



# OSD PUBLIC AFFAIRS GUIDANCE: 2022 POLITICAL CAMPAIGNS AND ELECTIONS

**Background:** This guidance governs activities relating to federal, state, and local political campaigns and elections. Nothing in this guidance is intended to inhibit the appropriate representation by elected officials of constituents who happen to live or work on a military installation. The prohibitions of this message apply with equal force to non-candidates who seek to campaign for or conduct election activity on behalf of a candidate.

**Public Affairs Posture:** The public affairs posture is active. Public affairs personnel and military leadership will actively seek opportunities to clarify and articulate DoD guidance on partisan political activities, elections and campaigns to ensure DoD personnel, political candidates and staff, and the American public are informed and aware.

Media questions regarding DoD public affairs policy guidance concerning political campaigns and elections will be addressed to Office of the Assistant to the Secretary of Defense for Public Affairs (OATSD(PA)), DoD Press Operations Office, at commercial (703) 697-5131 or DSN 227-5131. Service public affairs are directed to notify OATSD(PA) of all concerns, disputes, unresolved issues, or potential problems regarding federal candidates. Inquiries may also be addressed through Service legislative affairs offices to the Office of the Assistant to the Secretary of Defense for Legislative Affairs (OASD(LA)).

Regarding inquiries to DoD components from political campaign organizations: DoD personnel must forward all inquiries to DoD components from political campaign organizations to a public affairs officer (PAO) for awareness and appropriate action. In response to specific inquiries, PAOs will only provide responsive information that is available to the general public. Through appropriate Service public affairs channels, inform OSD(PA) of inquiries from presidential or vice presidential campaigns. OSD(PA) will inform the Office of Legal Policy (USD(P&R) OLP) and the DoD Standards of Conduct Office (DoD SOCO), in the DoD Office of General Counsel (OGC), of any reports of improper political activities by military or civilian personnel.

DoD publications will not contain advertisements, discussions, cartoons, editorials, and commentaries advocating for, or appearing to advocate for, the success or failure of any political party or candidates for partisan political. DoD newspapers and civilian enterprise publications may not conduct or publish polls, surveys, or straw votes relating to political campaigns or elections, candidates, causes, or issues.

Defense Media Activity (DMA) will ensure a free and balanced flow of news and political reporting from the U.S. radio and television networks on the American Forces Network (AFN).

## **Media Coverage of Installation Visits:**

Before a candidate visits a military installation for official business (e.g., business not related to campaigning), the media may be granted access to cover the candidate's official business.

When an installation commander approves a candidate to visit an installation to participate in official business and the media is granted access to cover the event, the candidate may appear on camera and in photographs as an official participant and may make a statement or answer questions about the official business being conducted.

Installation officials shall inform visiting candidates and their staffs that candidates will refrain from making campaign or election-related statements or responding to a campaign or election-related media query while on the installation.

The installation commander shall not request that the candidate's remarks be reviewed beforehand.

Installation officials shall inform visiting candidates and their professional staffs that footage, photographs, or statements taken or recorded during official business visits may not be used for campaign or election-related purposes. While the candidate or campaign staff may highlight these candidates' support of the Armed Forces, nothing should be used to imply or appear to imply sponsorship, approval, or endorsement of the candidate by DoD or DoD personnel.

When a candidate for civil office, other than the president or vice president, arrives or departs a military installation, and the candidate's itinerary includes a political campaign or election activity in the local community, the installation commander may not authorize media coverage of the arrival or departure.

When the president or vice president arrives or departs a military installation, and part of their official itinerary includes a political campaign or election activity in the local community, the installation commander may allow the media a photo opportunity to cover the arrival or departure of the president or vice president. Appearance of military personnel in photos and videos with candidates for partisan political office who may be accompanying the president and vice president should be avoided.

Installation commanders anticipating a visit by the president or vice president that may involve a partisan political campaign or election activities in the local community shall, through their Service legislative affairs offices, coordinate with OASD(LA) and ensure that the president's or vice president's staff assistants planning the visit are aware of the provisions of DoD's political activities policy guidance. OASD(LA) will ensure close coordination with the White House Military Office, OSD(PA), USD(P&R) OLP, and DoD SOCO.

**Public Statement:** The Department of Defense encourages and actively supports DoD personnel in their civic duty to vote. Members of the Armed Forces on active duty and senior civilian officials may not actively participate in activities aimed at the success or failure of any political party or candidate for partisan political office. The longstanding and well-defined policy of the DoD regarding political campaigns and elections is to avoid any perception of DoD sponsorship, approval or endorsement of any political candidate or campaign. The Department of Defense does not permit candidates for civil office to engage in campaign or election-related activities while on a DoD installation or in a DoD facility.

