



U.S. Office of Special Counsel
1730 M Street, N.W., Suite 218
Washington, D.C. 20036-4505

Office of Special Counsel Settles Hatch Act Complaint Against Defense Intelligence Agency Official in Washington, D.C. Area

FOR IMMEDIATE RELEASE

CONTACT: **Anne Wohlfeld**, 202-254-3614, awohlfeld@osc.gov

WASHINGTON, DC / September 28, 2009— A federal employee has agreed to resign from his employment and not seek or accept federal employment in the future as penalty for violating the Hatch Act.

On July 29, 2009, the United States Office of Special Counsel (OSC) filed a complaint with the Merit Systems Protection Board requesting that a federal employee in the Washington, D.C., area be removed from his employment for engaging in political activity prohibited by the Hatch Act. (MSPB Docket Number CB-1216-09-002-T-1). An investigation conducted by OSC found evidence that the Defense Intelligence Agency (DIA) employee used his authority and influence as a supervisor for political purposes while he was on duty and in the federal workplace.

The employee, who was the Chief of Operations at DIA's National Media Exploitation Center, admitted that he violated the Hatch Act. Specifically, he admitted that prior to Election Day, during a mandatory meeting with his staff, he told his subordinates that he had never voted for a Democrat in his life but he was going to vote for then-Senator Barack Obama in the upcoming Presidential election. He also admitted that he gave his staff reasons why he was going to vote for then-Senator Obama. He admitted that he polled his subordinates about their candidate of choice, first asking them to raise their hands if they were going to vote for then-Senator Obama and then asking them to raise their hands if they were going to vote for Senator John McCain. Lastly, he admitted that he then encouraged all his staff to vote.

The DIA employee admitted that he violated the Hatch Act by using his official authority and influence for the purpose of affecting the result of the 2008 Presidential election and by engaging in political activity while on duty and in a federal room or building.

Under the terms of a settlement agreement, as penalty for violating the Hatch Act, the employee resigned from his employment with the DIA, effective September 26, 2009. The employee also agreed not to seek or accept federal employment in the future.