

**BY ORDER OF THE
SECRETARY OF THE AIR FORCE**

**DEPARTMENT OF THE AIR FORCE
INSTRUCTION 51-508**



24 MARCH 2023

Law

**POLITICAL ACTIVITIES, FREE
SPEECH AND FREEDOM OF
ASSEMBLY**

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(Mr. Robert J. Preston II)

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This Department of the Air Force Instruction (DAFI) implements Air Force Policy Directive (AFPD) 51-5, *Administrative Law, Gifts and Command Relationships*. This instruction provides specific prohibitions and guidance to Department of the Air Force (DAF) personnel regarding political activities, and extremist and protest activities. This instruction incorporates law as well as Department of Defense policy found in Department of Defense Directive (DoDD) 1344.10, *Political Activities by Members of the Armed Forces* and Department of Defense Instruction (DoDI) 1325.06, *Handling Protest, Extremist, and Criminal Gang Activities Among Members of the Armed Forces*.

This instruction applies to DAF civilian employees, including employees of nonappropriated fund programs; uniformed members of the Regular Air Force (RegAF), United States Space Force (USSF), Air Force Reserve (AFR), and Air National Guard (ANG), except where noted otherwise; and those with a contractual obligation to abide by the terms of DAF issuances. Portions of this instruction only apply to certain individuals, to include retired RegAF, USSF, AFR and ANG; and to the extent required by contract, to contractor employees. **Note: Failure to obey paragraphs 2.5.1.2, 2.6.3, 2.6.4.1, 3.3, 3.4.1.3, and 3.4.3.1-3.4.3.2 of this instruction by uniformed members of RegAF, USSF, AFR on active duty or inactive duty for training, and ANG in Title 10 status, constitutes a violation of Article 92 of the Uniform Code of Military Justice (UCMJ).** ANG members in Title 32 status performing full-time National Guard duty or inactive duty for training who violate the mandatory provisions of this instruction, may be held accountable through similar provisions of their respective state military codes. Additionally, the policy rules

and prohibitions regarding active participation in extremist activities and criminal gangs apply to members of the AFR and ANG. While UCMJ action may be precluded for members not in Title 10 status, administrative action may be appropriate, regardless of duty status. Civilian employees are subject to administrative and/or disciplinary action for violations of the mandatory provisions of this instruction in accordance with DAFI 36-148, *Discipline and Adverse Actions of Civilian Employees* or AFI 34-301, *Nonappropriated Funds Personnel Management and Administration*, as applicable. This publication may be supplemented at any level, but all supplements must be routed to the Office of Primary Responsibility (OPR) of this publication for coordination prior to certification and approval. Refer recommended changes and questions about this publication to the OPR using the DAF Form 847, *Recommendation for Change of Publication*; route DAF Forms 847 from the field through the Judge Advocate functional chain of command. The authorities to waive wing/delta/unit level requirements in this publication are identified with a Tier (“T-0, T-1, T-2, T-3”) number following the compliance statement. See DAFMAN 90-161, *Publications Processes and Procedures*, Table A10.1 for a description of the authorities associated with the Tier numbers. Submit requests for waivers through the chain of command to the appropriate Tier waiver approval authority, or alternately, to the requestor’s commander for non-tiered compliance items. Ensure all records generated as a result of processes prescribed in this publication adhere to Air Force Instruction 33-322, *Records Management and Information Governance Program* and are disposed in accordance with the Air Force Records Disposition Schedule, which is located in the Air Force Records Information Management System.

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SUMMARY OF CHANGES

This publication has been substantially revised and needs to be completely reviewed. This DAFI is updated to reflect changes in DoDI 1325.06, Handling Protest, Extremist, and Criminal Gang Activities Among Members of the Armed Forces. This rewrite deletes policy on organizations that seek to represent or organize Service members in negotiation or collective bargaining.

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Chapter 1

OVERVIEW AND ROLES AND RESPONSIBILITIES

1.1. Overview.

1.1.1. This DAFI provides guidance and prohibitions to all DAF personnel, including military members and civilians, related to political activities, and extremist and protest activities. Each of the chapters below covers one of these categories.

1.1.2. Political Activities. It is DoD policy to encourage active duty members to carry out their rights and responsibilities of United States citizenship. While on active duty, however, members are prohibited from engaging in certain political activities in order to maintain good order and discipline, and to avoid conflicts of interest and the appearance of improper endorsement in political matters. These activities are proscribed below in [Chapter 2](#).

1.1.3. Protest and Extremist Activities. DAF commanders have the inherent authority and responsibility to take action to ensure the mission is performed and to maintain good order and discipline. This authority and responsibility includes placing lawful restrictions on extremist and protest activities, which is discussed below in [Chapter 3](#).

1.2. Roles and Responsibilities.

1.2.1. Commanders. Specific responsibilities for commanders are articulated in [Chapter 3](#), paragraphs [3.1](#) and [3.4.2](#).

1.2.2. Judge Advocates. Specific responsibilities for the Office of The Judge Advocate General (AF/JA) and Staff Judge Advocates (SJAs) at all levels of command are included in [Chapter 2, paragraph 2.2](#) Specific responsibilities for The Office of The Judge Advocate General/Civil Law and Litigation Directorate (AF/JAC) are included in [Chapter 2](#), paragraphs [2.3.5](#) and [2.5.1.4](#).

Chapter 2

POLITICAL ACTIVITIES BY DEPARTMENT OF THE AIR FORCE PERSONNEL

2.1. Application of This Chapter to the Total Force.

2.1.1. The provisions in this Chapter apply to all DAF military members on active duty for more than 30 days.

2.1.2. **Paragraph 2.9** of this Chapter establishes responsibilities for DAF military members on active duty for 30 days or less.

2.1.3. Additionally, certain restrictions, as stated herein, also apply to retired military members and members of the Reserve Component, even when not on active duty.

2.2. Responsibilities.

2.2.1. The Office of The Judge Advocate General (AF/JA).

2.2.1.1. Shall advise and assist the Secretary of the Air Force (SecAF), the Secretariat, the Air Staff, and the Office of the Chief of Space Operations (referred to as Space Staff) on matters related to DAF military members' participation in political activities.

2.2.1.2. Shall receive, review, and forward for SecAF action any requests by members to file evidence of nomination or candidacy for nomination as required by law. See paragraphs **2.5** and **2.6**.

2.2.2. Staff Judge Advocates. Shall advise and assist their respective commands and assigned members on matters related to participation in political activities. This applies to SJAs at all levels of command.

