

Tis the Political Season! This is from the just-published Army Regulations 600-20.

5–15. Political activities

The DCS, e for policy on Soldier participation in political activities, as contained in 10 USC 973 and DoDD 1344.10 as follows:

a. Obligations as a citizen. Soldiers are expected to carry out their obligations as citizens. However, while on active duty, Soldiers (including full-time ARNG) are prohibited in certain cases from engaging in certain political activities. The following principles apply:

(1) A Soldier on active duty may—

(a) Register, vote, and express their personal opinion on political candidates and issues, but not as a representative of the Army.

(b) Make monetary contributions to a political organization.

(c) Attend partisan and nonpartisan political meetings or rallies as a spectator when not in uniform.

(2) A Soldier on active duty will not—

(a) Use their official authority or influence for interfering with an election; affecting the course or outcome of an election; soliciting votes for a particular candidate or issue; or requiring or soliciting political contributions from others.

(b) Be a candidate for, or hold, civil office except under the conditions set forth in this regulation and DoDD 1344.10.

(c) Participate in partisan political management, campaigns, or conventions, except as authorized by appendix B and DoDD 1344.10.

(d) Make campaign contributions to another member of the Armed Forces serving on active duty.

(3) Appendix B provides guidelines and examples of permissible and prohibited political activities.

b. Participation in local nonpartisan political activities. See paragraph B–5.

c. Candidate for elective office. A member on active duty or under a call or order to active duty for more than 270 days may not—

(1) Campaign as a nominee, or as a candidate for nomination for civil office, except as authorized in this regulation. When circumstances warrant, the SECARMY may permit the Soldier to file such evidence of nomination or candidacy for nomination, as may be required by law. Such permission will not authorize activity while on active duty that is otherwise prohibited by this regulation, DoDD 1344.10, or Federal statutes. Any request for permission to file or run as a candidate must be submitted as a memorandum through the chain of command to the SECARMY. Such permission is granted sparingly because it runs counter to the traditional concept that Soldiers on active duty should not engage in partisan political activity. Requests should be submitted at least 6 months prior to any filing deadline, and conform to DoDD 1344.10. Any filing deadline should be explained in the request memorandum. Requests should be submitted to the SECARMY through the chain of command, with each level of command providing a recommendation to the SECARMY.

(2) Become a candidate for any civil office while serving an initial tour of active duty or a tour of active duty that the member agreed to perform as a condition of receiving schooling or other training wholly or partly at U.S. Government expense.

d. Election or appointment to civil office.

(1) Except as authorized by this regulation, or otherwise provided for by law or DoD policy—

(2) No member on active duty or under a call or order to active duty for more than 270 days may hold or exercise the function of civil offices in the U.S. Government that is an elective office, requires an appointment by the President with the advice and consent of the Senate, or is a position on the executive schedule under 5 USC 5312 through 5

USC 5317. A retired regular member, or a USAR member on active duty under a call or order to active duty for 270 days or fewer, may hold and exercise the functions of a civil office provided there is no interference with the performance of military duty.

- (3) A member may hold and exercise the function of a civil office in the U.S. Government that is described in paragraph 5–3*d*(2) when assigned or detailed to such office to perform such functions, provided the assignment or detail does not interfere with military duties.
- (4) No member on active duty may hold or exercise the function of civil offices in the government of a State; the District of Columbia; a territory, possession, or commonwealth of the United States; or in any political subdivision thereof, unless otherwise authorized by DoDD 1344.10 or by law. A retired regular or USAR member on active duty under a call or order to active duty for more than 270 days may hold, but will not exercise the functions of, a civil office as set out in DoDD 1344.10, as long as the holding of such office is not prohibited under the laws of the State; the District of Columbia; a territory, possession, or commonwealth of the United States; or any political subdivision thereof and the SECARMY grants permission after determining that holding such office does not interfere with the performance of military duties. Requests for permission to hold, but not exercise the functions of, an office should be submitted to the SECARMY through the chain of command, with each level of command providing a recommendation to the SECARMY, and should be submitted immediately upon notice of mobilization or orders.
- (5) A Soldier on active duty may serve as a regular or reserve civilian law-enforcement officer or as a member of a civilian fire or rescue squad. Such service will be in a private capacity, will not involve the exercise of military authority, and will not interfere with the performance of military duties.
- (6) As long as they are not under a call or order to active duty for more than 270 days, Reserve enlisted members and officers may hold partisan and nonpartisan civil office if such office is held in a private capacity and does not interfere with the performance of military duties. Additionally, enlisted members on active duty may seek and hold nonpartisan civil office as a notary public or member of a school board, neighborhood planning commission, or similar local agent, as long as such office is held in a private capacity and does not interfere with the performance of military duties. Any warrant or commissioned officer on active duty may seek, hold, and exercise the functions of a nonpartisan civil office on an independent school board that is located exclusively on a military reservation, provided the office is held in a nonmilitary capacity and there is no interference with the performance of military duties.
- (7) A Soldier elected or appointed to a prohibited civil office may request retirement and will be retired if eligible for retirement. If the Soldier does not request or is not eligible for retirement, the Soldier will be discharged or released from active duty, as determined by the SECARMY.
- (8) The separation and retirement requirements above, do not apply if the member declines to serve in the prohibited office; if the SECARMY determines that the member should not be released from active duty based on the needs of the Army; or if the member is—
 - (a) Obligated to fulfill an active duty service commitment.

- (b) Serving or has been issued orders to serve in an area that is overseas, remote, a combat zone, or a hostile-fire pay area.
 - (c) Ordered to remain on active duty while the subject of an investigation or inquiry.
 - (d) Accused of an offense under the UCMJ, 10 USC Chapter 47, or serving a sentence or punishment for such offense.
 - (e) Pending an administrative separation action or proceedings.
 - (f) Indebted to the United States.
 - (g) In the USAR and serving involuntarily under a call or order to active duty that specifies a period of active duty of more than 270 days during a period of declared war or national emergency; or other period when a unit or individual of the ARNG or USAR has been involuntarily called or ordered to active duty as authorized by law.
 - (h) In violation of this regulation or an order or other regulation prohibiting the Soldier from assuming or exercising the function of civil office.
- (9) A Soldier who refuses to decline to serve in a prohibited civil office after being denied separation or retirement under this chapter, may be subject to disciplinary or adverse administrative action.
- (10) No actions undertaken by a Soldier in carrying out assigned military duties will be invalidated solely by virtue of the Soldier having violated the provisions of this chapter.