



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

IMPORTANT INFORMATION ABOUT FILING A HATCH ACT COMPLAINT WITH THE U.S. OFFICE OF SPECIAL COUNSEL

This form should be used to file complaints alleging violations of the Hatch Act. In order for us to best understand your allegations, we encourage you to fill in all the fields that you can. However, only those fields marked with an asterisk are required. If you fail to fill in a required field, your complaint cannot be processed. When providing information, please be as specific as you can, provide as much detail as possible, and attach/enclose all supporting documentation with your complaint filing. Prior to submitting your complaint to OSC, we recommend you review the information located on our website. If you have any questions about this form, you may phone the Hatch Act Hotline at (202) 804-7002.

CONTACT INFORMATION

Title:

First Name:* Omar

Middle Initial:

Last Name:* Noureldin

International Address?: No

Address:*

805 Fifteenth Street NW

Suite 800

Washington, DC 20005

Cell Phone Number:

Home Phone Number:

Office Phone Number: 202-833-1200

Ext.

Email Address:* onoureldin@commoncause.org

Preferred means of contact:

Email: Yes

Cell Phone Number: No

Home Phone Number: No

Office Phone Number: No

Are you referring this complaint on behalf of a government agency? No

Information about referring agency, if applicable.

Agency:



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

Your Position Title:

REPRESENTATIVE INFORMATION

Do you have representation?* No

Information about representative, if applicable.

First Name:*

Last Name:*

Middle Initial:

International Address?

Address:*

Office Phone Number:

Ext.

Cell Phone Number:

Home Phone Number:

Email Address:*

INFORMATION ABOUT THE INDIVIDUAL WHO ALLEGEDLY VIOLATED THE HATCH ACT (SUBJECT)

Subject's Employment Status:* Federal government employee

Title:

Subject's First Name:* Linda

Subject's Middle Initial:

Subject's Last Name:* McMahon

Position Title: Secretary of Education

Department:* Education

Agency:* Immediate Office of the Secretary of Education

Agency subcomponent:

Subject's Address:*



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

400 Maryland Avenue, SW
Washington, DC 20202

Office Phone Number:

Ext.

Other Phone Number:

Home Phone Number:

Email Address:

Is the Hatch Act Subject a Political Appointee?

Yes

Does the Subject have knowledge of the Hatch Act?*

Yes

If yes, please explain why you believe the Subject knows about the Hatch Act (for example: agency training, agency distribution of brochures, flyers, e-mails, prior contact with OSC):

As Secretary of the Department, McMahon bears ultimate responsibility for ensuring the Department's compliance with all applicable laws and ethical obligations. In this role, she would have received formal training on the Hatch Act, been briefed on federal ethics requirements, and had access to agency counsel and resources regarding restrictions on political activity. Given her position as the chief officer of the Department, it is reasonable to conclude that she is fully aware of the Hatch Act and its application to federal officials holding such high-level office.

SUBJECT'S SUPERVISOR'S INFORMATION

Subject's Supervisor's First Name:

Subject's Supervisor's Middle Initial:

Subject's Supervisor's Last Name:

Subject's Supervisor's Title:

Office Telephone:

Ext.

Other Telephone:

Fax:

Email Address:



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

ALLEGED VIOLATION

1. For complaints involving a Subject employed by the federal government, which of the following actions are you alleging?*

Using one's official authority or influence for the purpose of interfering with or affecting the result of an election.

No

Soliciting, accepting, or receiving political contributions.

No

Being a candidate in a partisan election.

No

Soliciting or discouraging the participation in political activity of any person who has business before their employing agency.

No

Engaging in political activity while on duty, in any room or building occupied in the discharge of official duties, while wearing a uniform or official insignia, or while using a vehicle owned or leased by the United States government.

Yes

Taking an active part in political management or political campaigns (This prohibition applies only to further restricted employees. A list of such employees can be found [here](#) or at 5 U.S.C. § 7323(b)).