2.3. Permitted Activities. In accordance with DoDD 1344.10, DAF personnel may:

2.3.1. Register to vote, vote, and express a personal opinion on political candidates and issues, but not as a representative of the DAF or DoD. **(T-0)**

2.3.2. Promote and encourage others to exercise their voting rights, if such promotion does not constitute use of their official authority or influence to interfere with the outcome of any election. **(T-0)**

2.3.3. Join a partisan or nonpartisan political club and attend its meetings when not in uniform, but not in any official capacity nor listed as a sponsor (see restrictions in **paragraph 2.4**). **(T-0)** The restriction on wearing the uniform to meetings also applies to retired and Reserve Component members. **(T-0)**

2.3.4. Attend partisan and nonpartisan political fundraising activities, meetings, rallies, debates, conventions, or activities as a spectator when not in uniform and when no inference or appearance of official sponsorship, approval, or endorsement can reasonably be drawn. **(T-0)**

2.3.5. Serve as an election official, if such service is not as a representative of a partisan political party, does not interfere with the performance of military duties, is performed when not in uniform, and receives SecAF's prior approval. SecAF may not delegate the authority to grant or deny such permission. **(T-0)** Requests to serve as an election official shall be forwarded through command channels with recommendations to AF/JAC. **(T-1)**

2.3.6. Sign a petition for specific legislative action or a petition to place a candidate's name on an official election ballot, if the signing does not obligate the member to engage in partisan political activity and is done as a private citizen and not as a representative of the DAF or DoD. **(T-0)**

2.3.7. Write a letter to the editor of a newspaper expressing the member's personal views concerning public issues or political candidates if such action is not part of an organized letter-writing campaign or a solicitation of votes for or against a political party or partisan political cause or candidate. If the letter identifies the member as being on active duty (or if the member is otherwise reasonably identifiable as a military member), the letter must clearly state that the views expressed are those of the individual only and not those of the DAF or DoD. Members must apply this principle to personal views written for publication in all forms of print and electronic media (e.g., magazines, social media, blogs). **(T-0)**

2.3.8. Write a personal letter, not for publication, expressing preference for a specific political candidate or cause, if the action is not part of an organized letter-writing campaign on behalf of a partisan political cause or candidate. **(T-0)**

2.3.9. Make monetary contributions to a political organization, party, or committee favoring a particular candidate or slate of candidates, subject to limitations under Title 52, United States Code, Section 30116 and Title 18, United States Code, Section 607. **(T-0)**

2.3.10. Display a political bumper sticker on the member's private vehicle (but see [paragraph 2.4.1.11](#)). **(T-0)**

2.3.11. Wear a political button or lapel pin when not in uniform, performing military duties, or under circumstances that could reasonably give rise to an appearance of official endorsement. **(T-1)**

2.3.12. Participate fully in the Federal Voting Assistance Program. **(T-0)**

2.4. Prohibited Activities.

2.4.1. Military members shall not:

2.4.1.1. Participate in partisan political fundraising activities (except as permitted in [paragraph 2.3](#)), rallies, conventions (including making speeches in the course thereof), management of campaigns, or debates, either on one's own behalf or on that of another. This prohibition applies whether the individual is in uniform or not, and regardless of whether an inference or appearance of official sponsorship, approval, or endorsement may be drawn. Participation includes more than mere attendance as a spectator. **(T-0)** (See also paragraphs [2.4.1.9](#) and [2.4.1.16](#)).

2.4.1.2. Use official authority or influence to interfere with an election, to affect its course or outcome, to solicit votes for a particular candidate or issue, or to require or solicit political contributions from others. **(T-0)**

2.4.1.3. Allow, or cause to be published, partisan political articles, letters, or endorsements signed or written by the member that solicit votes for or against a partisan political party, candidate, or cause. **(T-0)** This is distinguished from a letter to the editor as permitted under the conditions described in [subparagraph 2.3.7](#).

- 2.4.1.4. Serve in any official capacity or be listed as a sponsor of a partisan political club. **(T-0)**
- 2.4.1.5. Speak before a partisan political gathering, including any gathering that promotes a partisan political party, candidate, or cause. **(T-0)**
- 2.4.1.6. Participate in any radio, television, social media, podcast, or other program or group discussion as an advocate of a partisan political party, candidate, or cause. **(T-0)**
- 2.4.1.7. Conduct a political opinion survey under the auspices of a partisan political club or group or distribute partisan political literature. **(T-0)**
- 2.4.1.8. Perform clerical or other duties for a partisan political committee or candidate during a campaign, on an election day, or after an election day during the process of closing out a campaign. **(T-0)**
- 2.4.1.9. Solicit or otherwise engage in fundraising activities in federal offices or facilities, including military reservations, for any partisan political party, candidate, or cause. **(T-0)** (See also paragraphs [2.4.1.1](#) and [2.4.1.16](#)).
- 2.4.1.10. March or ride in a partisan political parade. **(T-0)**
- 2.4.1.11. Display a large political sign, banner, or poster (as distinguished from a bumper sticker) on a private vehicle. **(T-0)**
- 2.4.1.12. Display a political sign, poster, banner, or similar device visible to the public at one's residence on a military installation, even if that residence is part of a privatized housing development. **(T-0)**
- 2.4.1.13. Participate in any organized effort to provide voters with transportation to the polls if the effort is organized by or associated with a partisan political party, cause, or candidate. **(T-0)**
- 2.4.1.14. Sell tickets for, or otherwise actively promote, partisan political dinners and similar fundraising events. **(T-0)**
- 2.4.1.15. Attend any partisan political event as an official representative of the DAF or DoD, even without actively participating, except as a member of a joint Armed Forces color guard at the opening ceremonies of the national convention of a political party recognized by the Federal Elections Commission, or as otherwise authorized by the SecAF. **(T-0)**
- 2.4.1.16. Make a campaign contribution to or receive or solicit (on one's own behalf) a campaign contribution from, any other military member on active duty or an officer or employee of the federal government for promoting a political objective or cause. Any contributions not prohibited by this paragraph remain subject to the gift provisions of sections 2635.301-2635.304 of Title 5, Code of Federal Regulations. **(T-0)** (Also, see paragraphs [2.4.1.1](#) and [2.4.1.9](#)).
- 2.4.1.17. Participate, while in uniform, in any activity such as unofficial public speeches, interviews, picket lines, marches, rallies or any public demonstration which may imply DAF endorsement of the cause for which the demonstration or activity is conducted. **(T-0)** Authorization to wear the uniform under certain circumstances may be granted in accordance with DoDI 1334.01, *Wearing of the Uniform*, as implemented by AFD 36-29,

Military Standards, and DAFI 36-2903, *Dress and Personal Appearance of United States Air Force and United States Space Force Personnel*.

2.4.1.18. Engage in the public or organized recruitment of others to become partisan candidates for nomination or election to a civil office. **(T-0)**

2.4.1.19. Commissioned officers shall not use contemptuous words against the President, the Vice President, Congress, the Secretary of Defense, the Secretary of a military department, the Secretary of Homeland Security, or the Governor or legislature of any State, Commonwealth, or possession in which the member is on duty or present, as prohibited, and punishable under Article 88, UCMJ. **(T-0)**

2.4.2. With the exception of **subparagraph 2.4.1.19**, and subject to any other restrictions in law, a DAF military member not on active duty may take the actions and participate in the activities prohibited in **subparagraph 2.4.1** above, provided the member is not in uniform and does not otherwise act in a manner that could reasonably give rise to the inference or appearance of official sponsorship, approval, or endorsement. **(T-0)**

2.4.3. Activities not expressly prohibited above may be contrary to the spirit and intent of this instruction. Any activity that may be reasonably viewed as directly or indirectly associating the DAF or DoD with a partisan political activity or is otherwise contrary to the spirit and intention of this instruction shall be avoided. **(T-0)**

2.5. Nomination or Candidacy for Civil Office. For the purposes of this Chapter, “civil office” includes: a civil office in the U.S. Government that is an elective office; an office requiring an appointment by the President, or a position on the executive schedule under Title 5, United States Code, Sections 5312-5317; or a civil office in a State, the District of Columbia, a territory, possession, or commonwealth of the U.S., or any political subdivision thereof.

