



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

August 20, 2026

The Honorable Charles N. Baldis
Special Counsel
Office of Special Counsel
1730 M Street NW
Suite 218
Washington, DC 20036-4505

Re: Outstanding Complaints regarding Hatch Act Violations by Senior Political Appointees

Dear Special Counsel Baldis:

Congratulations on your recent confirmation. Having Senate-confirmed leadership at government watchdogs like the Office of Special Counsel (“OSC”) is essential to maintaining their independent oversight functions and ethical compliance in the executive branch. Citizens for Responsibility and Ethics in Washington (“CREW”) respectfully requests that OSC expeditiously resolves several outstanding complaints that have been submitted to your office regarding glaring Hatch Act violations committed by senior political appointees in the Trump administration, including White House staff. As the Trump administration continues its brazen illegal activity to undermine free and fair elections, including the upcoming national midterm elections, it is critically important that OSC assures the public, Congress and the Trump administration that there will be accountability for violating the law, including the misuse of official roles for partisan purposes.¹

Factual background

CREW has filed numerous Hatch Act complaints against executive branch officials appointed by Democratic and Republican presidents, including President Biden’s former Press Secretary Jen Psaki and President Trump’s first-term Agriculture Secretary Sonny Perdue.² As of this writing, OSC has open investigations into six senior Trump

¹ See *Five years on from January 6th, Congress must protect against President Trump’s attacks on democracy*, Citizens for Responsibility & Ethics in Washington (Jan. 6, 2026), <https://www.citizensforethics.org/legal-action/letters/five-years-on-from-january-6th-congress-must-protect-against-president-trumps-attacks-on-democracy/>.

² See Letter from Erica S. Hamrick, U.S. Off. of Special Couns., to Noah Bookbinder, CREW, Re: OSC File Nos. HA-22-000004 (Dec. 1, 2021), <https://www.citizensforethics.org/wp-content/uploads/2021/12/HA-22-000004.pdf> (confirming OSC’s conclusion and actions taken regarding a Hatch Act violation by Press Secretary Jen Psaki); *Sonny Perdue reprimanded for Hatch Act violation following CREW complaint*, Citizens for Responsibility & Ethics

administration appointees following CREW complaints.³ One complaint, against Commerce Secretary Howard Lutnick, has been outstanding for more than a year.⁴ Another four investigations have been pending for more than 10 months, relating to partisan comments made by senior Trump appointees including White House Press Secretary Karoline Leavitt, Treasury Secretary Scott Bessent, White House Senior Counselor for Trade and Manufacturing Peter Navarro (a repeat offender) and former Department of Homeland Security Secretary Kristi Noem.⁵ CREW's complaint against White House Deputy Chief of Staff Stephen Miller, another repeat offender, has been pending for more than two months.⁶

OSC's delay in resolving these open investigations has coincided with escalating ethics problems for many of the individuals subject to CREW complaints. For example, in March, Secretary Noem was fired from her role leading DHS amidst a swirling corruption scandal and reappointed to a less prominent role.⁷ Navarro has faced calls for investigation into his conduct following allegations that he pressured Department of Defense officials to award \$620 million in taxpayer funds to a company tied to a venture capital firm where Donald Trump Jr. is a partner.⁸ Miller has committed multiple Hatch Act violations since CREW filed its June complaint without any apparent consequence, despite the fact that OSC has previously recommended disciplinary action for egregious repeat offenders like first-term Trump administration officials Kellyanne Conway and Lynne Patton.⁹

in Washington (Oct 8, 2020), <https://www.citizensforethics.org/news/press-releases/sonny-perdue-reprimanded-for-hatch-act-violation-following-crew-complaint/>.

³ See *CREW files Hatch Act complaint against Howard Lutnick*, Citizens for Responsibility & Ethics in Washington (Aug. 13, 2025),

<https://www.citizensforethics.org/legal-action/legal-complaints/crew-files-hatch-act-complaint-against-howard-lutnick/>; *CREW files Hatch Act complaint against Trump administration officials*, Citizens for Responsibility & Ethics in Washington (Oct. 13, 2025),

<https://www.citizensforethics.org/legal-action/legal-complaints/crew-files-hatch-act-complaint-against-trump-administration-officials/>; *CREW files Hatch Act complaint against Stephen Miller*, Citizens for Responsibility & Ethics in Washington (June 1, 2026),

<https://www.citizensforethics.org/legal-action/legal-complaints/crew-files-hatch-act-complaint-against-stephen-miller/>. The relevant available case file numbers provided to CREW by OSC are HA-25-000650, HA-26-000139, HA-26-000143, HA-26-000144, and HA-26-000145.

