



**U.S. OFFICE OF SPECIAL COUNSEL**

1730 M Street, N.W., Suite 300  
Washington, D.C. 20036-4505

August 26, 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 U.S. Department of the Interior, from being appointed to a position on the county commission.

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. However, 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 Hatch Act prohibits a covered employee from running for public office in a partisan election, it does not prohibit a covered employee from being appointed to public office. Thus, you may accept an appointment to the county commission to finish an unexpired term. However, the Hatch Act would prohibit you from running for reelection if the election is partisan. Please call me at (202) 653-7143 or 800-854-2824 if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "K. Dalheim".

Karen Dalheim  
General Attorney