2.5.1. Except as authorized by **subparagraph 2.5.3**, a RegAF member, or a retired regular or AFR member on active duty under a call or order to active duty for more than 270 days, may not be a nominee or candidate for a civil office described in **paragraph 2.5**, except when SecAF personally grants permission. **(T-0)**

2.5.1.1. SecAF may not delegate the authority to grant or deny permission under **paragraph 2.5** and shall not authorize a Service member to perform any activity while on active duty that is otherwise prohibited by other provisions of law, policy, regulation, or instruction. **(T-0)**

2.5.1.2. Permission of SecAF is required for a Service member regardless of whether evidence of nomination or candidacy for civil office is filed prior to commencing active duty service or whether the Service member is an incumbent in the relevant office. If a Service member covered by the prohibition in **paragraph 2.5.1** becomes a nominee or candidate for civil office prior to commencing active duty, then the Service member must request permission in writing and submit the request to SecAF before entering active duty. **(T-0) Note: Military members who violate this paragraph are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.**

2.5.1.3. If SecAF denies the request, the Service member must take affirmative actions to decline the nomination or withdraw as a candidate. **(T-0)**

2.5.1.4. Requests for SecAF consideration shall be forwarded through command channels with recommendations to AF/JAC. **(T-1)**

2.5.2. A retired RegAF member or AFR member serving on active duty under a call or order to active duty for 270 days or less may remain or become a nominee or candidate for a civil office described in [paragraph 2.5](#), provided there is no interference with the performance of military duties. **(T-0)**

2.5.3. Exceptions to the prohibitions of [subparagraph 2.5.1](#).

2.5.3.1. Enlisted members, regardless of duty status, may seek, hold, and exercise the functions of a nonpartisan civil office such as a notary public or member of a local school board, neighborhood planning commission, or similar local agency. Officer members on active duty may seek, hold, and exercise the functions of a nonpartisan civil office on an independent school board that is located exclusively on a military reservation. Such offices must be held in a non-military capacity and may not interfere with the performance of military duties.

2.5.3.2. All military members may serve as a regular or reserve civilian law enforcement officer or member of a civilian fire or rescue squad when approved by the member's commander. Such service must be in a personal capacity, may not involve the exercise of military authority, and may not interfere with the performance of military duties. **(T-0)** In the case of regular officers on the active duty list or full-time National Guard and retired and reserve officers on active duty under a call or order for a period of more than 270 days, however, the position must not be a civil office described in [paragraph 2.5](#). **(T-0)** Refer to AFI 31-118, *Security Forces Standards and Procedures*, for further guidance regarding off-duty employment of Security Forces personnel.

2.6. Additional Limitations on Nominees or Candidates for Elective Civil Office.

2.6.1. Military members not on active duty who are nominees or candidates for the offices described in [paragraph 2.5](#) may, in their campaign literature (including web sites, videos, television, and conventional print advertisements):

2.6.1.1. Use or mention or permit the use or mention of their military rank or grade and Military Service affiliation but must clearly indicate their retired or reserve status.

2.6.1.2. Include or permit the inclusion of their current or former specific military duty, title, or position, or photographs in military uniform, when displayed with other non-military biographical details. Any such military information must be accompanied by a prominent and clearly displayed disclaimer that neither the military information nor photographs imply endorsement by the DoD or the DAF, e.g., "John Doe is a member of the Air National Guard. Use of his military grade, job titles, and photographs in uniform does not imply endorsement by the Department of the Air Force or the Department of Defense." **(T-0)**

2.6.2. Military members described in [paragraph 2.6.1](#) may NOT, in campaign literature (including web sites, videos, television, and conventional print advertisements):

2.6.2.1. Use or allow the use of photographs, drawings, and other similar media formats of themselves in uniform as the primary graphic representation in any campaign media, such as a billboard, brochure, flyer, web site, or television commercial. **(T-0)** For the

purpose of this Instruction, “photographs” include video images, drawings, and all other similar formats of representational media. Additionally, for the purposes of this Instruction, the term “primary graphical representation” includes an image that is “pinned” or otherwise made to stay at the beginning of a social media stream of postings.

2.6.2.2. Depict or allow their depiction in uniform in a manner that does not accurately reflect their actual performance of duty. For the purpose of this Instruction, “photographs” include video images, drawings, and all other similar formats of representational media. **(T-0)**

2.6.3. Any member on active duty who is permitted to be, or otherwise not prohibited from being, a nominee or candidate for civil office as described in [paragraph 2.5](#), may NOT participate in any campaign activities. **(T-0) Note: Military members who violate this paragraph are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.** This includes open and active campaigning and all behind-the-scenes activities. For example, a Service member on active duty who is a candidate or nominee may not:

2.6.3.1. Direct, control, manage, or otherwise participate in their campaign, including behind-the-scenes activities. **(T-0)**

2.6.3.2. Make statements to or answer questions from the news media regarding political issues or government policies or activities unless specifically authorized to do so by an appropriate supervisor or commander. **(T-0)**

2.6.3.3. Publish or allow to be published partisan political articles, literature, or documents that they have signed, written, or approved that solicit votes for or against a partisan political party, candidate, issue, or cause. **(T-0)**

2.6.4. Nominees or candidates for office described in [paragraph 2.6.3](#) must:

2.6.4.1. Take affirmative, documented efforts to inform those who work for them and those whom they control that the nominees or candidates may not direct, control, manage, or otherwise participate in campaign activities on their own behalf while on active duty. **(T-0) Note: Military members who fail to comply with this paragraph are subject to prosecution under Article 92, UCMJ, in addition to any other applicable violation of the UCMJ or Federal law.**

2.6.4.2. Take all reasonable efforts to prevent current or anticipated advertisements that the nominees or candidates control from being publicly displayed in any media while on active duty. This includes web sites devoted to the nomination or candidacy. Web sites created before entry on active duty may not be updated or revised and may be ordered shut down at SecAF direction.

