AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

by the President, by and with the advice and consent of the Senate) specifically are excluded from coverage under the provisions of part 733:

(a) Federal Election Commission;
(b) Federal Bureau of Investigation;
(c) Secret Service;
(d) Central Intelligence Agency;
(e) National Security Council;
(f) National Security Agency;
(g) Defense Intelligence Agency;
(h) Merit Systems Protection Board;
(i) Office of Special Counsel;
(j) Office of Criminal Investigation of the Internal Revenue Service;
(k) Office of Investigative Programs of the United States Customs Service;
(l) Office of Law Enforcement of the Bureau of Alcohol, Tobacco, and Firearms;
(m) Criminal Division of the Department of Justice;
(n) Career appointees in the Senior Executive Service;
(o) Administrative law judges; and
(p) Contract appeals board members described in 5 U.S.C. 5372a.

PART 734—POLITICAL ACTIVITIES OF FEDERAL EMPLOYEES

Subpart A—General Provisions

Sec.

734.101 Definitions.
734.102 Jurisdiction.
734.103 Multicandidate political committees of Federal labor organizations and Federal employee organizations..
734.104 Restriction of political activity.

Subpart B—Permitted Activities

734.201 Exclusion from coverage.
734.202 Permitted activities.
734.203 Participation in nonpartisan activities.
734.204 Participation in political organizations.
734.205 Participation in political campaigns.
734.206 Participation in elections.
734.207 Candidacy for public office.
734.208 Participation in fundraising.

Subpart C—Prohibited Activities

734.301 Exclusion from coverage.
734.302 Use of official authority; prohibition.
734.303 Fundraising.
734.304 Candidacy for public office.
734.305 Soliciting or discouraging the political participation of certain persons.
734.306 Participation in political activities while on duty, in uniform, in any room or building occupied in the discharge of official duties, or using a Federal vehicle.
734.307 Campaigning for a spouse or family member.

Subpart D—Employees in Certain Agencies and Positions

734.401 Coverage.
734.402 Expression of an employee's individual opinion.
734.403 Participation in elections.
734.404 Participation in political organizations.
734.405 Campaigning for a spouse or family member.
734.406 Participation in political activities while on duty, in uniform, in any room or building occupied in the discharge of official duties, or using a Federal vehicle; prohibitions.
734.407 Use of official authority; prohibition.
734.408 Participation in political management and political campaigning; prohibitions.
734.409 Participation in political organizations; prohibitions.
734.410 Participation in political fundraising; prohibitions.
734.411 Participation in political campaigning; prohibitions.
734.412 Participation in elections; prohibitions.
734.413 Employees of the Federal Election Commission; prohibitions.

Subpart E—Special Provisions for Certain Presidential Appointees and Employees Paid From the Appropriation for the Executive Office of the President

734.501 Permitted and prohibited activities.
734.502 Participation in political activity while on duty, in uniform, in any room or building occupied in the discharge of official duties, or using a Federal vehicle.
734.503 Allocation and reimbursement of costs associated with political activities.
734.504 Contributions to political action committees through voluntary payroll allotments prohibited.

Subpart F—Employees Who Work on an Irregular or Occasional Basis

734.601 Employees who work on an irregular or occasional basis.

Subpart G—Related Statutes and Executive Orders

734.701 General.

734.702 Related statutes and Executive orders.

AUTHORITY: 5 U.S.C. 1103, 1104, 7325; Reorganization Plan No. 2 of 1978, 92 Stat. 3783, 3 CFR 1978 Comp. p. 323; and E.O. 12107, 3 CFR 1978 Comp. p. 264.

SOURCE: 59 FR 48769, Sept. 23, 1994, unless otherwise noted.

Subpart A—General Provisions

§ 734.101 Definitions.

For the purposes of this part:

Accept means to come into possession of something from a person officially on behalf of a candidate, a campaign, a political party, or a partisan political group, but does not include ministerial activities which precede or follow this official act.

Candidate means an individual who seeks nomination or election to any elective office whether or not the person is elected. An individual is deemed to be a candidate if the individual has received political contributions or made expenditures or has consented to another person receiving contributions or making expenditures with a view to bringing about the individual's nomination or election.

Campaign means all acts done by a candidate and his or her adherents to obtain a majority or plurality of the votes to be cast toward a nomination or in an election.

Election includes a primary, special, runoff, or general election.

Employee means any individual (other than the President, Vice President, or a member of the uniformed services) employed or holding office in—

(1) An Executive agency other than the General Accounting Office;

(2) A position within the competitive service which is not in an Executive agency;

(3) The Government of the District of Columbia, other than the Mayor or a member of the City Council or the Recorder of Deeds; or

(4) The United States Postal Service or the Postal Rate Commission.

Employing office shall have the meaning given by the head of each agency or instrumentality of the United States Government or District of Columbia Government covered by this part. Each agency or instrumentality shall provide notice identifying the appropriate employing offices within it through internal agency notice procedures.

Federal employee organization means any lawful nonprofit organization, association, society, or club composed of Federal employees.

Federal labor organization means an organization defined in 5 U.S.C. 7103(a)(4).

Multicandidate political committee means an organization defined in 2 U.S.C. 441a(a)(4).

Nonpartisan election means—

(1) An election in which none of the candidates is to be nominated or elected as representing a political party any of whose candidates for Presidential elector received votes in the last preceding election at which Presidential electors were selected; or

(2) An election involving a question or issue which is not specifically identified with a political party, such as a constitutional amendment, referendum, approval of a municipal ordinance, or any question or issue of a similar character.

Occasional means occurring infrequently, at irregular intervals, and according to no fixed or certain scheme; acting or serving for the occasion or only on particular occasions.

Office means the U.S. Office of Personnel Management.

On Duty means the time period when an employee is:

(1) In a pay status other than paid leave, compensatory time off, credit hours, time off as an incentive award, or excused or authorized absence (including leave without pay); or

(2) Representing any agency or instrumentality of the United States Government or any agency or instrumentality of the District of Columbia Government in an official capacity.

Partisan when used as an adjective means related to a political party.

Partisan political group means any committee, club, or other organization which is affiliated with a political party or candidate for public office in a partisan election, or organized for a partisan purpose, or which engages in partisan political activity.

Partisan political office means any office for which any candidate is nominated or elected as representing a