



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

October 28, 2021

The Honorable Henry Kerner
Special Counsel
Office of Special Counsel
1730 M Street, NW
Suite 218
Washington, DC 20036-4505

Re: Violations of the Hatch Act by Jen Psaki

Dear Mr. Kerner:

Citizens for Responsibility and Ethics in Washington (“CREW”) writes to bring to your attention further information relevant to our October 15, 2021 letter requesting that the Office of Special Counsel (“OSC”) investigate whether White House Press Secretary Jen Psaki violated the Hatch Act by advocating for the election of Terry McAuliffe to be governor of Virginia during an official White House press briefing.

Soon after CREW filed our letter with OSC, Ms. Psaki appeared on CNN, and said in response to a question about it: “I take ethics seriously. So does this president, of course. As I understand it, if I had said ‘he’ instead of ‘we’ that would not have been an issue at all. And I’ll be more careful with my words next time. Words certainly matter.”¹ Ms. Psaki similarly told the Associated Press in a statement: “While the president has publicly expressed his support for McAuliffe, we’ll leave it to the press and the campaign to provide commentary on the race. I take ethics very seriously and will choose my words more carefully moving forward.”² In addition, during an October 26, 2021 White House press briefing, Ms. Psaki said in response to being asked if President Biden was surprised at how close the Virginia gubernatorial race had become: “Well, Mark, I’ve learned my lesson. I’m not going to do any politics from here or political analysis. I can confirm that the President is going to Arlington later this evening. . . . And, of course, the Vice President as well. But beyond the scheduling details, I will leave political analysis to my friends over at the DNC.”³

¹ “Words certainly matter”, Psaki on watchdog complaint against her, *CNN*, Oct. 15, 2021, <https://cnn.it/3vVcEoI>.

² Aamer Madhani, *Watchdog: Psaki violated ethics law by promoting McAuliffe*, *Associated Press*, Oct. 15, 2021, <https://bit.ly/3CmFQY6>.

³ *Press Briefing by Press Secretary Jen Psaki and National Security Advisor Jake Sullivan*, October 23, 2021, White House, Oct. 23, 2021, <https://bit.ly/3bh0k8J>.

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CREW is encouraged that Ms. Psaki expressed remorse about her prior comments and asserted that she has “learned [her] lesson” about engaging in partisan political activity in her official capacity.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Noah Bookbinder', with a long horizontal flourish extending to the right.

Noah Bookbinder
President