2.6.5. Military members who require permission to be nominees or candidates under this Instruction, or who are on active duty and are not otherwise prohibited from being a nominee or a candidate, must complete the acknowledgment of limitations at [Attachment 2](#). **(T-0)** Those who require permission must complete the acknowledgment before permission may be granted. **(T-0)** Those who do not require permission must complete the acknowledgment within 15 days of becoming a nominee or candidate or within 15 days of entry on active duty if already a nominee or candidate. The acknowledgment must be forwarded through the

Service member's chain of command to the first general officer in the military chain of command. **(T-1)** If elected to the office, a copy of the acknowledgement shall be maintained in the Service member's personnel record for the duration of the term of office. **(T-0)**

2.7. Military Members Elected or Appointed to Civil Office.

2.7.1. Civil Office in the United States Government. Except as authorized by law, military members may not hold or exercise the functions of civil office in the United States Government that is an elective office, requires an appointment by the President, or is a position on the executive schedule under Title 5, United States Code, Sections 5312 -5317. This applies to military members serving on active duty in the RegAF, and members who are either retired RegAF or a member of the AFR serving on active duty under a call or order to active duty for more than 270 days. A member who occupies a civil office described above who is called to active duty for more than 270 days must resign from the civil office; entering a "leave of absence" or similar "inactive" status is insufficient to comply with this prohibition. **(T-0)**

2.7.1.1. This prohibition does not apply to any retired RegAF member or Reserve Component Service member serving on active duty under a call or order to active duty that specifies a period of active duty of 270 days or less, provided there is no interference with the performance of military duties. For example, Senator Smith, a lieutenant colonel in the AFR, is permitted to perform active duty service while holding elected office and exercising the functions of her elected civil United States Government office so long as she is not called to active duty for more than 270 days and her exercise of those elected functions do not interfere with the performance of her military duties.

2.7.1.2. If the call or order specifies a period of active duty of more than 270 days, the prohibition applies beginning on the first day of the active duty period. **(T-0)**

2.7.1.3. A military member on active duty in the United States Air Force (USAF) or USSF may hold or exercise the functions of a civil office in the United States Government that is not described in [paragraph 2.7.1](#) when assigned or detailed to that office (while on active duty) or to perform those functions, provided the assignment or detail does not interfere with military duties.

2.7.1.4. Any military member on active duty in the USAF or USSF authorized to hold or exercise, or not prohibited from holding or exercising, the functions of civil office under [paragraph 2.7.1.1](#) is still subject to the prohibitions of [subparagraph 2.4.1](#). **(T-0)**

2.7.2. Civil Office in a State or Other Political Subdivision. Except as authorized by law, RegAF members may not hold or exercise the functions of civil office in the government of: a State; the District of Columbia; a territory, possession, or commonwealth of the United States; or any political subdivision thereof. **(T-0)**

2.7.2.1. This prohibition does not apply to members who are either retired RegAF or a member of the AFR and serving on active duty under a call or order to active duty that specifies a period of active duty of 270 days or less, provided there is no interference with military duties. For example, City Mayor Koziarz, a retired major recalled to active duty, may perform active duty service while holding his elected office and exercising the functions of that office so long as his recall to service is for 270 days or less; he serves as the mayor in a non-military capacity; and there is no interference with his military duties while serving as mayor.

2.7.2.2. A retired RegAF or AFR member on active duty under a call or order to active duty for more than 270 days may hold — but shall NOT exercise — the functions of a civil office as set out in [subparagraph 2.7.2](#), provided. **(T-0)**

2.7.2.2.1. Holding the office is not prohibited under the laws of that State; the District of Columbia; a territory, possession, or commonwealth of the United States; or any political subdivision thereof; and

2.7.2.2.2. SecAF grants permission after determining that holding such office does not interfere with the performance of military duties. SecAF may not delegate the authority to grant or deny such permission. **(T-0)**

2.7.2.2.3. For example, if City Mayor Koziarz, a retired major, is recalled to active duty for a period in excess of 270 days, he may continue to hold his elected office, unless he is prohibited from doing so under state law or SecAF determines that continuing to hold the office would interfere with the performance of his military duties. While Major Koziarz remains on active duty, however, he may not exercise any of the functions of his civil office.

2.7.3. Members affected by the prohibitions against being a nominee or candidate or holding or exercising the functions of a civil office may request retirement (if eligible), discharge, or release from active duty. SecAF may approve these requests, consistent with the needs of the DAF. Absent compelling circumstances, requests will normally not be approved if the member is:

2.7.3.1. Obligated to fulfill an active duty service commitment.

2.7.3.2. Serving or has been issued orders to serve afloat or in an area that is overseas, remote, a combat zone, or a hostile fire pay area.

2.7.3.3. Ordered to remain on active duty while the subject of an investigation or inquiry.

2.7.3.4. Accused of an offense under the UCMJ or serving a sentence or punishment for such offense.

2.7.3.5. Pending other administrative separation action or proceedings.

2.7.3.6. Indebted to the United States.

2.7.3.7. In a Reserve Component and serving involuntarily under a call or order to active duty that specifies a period of active duty of more than 270 days during a period of declared war or national emergency, or other period when a unit or individual of the ANG or other Reserve Component has been involuntarily called or ordered to active duty as authorized by law.

2.7.3.8. In violation of this Instruction or an order or regulation prohibiting such member from assuming or exercising the functions of civil office.

2.7.4. No actions undertaken by a DAF military member in carrying out assigned military duties shall be invalidated solely by virtue of such member having been a candidate or nominee for a civil office in violation of the prohibition of [paragraph 2.5](#) or having held or exercised the functions of a civil office in violation of the prohibitions of [paragraphs 2.7.1](#) or [2.7.2](#). **(T-0)**

2.8. Duty Restrictions. No DAF personnel may be assigned or detailed to perform duties in the legislative or judicial branches of the United States Government. **(T-0)** Personnel may, however, perform such duties if under a scholarship, fellowship, grant, or internship, or for a specific duration on a specific project as a member of the staff of a court or committee of the Congress. The member must first agree to incur an active duty service obligation to commence at the termination of the assignment or detail, and equivalent to the length of the assignment or detail, or to the service obligation prescribed in other applicable regulations, whichever is greater. **(T-1)**

2.9. DAF Military Members on Active Duty for 30 Days or Less. In addition to complying with all other mandatory provisions herein regarding prescribed and proscribed actions for active duty military members, members on active duty for less than 30 days will:

- 2.9.1. Give full time and attention to performing military duties during prescribed duty hours. **(T-0)**
- 2.9.2. Avoid any outside political activities that may be prejudicial to performing military duties or inconsistent with the accepted customs and traditions of the Armed Forces. **(T-0)**
- 2.9.3. Refrain from participating in any political activity while in military uniform and from using government facilities for political activities. **(T-0)**

Chapter 3

PROTEST AND EXTREMIST ACTIVITIES

3.1. Commanders.

3.1.1. DAF commanders must preserve the Service member's right of expression to the maximum extent possible, consistent with good order, discipline, and national security. A Service member's right of expression should be preserved to the maximum extent possible in accordance with the Constitution and statutory provisions of Titles 10 and 18, United States Code, and consistent with good order and discipline and the national security. **(T-0)**

3.1.2. No commander should be indifferent to conduct that, if allowed to proceed unchecked, would impair the effectiveness of his or her unit. Commanders have the authority to take administrative and disciplinary actions in response to protest and extremist activities as discussed further in this Chapter.

