

**AMENDMENT TO H.R. 3838**  
**OFFERED BY MR. RYAN OF NEW YORK**

At the appropriate place in title V, insert the following new section:

1 **SEC. 5 \_\_\_\_ . PROHIBITION ON CERTAIN POLITICAL ACTIVI-**  
2 **TIES BY MEMBERS OF THE ARMY, NAVY, AIR**  
3 **FORCE, MARINE CORPS, AND SPACE FORCE.**

4 Chapter 49 of title 10, United States Code, is amend-  
5 ed by inserting after section 974 the following new section:

6 **“§ 975. Prohibition on certain political activities**

7 “(a) PROHIBITION.—Except as provided in sub-  
8 section (b), a member of the Army, Navy, Air Force, Ma-  
9 rine Corps, or Space Force on active duty may not—

10 “(1) in the course of performing official duties  
11 or while wearing the uniform—

12 “(A) participate in partisan political fund-  
13 raising activities, rallies, conventions (including  
14 making speeches in the course thereof), events,  
15 management of campaigns, or debates;

16 “(B) serve in any official capacity with or  
17 be listed as a sponsor of a partisan political  
18 club;

1 “(C) speak before a partisan political gath-  
2 ering, including any gathering that promotes a  
3 partisan political party, candidate, or cause;

4 “(D) participate in any radio, television, or  
5 other program or group discussion as an advo-  
6 cate for or against a partisan political party,  
7 candidate, or cause;

8 “(E) conduct a political opinion survey  
9 under the auspices of a partisan political club  
10 or group or distribute partisan political lit-  
11 erature;

12 “(F) perform clerical or other duties for a  
13 partisan political committee or candidate during  
14 a campaign, on an election day, or after an  
15 election day during the process of closing out a  
16 campaign;

17 “(G) march or ride in a partisan political  
18 parade;

19 “(H) participate in any organized effort to  
20 provide voters with transportation to the polls if  
21 the effort is organized by or associated with a  
22 partisan political party, cause, or candidate;

23 “(I) sell tickets for or otherwise actively  
24 promote partisan political dinners and similar  
25 fundraising events; or

1           “(J) attend partisan political events as an  
2           official representative of the armed forces;

3           “(2) use official authority or influence to inter-  
4           fere with an election, affect the course or outcome  
5           of an election, solicit votes for a particular candidate  
6           or issue, or require or solicit political contributions  
7           from others;

8           “(3) publish partisan political articles, letters,  
9           or endorsements signed or written by the member  
10          that solicits votes for or against a partisan political  
11          party, candidate, or cause; or

12          “(4) solicit or otherwise engage in fundraising  
13          activities in Federal offices or facilities, including  
14          military reservations, for any political cause or can-  
15          didate.

16          “(b) EXCEPTIONS.—The prohibitions in subsection  
17 (a) do not apply with respect to—

18               “(1) monetary contributions to a political orga-  
19               nization, party, or committee favoring a particular  
20               candidate or slate of candidates, subject to the limi-  
21               tations under section 315 of the Federal Election  
22               Campaign Act of 1971 (50 U.S.C. 30116), section  
23               607 of title 18, and any other applicable provision  
24               of law;

1           “(2) a letter to the editor of a newspaper ex-  
2           pressing the personal views of the writer on public  
3           issues or political candidates, provided that—

4                   “(A) the writing of the letter is not part of  
5                   an organized letterwriting campaign or a solici-  
6                   tation of votes for or against a political party  
7                   or partisan political cause or candidate; and

8                   “(B) if the letter identifies the writer as a  
9                   member of the armed forces or the writer is  
10                  otherwise identifiable as a member of the armed  
11                  forces, the letter clearly states that the views  
12                  expressed are those of the individual only and  
13                  not those of the Department of Defense; or

14                  “(3) attendance as a member of a joint armed  
15                  forces color guard at the opening ceremonies of the  
16                  national conventions of the Republican, Democratic,  
17                  or other political parties recognized by the Federal  
18                  Elections Committee or as otherwise authorized by  
19                  the Secretary concerned.”.

