Access to Installations by Candidates**
- **Political Activities by Civilians—not going to address**



# Key References

- **Political activities by military personnel**
  - **DoD Dir 1344.10**, *Political Activities by Members of the Armed Forces*, February 19, 2008
- **Political activities on military installations**
  - **USD(P&R) Memo**, subject: Policy Guidance for Visits to Installations by Candidates for Political Office, November 4, 2008
  - **SecDef message**, 281449Z Jan 08, *DoD Public Affairs Policy Guidance Concerning Political Campaigns and Elections*
- **Political activities by civilian employees**
  - **DepSecDef memo**, subject: *Civilian Employees' Participation in Political Activities*, November 17, 2007



# Political Activities by Members of the Armed Forces

- **Members on Active Duty should not engage in partisan political activity, and members not on active duty should avoid inferences that their political activities imply or appear to imply official sponsorship. DoDD 1344.10, para 4.**
- **Members of the Armed Force may not wear the uniform during or in connection with furthering political activity or when an inference of official sponsorship for the activity maybe drawn. *DoDI 1334.01, para 3.1.2.***



# Wear of the Uniform – Furthering Political Activity





**OBAMA'08**

**"I'M ASKING YOU TO BELIEVE.**  
Not just in my ability to bring about  
real change in Washington... I'm  
asking you to believe in yours."

A campaign banner for Barack Obama's 2008 presidential campaign. It features the Obama '08 logo (a blue circle with a white and red wave) and a portrait of Barack Obama in a white shirt and tie. The background is a blue gradient.

**IOWA**

IA

A campaign banner for the state of Iowa. It features the word "IOWA" in blue letters with a red and white wave graphic. To the right is a white map of Iowa with "IA" written on it, set against a background of a blue sky and a brown field.

### Obama for Commander in Chief Tour



**General Scott Graton**, an Air Force fighter pilot who flew more combat missions than any other American while commanding the operations overseeing both the northern and southern no-fly zones in Iraq, will be leading several Iraq war veterans in a statewide Obama for Commander in Chief Tour.

General Graton will be meeting with Iowans at 13 stops across the state. He sees courage, strength and wisdom in Senator Obama that he thinks make Barack the best person to be the next Commander in Chief.





# McCain

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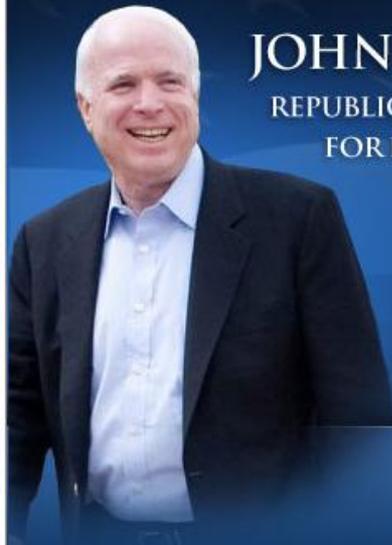
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## JOHN MCCAIN REPUBLICAN NOMINEE FOR PRESIDENT



**SUPPORT OUR TROOPS  
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### COURAGEOUS SERVICE

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### Economic Plan for American Families

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## Service to America

Video and more from the Service to America Tour



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### PICTURES FROM THE ROAD



### IN THE NEWS ★

**04.14 LAT:** John McCain Returned From Vietnam Determined To Lead

### MCCAIN ACTION CENTER ★

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- [A Cause Greater Than Your Own Self Interest](#)



# DoDD 1344.10

## Applicability

- **Members of the Armed Forces on Active Duty**
- **Expands coverage for some provisions to include members of the Armed Forces not on active duty**
- **Defines active duty to include full-time National Guard duty**



# DoDD 1344.10 Organization

- **4.1.1 Permissible Activities**
- **4.1.2 Prohibited Activities**
- **4.2 Nominees or Candidates**
- **4.3 Additional Limitations: Nominees, Candidates, Campaigning**
- **4.4 Holding and Exercising U.S. Government Office**
- **4.5 Holding and Exercising State or non-U.S. Government Office**



