

United States Department of Agriculture

Departmental Administration

Office of the Assistant Secretary for Administration

Office of Human Resources Management

1400 Independence Avenue, SW Washington, DC 20250-9600 **DATE:** April 1, 2022

TO: Mission Area Chief Operating Officers and Staff Office Equivalents

Mission Area Chief Human Capital Officers

FROM: Anita R. Adkins

Acting Chief Human Capital Officer

ANITA ADKINS Digitally signed by ANITA ADKINS Date: 2022.04.01 16:24:02 -04'00'

SUBJECT: Administrative Leave for Voting

The Office of Personnel Management (OPM) issued <u>CPM 2022-05</u> to implement Executive Order <u>14019</u> on Promoting Access to Voting, March 7, 2021. Effective immediately, agencies will grant up to 4 hours of administrative leave for the purpose of voting or serving as a non-partisan poll worker or non-partisan observer (including travel time). If an employee needs to spend less than 4 hours to vote, only the needed amount of administrative leave should be granted.

Voting

Employees will receive up to 4 hours of administrative leave for voting in connection with each Federal general election day, and each election event (including primaries and caucuses) at the Federal, State, local (i.e., county and municipal), Tribal, and territorial level that does not coincide with a Federal general election day, including Federal special Congressional elections not held on the date of a Federal general election. The administrative leave may be used for voting on the established election day or for early voting, whichever option is used by the employee with respect to an election event.

An employee may use administrative leave for voting in connection with each covered election event in which the employee participates by voting. However, an employee is limited to 4 hours of administrative leave for voting per election event.

Poll Worker

Employees will receive up to 4 hours of administrative leave per leave year for the purpose of serving as a non-partisan poll worker or to participate in non-partisan observer activities at the Federal, State, local, Tribal, and territorial level, including training periods. This leave is in addition to any administrative leave an employee uses to vote. If the employee requires additional leave they may request annual leave, compensatory time off, credit hours, or leave without pay.

2

Employees must request in advance and receive approval from their supervisor prior to using administrative leave. Scheduling of administrative leave is subject to a determination by the supervisor that the employee can be relieved of duty during the specific period of time without significantly impairing mission-essential operations. Administrative leave may not be used during a non-workday or during overtime work hours outside the tour of duty established for leave charging purposes.

If you have any questions about this memorandum, please contact Allen Hatcher, USDA Acting Deputy Chief Human Capital Officer, at <u>allen.hatcher@usda.gov</u> or (703) 457-7760, or Lisa Swenka, Senior Human Resources Specialist, Pay and Leave Policy, at <u>lisa.swenka@usda.gov</u> or (202) 731-7958.



Departmental Administration

Office of the

Assistant Secretary

for Administration

1400 Independence

Avenue, SW

Washington, DC 20250-9600

Office of Human Resources Management

United States Department of Agriculture

DATE: September 19, 2023

TO: Agency Heads

Mission Area Chief Operating Officers Mission Area Chief Human Capital Officers

Staff Office Equivalents

FROM: Anita R. Adkins

Chief Human Capital Officer

Office of Human Resources Management

SUBJECT: OHRM Advisory: Administrative Leave for Voting Related

Activities

Purpose:

This advisory promotes access to voting.

Background:

The U.S. Office of Personnel Management (OPM) issued <u>CPM 2022-05</u> to implement Executive Order <u>14019</u> on Promoting Access to Voting, issued by President Biden on March 7, 2021. Federal agencies are authorized to grant up to four hours of administrative leave for the purpose of voting or serving as a non-partisan poll worker or non-partisan observer (including travel time). If an employee uses less than four hours to vote, only the needed amount of administrative leave is granted.

Voting and Registering to Vote

Employees can receive up to four hours of administrative leave for voting in connection with each Federal general election day, and each election event (including primaries and caucuses) at the Federal, State, local (e.g., county and municipal), Tribal, and territorial level that does not coincide with a Federal general election day, including Federal special Congressional elections not held on the date of a Federal general election. The administrative leave may be used for registering to vote, volunteering to register others to vote, voting on the established election day, or for early voting, whichever option the employee chooses to use with respect to an election event.

An employee may use administrative leave for voter registration activities and voting in connection with each covered election event. However, an employee is limited to four hours of administrative leave per election event.

