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August 4, 2025

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[REDACTED]
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[REDACTED]
[REDACTED]

Re: OSC File No. HA-24-000421

Dear [REDACTED]

This letter addresses the complaint you filed with the U.S. Office of Special Counsel (OSC) alleging that U.S. Postal Service (USPS) employee Charles Potter violated the Hatch Act by having access to mail-in ballots while holding elected office. As explained below, OSC investigated this matter and concluded that Mr. Potter violated the Hatch Act. Accordingly, OSC issued him a warning letter.

The Hatch Act governs the political activity of federal civilian executive branch employees, including USPS employees.¹ The law prohibits employees from, among other things, using their official authority or influence to affect the results of an election, and being a candidate for partisan political office.² A partisan political office is one for which any candidate is nominated or elected as representing, for example, the Democratic or Republican Party.³

OSC reviewed your complaint alleging that Mr. Potter had access to mail-in ballots for the November 5, 2024 election while he held the elected positions of Gloversville Ward 4 Supervisor and Chair of the Fulton County Republican Committee. However, OSC found no evidence that Mr. Potter had access to mail-in ballots while employed by USPS.⁴ Even assuming Mr. Potter had such access, without more, it would not be a violation of the Hatch Act. Further, the Hatch Act does not prohibit covered employees from serving as officers in political clubs or parties.⁵

¹ See generally 5 U.S.C. §§ 7321-7326; 39 U.S.C. § 410.

² 5 U.S.C. § 7323(a)(1), (3).

³ See 5 U.S.C. § 7322(2).

⁴ Your complaint inaccurately identified Mr. Potter as a mail carrier. Mr. Potter was employed by USPS as a custodian.

⁵ See 5 C.F.R. § 734.204.