



U.S. OFFICE OF SPECIAL COUNSEL

1730 M Street, N.W., Suite 201
Washington, D.C. 20036-4505

April 30, 2002

XXXXX
XXXXX
XXXXX, PA XXXXX

Re: OSC File No. AD-02-0083

Dear Mr. xxxxxx:

This letter is in response to your request for an advisory opinion concerning the Hatch Act. Specifically, you ask whether the Act would prohibit xxxxxx, an employee of the Social Security Administration, from being appointed to Deputy Tax Collector of xxxxxx Township, xxxxxx County, Pennsylvania.

As an employee of the Social Security Administration, Ms. xxxxxx is subject to the provisions of the Hatch Act. The Hatch Act (5 U.S.C. §§ 7321-7326) generally permits 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, the Act would not prohibit Ms. xxxxxx from being appointed as Deputy Tax Collector. Please call me at (202) 653-7143 or 800-854-2824 if you have any questions.

Sincerely,

_____/s/_____
Amber Bell
Attorney
Hatch Act Unit