No

2. Please provide a detailed description of the alleged violation(s) and attach/enclose any supporting documentation with your complaint filing. To process your complaint, you must provide as much detailed information as possible. Without sufficient information, we may be unable to investigate your allegation(s).*

A detailed description should include:

- a. What the Subject did that allegedly violated the Hatch Act;
- b. Where the alleged violation(s) occurred;
- c. When the alleged violation(s) took place; and



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

d. Who else has knowledge that the alleged violation(s) occurred and their relationship to the Subject.

Description of alleged violation:

Linda McMahon, Secretary of Education, is responsible for partisan out-of-office email messages automatically sent from Department of Education employee accounts during the government shutdown beginning September 30, 2025. Although staff were initially instructed to use a neutral message, the Department unilaterally replaced it with a partisan version, without employee knowledge or consent.

The new auto-reply read: "Thank you for contacting me. On September 19, 2025, the House of Representatives passed H.R. 5371, a clean continuing resolution. Unfortunately, Democrat Senators are blocking passage of H.R. 5371 in the Senate which has led to a lapse in appropriations. Due to the lapse in appropriations I am currently in furlough status. I will respond to emails once government functions resume."

This message was distributed widely, including through the Department's press office, and used taxpayer-funded systems to blame one political party for the shutdown and credit the other. As Secretary, McMahon would have received Hatch Act training and is responsible for ensuring the Department's communications remain nonpartisan. By allowing official email accounts to be used for partisan messaging, she violated the Hatch Act's prohibition on political activity using government resources.

See: <https://www.edweek.org/policy-politics/ed-dept-out-of-office-emails-changed-to-blame-democrats-for-shutdown-staff-say/2025/10>

OTHER ACTIONS YOU ARE TAKING?

Please indicate in this section if you have reported your matter through other agencies or organizations. If so, please identify the agency or organization to which you reported the matter and provide the current status. If you have received responses regarding your matter, briefly summarize what results were communicated to you and provide our office with copies of any correspondence.



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

ATTACHMENTS

Please note that the space available for attachments is limited. Therefore, DO NOT attach every document and email that may be relevant to your claim. You will have an opportunity to make additional submissions at a later date.

I have attached the following documents to my filing:

File Name	File Size (kb)
ED1.png	85,490

CONSENT TO DISCLOSURE OF INFORMATION

Do you consent to the disclosure of your identify to others outside OSC if it becomes necessary in taking further action on this matter?*

I consent to disclosure of my identity on a need-to-know basis.

Yes

I do not consent to disclosure of my identity. (I understand my lack of consent may prevent OSC from taking further action on my complaint. Even if I do not consent, OSC may disclose my identity if required by law.)

No

CERTIFICATION

I certify that all of the statements made in this complaint are true, complete, and correct to the best of my knowledge and belief. I understand that a false statement or concealment of a material fact is a criminal offense punishable by a fine, imprisonment, or both. 18 U.S.C. § 1001.*

Yes

BURDEN: The burden for this collection of information (including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the form) is estimated to be an average of one hour to submit a disclosure of information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30



COMPLAINT TO REPORT A HATCH ACT VIOLATION

For instructions or questions, call the Hatch Act Unit at (202) 804-7002.

* Denotes Required Fields.

minutes to submit a complaint alleging prohibited political activity. Please send any comments about this burden estimate, and suggestions for reducing the burden, to the U.S. Office of Special Counsel, General Counsel's Office, 1730 M Street, NW, Suite 218, Washington, DC 20036-4505.

This complaint of an alleged Hatch Act violation was received by OSC on: 10/3/2025

PLEASE KEEP A COPY OF YOUR COMPLAINT, ANY SUPPORTING DOCUMENTATION, AND ANY ADDITIONAL ALLEGATIONS THAT YOU SEND TO OSC NOW OR AT ANY TIME WHILE YOUR COMPLAINT IS PENDING. REPRODUCTION CHARGES UNDER THE FREEDOM OF INFORMATION ACT MAY APPLY TO ANY REQUEST YOU MAKE FOR COPIES OF MATERIALS THAT YOU PROVIDED TO OSC.