



U.S. OFFICE OF SPECIAL COUNSEL

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

The Special Counsel

June 13, 2019

The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

Attached to this letter is a copy of the U.S. Office of Special Counsel's (OSC) investigative report detailing numerous violations of the Hatch Act committed by Counselor to the President Kellyanne Conway. Ms. Conway's disregard for the restrictions the Hatch Act places on executive branch employees is unacceptable. If Ms. Conway were any other federal employee, her multiple violations of the law would almost certainly result in removal from her federal position by the Merit Systems Protection Board. As a highly visible member of the Administration, Ms. Conway's violations, if left unpunished, send a message to all federal employees that they need not abide by the Hatch Act's restrictions. Her actions erode the principal foundation of our democratic system—the rule of law.

Since at least February 1, 2019, Ms. Conway has repeatedly violated the Hatch Act during her official media appearances by making statements directed at the success of your reelection campaign or at the failure of candidates for the Democratic Party's nomination for President. In doing so, she has used her official authority to advocate for or against declared candidates for partisan political office. OSC has given Ms. Conway multiple opportunities to come into compliance with the Hatch Act. Ms. Conway has ignored OSC's requests. To make matters worse, Ms. Conway is a repeat offender, whose violations detailed in the attached report are similar to those identified and referred to you in OSC's March 6, 2018 report. As with the prior case, OSC also offered Ms. Conway an opportunity to respond to this report. In both instances, however, she declined to do so.

OSC's career Hatch Act staff have long conducted thorough and impartial investigations of alleged Hatch Act violations, including by senior officials in administrations of both parties. Never has OSC had to issue multiple reports to the President concerning Hatch Act violations by the same individual. Ms. Conway's actions and statements stand in stark contrast to the culture of compliance promised by your White House Counsel and undermine your efforts to create and enforce such a culture. Therefore, OSC respectfully requests that Ms. Conway be held to the same standards as all other federal employees, and, as such, you find removal from federal service to be the appropriate disciplinary action.

Respectfully,

A handwritten signature in blue ink, appearing to read "HJ Kerner".

Henry J. Kerner
Special Counsel