3.1.3. To properly balance these interests, commanders should exercise calm and prudent judgment and should consult with their SJAs. In appropriate cases, commanders may find it advisable to confer with higher authority before initiating action to restrict manifestations of dissent.

3.2. Publication of Personal Writing Matters (To include web sites, social media and other electronic communications). Military members may not pursue personal writing for publication whether by traditional written or by electronic means (websites, blogs, social media journalistic forums, or other electronic communications) during duty hours, nor may they use Government or non-appropriated funds or property for this purpose, on or off duty, unless it is for official use or authorized purposes pursuant to 5 C.F.R. § 2635.704 (as implemented by DoD 5500.07-R (*Joint Ethics Regulation*)). **(T-0)** Publication of such matters by military members while not on duty, and conducted without the use of government funding or equipment, is not prohibited; however, if such a publication or media forum contains language, the utterance of which is punishable under the UCMJ or other Federal law, or otherwise violates this Instruction or other DoD or DAF issuances, those DAF members involved in printing, publishing, or distributing the publication may face appropriate disciplinary or administrative action for such actions. Additionally, if the publication or media forum routinely receives comments that adversely impact mission accomplishment (e.g., degrades morale or good order and discipline) then the hosting DAF member may be ordered to remove the degrading comments or cease and desist from maintaining said publication or media forum.

3.3. "Off-limits" Actions. Commanders may initiate action under Air Force Instruction (AFI) 31-213, *Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations*, to place establishments "off limits" to military members when, for example, activities taking place at such installations include, but are not limited to, counseling, encouraging or inciting members of the Armed Forces to refuse to perform their duty or to desert, or involve acts with a significant adverse effect on health, welfare, or morale of military members. Military members are prohibited from going to off-limits establishments. **(T-0) Note: Military members who violate this paragraph are subject to disciplinary action under Article 92, in addition to any other appropriate articles of the UCMJ.**

3.4. Prohibited Activities.

3.4.1. Extremist Activities. This Section identifies harms to the military from extremist activities, discusses the authority of the commander to maintain good order and discipline, and lists prohibited actions by members of the Armed Forces involving extremist activities.

3.4.1.1. Extremist activities are inconsistent with the responsibilities and obligations of military service, as well as the oaths of office and enlistment, and can be prohibited even in some circumstances in which such activities would be constitutionally protected in a civilian setting. Active participation in extremist activities as defined below is prohibited and, as appropriate, may be punished in the military context for several overlapping, compelling reasons. **(T-0)** First, such active participation undermines morale and reduces combat readiness. Second, it calls into question the individual's ability to follow orders from, or effectively lead and serve with, persons of diverse backgrounds, preventing maximum utilization and development of the DAF's most valuable asset: its people. Finally, such behavior damages the Nation's trust and confidence in the DAF as an institution and the military as a professional fighting force.

3.4.1.2. Enforcement of this policy is the responsibility of every commander. It is the commander's responsibility to maintain good order and discipline in the unit, and every commander has the inherent authority and responsibility to take appropriate actions to accomplish this goal. Active participation in extremist activities (which includes some forms of conduct with respect to groups and organizations that actively participate in extremist activities) does not accord with military values and is not conducive to good order and discipline. All military personnel will cultivate an environment free from extremist activities. Military personnel will be held appropriately accountable for active participation in extremist activities, whether in their individual capacity or on behalf of a group. **(T-0)**

3.4.1.3. Military personnel are prohibited from actively participating in extremist activities. **(T-0) Note: Military members who violate this paragraph, to include any of its subparagraphs, are subject to appropriate disciplinary action under Article 92, in addition to any other appropriate articles of the UCMJ.**

3.4.1.3.1. Extremist Activities. The term "extremist activities" means:

3.4.1.3.1.1. Advocating or engaging in unlawful force, unlawful violence, or other illegal means to deprive individuals of their rights under the United States Constitution or the laws of the United States, including those of any State, Commonwealth, Territory, or the District of Columbia, or any political subdivision thereof.

3.4.1.3.1.2. Advocating or engaging in unlawful force or violence to achieve goals that are political, religious, discriminatory, or ideological in nature.

3.4.1.3.1.3. Advocating, engaging in, or supporting terrorism, within the United States or abroad.

3.4.1.3.1.4. Advocating, engaging in, or supporting the overthrow of the government of the United States, or any political subdivision thereof, including that of any State, Commonwealth, Territory, or the District of Columbia, by force or

violence; or seeking to alter the form of these governments by unconstitutional or other unlawful means (e.g., sedition).

3.4.1.3.1.5. Advocating or encouraging military, civilian, or contractor personnel within the DoD or United States Coast Guard to violate the laws of the United States, or any political subdivision thereof, including those of any State, Commonwealth, Territory, or the District of Columbia, or to disobey lawful orders or regulations, for the purpose of disrupting military activities (e.g., subversion), or personally undertaking the same.

3.4.1.3.1.6. Advocating widespread unlawful discrimination based on race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation.

3.4.1.3.2. Active Participation. For purposes of this section, the term “active participation” means the following, except where such activity is within the scope of an official duty (e.g., intelligence or law enforcement operations):

3.4.1.3.2.1. Advocating or engaging in the use or threat of unlawful force or violence in support of extremist activities.

3.4.1.3.2.2. Advocating for, or providing material support or resources to, individuals or organizations that promote or threaten the unlawful use of force or violence in support of extremist activities, with the intent to support such promotion or threats.

3.4.1.3.2.3. Knowingly communicating information that compromises the operational security of any military organization or mission, in support of extremist activities.

3.4.1.3.2.4. Recruiting or training others to engage in extremist activities.

3.4.1.3.2.5. Fundraising for or making personal contributions through donations of any kind (including but not limited to the solicitation, collection, or payment of fees or dues) to, a group or organization that engages in extremist activities, with the intent to support those activities.

3.4.1.3.2.6. Creating, organizing, or taking a leadership role in a group or organization that engages in or advocates for extremist activities, with knowledge of those activities.

3.4.1.3.2.7. Actively demonstrating or rallying in support of extremist activities (but not merely observing such demonstrations or rallies as a spectator).

3.4.1.3.2.8. Attending a meeting or activity with the knowledge that the meeting or activity involves extremist activities, with the intent to support those activities:

3.4.1.3.2.8.1. When the nature of the meeting or activity constitutes a breach of law and order.

3.4.1.3.2.8.2. When a reasonable person would determine the meeting or activity is likely to result in violence; or

3.4.1.3.2.8.2.1. In violation of off-limits sanctions or other lawful orders.

3.4.1.3.2.9. Distributing literature or other promotional materials, on or off a military installation, the primary purpose and content of which is to advocate for extremist activities, with the intent to promote that advocacy.

3.4.1.3.2.10. Knowingly receiving material support or resources from a person or organization that advocates or actively participates in extremist activities with the intent to use the material support or resources in support of extremist activities.

