



U.S. OFFICE OF SPECIAL COUNSEL

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Washington, D.C. 20036-4505
202-254-3600

June 15, 2017

Mr. Noah Bookbinder
Executive Director
Citizens for Responsibility and Ethics in Washington
455 Massachusetts Avenue, N.W.
Suite 600
Washington, DC 20001

Re: OSC File No. HA-17-3598

Dear Mr. Bookbinder:

This letter concerns a complaint you filed with the U.S. Office of Special Counsel (OSC) alleging that Ms. Sarah Huckabee Sanders, the White House Principal Deputy Press Secretary, violated the Hatch Act. Specifically, you alleged that Ms. Sanders used her official White House Twitter account, @SHSanders45, to post two tweets about a rally President Trump held on April 29, 2017, in Harrisburg, Pennsylvania. As explained below, OSC has concluded that Ms. Sanders did not violate the Hatch Act.

The Hatch Act restricts certain political activities of federal executive branch employees, except for the President and the Vice President. 5 U.S.C. §§ 7321-7326. Ms. Sanders is an individual covered by the Hatch Act by virtue of her position as the White House Principal Deputy Press Secretary. As such, she is prohibited from, among other things, using her official authority or influence for the purpose of interfering with or affecting the result of an election. 5 U.S.C. § 7323(a)(1). For example, a covered employee may not use her official title while engaging in political activity or her official position to advance or oppose candidates for partisan office.¹

One of Ms. Sanders's duties as Principal Deputy Press Secretary is to provide coverage of the President and report on his whereabouts. This job responsibility exists without regard for the type of event to be covered. After reviewing the two tweets at issue as well as those that immediately precede and follow them, we note that neither of these tweets nor those that came before or after mention the 2020 Presidential election or advocate for President Trump's reelection. In fact, the content of Ms. Sanders's April 29 tweets is focused on celebrating the President's first 100 days in office.

Given Ms. Sanders's duties and the content of her tweets, OSC has concluded that Ms. Sanders did not use her official authority or influence to affect the result of the 2020

¹ Political activity is defined as activity directed toward the success or failure of a political party, candidate for a partisan political office, or partisan political group. 5 C.F.R. § 734.101.

Presidential election. Accordingly, we will be closing our file in this matter without further action. If you have any questions regarding this matter, please contact me at (202) 254-3674.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Galindo-Marrone". The signature is written in a cursive style with a large initial "A" and a long, sweeping underline.

Ana Galindo-Marrone
Chief, Hatch Act Unit