

Date: October 7, 2004

In reply refer to: Advisory-1004

Subject: Political Activity Memorandum from the USDA Chief of Staff

To: All OCFO Employees Located at NFC

Please see the attached Memorandum from the United States Department of Agriculture Chief of Staff.

As we stressed in earlier advisories, this is a politically active year and we as Federal employees must be vigilant to ensure that we avoid questionable political activity that could result in an investigation and/or disciplinary actions. For example, use of official phone services for responding to surveys that are geared toward lobbying Members of Congress could result in disciplinary action.

As a precaution, if you are planning to participate in any political activity other than simply exercising your right to vote, please contact the Agency Ethics Office at 504-426-0308 or 504-426-0344 for guidance.

A handwritten signature in black ink, appearing to read "L. Simmons", written in a cursive style.

LINDA J. SIMMONS
Agency Ethics Advisor

Attachment



United States Department of Agriculture

Office of the Secretary
Washington, D.C. 20250

MEMORANDUM FROM THE CHIEF OF STAFF

A handwritten signature in black ink, appearing to read "Dale W. Moore".

TO: All USDA Employees

SUBJECT: Political Activity

All USDA employees are expected to adhere to the highest ethical standards not only in their official duties, but also in any political activities they undertake. In the midst of this current political season, it is a good time to reemphasize some of the prohibitions concerning political activity that apply to the great majority of Federal employees. This memorandum does not discuss the stricter rules that apply to career Senior Executive Service employees, Board of Contract Appeals members and Administrative Law Judges, or the generally more permissible rules that apply to Presidential appointees confirmed by the Senate. Nonetheless, this reminder should be applicable and helpful to the majority of USDA employees. Should you have any questions about how the rules apply to you, you are encouraged to seek guidance from your agency Ethics Officials or the Office of Ethics.

Most USDA employees are subject to the Hatch Act Reform Amendments of 1993 (Amendments). The Amendments broadly permit covered employees to take an active part in political management or in political campaigns *on their own personal time and away from the worksite*. Some of the partisan political activities in which covered employees may participate include: making speeches, distributing literature, participating in partisan "get out the vote" drives, working at the polls, managing campaign organizations, serving as a party officer, serving as a delegate at conventions, and signing nominating petitions.

At the same time, covered employees are subject to a number of general restrictions. As a Federal employee, you may not:

- Run for partisan political office;
- Use your official title while participating in any political activity;
- Solicit, coerce, or discourage the political activity of any person who: (1) has any application pending before the Department; or (2) is a subject or participant in any ongoing audit, investigation, or enforcement action being carried out by the Department;

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- Use your official authority or influence to interfere with or affect the result of an election;
- Solicit, accept, or receive volunteer services from a subordinate for any political purpose;
- Engage in any political activity while: On duty; wearing a uniform or official insignia identifying the office or position of the employee; or in any room or building used by Government employees in the discharge of their official duties. Political activity includes work for campaigns or a political party, writing political speeches, endorsing candidates, holding political meetings, and combined political and official Government travel;
- Engage in political activity while using any Government owned or leased vehicle or while using a private vehicle in the discharge of official duties. Political activity includes displaying a political bumper sticker or decal and also includes driving to political events; or,
- Personally solicit, accept, or receive a political contribution from ANY person, unless that person is a member of the same labor organization, not a subordinate employee; and the solicitation is for a contribution to a multi-candidate political committee (PAC) of the labor organization.

Political fundraisers are a frequent source of problems. You may not:

- Solicit political contributions in a speech given at a fundraiser endorsing a candidate or party;
- Use your official title in connection with fundraising activities;
- Host, sponsor, or invite others to a fundraiser; or,
- Allow your name to be used on an invitation to a fundraiser as a sponsor or point of contact.

Finally, USDA employees have recently sent several e-mails on political subjects, while they were on duty and from Government computers. Although there is a narrow exception that allows sending personal e-mails to a few co-workers in your office, the general rule is that sending or forwarding political e-mails to anyone over a government system is political activity and thus prohibited.

Further guidance is available at the USDA Office of Ethics Web Site at www.usda.gov/ethics. Again, if you have any questions concerning political activity, contact your Agency Ethics Advisor or the Office of Ethics at (202) 720-2251.