



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:* Center for

Middle Initial:

Last Name:* Biological Diversity

International Address?: No

Address:*

1411 K St. NW, Suite 1300

Washington, DC 20005

Cell Phone Number:

Home Phone Number:

Office Phone Number: 510-844-7158

Ext.

Email Address:* iditmars@biologicaldiversity.org

Preferred means of contact:

Email: No

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:

Your Position Title:



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REPRESENTATIVE INFORMATION

Do you have representation?* Yes

Information about representative, if applicable.

First Name:* Ivan

Last Name:* Ditmars

Middle Initial:

International Address? No

Address:*

2100 Franklin St., Suite 375

Oakland, CA 94612

Office Phone Number: 510-844-7158

Ext.

Cell Phone Number:

Home Phone Number:

Email Address:* iditmars@biologicaldiversity.org

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

Subject's Employment Status:* Federal government employee

Title:

Subject's First Name:* Tom

Subject's Middle Initial:

Subject's Last Name:* Schultz

Position Title: Chief of the Forest Service

Department:* Agriculture

Agency:* Forest Service

Agency subcomponent:

Subject's Address:*



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1400 Independence Ave., SW
Washington, DC 20250-0003

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 the Chief of the Forest Service, Mr. Schultz would have received training on the ethics standards applicable to his position.

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:

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.



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

Description of alleged violation:

As Chief of the Forest Service, Mr. Shultz is ultimately responsible for postings on the Service's official webpages. Since October 1, 2025, a banner has appeared at or near the top of webpages hosted under the domain "https://www.fs.usda.gov." This banner reads "The Radical Left Democrats shut down the government. This government website will be



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updated periodically during the funding lapse for mission critical functions. President Trump has made it clear he wants to keep the government open and support those who feed, fuel, and clothe the American people.

For information on recreation site status on National Forest System lands, please visit <https://www.fs.usda.gov/visit>."

The Center for Biological Diversity alleges that Mr. Schultz's approval of this banner violated the provisions in the Hatch Act against federal employees "engag[ing] in political activities" while "on duty." 5 U.S.C § 7324. Use of "Radical Left" as an epithet to describe a political party at odds with the current Administration strikes a partisan tone and seeks to influence public opinion regarding an ongoing political dispute. The banner attributes sole responsibility for the shutdown to the President's political opponents. Furthermore, the Forest Service uses this banner to imply that the administration's political opponents, in contrast to President Trump, do not "support those who feed, fuel, and clothe the American people."

By contrast other agencies have banners explaining the shutdown in non-partisan terms. By way of illustration, the website for the Fish and Wildlife Service has a pop-up notice stating the essential information about the shutdown in neutral terms. FWS's notice states: "Shutdown Notice. Because of the federal government shutdown, FWS.gov is not being updated and the agency will not be able to respond to inquiries until appropriations are enacted. For more information please visit: <https://www.doi.gov/shutdown>."

The messaging on the Forest Service website was approved by Chief Shultz, is partisan in nature, and continues to be propagated through official online channels, at cost to American taxpayers.

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.

N/A



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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)
FS Banner.png	3,591,663
Screenshot 2025-10-09 at 2.04.22 PM.png	1,102,226

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



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information alleging agency wrongdoing, one hour and fifteen minutes to submit a complaint alleging a prohibited personnel practice or other prohibited activity, or 30 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: 10/9/2025

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.