



Homeland
Security

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MEMORANDUM FOR: DHS EMPLOYEES

FROM: John F. Havranek
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SUBJECT: **Hatch Act Reminder – Fall 2024**

As we find ourselves in the final month of presidential and Congressional political campaigns, it is a good time to remind DHS employees about the Hatch Act, the law governing "political activities" of executive branch employees. "Political activity" is activity directed towards the success or failure of a partisan political party, candidate for partisan political office, or partisan political group.

The Hatch Act prohibits employees from engaging in political activities in a federal workplace, while on duty, while wearing a Government uniform, badge, or insignia, and while using a Government vehicle. The Hatch Act also restricts certain activities when you are away from work and while [using social media](#). Additional restrictions include:

- Soliciting, accepting, and receiving political contributions (with certain exceptions for union activity);
- Using official authority or influence to affect the outcome of an election; and
- Being a candidate for partisan political office (except in a local election as an independent candidate in certain localities).

Additionally, DHS IT policy prohibits the use of Government-issued office equipment, email, and the internet at any time for political activities.

Career members of the Senior Executive Service, U.S. Secret Service employees, and employees in U.S. Immigration and Customs Enforcement Homeland Security Investigations are subject to [further restrictions](#) (which also apply to these employees' [use of social media](#) while off duty).

DHS Political Appointees are also subject to [additional restrictions per DHS Policy](#). All other employees are "less restricted" under the Hatch Act, and [rules for those employees are found here](#).

Nothing in the Hatch Act or DHS policy impairs your right to vote, make a political contribution on your own time and using personal equipment, express opinions about candidates or issues, or engage in non-partisan activities.

Employees are prohibited from displaying photos or campaign/election-related items involving current candidates for partisan political office, a partisan political party, or partisan political groups in the workplace or while in uniform. New Office of Special Counsel guidance now also restricts the workplace display of campaign or election-related items supporting “current or contemporary” political figures (CCPF). A CCPF is defined as an individual who received a political party’s nomination for President or Vice President in the most recent presidential election. Until the election on November 5, 2024, that definition includes Donald Trump (R), Mike Pence (R), Joe Biden (D), Kamala Harris (D), Howie Hawkins (G), Angela Walker (G), Jo Jorgensen (L), and Spike Cohen (L).

Presidential or vice-presidential nominees from elections previous to the most recent election are not considered CCPFs. As such, following the November 2024 general election until the next election on November 7, 2028, CCPFs for purposes of this restriction will be Donald Trump (R), J.D. Vance (R), Kamala Harris (D), Tim Walz (D), Chase Oliver (L), Mike ter Maat (L), Jill Stein (G), and Butch Ware (G).

Employees may continue to display photos of current or contemporary political figures who are not current candidates, so long as the photo is not from a campaign or campaign event. However, employees may only display photos of current partisan political candidates if: (1) the photo commemorates an event of personal significance to the employee, (2) the employee is in the photo themselves, and (3) the photo is not from a campaign event.

Additionally, the new guidance does not affect the historical exception that allows the display of the official photos of the incumbent President and Vice President, in their standard display size, provided they are not altered in any way. The Hatch Act does not prohibit the display of photos depicting employees conducting official agency duties such as personnel security for current or contemporary political figures, provided the intent is not to communicate support for a particular candidate.

Finally, the Hatch Act does not prevent employees from having workplace conversations about policies or topics that are controversial (e.g., gun control/2A rights, pro-choice/pro-life, etc.). However, employees should exercise caution and avoid workplace conversation that veers to involve expressions of support for or against a partisan political party, candidate for partisan political office, or partisan political group (e.g., “if you care about X, you need to vote for the Y party”).

For further information, visit the [U.S. Office of Special Counsel \(OSC\)](#) website or contact your [component’s ethics official](#).