



U.S. OFFICE OF SPECIAL COUNSEL
1730 M Street, N.W., Suite 300
Washington, D.C. 20036-4505


November 18, 1997

This letter is in response to your request for an advisory opinion concerning the Hatch Act. Specifically, you ask whether the Act would prohibit you, as an employee of the , from seeking election to the Montgomery County Democratic Central Committee.

The Hatch Act Reform Amendments of 1993 (5 U.S.C. §§ 7321-7326) generally permit most federal employees to actively participate in partisan political management and partisan political campaigns. A covered employee may not be a candidate for public office in a partisan election, i.e., an election in which any candidate represents, for example, the Democratic or Republican party.

While the Act prohibits candidacy for public office in a partisan election, it does not prohibit a covered employee from running for office within a political party. Consequently, you would not be prohibited by the Hatch Act running for a position within the Democratic Party. However, as a covered employee you are prohibited from soliciting, accepting or receiving political contributions and should refrain from listing your name on any fundraising letter or invitation. For your information I am enclosing a copy of our booklet which explains the application of the Hatch Act to federal employees. Please call me at (202) 653-7143 if you have any questions.

Sincerely,


Karen Dalheim
Attorney