

**Subject: Restrictions on Nepotism****Text:**

*“Neither the President, Vice-President, other Executive branch official, Senator, Member of the House of Representatives, nor or other legislative branch official may appoint to any government position, paid or unpaid, a close family member (defined as father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister).*

*“No close family member of a President, Vice-President, Senator, or Member of the House of Representatives may serve in any of those capacities until thirty years have elapsed from the end of the initial incumbent’s tenure in office.”*

**Reform Category(ies):**

- ☒ Anti-Corruption, Transparency, Accountability
- ☐ Counter-Majoritarian Requirements
- ☒ Democratic Processes
- ☐ Enhanced Rights/Protections
- ☒ Limits to Political Power/Immunities
- ☐ Necessary Clarifications
- ☐ Responsible Government
- ☐ Separation of Powers/Check and balances

**Branch(es) targeted:**

- ☒ Legislative      ☒ Executive      ☐ Judicial

**Justification:**

The “Bobby Kennedy Law” signed by LBJ in 1967 has expansive anti-nepotism rules, but its applicability to White House staff hiring is debated, and there is case law that suggests it does not apply. Appointments of Hillary Clinton and Jared Kushner by Presidents Clinton and Trump flouted the spirit of the law, and the Supreme Court has demonstrated no eagerness to restrict a President’s nepotistic hiring. The nepotism problem is broader than just appointments, however, and our intent here is also to combat nepotism in elected executive and legislative branch

positions, reducing the power of political families who amass contacts, campaign cash, and corrupt influence over generations.

**Alternatives to Amendment?** Recent presidents have established precedents for hiring family members that would be difficult for the Judiciary to overturn. Congress is unlikely to pass legislation with limits on electoral nepotism.

**Similar proposals/rules:**

- 5 U.S. Code §3110 (though)