Poll Worker

Employees are authorized to receive up to four hours of administrative leave per leave year

for the purpose of serving as a non-partisan poll worker or to participate in non-partisan observer activities at the Federal, State, local, Tribal, and territorial level, including training periods. This leave is in addition to any administrative leave an employee uses to vote. If the employee requires additional leave they may request annual leave, compensatory time off, credit hours, or leave without pay.

Using Administrative Leave

Employees must request in advance and receive approval from their supervisor prior to using administrative leave. Scheduling of administrative leave is subject to a determination by the supervisor that the employee can be relieved of duty during the specific period of time without significantly impairing mission-essential operations. Administrative leave may not be used during a non-workday or during overtime work hours outside the tour of duty established for leave charging purposes.

Please direct any questions regarding this advisory to Michael Rafferty, HR Policy Division Director at Michael.Rafferty@usda.gov.

cc: Anita Adkins, Michelle Long, Allen Hatcher, Robert Harris, Michael Rafferty, Lisa Swenka, Monika Rosier

From: **Adam Lioz**

Best, Valeria - NRCS, Washington, DC; Goldmon, Dewayne - OSEC, Washington, DC; Chandran, Kumar - OSEC, Washington, DC; Rajan, Akhil - OSEC, Washington, DC; Duran, Maribel - OSEC, Washington, DC; Ferguson, To:

Katharine - OSEC - Washington, DC; Overmann, Lynn - OCIO-CIO, Washington, DC Adam Lioz; Sarah Brannon; Rachel Motley; aomojola@rabengroup.com; Dylan Tureff

Cc: Subject: [External Email]Re: Demos Meeting on Voting Rights EO

Friday, August 20, 2021 3:28:01 PMThis information can be found here: https://www.demos.org/sites/default/files/2021-12/Voter Date: Attachments: Fed Agency Voter Reg BP.pdf %20Registration%20Responsibilities%20of%20Designated%20Federal%20Agencies.pdf

Voter Registration at Federal Agencies The Why and How.pdf https://www.demos.org/sites/default/files/2021-09/Why%20and% 20How%20to%20do%20Voter%20Registration%20at%20Federal

%20Agencies%5B42%5D.pdf

[External Email]

If this message comes from an unexpected sender or references a vague/unexpected topic;

Use caution before clicking links or opening attachments.

Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Folks,

Per my last email below I'm writing to share the "best practices" resources we've pulled together (attached). We look forward to discussing this in the context of specific programs when your team is available for a follow up conversation.

Thanks,

Adam

From: Adam Lioz <alioz@demos.org>

Date: Monday, August 9, 2021 at 6:58 AM

To: "valeria.best@usda.gov" <valeria.best@usda.gov>, "Goldmon, Dewayne - OSEC,

Washington, DC" < Dewayne.Goldmon@usda.gov >, "Chandran, Kumar - OSEC, Washington,

DC" <Kumar.Chandran@usda.gov>, "Rajan, Akhil - OSEC, Washington, DC"

<Akhil.Rajan@usda.gov>, "Duran, Maribel - OSEC, Washington, DC"

<Maribel.Duran@usda.gov>, "Ferguson, Katharine - OSEC - Washington, DC"

<Katharine.Ferguson@usda.gov>, "Overmann, Lynn - OCIO-CIO, Washington, DC"

<Lynn.Overmann@usda.gov>

Cc: Adam Lioz < IMCEAEX-

o=ExchangeLabs ou=Exchange+20Administrative+20Group+20+28FYDIBOHF23SPDLT+29 cn

=Recipients cn=25f96d**7**53fb84138bf84**7**4d4134c368f-**(b) (6)**

Sarah Brannon <sbrannon@aclu.org>, Rachel Motley <rmotley@rabengroup.com>,

"aomojola@rabengroup.com" <aomojola@rabengroup.com>, Dylan Tureff

<dtureff@rabengroup.com>

Subject: Re: Demos Meeting on Voting Rights EO

Team USDA,

With apologies for the delay, I wanted to follow up to thank you all for your time and a productive conversation. As we noted, we'll have our "best practices" slides ready in the next 1-2 weeks, and in the meantime y'all had asked for some data on voter registration through the NVRA at the state

level, which I've pasted below.

We're eager to schedule a follow up conversation to dig into specific programs and help with integration in any way we can—just let us know when you're available for that.

