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OSC APPLAUDS SENATE PASSAGE OF HATCH ACT REFORMS

FOR IMMEDIATE RELEASE

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Today, the U.S. Senate unanimously approved S. 2170, the Hatch Act Modernization Act of 2012. The legislation makes common sense reforms to the Hatch Act, the 1939 law that governs the political activity of public employees to protect the government workforce from partisan political influences. S. 2170's reforms are based on recommendations made by the U.S. Office of Special Counsel (OSC), which enforces the Act.

S. 2170 would allow most state and local government employees to run for partisan political office without violating the Hatch Act. Under current law, state and local government employees may not run for partisan office if their job is connected to federal funding. The current law prevents well-qualified candidates from serving their local communities. For example, a Pennsylvania K-9 officer was not eligible to run for his local school board because his partner – a black Labrador – was tied to funding from the Department of Homeland Security. S. 2170, as amended, allows state and local government employees to run for office unless their government job is fully funded by federal dollars. The Hatch Act will continue to restrict state and local government employees from engaging in coercive conduct, or otherwise using their government positions to advance partisan political ends.

S. 2170 also modifies the penalties under the Hatch Act to provide a range of possible disciplinary actions for federal employees. In addition, the legislation updates the Hatch Act's provisions regarding District of Columbia government employees and federal employees living in the District.

The Hatch Act Modernization Act is sponsored by Senators Daniel Akaka (D-HI), Mike Lee (R-UT), Joseph Lieberman (ID-CT) and Carl Levin (D-MI). The legislation now moves to the House of Representatives. Similar legislation was introduced in the House earlier this year and has a bipartisan group of co-sponsors.

"I applaud the Senate for approving common sense amendments to the Hatch Act," stated Special Counsel Carolyn Lerner. "The Hatch Act Modernization Act demonstrates respect for the independence of state and local elections and will save taxpayer dollars."

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.