3.4.1.3.2.11. When using a government communications system and with the intent to support extremist activities, knowingly accessing Internet web sites or other materials that promote or advocate extremist activities.

3.4.1.3.2.12. Knowingly displaying paraphernalia, words, or symbols in support of extremist activities or in support of groups or organizations that support extremist activities, such as flags, clothing, tattoos, and bumper stickers, whether on or off a military installation.

3.4.1.3.2.13. Engaging in electronic and cyber activities regarding extremist activities, or groups that support extremist activities – including posting, liking, sharing, re-tweeting, or otherwise distributing content – when such action is taken with the intent to promote or otherwise endorse extremist activities. Military personnel are responsible for the content they publish on all personal and public Internet domains, including social media sites, blogs, websites, and applications.

3.4.1.3.2.14. Knowingly taking any other action in support of, or engaging in, extremist activities, when such conduct is prejudicial to good order and discipline or is Service discrediting.

3.4.2. Command Authority and Responsibilities.

3.4.2.1. Commanders have the authority and responsibility to prohibit military personnel from active participation in extremist activities, and other activities that adversely affect good order and discipline within the command. This includes, but is not limited to, the authority to order the removal of symbols, flags, posters, or other displays from military-controlled areas, to place areas or activities off-limits, and to order military personnel not to participate in activities that are contrary to good order and discipline of the unit, or pose a threat to the health, safety, and security of military personnel or a military installation. **(T-0)**

3.4.2.2. Commanders may, as appropriate, pursue adverse administrative action in addition to or in lieu of punitive action in response to a military member's active participation in extremist activities, pursuant to Military Department or Service regulations and other existing authorities. Adverse administrative action may include involuntary separation, reassignment, loss of security clearance, denial of reenlistment, and other administrative or disciplinary actions deemed appropriate by the commander, based on the specific facts and circumstances of the particular case. **(T-0)**

3.4.2.3. Preventive Activities. Commanders will conduct in-person discussions about extremist activity in periodic training addressing unit climate and culture. Commanders should remain alert for signs of future extremist activities. Commanders should intervene early, primarily through counseling, when observing such signs even though the signs may

not rise to the level of active participation or threaten good order and discipline, but only suggest such potential. The goal of early intervention is to minimize the risk of future extremist activities. In these situations, commanders will educate the military member regarding the potential adverse effects of their actions. **(T-0)**

3.4.2.3.1. For example, commanders may advise military personnel that extremist activities are inconsistent with the military's goals, beliefs, and values, as well as the oaths of office and enlistment. **(T-0)** Additionally, commanders may advise military personnel that active participation in extremist activities:

3.4.2.3.1.1. Will be taken into consideration when evaluating duty performance, to include appropriate remarks on evaluation reports. **(T-0)**

3.4.2.3.1.2. Will be taken into consideration when selections for positions of leadership and responsibility or military educational opportunities are made. **(T-0)**

3.4.2.3.1.3. Will result in a report to the appropriate agency for possible revocation of security clearance, which may lead to separation from the DAF. **(T-0)**

3.4.2.3.1.4. May result in reassignment. **(T-0)**

3.4.2.3.1.5. May result in reclassification or bar to reenlistment actions, as appropriate. **(T-0)**

3.4.2.3.1.6. Will result in reports to law enforcement and/or counterintelligence authorities, as appropriate. **(T-0)**

3.4.2.3.2. Commanders should consider all available resources to assist military personnel showing signs of potential involvement in extremist activities, such as financial counseling sessions, Chaplains, etc. **(T-0)**

3.4.2.4. Reporting Requirements. Commanders should remain attentive for signs of extremism involving military personnel in their command, even though the signs may not rise to the level of active participation or threaten good order and discipline, but only suggest such potential. A commander notified of suspected extremist activities must take appropriate actions to investigate and address the allegations in consultation with their servicing SJA or legal office. **(T-0)**

3.4.2.4.1. Upon a credible report or suspicion of extremist activities, commanders will notify: (1) Office of Special Investigations (OSI); (2) Command Security Manager, if the military member possesses a security clearance; (3) servicing SJA or legal office; and (4) Insider Threat Hub. **(T-0)**

3.4.2.4.2. Additionally, where appropriate, the commander will ensure that substantiated allegations of active participation in extremist activities are recorded in the personnel system of record, in accordance with DoD Manual 5200.02, *Procedures for the DoD Personnel Security Program (PSP)*, and applicable DAF guidance. **(T-0)**

3.4.2.4.3. The DAF will establish a mechanism for commands to report extremist activities by military personnel, which will track all reported extremist activity, conforming with the requirements of Section 554 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021. **(T-0)**

3.4.2.4.4. The DAF will ensure that the policy and procedures on prohibited activities in Paragraphs 3.4.1 and 3.4.2 of this Instruction are included in initial active duty training, precommissioning training, professional military education, commander training, and other appropriate training programs. (T-0)

3.4.3. Criminal Gangs.

3.4.3.1. Military personnel must not actively advocate criminal gang doctrine, ideology, or causes. (T-0) **Note: Military members who violate this paragraph are subject to disciplinary action under Article 92, in addition to any other appropriate articles of the UCMJ.**

3.4.3.2. Military personnel must reject active participation in criminal gangs pursuant to Section 544 of the National Defense Authorization Act for Fiscal Year 2008 and in other organizations that advocate criminal gang doctrine, ideology, or causes. Active participation in such gangs or organizations is prohibited. (T-0) Active participation, as applied to criminal gangs, includes, but is not limited to, fundraising; demonstrating or rallying; recruiting, training, organizing, or leading members; distributing material (including posting on-line); knowingly wearing gang colors or clothing; having tattoos or body markings associated with such gangs or organizations; or otherwise engaging in activities in furtherance of the objective of such gangs or organizations that are detrimental to good order, discipline, or mission accomplishment or are otherwise incompatible with military service. **Note: Military members who violate this paragraph are subject to appropriate disciplinary action under Article 92, in addition to any other appropriate articles of the UCMJ.**

3.4.3.3. Commanders have the authority to employ the full range of administrative and disciplinary actions, including administrative separation or appropriate criminal action, against military personnel who engage in activity prohibited in Paragraphs 3.4.3.1 and 3.4.3.2 of this Instruction.

3.4.3.4. The functions of command include vigilance about the existence of such activities; active use of investigative authority to include a prompt and fair complaint process; and use of administrative powers such as counseling, reprimands, orders, and performance evaluations to deter such activities.

3.4.3.5. The DAF will ensure that the policy and procedures on prohibited activities in **Paragraph 3.4.3** are included in initial active duty training, precommissioning training, professional military education, commander training, and other appropriate training programs. (T-0)

3.4.3.6. Preventive Activities. Commanders must remain alert for signs of future prohibited criminal gang activities. They should intervene early, primarily through counseling, when observing such signs even though the signs may not rise to active advocacy or active participation or may not threaten good order and discipline, but only suggest such potential. The goal of early intervention is to minimize the risk of future criminal gang activities.