Adam

State Voter Registration Data

- Toward a More Representative Electorate
- https://www.demos.org/sites/default/files/2020-07/Towards%20a%20More%20Representative%20Electorate%20Report.pdf
- Demos 2018 report on NVRA implementation in the states
- Shows trends, numbers in key states, and examples of success
- Election Assistance Commission 2018 EAVS Report

https://www.eac.gov/sites/default/files/eac_assets/1/6/2018_EAVS_Report.pdf

- Data submitted from chief elections officials to the EAC
- Shows voter registration applications generated from motor vehicle and public assistance offices
- See NVRA Appendix A, starting on page 55 for data
- See Table 2a starting on page 64 for the most useful data
- The 2019-2020 report is typically out by now but delayed by the pandemic but should be released this month
- You can find prior reports <u>here</u>.

From: valeria.best@usda.gov

When: 2:30 PM - 3:00 PM August 3, 2021 Subject: Demos Meeting on Voting Rights EO

Location: Microsoft Teams Meeting

PURPOSE: To discuss the Executive Order to Promote Voting Access implementation and ways USDA can continue to play a role in the implementation.

Microsoft Teams meeting

Join on your computer or mobile app Click here to join the meeting

Or call in (audio only)

+1(b) (6) # United States, Washington DC
Phone Conference ID: (b) (6)
Find a local number | Reset PIN

<u>Learn More</u> | <u>Meeting options</u>

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From: Adam Lioz

Best, Valeria - NRCS, Washington, DC; Goldmon, Dewayne - OSEC, Washington, DC; Chandran, Kumar - OSEC, Washington, DC; Rajan, Akhil - OSEC, Washington, DC; Duran, Maribel - OSEC, Washington, DC; Ferguson, To:

Katharine - OSEC - Washington, DC; Overmann, Lynn - OCIO-CIO, Washington, DC

Adam Lioz; Sarah Brannon; Rachel Motley; aomojola@rabengroup.com; Dylan Tureff Cc:

Subject: [External Email]Re: Demos Meeting on Voting Rights EO

Date: Monday, August 9, 2021 6:59:03 AM

[External Email]

If this message comes from an unexpected sender or references a vague/unexpected topic;

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From: valeria.best@usda.gov

When: 2:30 PM - 3:00 PM August 3, 2021 **Subject:** Demos Meeting on Voting Rights EO

Location: Microsoft Teams Meeting

PURPOSE: To discuss the Executive Order to Promote Voting

Access implementation and ways USDA can continue to play a role in the implementation.

Microsoft Teams meeting

Join on your computer or mobile app Click here to join the meeting

Or call in (audio only) +1(b) (6) # United States, Washington DC Phone Conference ID: (b) (6) Find a local number | Reset PIN

Learn More | Meeting options

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.



Hatch Act Refresher 2022 for the FSA State Executive Directors and RD State Directors

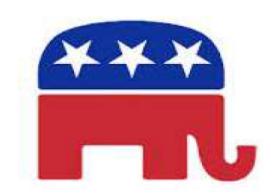


Presented by:

Andrew Tobin
USDA Office of Ethics

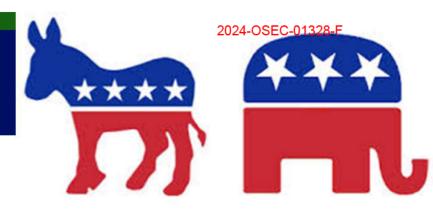
The Hatch Act

Restrictions on Political Activity





Political Activity

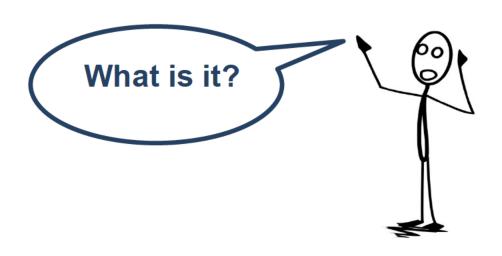


The Hatch Act prohibits appropriated funds from being used for political purposes.

In other words, you should build a firewall between your official USDA activities and any activities of a political nature.