# Permissible Activities by Members on Active Duty

- Register to Vote
- Express personal political opinion -- in personal capacity. Caution!
- Encourage others to participate in political process.
- Sign a petition for a specific legislative action
  - As private citizen
- Write letter to editor
  - Not part of organized letter-writing campaign
  - Can't solicit votes
  - **Disclaimer now required**





# Permissible Activities by Members on Active Duty (cont.)

- Donate money to political organization, party, or committee
  - Caution -- Member on AD cannot give to or receive from another member on AD
  - Caution -- Members not on AD must consider JER
- Display normal-sized bumper sticker on car





# Permissible Activities by Members on Active Duty (cont.)





# Permissible Activities by Members on Active Duty (*cont.*)

- Attend political fundraisers, meetings, rallies, debates, conventions as spectator
  - Caution -- not in uniform
  - Caution -- may not participate





# Soldiers Greet Senator McCain at Political Rally



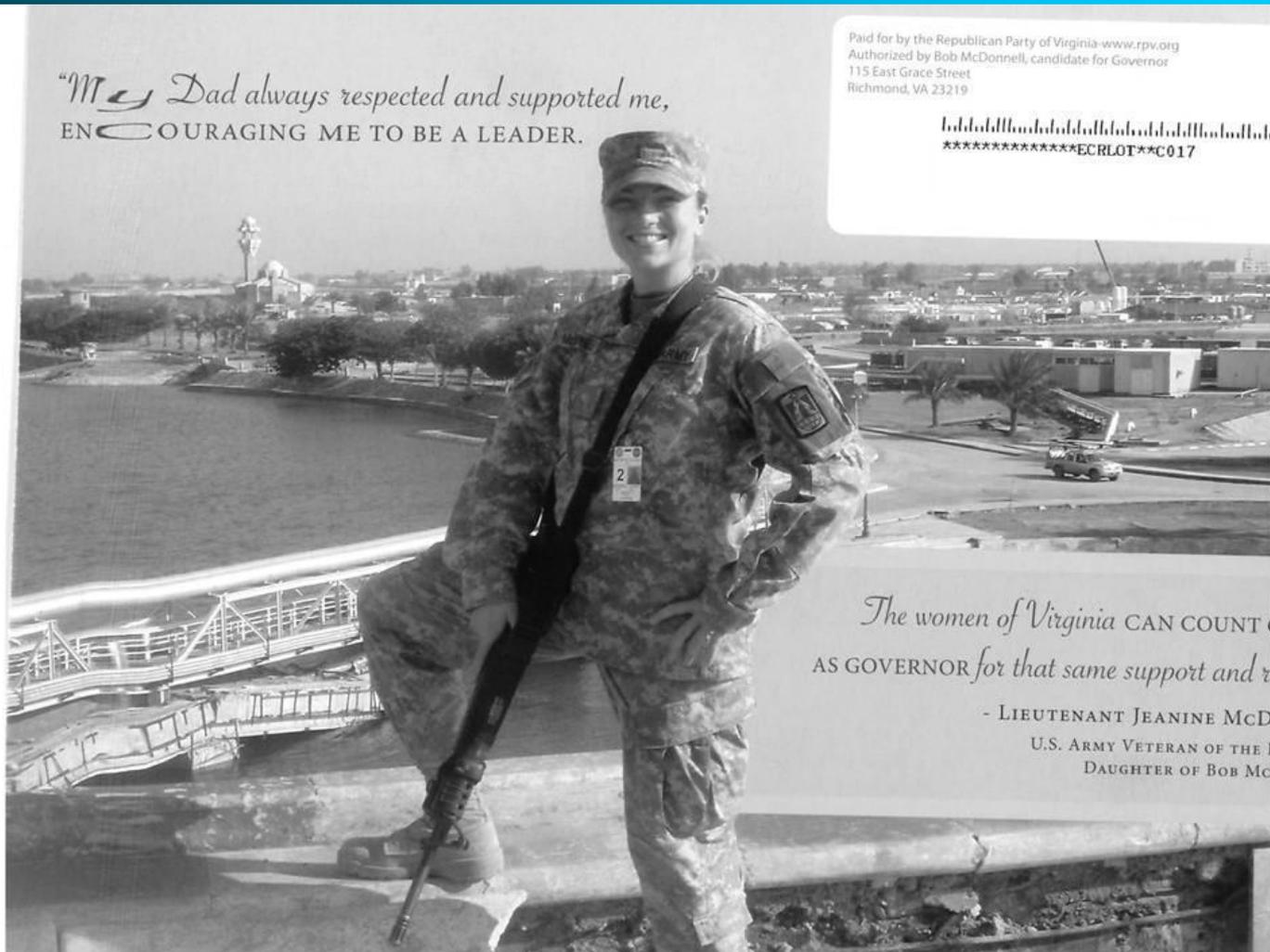


# Republican National Convention





# Prohibited Activities by Members on Active Duty





# Prohibited Activities by Members on Active Duty



Source: Larimer County (CO) Republican Party website



# Prohibited Activities by Members on Active Duty (*cont.*)

- Participate in partisan political fundraising activities
- Publish partisan political articles, letters, or endorsements that solicit votes
- Speak before a partisan political gathering
- Participate in any radio, television, or other program or group discussion as an advocate for partisan party, candidate, or cause
- Engage in fundraising activities for any political cause or candidate on military installation
- Display partisan political sign, poster, banner visible to public in post housing



