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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

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August 26, 2020

The Honorable Henry Kerner
Special Counsel
U.S. Office of Special Counsel
1730 M Street, NW
Washington, DC 20036

Dear Mr. Kerner:

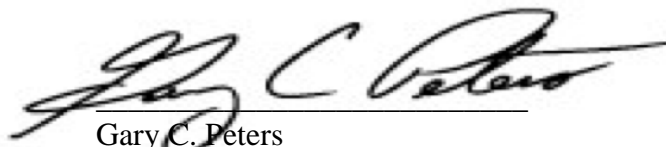
I write to request an immediate review and assessment of the Acting Secretary of Homeland Security's compliance with the Hatch Act, 5 U.S.C. §§ 7321-7326 in light of his participation in a naturalization ceremony hosted at the White House on August 25, and aired during the Republican National Convention (RNC) in service of the President's reelection.

Passed in 1939, the Hatch Act limits certain political activities of federal employees. As enforced, the Hatch Act ensures that federal programs are administered in a nonpartisan fashion, protecting federal employees from political coercion in the workplace. It also guarantees that federal employees advance based on merit and not because of political affiliation. Most relevant in this case, however, the statute protects taxpayer dollars by specifically prohibiting federal employees from using his or her official title or position to perform any activity directed toward the success or failure of a political candidate or party.

The President appeared to use the ceremony to advance a political agenda. Acting Secretary Wolf's participation in the ceremony, in his official capacity, provided legitimacy to the proceedings, and the fact it was planned to coincide with the RNC indicates it was aimed at influencing the upcoming election. I have a number of questions about the Acting Secretary's intent to provide broadcast material for the RNC or advance a political narrative in service of the President's reelection, including whether anyone at the Department of Homeland Security requested an Advisory Opinion prior to Mr. Wolf's participation in the naturalization ceremony.

I ask that the OSC commence an immediate investigation into the Acting Secretary's participation in and planning of a naturalization ceremony aired during the Republican National Convention on August 25th and provide the Homeland Security and Governmental Affairs Committee and the public with a decision as to the legality and appropriateness of his conduct prior to his upcoming nomination hearing.

Sincerely,



Gary C. Peters
Ranking Member