### **Topline Messages:**

- The DoD has a longstanding tradition and policy to avoid the perception of DoD sponsorship, approval, or endorsement of any political candidate, campaign, or cause.
- DoD installations and facilities may not be used for political campaign or election activities.
- DoD leadership encourages and actively supports DoD personnel in their civic duty to vote. The longstanding and well-defined policy of the DoD regarding political campaigns and elections is to avoid any perception of DoD sponsorship, approval or endorsement of any political candidate or campaign. Members of the Armed Forces on active duty and senior civilian officials may not actively participate in activities aimed at the success or failure of any political party or candidate for partisan political office.
- The Department recognizes voting is one of the most fundamental rights afforded to U.S. citizens. The decision to vote is a personal one, and the Federal Voting Assistance Program works to ensure all Service members who want to vote have the tools and resources to successfully do so from anywhere in the world.

### **Talking Points:**

#### **Support of Political Activities by DoD Personnel:**

- The Department of Defense has a longstanding policy of encouraging DoD personnel (including members of the Armed Forces on active duty (AD), members of the reserve components (RC) not on AD, and retired members) to carry out the duties of citizenship. However, active duty members should not engage in partisan political activities and should avoid the inference that their political activities imply or appear to imply DoD sponsorship, approval, or endorsement. RC and retired members also have responsibilities to avoid any inference that their political activities imply or appear to imply DoD sponsorship, approval, or endorsement.
- Installation commanders will decline requests for military personnel or federal civilian employees to appear in or support political campaign or election events.
- All members of the Armed Forces, including AD members, members of the RC not on AD, and retired members, are prohibited from wearing military uniforms at political campaign or election events. This prohibition is not applicable to the provision of joint Armed Forces color guards at the opening ceremonies of the national conventions of the Republican, Democratic, and other political parties formally recognized by the Federal Election Commission.

#### **Federal Voting Assistance Program (FVAP):**

- DoD provides information so that all members of the Armed Forces, federal civilian employees, and their eligible family members have the opportunity to register and vote.
- DoD will support FVAP by publishing factual information about registration and voting laws, with special emphasis on absentee voting requirements.

- Commanders will provide voting assistance officers at every level of command and ensure they are trained and equipped to provide voting assistance.
- All members of the Armed Forces and federal civilian employees assisting in the voting process will take all necessary steps to prevent fraud and to protect voters against any coercion. No member of the Armed Forces or any federal civilian employee shall attempt to influence the voting or participation of any other member.
- Commanders responsible for operation of military post offices will ensure expeditious processing of balloting material and proper postmarking and date stamping of absentee ballots.
- Voting assistance information is available through the Director, Federal Voting Assistance Program, 4800 Mark Center Drive, Suite 05E22, Alexandria, VA 22350-5000. Voting assistance information also is available by telephone at (800) 438-8683, DSN 425-1584, by fax (703) 696-1352, DSN 426-1352, by e-mail ([vote@fvap.gov](mailto:vote@fvap.gov)), or at the website [www.FVAP.gov](http://www.FVAP.gov).

#### **Use/Access of Installation Facilities by Candidates and for Political Activities:**

- A candidate who holds a civil office with responsibilities that affect a military installation or those who live or work there may be granted access to a military installation under certain circumstances.
- A candidate may access an installation to conduct official business (e.g., business not related to campaigning) and to take advantage of activities, services or resources that are available to him or her by virtue of law or policy, such as recreational activities open to the public or entitlements or benefits such as medical facilities, commissaries, or post/base exchanges.
- Candidates who are not current office holders or serving government officials will be granted the same access to installations as any unofficial visitor.
- Installation commanders shall coordinate with their legal advisor and forward notice of contact from a presidential or vice presidential campaign representative to their local Service public affairs office for coordination with the office of the Secretary for each Military Department concerned. Installation commanders will, through their Service legislative affairs offices, also consult OASD(LA) for guidance or instructions regarding specific visitation requests. OASD(LA) shall ensure that both the OLP and the DoD SOCO in the DoD OGC are informed of any reports of a request from a presidential or vice presidential campaign to visit a military installation.
- When analyzing a candidate's request for access to an installation, the commander shall first determine whether the request is to conduct official, personal, or campaign business. The following types of requests are presumed to be for political campaign purposes and will be denied:
  - Requests for access to military installations or facilities from campaign organizations as opposed to the official staff of the office that the candidate currently holds.