# Criticism of Senior Government Officials

- **Contemptuous words against**
- **President**
- **Vice President**
- **Secretary of Defense**
- **Secretary of a Military Department**
- **Congress**
- **Secretary of Transportation**
- **Governor (when on duty or present in State, Territory, possession)**
  - **Commissioned Officers**
  - **Retirees?**





# He's not only the President, he's the Boss!

*New York Times*

## General to Be Disciplined For Disparaging President

By ERIC SCHMITT,  
Published: June 16, 1993

An Air Force inquiry has concluded that a two-star general made disparaging remarks about President Clinton, and the general now faces disciplinary action that will effectively end his career, senior Air Force officials said today.

The Air Force inquiry found that the officer, Maj. Gen. Harold N. Campbell, called Mr. Clinton a "dope-smoking," "skirt-chasing," "draft-dodging" Commander in Chief, in a speech last month in the Netherlands.

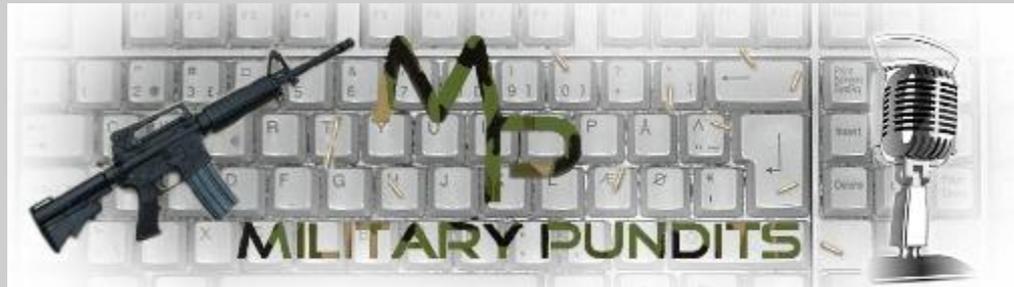
\* \* \* \*

General Campbell's superior, Gen. Ronald W. Yates, the head of the Air Force Materiel Command, is expected to meet with the general on Thursday and give him one of two types of written reprimands: either a written reprimand or a more serious written rebuke that typically includes forfeiting pay. General Yates has ruled out a court-martial, Air Force officials said.

\* \* \* \*



# He's not only the President, he's the Boss! (cont.)



“

“Now the President wants to make criminals out of thousands of innocent, patriotic gun owners by outlawing so-called “assault rifles”. Therefore, Obama is a liar and could [sic] care less about our Constitutional rights. It is imperative that if you believe in the 2nd Amendment, you contact your representatives and senators and implore them to vote against any attempts to reinstate the ban.”

