The Hatch Act governs the political activity of government employees at the federal, state and local levels. Under the Hatch Act, as amended (5 U.S.C. Section 7321, et seq.), most federal and D.C. government employees may take an active part in partisan political management and campaigns. These federal employees:

**May:**
- Be candidates for public office in nonpartisan elections;
  
  **Example:** An employee may run for school board in the District of Columbia because school board elections in the District are nonpartisan.

- Join and be an active member of a political party or club;
  
  **Example:** An employee may serve as a delegate, alternate or proxy to a state or national party convention.

- Register and vote as they choose;
  
  **Example:** An employee may register to vote Republican and vote for a Republican candidate even though his boss is a Democratic political appointee.

- Sign and circulate nominating petitions;
  
  **Example:** An employee may collect signatures for the nominating petitions of individuals who are running for public office.

- Assist in voter registration drives;
  
  **Example:** An employee may assist in a voter registration drive sponsored by the League of Women Voters.

- Campaign for or against referendum questions, constitutional amendments, and municipal ordinances;
  
  **Example:** An employee may be politically active in connection with a referendum question that seeks to ban smoking in eating establishments.

- Express opinions about candidates and issues;
  
  **Example:** An employee may write a letter to the editor at the Washington Post which expresses her personal opinion on a candidate or political issue.

- Assist in voter registration drives;
  
  **Example:** An employee may assist in a voter registration drive sponsored by the League of Women Voters.

- Hold office in political clubs or parties;
  
  **Example:** An employee may serve as a vice-president of a political action committee, as long as the position does not involve personal solicitation, acceptance, or receipt of political contribution.

**May not:**
- Use official authority or influence to interfere with an election;
  
  **Example:** An employee who signs a letter seeking volunteer services from individuals may not identify himself by using his official title.

- Solicit or discourage political activity of anyone with business before her agency;
  
  **Example:** An employee with agency wide responsibility may address a large, diverse group to seek support for a partisan political candidate as long as the group has not been specifically targeted as having matters before the employing agency.

- Solicit, accept or receive political contributions (may be done in certain limited situations by federal labor or other employee organizations);
  
  **Example:** An employee may not solicit a fund raiser at his home or solicit funds at any other fund raiser for a partisan candidate.

- Engage in political activity while on duty, in a government office, while wearing an official uniform or while using a government vehicle;
  
  **Example:** An employee may not display a political poster, bumper sticker or campaign button in his or her office or in the common areas of a federal building.

- Become a candidate in a partisan election;
  
  **Example:** An employee may not become a candidate in an election where any of the candidates are running as representatives of political parties, usually the Democratic or Republican parties.
Employees Who Are Prohibited From Engaging in Political Activity:
Federal employees in the following agencies, divisions or positions are prohibited from engaging partisan political campaigns or partisan political management:
Federal Election Commission; Federal Bureau of Investigations; Secret Service; Central Intelligence Agency; National Security Counsel; National Security Agency; Defense Intelligence Agency; National Imagery and Mapping Agency; Merit Systems Protection Board; Office of Special Counsel; Office of Criminal Investigations of the IRS; Office of Investigative Program of the U.S. Customs Service; Office of Law Enforcement of the Bureau of Alcohol, Tobacco, and Firearms; Criminal Division of the Department of Justice; Career members of the Senior Executive Service; Administrative Law Judges; Contract Appeals Board Members

The U.S. Office of Special Counsel and the Hatch Act
The U.S. Office of Special Counsel (OSC) is authorized by law to provide Hatch Act advisory opinions. These opinions respond to questions from government employees and others about whether or not they may engage in specific political activities under the Act.

The OSC also enforces Hatch Act provisions on permissible and impermissible political activity by government employees. It is the only agency authorized to prosecute violations of the Act, which are adjudicated by the Merit Systems Protection Board (MSPB).

Penalties:
The Special Counsel may ask the MSPB to impose any penalty ranging from a 30-day suspension without pay to removal from federal service.

How to File a Hatch Act Complaint:
Individuals may report suspected Hatch Act violations to the OSC. Complaints of such activities should be submitted to the OSC in writing.

How to Obtain a Hatch Act Advisory Opinion:
Individuals may request oral and written opinions advice about activities which are permitted or prohibited by the Hatch Act, and receive an oral or written opinion, as appropriate, from the OSC. Requests may be submitted to:

HATCH ACT UNIT
U.S. Office of Special Counsel
1730 M Street, NW (Suite 300)
Washington, DC  20036-4505
Tel:  (800) 85-HATCH
(202) 254-3650
Fax: (202) 653-5151
E-mail:  hatchact@osc.gov
Web site:  http://www.osc.gov