

**From:** [REDACTED]  
**To:** HatchAct  
**Subject:** RE: Is it permissible for federal employees to attend protests at [REDACTED] (NPS (b) (6) [REDACTED]) on [REDACTED]?  
**Date:** Thursday, August 24, 2017 11:32:27 AM

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Ms. Hamrick,

To be clear, you are saying that the *American Nazi Party* does not constitute a "political party" for the purposes of the Hatch Act? The Hatch Act only concerns itself with viable political parties above a certain threshold? Nazis seem pretty partisan to me.

And where do we find information about the property issue?

We previously received an email regarding the Hatch Act that specifically indicated two prohibitions: No protesting while on duty (i.e., at lunch), and no protesting on federal property. Unfortunately, I cannot find that email. It may have been from the ethics office. As we have protests outside of our building frequently most people took it to mean a government office building, but that interpretation may not be sufficient as National Park Service property is clearly government property.

As you likely know, the NPS has granted a permit for neo-Nazis to protest [REDACTED], and many people are weighing options for counter-protesting. This is not something that people want to ignore, but being arrested (perhaps unjustly) by federal officers and then finding themselves facing the loss of employment for Hatch Act violations is something that federal employees in the area need to weigh. We need more clarity.

Thanks for your time.

[REDACTED]

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**From:** HatchAct [mailto:HatchAct@osc.gov]  
**Sent:** Thursday, August 24, 2017 4:51 AM  
**To:** [REDACTED]  
**Subject:** RE: Is it permissible for federal employees to attend protests at [REDACTED] (NPS [REDACTED] in [REDACTED]) on Saturday 08/26/2017?

(b) (6),

I cannot answer the question about protesting on federal property, as that issue is outside the scope of the Hatch Act. However, as to the first question, no, counter-protesting against white nationalists would not constitute political activity (i.e., activity directed at the success or failure of a political party, candidate for partisan political office, or partisan group) for purposes of the Hatch Act.

Please let me know if we can be of further assistance.

Erica S. Hamrick

Deputy Chief, Hatch Act Unit  
U.S. Office of Special Counsel  
(202) (b) (6)

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**From:** (b) (6)  
**Sent:** Wednesday, August 23, 2017 4:41 PM  
**To:** HatchAct <[HatchAct@osc.gov](mailto:HatchAct@osc.gov)>  
**Subject:** Is it permissible for federal employees to attend protests at (b) (6) (NPS (b) (6) (b) (6)) on (b) (6) ?  
**Importance:** High

Hi,

Asking for coworkers:

Is it permissible for federal employees to counter-protest white nationalists while off duty on (b) (6) at (b) (6)

There are two issues: The first is whether this constitutes political activity under the Hatch Act, and second, does this violate the prohibition of federal employees protesting on federal property? (b) (6) (b) (6) is part of the (b) (6) in (b) (6). It is unclear if this is (b) (6) (b) (6) property (if that still constitutes federal property) or part of the (b) (6) (b) (6). And what if the protest moves on to (b) (6) property, which is clearly operated by NPS?

Guidance on this would be appreciated, perhaps to a wider audience, as there are a great number of federal employees in the (b) (6), many of whom may attend the counter-protests.

Thanks for your time.

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