



TO: ALL USDA EMPLOYEES
FROM: USDA OFFICE OF ETHICS
SUBJECT: Important Political Activity Guidance Reminder (the Hatch Act)

As the 2024 national, state and local election seasons move into higher gear, we are providing this timely reminder of the applicable statutory restrictions on political activity imposed by the Hatch Act (5 U.S.C. §§ 7321 - 7326).

The Hatch Act generally prohibits Federal employees from engaging in partisan political activities (those activities involving a political party or its candidates for elected office) while on duty, while in the Government workplace, while wearing an official uniform, or while using a government vehicle. Under the Hatch Act, "political activity" is defined as any activity directed toward the success or failure of a political party, candidate for partisan political office, or partisan political group. Violations of the Hatch Act carry serious penalties, which may result in disciplinary action and can result in one's removal from Federal employment. **Remember, whenever you have an Ethics or Hatch Act question, you can, and should, always contact the USDA Office of Ethics.** You can easily locate the Office of Ethics advisors assigned to service your Mission Area or Staff Office at: www.usda.gov/ethics or call the Office of Ethics' Hatch Act Hotline at (202) 720-2251.

To remind USDA employees of our obligations under the Hatch Act, the USDA Office of Ethics is providing this summary of the five most important Hatch Act requirements that every employee needs to know, if you choose to engage in partisan political activity:

You must be off duty -- You can only engage in partisan political activity when you are off-duty and not in an official duty status. Some examples of when you are off duty would be those times when you are on annual leave, or before your official duty hours start, during your lunch break, or after your official duty hours end. This means that during work hours, whether you are working on-site, teleworking, or working remotely, if you are "on the clock" you cannot engage in partisan political activity of any kind. Important note: Even during those times when you are "off the clock" (such as while on a lunch break), you cannot engage in partisan political activity while you are in the Federal workplace.

You must be off premises – This means that you may not engage in partisan political activity in buildings owned or leased by the Federal Government. No campaign buttons, campaign t-shirts, or posters for current political candidates may be displayed by Federal employees in a government-owned building or leased office space. However, you may display a political bumper sticker on your personal car, even if it is parked in a government parking lot – however, if you use your car for official USDA purposes to meet with stakeholders or entities that USDA regulates, you will need to remove or cover up the bumper sticker during those times. Even

when you are off site and off duty, you may not engage in partisan political activity while wearing an official government uniform, driving a government vehicle, or while using government resources (such as laptop computers). And remember, you can never display a political bumper sticker on a government-owned vehicle. Important note: The Hatch Act's restrictions apply when you are in the Federal workplace, even during your lunch break or after duty hours.

Don't use your USDA position or job title to support a partisan political campaign -- You may not use or allow others to use your USDA position title or authority in conjunction with any partisan political activity. This means that if you are speaking at a political event after hours in your personal (unofficial) capacity, you cannot allow others to introduce you to the audience using your official USDA position or title. And even if you don't use your government job title, Federal employees cannot run in a partisan political campaign for elected office. Employees may run in completely non-partisan elections, but the rules can be nuanced, so employees are strongly advised to first contact the USDA Office of Ethics to seek guidance in advance of running in a non-partisan election.

There is a strict ban against any partisan political fundraising, including on Social Media -- You may never ask or solicit others to contribute to a political party or to candidates for elected office. This ban applies 24 hours a day, meaning that the fundraising ban applies both when you are on duty as well as when you are off duty. This means that you cannot host or co-host a partisan political fundraising event. You also cannot solicit political campaign donations either verbally or via written correspondence, e-mail, or on any social media platforms, including, but not limited to: Facebook, LinkedIn or Instagram. Also, you may not collect, accept, or receive political contributions on behalf of a partisan candidate or political party.

No Use of Subordinates – If you are a supervisor, you may not solicit the participation of subordinates to engage in partisan political activities (for example, if you are attending a political rally, after work hours, you cannot ask a subordinate employee to attend with you).

Important Note: Career Senior Executive Service (SES) employees and Administrative Judges are under further, and more stringent, restrictions and are advised to consult first with the USDA Office of Ethics prior to engaging in any partisan political activities.

