



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCE HEADQUARTERS - NEW YORK
330 OLD NISKAYUNA ROAD
LATHAM, NY 12110-3514

08 MAR 2024

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MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Political Activity and Prohibited Contempt Towards Officials by Uniformed Members of the New York National Guard (NYNG)

1. References:

- a. New York State Military Law 130.84 – Contempt towards officials.
- b. Division of Military Naval Affairs Regulation 27-2 (Military Justice).
- c. Department of Defense Directive 1344.10 (Political Activities by Members of the Armed Forces).

2. Voting is a hallmark of our democracy. It is your opportunity to exercise your rights under the constitution. I continue to encourage uniformed members of the NYNG to participate in our political process. However, there are limits to acceptable political activities of uniformed members of the National Guard. You cannot advocate for a particular political candidate and partisan cause while on duty or while in uniform. You cannot engage in contempt towards officials no matter their political party, policies, or otherwise. This memorandum is intended to provide you with outlines regarding the restrictions that apply to all our uniformed members.

3. Political activity is defined as an activity directed towards the success or failure of a political party, a candidate for partisan political office or a partisan political group. Political activity does not include legislation, ballot initiatives focused on issue-oriented campaigns, candidacy in a nonpartisan election or attending a march/rally.

4. Restriction: All uniformed members regardless of status, including our traditional part-time members, may not engage in any political activity while in a duty status, in a federal building, in a state-owned Armory, or while using a government vehicle. This includes using DoD email or displaying campaign material in their workspace. Examples of further prohibited activity include:

- a. Wearing your uniform in connection with a political activity, or the activity stated in paragraph 3, unless specifically authorized to do so by a competent authority.
- b. Parking a motor vehicle with a large political sign, banner, or poster in any Armory parking lot, Air National Guard Base parking lot, and other agency property that reads:

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"Biden: Pay More. Live Worse," "Trump for Prison," "Rigged Elections Matter," "Let's Go Brandon," or any other slogan to that effect.

c. The placement of a bumper sticker with a slogan like those in paragraph 4b on any Federal or State Government owned, leased, or operated property including Armory or Base doors, walls, wall lockers, or anything found on a government premise.

d. Using your official position to endorse a political candidate or cause. Even the appearance of an endorsement must be avoided by all uniformed members.

e. Running for any partisan political office if you are an Active Guard Reserve member or in another status on orders when you exceed a duration of more than 270 days.

5. Contempt towards officials is defined as any person subject to the New York State Military Law who uses contemptuous words against any elected or appointed government official such as the President of the United States, Governor or their cabinet/advisory body, or the Legislature.

6. Contemptuous words are words used against an official in either their official or private capacity, which are offensive, inappropriate, or disrespectful, or which otherwise are insolent towards them.

7. Restriction: All our uniformed members regardless of status, including our traditional part-time members may not engage in actions that could be construed as contempt towards officials. Examples of prohibited activity include:

a. The placement of a bumper sticker on a motor vehicle operated by one of our members without regard to where it is parked that reads; "Trump for Prison," "Biden is an Idiot," "Hochul Sucks," "My Congressman is an Idiot," "Impeach Biden," or the like.

b. The placement of a bumper sticker such as those in paragraph 7a on any Federal or State Government owned, leased, or operated property including Armory or Base doors, walls, wall lockers, or anything found on a government premise.

c. The sending of contemptuous words or images to others concerning the officials in paragraph 5 by email, social media, text messages, or other electronic means without regard to the owner of the conveyance.

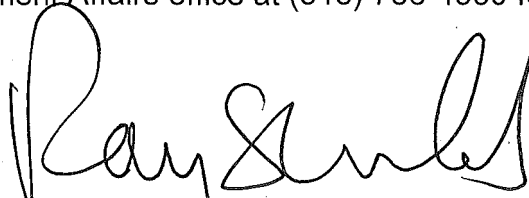
d. Using contemptuous speech concerning the officials named in paragraph 5 in a public forum or military duty setting without regard to the wearing of a uniform or who is the intended audience.

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8. Applicability and Punitive Nature: These restrictions apply to all uniformed members of the NYNG, and failure to adhere to these restrictions may result in adverse administrative measures pursuant to the members branch of service and or disciplinary actions pursuant to the New York Code of Military Justice. Service member activities out of uniform and/or in a non-duty status can affect your ability to serve in the National Guard.

9. If you have a question concerning these restrictions, you may contact the Staff Judge Advocate at (518) 786-4541, or the Government Affairs office at (518) 786-4580 for further guidance.



RAYMOND F. SHIELDS, JR.
Major General, NYARNG
The Adjutant General

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