--CJ. CJ is “an opinionated Soldier who tells it like he sees it. Growing up a Libertarian, he has very conservative values. He believes in extremely limited government, especially at the federal level. The U.S. Constitution is the source of all his beliefs and a document which he will give his life to defend.”



# Nominees or Candidates On Active Duty

- Regular; Retired Regular or RC member on AD call or order > 270 days
  - Requires Secretary Concerned permission
  - **Cannot be delegated below Secretary Concerned**
- Retired Regular or RC member on AD call or order  $\leq$  270 days
  - No permission required.
- All must complete Acknowledgement of Limitations. (Encl 4)



# Nominees or Candidates

## On Active Duty *(cont.)*

- **Limitations:**
  - **No campaign activity**
  - **No work behind the scenes**
  - **Must document efforts to inform campaign workers of limitations**
  - **Freeze Web sites, stop advertisements**





# Nominees or Candidates Not On Active Duty

- **Use military rank and service affiliation**
  - But clearly indicate retired or reserve status
- **In Campaign Material:**
  - Include current or former duty titles and positions and photographs with other biographical information
  - Include “prominent and clearly displayed disclaimer”
  - Photographs may not be “primary graphic representation”



COMMANDER DUANE SAND

UNITED STATES NAVAL ACADEMY GRADUATE  
—33RD COMPANY—



MAILERS  
POSTMARK  
PERMIT 10



My friend! I need your help to **BLOW OUT OF THE WATER** Nancy Pelosi's lapdog in the U.S. Congress!

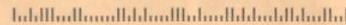


USNR OFFICER  
*THE SILENT SERVICE*



5

AUTO



WILLIAM T. RUSSELL

(Lieutenant Colonel, USAR)

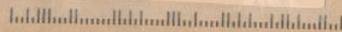
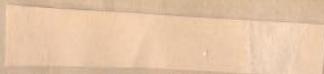
REPUBLICAN FOR CONGRESS

PRESORTED  
STANDARD



U.S. 1A  
0054825274  
\$ 00.21<sup>8</sup>  
MAILED FROM ZIP CODE 22401

Can I count on YOU? I hope so.



My opponent, John Murtha



A New Generation of Conservative Leadership for Texas' 22nd District

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★ FOR CONGRESS ★



### EMAIL SIGNUP

Click here to receive email updates from the campaign.

### CONTRIBUTE

Your donation means a lot. Make a difference and support Pete!

### GET INVOLVED

Take an active role in Pete's campaign. Volunteer today!

## Welcome

Thank you for visiting my Website and taking a moment to learn more about me, my family, and my campaign to bring new leadership and a conservative voice to Congress for Texas' 22nd District.

I'm a husband, a father, a Navy Veteran, and I would be honored to serve you in Congress.

My roots are in Seabrook, Texas, but during nine years in the Navy I served our country throughout the world. Yet even when my service took me out of Texas, it never took Texas out of me. Today more than ever, I believe in family, faith, and freedom. I believe in the American dream.

I hope I can earn your support and you will join my campaign. There is a long road ahead of us, but together we can accomplish great things, so let's get started!

Sincerely,

Pete Olson

Media

[Watch and listen to Pete](#)



Pete's  
today!

Sincerely,

A handwritten signature in black ink that reads "Pete Olson". The signature is fluid and cursive, with the first name "Pete" being more prominent than the last name "Olson".

Pete Olson

Paid

Use of military images does not imply endorsement by the Department of Defense or Department of the Navy.

Pete Olson is a member of the U.S. Navy's Inactive Ready Reserves.



A New Generation of Conservative Leadership for Texas' 22nd District

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## Welcome

Thank you for visiting my campaign Website and taking a moment to learn more about me, my family, and my commitment to developing conservative solutions to help move our country forward.

I am honored to have been chosen to represent the people of Texas' 22nd Congressional District. My roots are in Seabrook, but during nine years in the Navy I served our country throughout the world. My wife Nancy and I now live in Sugar Land with our two children, Kate and Grant.

It is my firm belief that America's best days are in front of us. It won't be easy, but following Hurricane Ike in 2008 we all witnessed the incredible spirit and fortitude of the people of our area. It is with your strength of character and optimism that I will work to change policies in Washington so we can improve our economy, homeland security, and set a course for American energy independence.