- Requests for access to military installations or facilities by family members of candidates when such family members are not otherwise entitled to access by law or policy or who otherwise do not have an independent official purpose.
- Requests for access to military installations or facilities that include accompaniment by campaign staff and/or press.
- Installation commanders shall not permit candidates to use military facilities for political campaign or election events, including public assemblies or town hall meetings, speeches, fundraisers, press conferences, post-election celebrations, and concession addresses.
- Members of Congress and other elected or appointed officials are not prohibited from visiting military installations to receive official briefings, tours, or other official DoD information. Installation commanders shall prohibit candidates, who visit military installations to conduct official business (e.g., business not related to campaigning), from engaging in any political campaign or election activity during the visit.
- An installation commander may permit nonpartisan voter registration activities on an installation by state and county officials, or groups recognized in accordance with section 501(c)(19) of the Internal Revenue Code, subject to all applicable military installation rules and regulations governing such activities on military installations. The Installation Voting Assistance Officer should be notified if access is granted.
- Installation commanders shall not allow candidates or their agents to obtain still or video imagery of military equipment (e.g., ships, tanks, and aircraft) for use in political campaign or election advertisements, commercials, or literature. Absent operational security concerns, candidates or their assistants are not restricted from documenting equipment from a location outside the control of a DoD facility or military installation. This does not apply to imagery of elected or appointed officials photographed while on official business or travel (e.g., not related to campaigning).

#### **Military Installation Facilities as Polling Places:**

- In accordance with 10 U.S. Code § 2670 - Use of facilities by private organizations; use as polling places, as of Dec. 31, 2000, if an installation facility is designated as an official polling place by a state or local election official or has been used as a polling place since Jan. 1, 1996, installation commanders will not deny the use of that facility as a polling place for federal, state, or local elections. The Secretary of Defense or the Secretary of the Military Department concerned may grant a waiver of the requirement to allow use of the facility if the secretary concerned determines that local security conditions require prohibition of the designation or use of that facility as an official polling place for any election. Installation commanders shall ensure that all active duty military personnel remain clear of such polling places except as necessary to exercise their individual voting rights.
- With respect to any installation facility not covered above, installation commanders will not allow the use of installation facilities as polling places for federal, state, or local elections.

### **Online/Social Media:**

- Federal employees and AD members may use social media and personal email when not on-duty, on federal property, or using government equipment, to express their own personal views on public issues or political candidates.
- While personnel are not restricted from speech on issues that do not promote the success or failure of a partisan political candidate or party, they should be careful to avoid any appearance of DoD endorsement. If a social media site/post identifies the author as a DoD civilian or AD member (or if the member is otherwise reasonably identifiable as an active duty member), then the entry will clearly and prominently state that the views expressed are those of the individual only and not those of the DoD (or Department of Homeland Security for members of the Coast Guard).
- An AD member may not engage in any social media activity on behalf of, or in concert with, a political party, candidate in a partisan race, or partisan political group. This prohibition includes sharing or retweeting posts from the website of a political party, candidate for partisan political office, or partisan political group; and linking to campaign or other partisan material of a political party, candidate for partisan political office, or partisan political group, even if while not on duty or in the workplace. “Workplace” can include a telework location.
- Retired military and RC members who are depicted in uniform or who use, mention, or permit the use or mention of, their military rank or grade and military service affiliation must clearly indicate their retired or reserve/guard status.
- An AD member may become a “friend” of or “like” the Facebook page, or follow the social media account of a political party or partisan candidate, campaign, group, or cause. However, active duty members will refrain from engaging in activities with respect to those entities’ social media accounts that would be, or would appear to be, advocating for the success or failure of a political party or a candidate for partisan political office. This would include, for example, suggesting that others like, friend, or follow the political party, partisan political candidate, campaign, group, or cause, or forwarding an invitation or solicitation from said entities to others.
- Members of the Armed Forces not on AD may not be subject to the social media restrictions listed above so long as the member does not act in a manner that could reasonably create the perception or appearance of official sponsorship, approval, or endorsement by the DoD or the member’s Service.

### **Questions and Answers:**

#### **Q1: What is the DoD policy regarding political activities by members of the Armed Forces?**

A1: DoD encourages members of the Armed Forces to carry out the duties of citizenship, including voting and encouraging others to vote. However, members of the Armed Forces on active duty and senior civilian officials may not engage in activities directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. The longstanding and well-defined policy of the Department of Defense regarding political

campaigns and elections is to avoid any perception of DoD sponsorship, approval, or endorsement of any political candidate or campaign.

**Q2: Can political candidates visit a DoD installation or facility?**

A2: A candidate for civil office will not be permitted to engage in campaign or election-related activities (e.g., public assemblies, town hall meetings, speeches, fund-raisers, press conferences, post-election celebrations, and concession addresses) while on a DoD installation, which includes overseas installations and areas under the control of the United States military.

**Q3: Can a seated politician visit a DoD installation or facility during their campaign for office?**

A3: A candidate who holds a civil office may visit a DoD installation or facility for the purpose of conducting official business (i.e., business not related to campaigning) or to access entitlements or benefits the candidate is authorized to use. However, no candidate running for office is permitted to use their access for campaign or election purposes.