3.4.3.7. Reporting Requirements. A commander notified of suspected criminal gang activities must take appropriate actions to investigate and address the allegations in consultation with their servicing Staff Judge Advocate (SJA) or legal office. (T-0) Upon a

credible report or suspicion of criminal gang activities, commanders will notify: (1) OSI; (2) Command Security Manager, if the military member possesses a security clearance; (3) servicing SJA or legal office; and (4) Insider Threat Hub (https://www.dcsa.mil/mc/mbi/report_others/). (T-0)

3.5. Demonstrations and Similar Activities. Demonstrations or other activities within military installations, which could result in interference with or prevention of the orderly accomplishment of a mission of the installation or which present a clear danger to loyalty, discipline, or morale of members of the Armed Forces, are prohibited. (T-0)

3.5.1. It is a crime for any person to enter a military installation for any purpose prohibited by law or unlawful regulation, or for any person to enter or reenter an installation after having been barred by order of the installation commander in accordance with DAFI 31-101, *Integrated Defense* and Section 1382 of Title 18, United States Code. (T-0)

3.5.2. Military members are prohibited from participating in demonstrations when they are on duty, when they are in a foreign country, when they are in uniform, when their activities constitute a breach of law and order, or when violence is likely to result. (T-0)

3.5.3. The distribution or posting of printed or written materials on DAF installations is prohibited without prior approval of the installation commander or delegee. (T-0) This prohibition applies to military members, civilians, and contractors.

3.6. Grievances.

3.6.1. Military Grievances. The right of military members to complain and request redress of their grievances against actions of their commanders is protected by Article 138, UCMJ, as addressed in AFI 51-505, *Complaints of Wrongs Under Article 138, Uniform Code of Military Justice*, and by the Inspector General Complaints Resolution Program in accordance with AFI 90-301, *Inspector General Complaints Resolution*. Military personnel may also petition or present a grievance to any member of Congress or an inspector general, among other officials, without fear of reprisal. An open-door policy for complaints is a basic principle of good leadership. Commanders should ensure that adequate procedures exist locally for identifying complaints and taking necessary corrective actions.

3.6.2. Civilian Grievances. The protections of Article 138, UCMJ, and the DAF Inspector General Complaint Resolution Process do not cover matters concerning employment conditions for civilian employees. These matters must be processed under applicable grievance, complaint, or appeal systems as stated in other directives. (T-1) Refer to AFI 90-301 for other agencies and grievance channels for handling civilian complaints.

3.6.3. Contractor Grievances. The protections of Article 138, UCMJ, and the DAF Inspector General Complaint Resolution Process do not cover matters concerning employment conditions for contractor employees. Defense contractors can direct complaints to the Inspector General Department of Defense Hotline (<http://www.dodig.mil/Components/Administrative-Investigations/DoD-Hotline/>).

CHARLES L. PLUMMER
Lieutenant General, USAF
The Judge Advocate General

Attachment 1

GLOSSARY OF REFERENCES AND SUPPORTING INFORMATION

References

2 U.S.C. § 441

5 U.S.C. §§ 5312-5317, 2105, 3101, 7101, 7113

10 U.S.C. § 976

18 U.S.C. §§ 592-594, 596, 602-603, 606-609, and 1382

Public Law 116-283, *The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021*, 1 January 2021

Public Law 110-181, *The National Defense Authorization Act for Fiscal Year 2008*, 28 January 2008

5. C.F.R. §§ 2635.301-2635.304

5 C.F.R. § 2635.704

DoD 5500.07-R, *Joint Ethics Regulation*, 30 August 1993, Incorporating Change 7 on 17 November 2011

DoDD 1344.10, *Political Activities by Members of the Armed Forces*, 19 February 2008

DoDD 5200.27 *Acquisition of Information Concerning Persons and Organizations not Affiliated with the DoD*, 7 January 1980

DoDI 1325.06, *Handling Protest, Extremist, and Criminal Gang Activities Among Members of the Armed Forces*, 20 December 2021

DoDI 1334.01, *Wearing of the Uniform*, 13 July 2021

DoDM 5200.02_AFMAN 16-1405, *Air Force Personnel Security Program*, 1 August 2018

AFPD 36-29, *Military Standards*, 11 April 2019

AFPD 51-5, *Administrative Law, Gifts and Command Relationships*, 31 August 2018

DAFI 31-101, *Integrated Defense (ID)*, 25 March 2020

AFI 31-118, *Security Forces Standards and Procedures*, 18 August 2020

AFI 31-213, *Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations*, 27 July 2006

AFI 36-2406, *Officer and Enlisted Evaluation Systems*, 14 November 2019

AFI 36-2706, *Equal Opportunity Program, Military and Civilian*, 5 October 2010

DAFI 36-2903, *Dress and Personal Appearance of United States Air Force and United States Space Force Personnel*, 7 February 2020

AFI 51-505, *Complaints of Wrongs Under Article 138, UCMJ*, 4 April 2019

AFI 71-101, Volume 1, *Criminal Investigations Program*, 1 July 2019

AFI 90-301, *Inspector General Complaints Resolution*, 28 December 2018

AFI 33-322, *Records Management and Information Governance Program*, 23 March 2020

DAFMAN 90-161, *Publishing Processes and Procedures*, 14 April 2022

Prescribed Forms

None

Adopted Forms

DAF Form 847, *Recommendation for Change of Publication*

Abbreviations and Acronyms

AFI—Air Force Instruction

AFMAN—Air Force Manual

AFPD—Air Force Policy Directive

AFR—Air Force Reserve

ANG—Air National Guard

DAF—Department of the Air Force

DAFI—Department of the Air Force Instruction

DAFMAN—Department of the Air Force Manual

DOD—Department of Defense

DODD—Department of Defense Directive

DODI—Department of Defense Instruction

FBI—Federal Bureau of Investigation

FLDCOM—Field Command

JA—Judge Advocate

MAJCOM—Major Command

OSI—Office of Special Investigations

SecAF—Secretary of the Air Force

SECDEF—Secretary of Defense

UCMJ—Uniform Code of Military Justice

USC—United States Code

Office Symbols

AF/JA—The Office of The Judge Advocate General

AF/JAC—Civil Law and Litigation Directorate

AF/JACP—Civil Law and Policy Division

Terms

Active Duty—Full-time duty in the active military service of the United States regardless of duration or purpose, full-time duty in the Air National Guard, and duty in the Air National Guard when federalized. Active duty includes full-time training duty; annual training duty; and attendance, while in the active military service, at a school designated as a Service school by law or by the Secretary concerned.

Advocacy—When made with the intent to promote or endorse extremist or criminal gang activities, affirmative statements or actions taken to encourage action, promote an organization, or further the spread of information regarding extremist activities. Advocacy may occur through oral, written, electronic, or nonverbal communication, including the display of images or symbols.

Civil Office—A non-military office involving the exercise of the powers or authority of civil government, to include elective and appointive office in the U.S. Government, a U.S. territory or possession, State, Commonwealth, county, municipality, or official subdivision thereof. This term does not include a non-elective position as regular or reserve member of a civilian law enforcement, fire, or rescue squad.

