

116TH CONGRESS
2D SESSION

H. R. 8111

To amend title 5, United States Code, to increase the penalties for violating the Hatch Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 25, 2020

Mr. QUIGLEY (for himself, Mr. HASTINGS, Ms. NORTON, and Ms. SCHAKOWSKY) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend title 5, United States Code, to increase the penalties for violating the Hatch Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; FINDINGS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Reducing Nefarious Crimes Act” or the “RNC Act”.

6 (b) **FINDINGS.**—Congress finds the following:

7 (1) The U.S. Office of Special Counsel (“OSC”)
8 found that Counselor to the President Kellyanne
9 Conway violated the Hatch Act on numerous occa-
10 sions by disparaging Democratic candidates for

1 President in 2019, and in 2018 by advocating for
2 and against candidates in the 2017 special election
3 for Senate in Alabama.

4 (2) Ambassador Nikki Haley, then serving as
5 U.S. Ambassador to the United Nations, retweeted
6 an endorsement by President Trump for a congressional candidate in 2017.

8 (3) In 2019, the OSC determined that former
9 Secretary of the Interior Ryan Zinke violated the
10 Hatch Act by posting a picture on Twitter that
11 showed him in socks adorned with Trump campaign
12 insignia.

13 (4) In 2018, the OSC found six White House
14 staff, Madeline Westerhout, Alyssa Farah, Jacob
15 Wood, Raj Shah, Jessica Ditto, and Helen Aguirre
16 Ferre, in violation of the Hatch Act for social media
17 posts on their official Twitter accounts.

18 (5) In 2017, the OSC determined that White
19 House Director of Social Media Dan Scavino violated the Hatch Act when he used Twitter to call for
20 the defeat of a then-sitting Republican Member of
21 the House.

23 (6) Jared Kushner spoke at length during a television interview on how the impeachment trial benefited President Trump politically.

1 (7) In 2019, Ivanka Trump used her official
2 Twitter account to post political content relating to
3 President Trump’s reelection campaign and Ms.
4 Trump may have violated the Standard of Conduct
5 that prevents White House employees to endorse any
6 product.

7 (8) White House Chief of Staff Mark Meadows
8 and Senior Advisor to the President Stephen Miller
9 criticized then-presumptive Democratic nominee for
10 President, Joe Biden, during interviews while in
11 their official capacity as White House staff.

12 (9) As President, Donald J. Trump has given
13 numerous political speeches in which he disparages
14 political opponents from the White House.

15 (10) The President, Donald J. Trump, planned
16 to give his acceptance speech for the Republican
17 Nomination for President at the Republican Na-
18 tional Convention on the White House grounds using
19 Federal resources, thereby compelling Government
20 employees to violate the Hatch Act on his behalf.

21 **SEC. 2. INCREASE IN HATCH ACT PENALTIES.**

22 (a) IN GENERAL.—Section 7326 of title 5, United
23 States Code, is amended—

24 (1) in paragraph (1), by striking “5 years” and
25 inserting “7 years”; and

1 (2) in paragraph (2), by striking “\$1,000” and
2 inserting “\$50,000”.

3 (b) APPLICATION.—The amendments made by sub-
4 section (a) shall apply to any violation of section 7323 or
5 7324 of title 5, United States Code, occurring on or after
6 the date of enactment of this Act.

7 **SEC. 3. WHITE HOUSE GROUNDS COVERED UNDER HATCH**
8 **ACT.**

9 Section 7324(a)(2) of title 5, United States Code, is
10 amended by inserting after “building” the following: “(in-
11 cluding the White House and surrounding grounds, in-
12 cluding the Rose Garden, but not including the executive
13 residence)”.

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