Thank you again for visiting my campaign Website. I look forward to hearing from you and hope you will take a moment to join our campaign – together, we can accomplish great things.

Sincerely,

Pete Olson

### EMAIL SIGNUP

Click here to receive email updates from the campaign.

### CONTRIBUTE

Your donation means a lot. Make a difference and support Pete!

### GET INVOLVED

Take an active role in Pete's campaign. Volunteer today!



# Lasher for Congress

“Power tends to corrupt, and absolute power corrupts absolutely.”

Lord Acton, Historian and Moralist, 1887

## Fiscal Responsibility \* Employment \* Education

Overview

Issues

Want to Help?

Links

Overview Drop Down

### Experience:

#### U.S. Navy

- Strategic Planning and International Relations
- U.S. Embassy, Baghdad
- Pentagon
- European Command
- Naval Aviator – Helicopter Logistics

### Education:

MA, Army War College, Strategic Planning  
 MA, Naval Postgraduate School, National Security Affairs  
 BA, Allegheny College, German and History



**Disclaimer:** This “Strategic Effects” group photograph, taken while I was a reservist on recall to Iraq, does not imply endorsement by the Department of the Army or the Department of Defense.

### Teacher

- History
- International Relations
- Government
- Economics
- Civics



### Business

- Logistics – truck, rail, barge
- Corporate training
- Quality Improvement
- Export
- Sales liaison to manufacturing



### Key Beliefs:

- The American Dream is created by individuals, not government
- Lower tax rates facilitate economic development
- Businesses are the primary source of job creation
- National security should be seen in broad terms
- Education is the great equalizer
- Poor oversight is not an argument for more regulation
- A clean environment is necessary for sustained growth
- Moral decline is a fundamental threat to our society
- Courts that legislate from the bench undermine democracy

### Key Focus Areas:

- Fiscal Responsibility
- Jobs / Employment
- National Security
- Education Reform
- Entitlement Reform
- Drug Trafficking
- Energy
- Preserving the environment
- Supporting veterans
- Teen age pregnancy



# Holding and Exercising the Function—Federal

- Applies to:

- Elective office,

- Appointed by President (**Senate confirmation immaterial**), or

- Executive Schedule 5 USC §§ 5312-5317.





# Holding and Exercising the Function—Federal (*cont.*)

- Regular member; regular retiree or RC on AD call or order > 270 days may not hold or exercise (unless otherwise authorized by law)
- Retired Regular or RC member on AD call or order ≤ 270 days may hold and exercise the functions
  - Provided no interference with duty
- See 10 USC § 973
- Still subject to the same list of do's and don'ts of DoDD 1344.10, para 4.1.



# Holding and Exercising the Function—Non-Federal

- Regular member may not hold or exercise
- Retired regular or RC on AD call or order > 270 days
  - May hold—BUT NOT exercise
  - **Secretary Concerned must grant permission (non-delegable)—more strict than 10 USC § 973**
- Retired Regular or RC member on AD call or order ≤ 270 days may hold and exercise
  - Provided no interference with duty
  - Still subject to the same list of do's and don'ts of DoDD 1344.10, para 4.1.



# Section 77.1 of title 24, Louisiana Revised Statutes

- **A. In accordance with Article III, Section 4(F) of the Constitution of Louisiana, for each legislator who is ordered to active duty in the armed services for a period of one hundred eighty days or more, a person shall be designated to act as a temporary successor to his powers and duties in the manner provided in this Part during the period the legislator is on active duty in the armed forces. . . .**