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ Ximena Bustillo, *Trump fires Kristi Noem as DHS Chief, names Sen. Markwayne Mullin to replace her*, NPR (Mar. 5, 2026), <https://www.npr.org/2026/03/05/nx-s1-5667546/kristi-noem-homeland-security-fired>. Given that Noem is still a federal employee, OSC retains jurisdiction to recommend disciplinary action.

⁸ *Defense IG should investigate \$620 million loan to company linked to Donald Trump Jr.*, Citizens for Responsibility & Ethics in Washington (June 4, 2026),

<https://www.citizensforethics.org/legal-action/legal-complaints/defense-ig-should-investigate-620-million-loan-to-company-linked-to-donald-trump-jr/>; Elizabeth Dwoskin & Andrew Ba Tran, *Lawmakers call for Pentagon probe of Trump family-backed companies*, Wash. Post (Aug. 5, 2026),

<https://www.washingtonpost.com/technology/2026/08/05/lawmakers-call-pentagon-probe-trump-family-backed-companies/>.

⁹ See e.g., *Stephen Miller says Democrats are allowing and embracing communism*, Fox News (Aug. 5, 2026),

<https://www.foxnews.com/video/6402885519112> (attacking Democrats and a Democratic Senate candidate in an interview conducted in his official capacity); Witkoria Gucia, *Stephen Miller Questions James Talarico's Gender in Fox News Attack*, Daily Beast (June 20, 2026),

<https://nz.news.yahoo.com/stephen-miller-questions-james-talarico-153125179.html>; see also U.S. Off. of Special

In addition to these complaints against individual officials, members of Congress have also raised concerns with OSC in the last year, regarding political messaging by several federal agencies during the government shutdowns which may implicate how the Hatch Act and federal appropriations law intersect.¹⁰ While we understand that financial constraints and abrupt leadership changes by President Trump have challenged law enforcement efforts at agencies including OSC, CREW's outstanding complaints originate from public interviews and posts that are easily reviewed and assert glaring violations of the law.¹¹

If the public is to be able to trust that government officials are not manipulating the democratic process, the Trump administration needs to be held accountable. OSC needs to ensure that the illegal conduct to influence our elections documented in CREW's complaints does not continue, particularly as more examples emerge. Notably, Noem's successor leading the Department of Homeland Security, Markwayne Mullin, appears to have violated the Hatch Act earlier this month by appearing in a television interview on Fox News where he made partisan remarks attacking the Democratic party in a segment about the midterm elections.¹² Secretary Mullin contrasted the two parties and suggested that Democrats have the "opposite" of a "winning message" for the mid-term elections, adding "It's a shame what's taking place right now in the Democrat Party."¹³ Senior Department of Justice officials, who are "further restricted" employees under the Hatch Act, also appeared at a political rally for Republican New York gubernatorial candidate Bruce Blakeman, including Attorney General Todd Blanche, who appeared to be "active on behalf of a candidate at a political rally" with observers noting that he even "appeared to endorse" Blakeman.¹⁴

Couns., *OSC Finds Kellyanne Conway Repeatedly Violated the Hatch Act, Recommends Removal from Federal Service* (June 13, 2019),

<https://www.osc.gov/news/2019-06-13/osc-finds-kellyanne-conway-repeatedly-violated-the-hatch-act-recommends-removal-from-federal-service/>; U.S. Off. of Special Couns., *Former High-Ranking HUD Official Disciplined for Hatch Act Violation* (Apr. 6, 2021),

<https://www.osc.gov/news/2021-04-06/former-high-ranking-hud-official-disciplined-for-hatch-act-violation/>.

¹⁰ Ali Swenson, *The blame game is on at federal agencies, where political messages fault Democrats for the shutdown*, Associated Press (Oct. 2, 2025),

<https://apnews.com/article/trump-shutdown-blame-agencies-websites-hatch-act-ff5dab4e9a3a74af0c94fd9b184d9311>.

¹¹ U.S. Off. of Special Couns., *Fiscal Year 2027 Congressional Budget Justification and Performance Goals*,

<https://www.osc.gov/~assets/docs/fy-2027-congressional-budget-justification.pdf>; Staff of H. Comm. on the Budget, 119th Cong., *DOGE's Mass Firings Result in Gutted Services and Higher Costs* (Mar. 28, 2025),

<https://democrats-budget.house.gov/resources/report/doges-mass-firings-result-gutted-services-and-higher-costs>.

¹² *Mullin blasts Democrats' 'radical' abolish ICE messaging amidst sanctuary backlash*, Fox News (Aug. 14, 2026),

<https://www.foxnews.com/video/6403393254112>.

¹³ *Id.*

¹⁴ Kathryn Wilkens, *'Beyond Inappropriate': Attorney General Todd Blanche Ripped for Speaking at Rally to Endorse GOP Candidate*, Yahoo! News (Aug. 14, 2026),

<https://www.yahoo.com/news/politics/articles/beyond-inappropriate-attorney-general-todd-233030236.html>; see also U.S. Dep't of Just., Just. Mgmt. Div., *Political Activities*, <https://www.justice.gov/jmd/political-activities> (last visited Aug. 18, 2026).



