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## CONGRESS MODERNIZES THE HATCH ACT

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### FOR IMMEDIATE RELEASE

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Today, the U.S. House of Representatives passed S. 2170, the Hatch Act Modernization Act of 2012, sending the bill to the President to be signed into law. S. 2170 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. Passage of S. 2170 marks the most significant reforms of the Hatch Act by Congress since 1993.

The Hatch Act Modernization Act removes the federal prohibition on most state and local government employees who want to run for partisan political office. Under current law, state and local government employees may not run for partisan office if their job is connected to federal funding, a prohibition that prevents well-qualified candidates from serving their local communities. S. 2170 will strike this prohibition unless the employee's salary 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). Similar legislation was introduced in the House by Rep. Elijah Cummings (D-MD), and co-sponsored by Representatives Jason Chaffetz (R-UT), Stephen F. Lynch (D-MA), Gerald Connolly (D-VA), James P. Moran (D-VA) and Eleanor Holmes Norton (D-DC). A bill to allow state and local law enforcement officers to run for partisan office was first introduced, earlier in the 112<sup>th</sup> Congress, by Rep. Bob Latta (R-OH). The Oversight and Government Reform Committee, under the leadership of Chairman Darrell Issa (R-CA), held two hearings on Hatch Act reform during the 112<sup>th</sup> Congress.

"This is a victory for good government," said Special Counsel Carolyn Lerner. "The bipartisan sponsors of this reform deserve credit for recognizing a problem and acting swiftly to address it. Local communities around the country will benefit from this reform."

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*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](http://www.osc.gov).*