Civilian Employee—An employee as defined in Title 5, United States Code, Section 2105. This includes Air Reserve Component Military Technician employees who may be wearing a military uniform.

Conspire—To join or agree with one or more persons to commit an act prohibited by this Instruction.

DAF Military Member—A member of the U.S. Air Force or U.S. Space Force in a Title 10 status, to include members of a reserve component. Additionally, for purposes of this Instruction, the term includes members of the Air National Guard performing duty or training in any Title 32 status.

DAF Personnel—All DAF-affiliated personnel, to include: uniformed personnel in the Regular Air Force (RegAF) and the United States Space Force (USSF); uniformed personnel in the Air Force Reserve (AFR) and Air National Guard (ANG); DAF civilian employees, including employees of nonappropriated fund programs.

Installation Commander—The officer so identified by administrative order or command directive and as such is responsible for duties assigned to the “Installation Commander” by federal statutes and DAF directives.

Liking—The use of the “like” function on social media platforms, generally to signal endorsement or support of the “liked” content. Liking includes the use of emojis or reactions that signal endorsement or support, or platform-specific actions such as “favoriting,” when also implying endorsement. Liking, in the context of the communication concerned, must imply or state endorsement, agreement or promoting of the content.

Literature—Printed materials, leaflets, circulars, or other written materials, including electronic or cyber content.

Material Support or Resources—Any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications

equipment, facilities, weapons, lethal substances, explosives, personnel (one or more individuals who may be or include oneself), and transportation, except medicine or religious materials.

Nonpartisan Political Activity—An activity supporting or relating to candidates who do not represent, or issues not specifically identified with, national or state political parties or associated or ancillary organizations. Issues relating to constitutional amendments, referendums, approval of municipal ordinances, and others of a similar character which are not considered under this Instruction as specifically being identified with national or state political parties.

Partisan Political Activity—An activity supporting or relating to candidates who represent, or issues specifically identified with, national or state political parties or associated or ancillary organizations. A candidacy declared or undeclared, for national or state office is a partisan political activity, even if the candidate is not affiliated with a national or state political party.

Sharing—In the social media, electronic, or cyber context, an action taken to replicate content from one online location to another (with or without additional comment), typically for viewing by other members of an individual’s social media network. Sharing also includes, but is not limited to, platform-specific terms such as “re-tweeting.”

Social Medial Journalistic Forums—Include, but are not limited to, blogs, microblogs, websites, web pages, and other platforms connected with the online community.

Solicit—To use words or any other means to request, urge, advise, counsel, tempt, or command another to commit any act prohibited by this Instruction.

Subversion—Actions designed to undermine the military, economic, psychological, or political strength or morale of a governing authority.

Terrorism—The unlawful use of violence or threat of violence, often motivated by religious, political, or other ideological beliefs, to instill fear and coerce individuals, governments, or societies in pursuit of terrorist goals.

Underground Newspapers—Include, but are not limited to, publications, printed material, magazines, journals, videos, blogs, microblogs, posts, websites, and web pages from an unofficial, unsanctioned, or illegal but informal movement or group.

Widespread Unlawful Discrimination—Extensive discrimination, including disparate treatment of individuals or groups on the basis of race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation, that deprives such persons or groups of constitutional rights or violates Federal, state or local laws, such as those concerning civil rights and fair housing. It does not include discrimination that is authorized by law, military regulations, or military policies; lawful efforts to overturn, amend, or enact laws applicable to discrimination or lawful support for causes or organizations that engage in such efforts; or isolated incidents of discrimination.

Attachment 2

CANDIDACY OR NOMINATION FOR POLITICAL OFFICE ACKNOWLEDGMENT OF LIMITATIONS

A2.1. Acknowledgment of Limitations. Acknowledgement of limitations must be prepared by any member on active duty (or who is about to enter active duty) who is:

A2.1.1. Granted permission to remain or to become a candidate or nominee for civil office, (paragraph 1.5.1.) (“Alternate A”); or

A2.1.2. Not otherwise prohibited from remaining or becoming a candidate or nominee for civil office (paragraph 1.5.2.) (“Alternate B”).

A2.2. Format. Prepare the acknowledgement as a letter or memorandum, signed by the member and addressed through the member’s immediate commander to the first general or flag officer in the member’s chain of command.

Figure A2.1. Sample Acknowledgement.

(Date)

[Select the appropriate paragraph 1].

Alternate A (over 270 days)

1. I understand that for me to remain or to become a nominee or a candidate for the civil office of [specifically identify the civil office] while on active duty, I must have the permission of the [name of the Secretary concerned] as required by subparagraph 4.2.2. of DoD Directive (DoDD) 1344.10, “Political Activities by Members of the Armed Forces.” I understand that such permission will be granted sparingly because it runs counter to the traditional concept that Service members on active duty should not engage in partisan political activity. Furthermore, I understand that if I am already a candidate or nominee, I must submit my request for permission from [specifically identify the Secretary concerned] before I enter active duty. If I am already on active duty and wish to become a candidate or nominee, I must receive permission first.

Alternate B (270 days or fewer)

1. I understand that I am authorized to remain or to become a candidate or nominee for the civil office of [specifically identify the civil office] while on active duty. This is authorized by subparagraph 4.2.3. of DoD Directive (DoDD) 1344.10, “Political Activities by Members of the Armed Forces,” because I am under a call or order to active duty for 270 days or fewer. I understand that I may remain a candidate or nominee only as long as my candidacy or nomination does not interfere with the performance of my military duty.

2. I have read and fully understand that DoDD 1344.10, paragraphs 4.2. and 4.3. severely limit my ability to participate as a nominee or candidate in the political process. I specifically understand that if I am granted permission to be a candidate or nominee or am not otherwise prohibited from becoming a candidate or nominee, I may not direct, control, endorse, or

otherwise participate in campaign activities on my behalf (including behind-the-scene activities). Furthermore, I must: a. Take affirmative, documented efforts to inform those who work for me and those whom I control that I may not direct, control, manage, or otherwise participate in campaign activities on my own behalf. b. Take all reasonable efforts to prevent current or anticipated advertisements that I control from being publicly displayed or running in any media. This includes Web sites devoted to the nomination or candidacy. Such Web sites created before my entry on active duty must otherwise comply with subparagraph 4.3.1. and may not be updated or revised while I am on active duty. Furthermore, I understand that the Secretary concerned may direct that the Web site be removed.

3. I have read and understand the prohibitions found in DoDD 1344.10, paragraphs 4.2 and 4.3.

4. I understand that DoDI 1334.10, "Wearing of the Uniform," prohibits the wearing of a military uniform during or in connection with the furtherance of any political or commercial interests not otherwise prohibited or limited above.

5. Finally, I understand that should I be elected to this civil office while on active duty, I will be subject to the policies concerning holding and exercising the function of civil office also found in DoDD 1344.10.

[Include signature block of nominee or candidate.]