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OSC APPLAUDS INTRODUCTION OF HATCH ACT MODERNIZATION ACT OF 2012

FOR IMMEDIATE RELEASE

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Today a bipartisan group of lawmakers introduced the Hatch Act Modernization Act of 2012, a bill that would update the 1939 law. The Office of Special Counsel, which enforces the Hatch Act, transmitted proposed legislation to Congress in October 2011, and applauds the quick response by both chambers of Congress today.

The original intent of the Hatch Act was to keep improper politics out of the workplace and prevent those in political power from abusing their authority toward political ends. But the law also prevents state and local candidates from running for partisan election if their job has even a trivial connection to federal funding. This provision disqualifies otherwise well-qualified candidates from running for office, even when there is no indication of wrongdoing. A recent example was that of a Pennsylvania police officer in a canine unit who was not eligible to run for his local school board because his black Labrador was tied to funding from the Department of Homeland Security.

The reforms called for in this legislation will prevent unnecessary interference into state and local contests by the federal government. The legislation will also modify the penalty structure of the Hatch Act for federal workers. Currently the law provides only for termination of employment for a violation, which may be mitigated to a 30-day suspension only by unanimous approval of all three members of the Merit Systems Protection Board (MSPB).

The Hatch Act Modernization Act of 2012 was introduced by Senators Daniel Akaka (D-HI), Mike Lee (R-UT), Joseph Lieberman (ID-CT) and Carl Levin (D-MI), and Representatives Elijah Cummings (D-MD), Stephen F. Lynch (D-MA), Gerald Connolly (D-VA), James P. Moran (D-VA) and Eleanor Holmes Norton (D-DC).

"I applaud the bipartisan group of lawmakers for introducing this good government reform," said Special Counsel Carolyn Lerner. "Fixing this broken law will cost taxpayers nothing, and will demonstrate respect for the independence of state and local elections."

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: the Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing. For more information, please visit our website at www.osc.gov.