The Hatch Act



- > A statute restricting political activity in the Executive Branch
- ➤ Political Activity is any activity directed toward the success or failure of a partisan candidate, political party, or partisan political group
- > Applies to partisan elections at all levels



3 Categories

| "Further Restricted" | "Less Restricted" | "PAS" |
|----------------------|----------------------|------------------------------|
| Career SES | GS | Presidentially- Appointed |
| ALJs | WG | Officials |
| | Schedule Cs | Confirmed by the Senate |
| | Non-Career SES | |
| | SL, ST, SSTS | |



PAS Officials:

- 24/7 bans on:
 - fundraising,
 - running for office,
 - and using official authority to influence an election
- Permitted to engage in political activity while on duty (considered to be on duty 24/7) and in the workplace.
- May not use official title or identify as USDA employee while engaged in political activity.



Career SES: "Further Restricted"

- 24/7 bans on:
 - fundraising,
 - running for office,
 - and using official authority to influence an election
- May not engage in political activity in concert with a political candidate, party, or group (i.e. no campaign management or campaigning)
- May:
 - Vote
 - Attend political events as passive spectator
 - Donate money to partisan campaigns
 - Express personal opinions on candidates



All Other Employees (Non-Career SES, GS): "Less Restricted"

- Includes all FSA SEDs and RD SDs
- 24/7 bans on:
 - fundraising,
 - running for office
 - and using official authority to influence an election
- May only engage in political activity after duty hours or on leave and outside the workplace.



May a federal employee engage in political activity on Social Media (e.g. Facebook or Twitter)?



Yes, federal employees may express their opinions about a partisan group or candidate in a partisan race (e.g., post, "like," "share," "tweet," "retweet") with the following limitations:

- You must be off-duty and outside the federal workplace
- You must not refer to your official position (though simply listing your official title/affiliation in your profile is ok)
- You may not ask anyone to make political contributions (e.g. by linking to a political contribution page, sharing a solicitation from a candidate or invitation to a fundraiser)

Further Restricted: In addition to the limitations above, may not

- post or link to campaign or other partisan material of a partisan group or candidate in a partisan race;
- "share" these entities' Facebook pages or their content; or
- "retweet" posts from these entities' Twitter accounts.



Can I wear a partisan political button or T-shirt while I am at work or display such items in my office?



No, Covered employees <u>may not</u> engage in political activity <u>while on</u> duty, in a government office or building, in uniform, or in a government vehicle.

Examples of problematic activity:

- Wearing or displaying candidate, political party, or political group materials while on duty or in your federal workspace;
- Wearing or displaying candidate, political party, or political group materials while on teleworking and on a Teams/Zoom/WebEx meeting;
- Wearing or displaying such items in the cafeteria, lobby, or on-site gym of a federal building;
- Having a screen saver with a political message on it;
- Making political donations while on duty.



A friend of mine is running for partisan political office. Can I help? How?



<u>Further Restricted Employees</u> generally may not engage in political activity in concert with a partisan campaign so your support is essentially limited to donating to the campaign, putting out a yard sign, and supporting your friend on election day.

Less Restricted Employees may assist (while off-duty and outside the workplace) by:

- Phone banking
- Door to door canvassing
- Organizing and attending campaign events
- Speaking at a campaign event (personal capacity no USDA title)
- Endorsing your friend's candidacy (personal capacity, no USDA title)
- Social Media/Email campaigning (see next slide)

NOTE: the fundraising prohibition applies to all activities listed above so you would be unable to solicit financial support for the campaign.

Ground Rules for Sending a Political Email or Making a Social Media Post

Make sure you are:

- 1. Off duty
- 2. Off Federal premises
- 3. Using a personal email address (no .gov)
- 4. Using a personal computer or communication device and
- That the message contains no fundraising language, even when off duty, off Federal premises, and using a personal device

I'd like to help on election day. Can I help? How?



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Two Types of Election Day Activity:

 Partisan Poll Activities: done on behalf of, or in coordination with, a political party, partisan political group, or candidate for partisan political office.

Examples:

- Distributing campaign literature or sample party ballots
- Serving as a partisan poll observer, watcher or challenger

This activity is aimed at the success of the candidate or party.

<u>Less Restricted Employees</u> may engage in partisan poll activities while off-duty.

Further Restricted Employees are always prohibited from engaging in partisan poll activities.

