

**STATEMENT OF CHAIRMAN DANNY K. DAVIS
AT THE SUBCOMMITTEE ON FEDERAL WORKFORCE, POSTAL
SERVICE, AND THE DISTRICT OF COLUMBIA
LEGISLATIVE HEARING ON**

H.R. 4272 – an Act to amend the Hatch Act to provide for an additional, limited exception to the provision prohibiting a State or local officer or employee from being a candidate.

Today, the Subcommittee convenes to discuss H.R. 4272, a measure introduced by our colleague, Rep. Bart Stupak of Michigan, to provide certain State and local officers and employees an exemption to the Hatch Act provision prohibiting them from being a candidate for office in a partisan election. While today's hearing is narrowly focused on the Hatch Act and its impact on state and local government employees, the larger question at hand is to what extent should citizens be restricted from pursuing elected public office for the purpose of promoting efficient and effective governance.

On this, the seventh anniversary of the attacks on 9-11, let us remember those that lost their lives as well as the rights and freedoms that we as Americans hold so dear. Like the right to vote, the right to be a candidate for an elected office is also fundamental to our unique democratic

republic. Yet, the Hatch Act attempts to balance this right with concerns over the potentially negative influence of political activity in the administration of general government operations or programs. Consequently, for decades most federal executive branch employees have been subjected to a number of restrictions and rules that details when, where, how and who can participate in political activity or partisan elections.

Many of these same restrictions apply to certain state and local employees, particularly those employees or officers whose principal job functions are supported fully or in part by federal grants or loans.

Although nothing in current statute prohibits state and local employees from running for any elected office, if he or she runs as a non-partisan candidate, we continue to witness a slew of policy challenges, unintended consequences and questions resulting from this specific Hatch Act provision. This leads us to the subject of today's legislative hearing, which is an examination of the impact that the prohibition on pursuing elective office has on less

densely populated areas; the exact issue H.R. 4272 seeks to address.

It is my hope that today's hearing will allow us the opportunity to further explore some of these matters and I'd like to thank today's witnesses for joining us this afternoon. I look forward to your testimony.

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