

ETHICS SHUTDOWN FAQ

HATCH ACT REMINDERS

Even though EPA is shut down, employees are still subject to all of the ethics laws and regulations, including the Hatch Act, which governs the *political activity* of employees *even in your personal capacity*.

The following prohibitions apply to all employees, all the time.

You can never **ever**:

- Fundraise for a partisan candidate or political party
- Run for partisan election
- Use your EPA affiliation or title in connection with political activity
- Engage in political activity in the federal workplace ever, including telework locations (during the telework day)
- Coerce subordinates to engage in political activity
- Solicit or discourage political activity of anyone with business before EPA

Political Activity

Any activity directed at the success or failure of a candidate for partisan election, a political party or political group.

How the rest of the Hatch Act applies to you depends on your type of appointment. Most employees are *lesser restricted* while some are *further restricted*:

PAS	Lesser restricted	Further restricted
Appointed by the President and confirmed by the Senate (Administrator, Deputy Administrator, Assistant Administrators, Chief Financial Officer, General Counsel)	Most employees (GS, Administratively Determined, SL/STs, Title 42, Schedule C, non-career SES)	Some employees (Career SES, Administrative Law Judges, and Public Health Service officers)

To see how the Hatch Act applies to you, check out the chart on the next page.

Political Activities and Federal Employees

The Hatch Act, enacted in 1939, was amended in 1993 and 2012. It regulates the political activities of executive branch employees, excluding the President and Vice President. The following table summarizes what political activities EPA employees can and cannot do based on their appointment. Note: Public Health Service officers must adhere to 45 CFR Part 73, Subpart F, which is most similar to the Career SES/ALJ column.

Type of Activity	PAS*	Non-Career SES, Schedule C*, Title 42, SL/ST, AD*, GS, Other	Career SES, ALJs
Personal (off premises and off duty)			
Express support for or opposition to a political candidate when off duty	Yes	Yes	Yes
Run as a partisan candidate for nomination or office in a partisan election	No	No	No
Solicit and accept contributions for your campaign in a non-partisan election	Yes	Yes	Yes
Solicit a contribution from a member of your union	N/A	Yes	N/A
Work a phone bank asking individuals to volunteer	Yes	Yes	No
Campaign on behalf of a candidate in a partisan election	Yes	Yes	No
Be active on behalf of a candidate at political rallies or meetings	Yes	Yes	No
Attend political rallies and meetings	Yes	Yes	Yes
Contribute money to political organizations	Yes	Yes	Yes
Work in non-partisan voter registration drives	Yes	Yes	Yes
Work in partisan voter registration drives	Yes	Yes	No
Register and vote	Yes	Yes	Yes
Sign a nominating petition	Yes	Yes	Yes
Distribute campaign material in a partisan election	Yes	Yes	No
Work as an election judge, poll watcher, clerical worker on election day	Yes	Yes	Yes
Drive people to polling station on behalf of a campaign	Yes	Yes	No
Affecting Official Resources			
Use office time for political activity	Yes; IG-No	No	No
Use official space for political activity in general	Yes; IG-No	No	No
Fundraising			
Attend a political fundraiser	Yes	Yes	Yes
Solicit, accept or receive political contributions in general	No	No	No
Solicit or receive a political contribution on government premises	No	No	No
Plan or organize a political fundraiser when off duty	Yes	Yes	No
Sponsor, host, or allow your name as sponsor/host for a political fundraiser	No	No	No
Serve drinks or check coats at a political fundraiser	Yes	Yes	No
Speak at a partisan fundraiser without appealing for money	Yes	Yes	No
Allow only your name to be listed as speaker on fundraising invitation	Yes	Yes	No

**PAS = Political Appointee Confirmed by the Senate; Schedule C = political appointees not confirmed by Senate; AD = Administratively Determined; SES = Senior Executive Service*