Two Types of Election Day Activity:

2) Nonpartisan Poll Activities: Nonpartisan poll workers provide services to their local municipality by, for example, setting up voting equipment, checking voter identification and/or voter registration, printing and handing out ballots, instructing voters on how to use voting machines, and tabulating the results at the close of the poll.

Both Less Restricted and Further Restricted Employees may engage in nonpartisan poll activities while off-duty.

Executive Order 14019 instructs federal executive agencies to, among other things, allow employees to use up to four hours of administrative leave per leave year to serve as nonpartisan poll workers or participate in nonpartisan observer activities.

Questions?

Contact Information:

USDA Office of Ethics

202-720-2251

Andrew.Tobin@usda.gov

www.usda.gov/ethics





Hatch Act Refresher 2022 for the Office of the General Counsel (OGC)



Presented by:

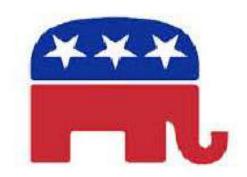
Stuart Bender and Andrew Tobin USDA Office of Ethics But first -- a note of thanks to Janie Hipp, our General Counsel, for requesting this training for her employees.

The Mid-Term Elections are less than 60 days away. . . .



The Hatch Act

Restrictions on Political Activity





Political Activity



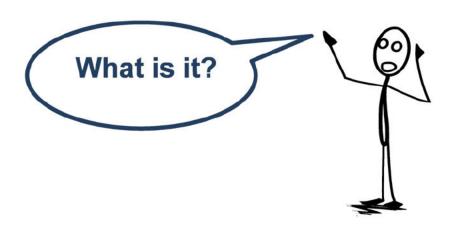


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 - running for office,
 - and using official authority to influence an election
- Permitted to engage in political activity while on duty (considered to be on duty 24/7) and in the workplace.
- May not use official title or identify as USDA employee while engaged in political activity.



Hatch Basics

Career SES: "Further Restricted"

- 24/7 bans on:
 - fundraising,
 - running for office,
 - and using official authority to influence an election
- May not engage in political activity in concert with a political candidate, party, or group (i.e. no campaign management or campaigning)
- May:
 - Vote
 - Attend political events as passive spectator
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 - Express personal opinions on candidates



Hatch Basics

All Other Employees (Non-Career SES, GS): "Less Restricted"

- 24/7 bans on:
 - fundraising,
 - running for office
 - and using official authority to influence an election
- May only engage in political activity after duty hours or on leave and outside the workplace.



May a federal employee engage in political activity on Social Media (e.g. Facebook or Twitter)?



<u>Yes</u>, federal employees may express their opinions about a partisan group or candidate in a partisan race (e.g., post, "like," "share," "tweet," "retweet") with the following limitations:

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Can I wear a partisan political button or T-shirt while I am at work or display such items in my office?



<u>No</u>, Covered employees <u>may not engage</u> in political activity <u>while on duty</u>, in a government office or building, in uniform, or in a government <u>vehicle</u>.

Examples of problematic activity:

- Wearing or displaying candidate, political party, or political group materials while on duty or in your federal workspace;
- Wearing or displaying candidate, political party, or political group materials while on teleworking and on a Teams/Zoom/WebEx meeting;
- Wearing or displaying such items in the cafeteria, lobby, or on-site gym of a federal building;
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- Making political donations while on duty.



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- Phone banking
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Executive Order 14019 instructs federal executive agencies to, among other things, allow employees to use up to four hours of administrative leave per leave year to serve as nonpartisan poll workers or participate in nonpartisan observer activities.

Questions?

Contact Information:

USDA Office of Ethics
202-720-2251
Stuart.Bender@usda.gov
Andrew.Tobin@usda.gov
www.usda.gov/ethics



From: OneUSDA

Subject: Important Reminder: the Hatch Act Rules and Political Activity

Date: Thursday, June 23, 2022 9:13:40 AM

Attachments: <u>image003.jpq</u>

image005.png image002.jpg

Hatch Act Memorandum to USDA Employees--Important Reminder about the Hatch Act Rules Governing Political

Activities (June 21 2022 12pm).pdf

This email is intended for all USDA employees.

***** Please do not respond to this mailbox. Thank you. *****



Important Reminder to All Employees

Hatch Act Rules and Political Activity

Please review this important Hatch Act memorandum from Janie Simms Hipp, USDA's General Counsel, David Grahn, USDA's Principal Deputy General Counsel, and Stuart Bender, Director of USDA's Office of Ethics.



