OSC Finds Kellyanne Conway Repeatedly Violated the Hatch Act, Recommends Removal from Federal Service

FOR IMMEDIATE RELEASE
CONTACT: Zachary Kurz, (202) 804-7065; zkurz@osc.gov

WASHINGTON, D.C./June 13, 2019 – The U.S. Office of Special Counsel (OSC) today sent a report to President Donald J. Trump finding that Counselor to the President Kellyanne Conway violated the Hatch Act on numerous occasions by disparaging Democratic presidential candidates while speaking in her official capacity during television interviews and on social media.

Although the President and Vice President are exempt from the Hatch Act, employees of the White House are not. OSC’s letter to the President accompanying the report refers to Ms. Conway as a “repeat offender” and states: “Ms. Conway’s violations, if left unpunished, would send a message to all federal employees that they need not abide by the Hatch Act’s restrictions. Her actions thus erode the principal foundation of our democratic system—the rule of law.”

Today’s report follows a March 2018 OSC report finding that Ms. Conway violated the Hatch Act during two separate television interviews in which she advocated for and against candidates in the 2017 Alabama special election for U.S. Senate.

Moreover, during a media interview on May 29, 2019, Ms. Conway downplayed the significance of the law as applied to her. When asked about the Hatch Act, she stated, “If you’re trying to silence me through the Hatch Act, it’s not going to work,” and “Let me know when the jail sentence starts.”

Like with other presidential appointees, the President has the authority to discipline Ms. Conway for violating the Hatch Act. Given that Ms. Conway is a repeat offender and has shown disregard for the law, OSC recommends that she be removed from federal service.

OSC’s full report is available here.

***

The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: The Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC’s primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at www.osc.gov.