Questions? Further Resources are Available: For those wanting more information, the USDA Office of Ethics has created an engaging animated video: "*The Hatch Act Illustrated and Explained*" available on YouTube at: <https://www.youtube.com/watch?v=QCYVTYDmv0g>.

Additionally, Attachment "A" (on the next page immediately below) contains a handy list of long-distance Ethics and Hatch Act resources created by the USDA Office of Ethics that are available on demand to assist employees in complying with these important requirements.

ATTACHMENT A

Ethics and Hatch Act Resources to Assist You

How to Get in Touch with the USDA Office of Ethics:

| Employees of: | Contact: |
|--|----------------------------|
| Farm Production and Conservation Mission Area (FSA, NRCS, RMA, and FPAC Business Center) | Ethics-FPC@usda.gov |
| Food, Nutrition and Consumer Service Mission Area (FNS, CNPP) | Ethics-FNCS@usda.gov |
| Food Safety Mission Area (FSIS) | Ethics-FoodSafety@usda.gov |
| Marketing and Regulatory Programs Mission Area (AMS, APHIS & GIPSA) | Ethics-MRP@usda.gov |
| Natural Resources and Environment Mission Area (USFS) | Ethics-NRE@usda.gov |
| Research, Education and Economics Mission Area (ARS, NIFA, ERS, NASS) | Ethics-REE@usda.gov |
| Trade and Foreign Agricultural Affairs Mission Area (FAS) | Ethics-TFAA@usda.gov |
| Rural Development (RBCS, RHS & RUS) | Ethics-RD@usda.gov |
| Departmental Management, Staff Offices, Filers of Public Financial Disclosure Reports and Political Appointees | Daeo.ethics@usda.gov |

Ethics Resources Available to You “On Demand” 24 Hours a Day:

To assist you in understanding the Ethics rules and complying with the Hatch Act’s requirements, the Office of Ethics has created several long-distance educational resources available to all USDA employees, on demand:

- 1) **The USDA Ethics Mobile Application (the USDA Ethics App)**: The USDA Ethics App is available by searching “USDA Ethics” on any smartphone app store on either Apple or Android devices.
- 2) **USDA’s Ethics Web site**: Another resource is the USDA Ethics web site (search: “*USDA Office of Ethics*” on the web or go directly to the site at: www.usda.gov/ethics.) The “Rules of the Road” Section of the USDA Ethics website provides information on the Hatch Act rules governing political activity and the Ethics rules generally.
- 3) **Hatch Act Training Module on AgLearn** -- The Office of Ethics has created a new training module on the Hatch Act on USDA’s AgLearn. This training can be found on Aglearn by searching “OGC-ETHICS-HATCH” in the AgLearn search function.

- 4) **The USDA-NASA Ethics Training Game** -- The Office of Ethics new animated Ethics Training Game (developed by USDA’s Office of Ethics in partnership with NASA) features a section on the Hatch Act, at the very beginning of the Game. You can access the USDA-NASA Ethics Training Game in one of three ways: (1) On AgLearn by searching “OGC-ETHICS-2024” in the search feature on AgLearn; (2) On the USDA Ethics App, and (3) On the USDA Ethics website at: www.usda.gov/ethics.
- 5) **Ethics and Hatch Act Videos**: The Office of Ethics has created 39 videos on a wide array of Ethics and Hatch Act topics. Employees can search the full playlist of videos by searching: “*USDA Office of Ethics Playlist*” on YouTube. Employees can view several short videos about the Hatch Act located on the Video Section of the USDA Ethics App as well as on USDA’s official YouTube page. The following four videos, created by the USDA Office of Ethics, are available to you on demand 24 hours a day and can be viewed on your laptop, tablet, or smart phone. **These videos can be located on YouTube by searching “*USDA Office of Ethics Playlist*.”**
- *The Hatch Act Illustrated and Explained.*
 - *The Hatch Act Rules for USDA Employees.*
 - *Hatch Act and Social Media.*
 - *Hatch Act Rules for Further Restricted Employees (career-SES).*

As you can see, the USDA Office of Ethics has created numerous long-distance educational resources to assist Federal employees understand these important laws and adhere to these rules in the evolving hybrid work environment. And as always, if you have an ethics or Hatch Act question, please ask the USDA Office of Ethics – we are here to help.