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Updated Guidance Regarding the Hatch Act and President Donald Trump
Now That He Is Officially a Candidate for Reelection

In February 2017, the U.S. Office of Special Counsel (OSC) issued guidance regarding the Hatch Act and President Donald Trump’s status as a candidate in the 2020 Presidential election. In that guidance, OSC advised that an incumbent President is considered a “candidate” for purposes of the Hatch Act when he officially announces his candidacy for reelection. OSC also advised that once that happens, like with any other candidate, the Hatch Act prohibits federal employees from engaging in activity directed at the success or failure of the President’s candidacy while they are on duty or in the workplace. Last week, President Trump announced the appointment of a campaign manager “for his reelection committee as the advanced planning for the 2020 race begins.”¹ Because President Trump now has officially announced his candidacy for reelection, OSC is providing this updated guidance to federal employees.

The Hatch Act prohibits federal employees from engaging in political activity while on duty or in a federal room or building.² For purposes of the Hatch Act, political activity is defined as activity directed at the success or failure of a political party, partisan political group, or candidate for partisan political office. This prohibition is broad and encompasses more than displays or communications (including in-person and via email or social media) that expressly advocate for or against President Trump’s reelection. For example, while on duty or in the workplace, employees may not: wear, display, or distribute items with the slogan “Make America Great Again” or any other materials from President Trump’s 2016 or 2020 campaigns; use hashtags such as #MAGA or #ResistTrump in social media posts or other forums; or display non-official pictures of President Trump.³

For specific questions concerning social media and how it applies to communications about candidates for partisan political office, including the President, please refer to our recently issued social media guidance, which can be found [here](#).

Please contact OSC at hatchact@osc.gov or (202) 804-7002 with questions.

¹ *President Trump Announces 2020 Campaign Manager* (Feb. 27, 2018), <https://www.donaldjtrump.com/media/president-trump-announces-2020-campaign-manager/>.

² Employees also may not engage in political activity while wearing a uniform or official insignia identifying the office or employee’s position, or while using a government owned or leased vehicle.

³ For further guidance, please see *OSC’s Latest Guidance Regarding Pictures of President Obama in the Federal Workplace Now That He Is Officially a Candidate for Reelection* (Apr. 5, 2011), <https://osc.gov/Resources/2011-04-05%20FAQ%20Re%20Presidential%20photographs%20and%20candidacy%20for%20reelection.pdf>.