OSC should investigate each of the incidents listed above to confirm violations of the Hatch Act and recommend disciplinary action if appropriate. In addition, President Trump recently announced that Leavitt is leaving the government at the end of the month.¹⁵ While we certainly expect that OSC would retain jurisdiction over the matter, expeditious resolution of our complaint against Leavitt will reinforce to her successor that they are also barred from making partisan statements about candidates in upcoming elections from the White House briefing room.

Given your role leading OSC in an acting capacity from Spring 2025 to your confirmation this month, you are no doubt aware of CREW's complaints against senior Trump administration appointees.¹⁶ During a similar period, OSC has resolved a number of Hatch Act investigations involving several lower level federal executive branch employees, as well as a local sheriff in Chesapeake, Virginia.¹⁷ In fact, your testimony before the Senate Homeland Security and Governmental Affairs Committee notes that Fiscal Year 2025 was a busy year for OSC's Hatch Act unit, which "handled hundreds of complaints, issued more than 750 advisory opinions, and took enforcement action in dozens of cases."¹⁸ Despite that

¹⁵ Brittany Miller, *Trump says Karoline Leavitt will leave White House press secretary role, become outside advisor*, Fox News (Aug. 12, 2026), <https://www.foxnews.com/politics/trump-says-karoline-leavitt-leave-white-house-press-secretary-role-become-outside-advisor.amp>.

¹⁶ Sean Michael Newhouse, *Key oversight and federal workforce nominees confirmed by Senate*, GovExec (Aug. 7, 2026), <https://www.govexec.com/oversight/2026/08/oversight-and-federal-workforce-nominees-confirmed/415295/>.

¹⁷ See U.S. Off. of Special Couns., *OSC Highlights Recent Hatch Act Enforcement Actions to Protect Integrity of Federal Workforce* (Feb. 26, 2026), <https://www.osc.gov/news/2026-02-26/osc-highlights-recent-hatch-act-enforcement-actions-to-protect-integrity-of-federal-workforce/>; U.S. Off. of Special Couns., *OSC Files Hatch Act Complaints Alleging Political Coercion, Misuse of Office in Chesapeake Sheriff's Campaign* (Dec. 18, 2025), <https://www.osc.gov/news/2025-12-18/osc-files-hatch-act-complaints-alleging-political-coercion-misuse-of-office-in-chesapeake-sheriffs-campaign/>.

¹⁸ Testimony of Charles N. Baldis, Nominee for Special Couns., U.S. Off. of Special Couns. before the S. Homeland Security and Governmental Affairs Comm. 119th Cong. (June 17, 2026), <https://www.hsgac.senate.gov/wp-content/uploads/Prepared-Statement-Baldis-2026-06-17.pdf>.

flurry of activity, OSC has not resolved several complaints involving misconduct by Trump political appointees at the highest levels of government.¹⁹ As OSC's strategic plan for 2026-2030 notes, "protecting and promoting the integrity and efficacy of the federal workplace through impartial ... Hatch Act ... enforcement" is a pillar of your OSC tenure.²⁰ Ethical compliance cannot thrive in the federal government if the most politically powerful officials are allowed to skirt the law while their subordinates are punished for similar activity.

Conclusion

OSC historically and consistently has carried out its duty to investigate and identify violations faithfully, regardless of which president or party is in the White House. As you noted in your confirmation hearing testimony, "If confirmed, I will lead... (OSC) to defend whistleblowers, enforce the law fairly across the federal government, protect the merit system, and uphold the Constitution and the rule of law without regard to partisan considerations."²¹ I have every confidence that you are committed to that goal. Prompt resolution of pending Hatch Act matters against senior Trump administration appointees is critical to ensuring that those abuses do not persist ahead of November's national elections and beyond. Thank you for your prompt attention to these open matters.

Sincerely,



Donald Sherman
President and Chief Executive Officer

cc: Senate Homeland Security and Governmental Affairs Committee

¹⁹ In fact, it appears that the only report that OSC has released concluding an investigation into a Senate-confirmed political appointee since the start of the second Trump administration was a report finding Hatch Act violations by President Biden's Social Security Administrator, Martin O'Malley, completed in just seven months after the violation occurred in October 2024 and released five months after O'Malley left government in November 2024. U.S. Off. of Special Couns., *Report of Prohibited Activity Under the Hatch Act OSC File No. HA-25-000080 (Martin O'Malley)* (Apr. 25, 2025),

<https://www.osc.gov/~assets/docs/250516-report-of-prohibited-political-activity-omalley.pdf>.

²⁰ *Supra* Testimony, note 18.

²¹ *Id.*