**Q4: When does a political campaign begin and end?**

A4: A political campaign or election begins when a candidate, including an incumbent officeholder, makes a formal announcement to seek political office or when any individual files for candidacy with the Federal Election Commission or equivalent regulatory office. Once initiated, a political campaign or election does not end until the candidate officially withdraws or until one week after the conclusion of the relevant election.

**Q5: What political activities can a Service member participate in and which ones are prohibited?**

A5: Active duty members may not engage in activities aimed at the success or failure of any political party, or candidate for partisan political office, or partisan political group. All military personnel will avoid any activities that imply or appear to imply DoD sponsorship, approval, or endorsement of a political candidate or campaign.

Examples of political activities that are prohibited include campaigning for a candidate, soliciting campaign donations, marching in a parade and wearing the uniform of a military service to an event aimed at the success or failure of any political party or candidate for partisan political office. For a complete list of permissible and prohibited activities, please consult DoD Directive 1344.10, Political Activities by Members of the Armed Forces.

**Q6: Does that mean a Service member can vote, but not actively support a particular candidate or cause?**

A6: Unquestionably, Service members can exercise their right to vote. However, active duty members may not engage in activities aimed at the success or failure of any political party or candidate for partisan political office, and will avoid the appearance that their activities imply or appear to imply DoD sponsorship, approval, or endorsement of any political party or candidate for partisan political office. For a list of permissible and prohibited activities, please consult DoD Directive 1344.10, Political Activities by Members of the Armed Forces.

**Q7: Does DoD support and encourage its personnel to vote?**

A7: DoD encourages all DoD military and civilian personnel to register and vote. The Department actively supports the Federal Voting Assistance Program to ensure DoD personnel

have the resources, time, and ability to participate in their civic duty. Additionally, Department leaders and military commanders appoint voting assistance officers at every level of command, who are trained and equipped to provide voting assistance.

**Q8: Can a DoD installation be used as a polling place in an election?**

A8: Per Title 10, Section 2670 of the U.S. Code, as of Dec. 31, 2000, if an installation facility is designated as an official polling place by an election official or has been used as a polling place since Jan. 1, 1996, installation commanders will not deny the use of that facility as a polling place for any election. The Secretary of Defense or the Secretary of the Military Department concerned may grant a waiver of the requirement to allow use of the facility if it is determined that security is a concern. All members of the Armed Forces on active duty are instructed to remain clear of all polling places except when voting.

**Q9: Does DoD provide any voting assistance?**

A9: Yes, DoD provides voting assistance via the Federal Voting Assistance Program (FVAP). FVAP works to ensure Service members, their eligible family members, and overseas citizens are aware of their right to vote and have the tools and resources to successfully do so – from anywhere in the world – via FVAP.gov. The Services also provide voting assistance officers at the unit level to facilitate in-person assistance when required.

**References:**

- 5 U.S.C., Sections 7321-7326, The Hatch Act of 1939, as amended
- 10 U.S.C. Sections 801-946, Uniform Code of Military Justice
- 10 U.S.C. Section 2670, Use of facilities by private organizations; use as polling places
- 18 U.S.C. Section 609, Use of military authority to influence vote of member of Armed Forces
- 26 U.S.C. Sections 1-9834, Internal Revenue Code
- 5 C.F.R. Parts 733-734, Political Activities of Federal Employees
- DoDD 1344.10, Political Activities by Members of the Armed Forces
- DoDD 1442.11, Political Activity Rules for DoD Political Appointees
- DoDD 5230.09, Clearance of DoD Information for Public Release
- DoDD 5410.18, Public Affairs Community Relations Policy
- DoD 5500.7-R (Joint Ethics Regulation)
- DoDI 1000.04, Federal Voting Assistance Program (FVAP)
- DoDI 1100.13, Surveys of DoD Personnel
- DoDI 1334.01, Wearing of the Uniform
- DoDI 5120.04, DoD Newspapers, Magazines Guides, and Installation Maps
- DoDI 5120.20, American Forces Radio and Television Service
- DoDI 5410.19, Vol. 1, Community Outreach Activities: Policy Overview and Evaluation Procedures
- DAFI 36-2903, Dress and Personal Appearance of United States Air Force and United States Space Force Personnel
- AR 670-1, Wear And Appearance of Army Uniforms And Insignia
- NAVPERS 15665I, United States Navy Uniform Regulations
- MCO P1020.34G, Marine Corps Uniform Regulations
- 2022-2023 Voting Assistance Guide,  
<https://www.fvap.gov/uploads/FVAP/States/eVAG.pdf>



- U.S Office of Special Counsel, Frequently Asked Questions Regarding Social Media and the Hatch Act, Online: <https://osc.gov/Services/Pages/HatchAct-FAQ.aspx>

**Public Affairs Contacts:**

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