# Political Activities

	Regular	Reg Ret / RC < 270	Reg Ret / RC > 270
Candidate/Nominee	<b>NO, except w/ SEC permission (4.2.2.)</b>	<b>YES, may remain or become, provided no interference w/ duty (4.2.3*)</b>	<b>NO, except w/ SEC permission. (4.2.2.*)</b>
Hold Fed Office	<b>NO (unless assigned) (4.4.2.)</b>	<b>YES, provided no interference w/ duty (4.4.3.)</b>	<b>NO (unless assigned) (4.4.4.)</b>
Execute Fed Office	<b>NO (unless assigned) (4.4.2.)</b>	<b>YES, provided no interference w/ duty (4.4.3.)</b>	<b>NO (unless assigned) (4.4.4.)</b>
Hold non-Fed	<b>NO (4.5.2.)</b>	<b>YES, provided no interference w/ duty (4.5.4.)</b>	<b>NO, unless SEC grants permission after determining no interference w/duty (4.5.3.2.)</b>
Execute non-Fed	<b>NO (4.5.2.)</b>	<b>YES, provided no interference w/ duty (4.5.4.)</b>	<b>NO (4.5.3.)</b>

\*Requires Statement of Acknowledgement



# Access to Installations by Candidates

- **Memorandum, Under Secretary of Defense for Personnel and Readiness, subject: Policy Guidance for Visits to Installations by Candidates for Political Office, dated November 4, 2009**
  - **No campaign or election-related activities on military installations**
  - **Does not limit Candidates:**
    - **With official business on the installation**
    - **Who wish to take advantage of activities available by law and policy**
      - **However, they may not engage in any campaign activities when on the installation**
  - **Candidates who are not current office holders or serving government officials should not be limited any more than any unofficial visitor**



# Access to Installations by Candidates (*cont.*)

- **Analyzing Requests for Access by Candidates**
  - **Is the request to conduct Official, Personal, or Campaign Activities?**
  - **Presumed Political:**
    - **Requests from campaign organizations**
    - **Requests from spouses or family members (not otherwise personally entitled to access)**
    - **Requests for access that include campaign staff/press**



# Access to Installations by Candidates (*cont.*)

- **Examples**
  - **Chelsea Clinton to visit Vieques**
  - **Cindy McCain to visit the Comfort**
  - **Senator McCain to Visit Annapolis**
  - **VP Candidate Palin to Address 1<sup>st</sup> BDE, 25 IN DIV, Ft Wainwright**
  - **Senator Obama to visit Landstuhl**



# Senator Obama to Landstuhl –July 2008

- “He could go as a United States Senator, but it was pretty clear from the guidance that we received from the Pentagon that the trip would be viewed as a campaign stop. . . . Given the information that we had received, Senator Obama made the decision that we were not gonna have wounded men and women become involved in a campaign event or what would be perceived as a campaign event.” –Robert Gibbs
- “He made time to go the gym, but cancelled a visit with wounded troops. . . . Seems the Pentagon would not let him bring cameras. John McCain is always there for our troops.” –McCain campaign TV Ad

SUBJECT: Senator Obama Visit to LRMC

I understand that Senator Obama's request to visit Landstuhl Regional Medical Center (LRMC) comes from his Senate office and is made in his official capacity as a member of the United States Senate.

I also understand that Senator Obama has requested to visit LRMC with two assistants, Maj Gen Gratton (USAF, Ret) and Jeff Kiernan. I believe both of these gentlemen are members of Senator Obama's campaign team.

Of course, I am mindful of Senator Obama's status as a candidate for the presidency and the restrictions imposed by DoD Public Affairs (PA) Policy Guidance Concerning Political Campaigns, SECDEF MSG 281449Z JAN 08.

The PA guidance above severely limits a candidate's access to military installations for political purposes. It does not limit a candidate's access to military installations for official purposes. As a United States Senator, Senator Obama has an official interest in the well-being of our wounded, ill, and injured Service members and in the facilities in which they are treated. Accordingly, he may visit LRMC in an official capacity.

Because this visit is official only, Senator Obama may not be accompanied by members of his campaign staff. He may only be accompanied by one member of his Senate staff and the appropriate number of security personnel.

While at LRMC, Senator Obama may not address the media to make a campaign or election-related statement or to respond to a campaign or election-related media inquiry. Given the nature of his visit and nature of the facility, he should not address the media at all while within LRMC.

Senator Obama's arrival at and departure from LRMC may be covered by the media, as long as he does not participate in any campaign or election-related activities in the local community.



# Let's Move Forward...





**Questions?**