

And now for a report on Scott.

I'm in front of the state Capitol in Richmond, Virginia, where we are less than two weeks away from a gubernatorial election.

As the federal employees prepare for the selection and 2010 congressional elections they should make sure that the Hatch Act prevents them from participating in political activity.

To help employees understand the consequences of violating the Hatch Act.

The first came from the 2004 presidential election, where an EPA employee, while using his government email account sent emails to over 30 of his coworkers in favor of one of presidential candidates.

The employee was found to have violated the statute.

It's a political activity.

Discipline may result from 30 day suspension without pay to termination from federal employee.

Okay, Ed and Donna, here's one that will get you.

During the 1992, presidential campaign, four U.S. D.A. employees organized a political action committee to raise money on federal property.

They collected over \$3,000 in a U.S.D.A. building.

The four employees suggested that the distributions to the fund might result in a special consideration from the incoming administration.

As a result of the action, they each received four years of probation.

Two defendants were fined \$1,000 in order to perform community service.

The others were fined \$2,500 in order to serve 30 days of detention in a halfway house.

Ed, that's almost as bad as being assigned four hours of ethics training.

Okay, Ed and Donna, we all appreciate the humor in a political email, however, these emails while entertaining may still violate the Hatch Act.

For example, during the 2004, there were complaints for violating the substitute unite when they sent humorous but politically partisan emails to coworkers.

In one complaint, OSC claimed an employee sent an email to 15 photographs, with negative comments about a candidate.

In another complaint, OSC said that an employee sent an email while on official duty to 70 recipients that

contained a mock resume of one of the candidates.

Employees should remember while humorous, these types of emails may still violate the statute.

And Donna, the office of special counsel advised me recently that when deciding which violate the Hatch Act, they will include the audience receiving the email, the sender's relationship to the recipient, the purpose of the message, whether the message was sent in a federal building, and whether the federal employee was on duty.

OSC also emphasized to me that while they are ready to prosecute violations of the Hatch Act they prefer to help them avoid such violations.

If you have questions, should contact your ethics counselor.

Back to you, Ed and Donna.