As the 2022 national mid-term election season moves into high gear, it is important that all employees observe the applicable statutory restrictions on political activity imposed by the Hatch Act.

The attached memorandum provides timely guidance and informs you of the resources available to obtain answers to questions you may have about the Hatch Act rules governing political activities by Federal employees.

• All employees are encouraged to direct any questions about the Hatch Act to the USDA Office of Ethics advisors assigned to service their Mission Areas at:

www.ethics.usda.gov.

 Employees can also contact the USDA Office of Ethics at its "Hatch Act Hotline" (202) 720-2251 or via e-mail at daeo.ethics@usda.gov.

Additional information about the Hatch Act can be readily found on the **USDA Ethics App** (you can search "USDA Ethics" and download the App on any smart phone).



Also, you can view several short <u>videos</u> about the Hatch Act on USDA's official YouTube page (these videos are also available on the Video Library section of the USDA Ethics App).





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Department of Agriculture | 1400 Independence Ave., S.W., Washington, DC 20250 https://www.usda.gov



United States
Department of
Agriculture

June 21, 2022

Office of the General Counsel

TO: All USDA Employees

1400

FROM: Janie Simms Hipp General Counsel

Independence Avenue, SW, Room 107-W

Office of the General Counsel

Washington,

David Grahn David Grahn Principal Deputy General Counsel

DC

Office of the General Counsel

20250-2120

Stuart Bender Director Stuart Bender

Office of Ethics

SUBJECT: Important Political Activity Guidance Reminder (the Hatch Act)

As the 2022 national mid-term Congressional election campaigns and various state, and local election campaigns across the nation 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 at: www.ethics.usda.gov 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 <u>summary of the five most important Hatch Act requirements that every employee needs to know, if you choose to engage in partisan political activity</u>:

1) 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. <u>Important note</u>: 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.

- 2) 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.
- 3) 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 <u>first</u> contact the USDA Office of Ethics to seek guidance in advance of running in a non-partisan election.
- 4) There is a strict ban against any partisan political fundraising -- 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 money either verbally or via written correspondence, e-mail, or any social media platform. Also, you may not collect, accept, or receive political contributions on behalf of a partisan candidate.
- 5) **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).

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

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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" (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 |
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| 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) <u>USDA's Ethics Web site</u>: Another resource is the USDA Ethics web site (search: "USDA Office of Ethics" on the web or go directly to the site at: https://www.ethics.usda.gov/.) 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) <u>Hatch Act Training Module on AgLearn</u> -- 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-2022" in the search feature on AgLearn; (2) On the USDA Ethics App, and (3) On the USDA Ethics website at www.ethics.usda.gov.
- 5) Ethics and Hatch Act Videos: The Office of Ethics has created 30 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."
 - 1) The Hatch Act Illustrated and Explained.
 - 2) The Hatch Act Rules for USDA Employees.
 - 3) Hatch Act and Social Media.
 - 4) 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 new evolving hybrid work environment.

From: The Office of the Secretary - OSEC

Subject: Important Political Activity (Hatch Act) Guidance Reminder

Date: Tuesday, January 16, 2024 9:42:31 AM

Attachments: image001.png image003.png

Important Political Activity (Hatch Act) Reminder for USDA Employees (2024).pdf

Header: The Office of the Secretary, with Department Seal.

Colleagues,

All USDA employees and Intergovernmental Personnel Act detailees should review the attached memorandum which provides an overview of the Hatch Act's rules governing partisan political activity. With the 2024 national, state and local election seasons moving into higher gear, the Department is providing this timely reminder of the applicable statutory restrictions on partisan political activity imposed by the Hatch Act (5 U.S.C. §§ 7321 - 7326).

As noted in the memorandum, 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, or while in the Government workplace, or 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.

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United States Department of Agriculture

January 10, 2024

Office of the General Counsel

Independence

Avenue, SW.

Room 107-W

Washington,

20250-2120

1400

DC

TO:

All USDA Employees

FROM:

Mary Beth Schultz

Principal Deputy General Counsel

Office of the General Counsel

Stuart Bender

Director

Office of Ethics

SUBJECT: Important Political Activity Guidance Reminder (the Hatch Act)

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