

October 3, 2025
Hon. Gene Dodaro
Comptroller General
Government Accountability Office
441 G Street NW
Washington, DC 20548

Dear Comptroller General Dodaro:

Common Cause and I write to request that the Government Accountability Office investigate whether the Department of Health and Human Services violated federal appropriations law by using government resources to display partisan political messaging during the September 30, 2025, government shutdown.

Background

During the government shutdown that began on September 30, 2025, the Department of Health and Human Services—under Secretary Robert F. Kennedy Jr.'s leadership—displayed explicitly partisan messaging on its official homepage. Instead of providing neutral information about how the shutdown affected HHS operations or public health services, the Department's website prominently featured the following message:

Mission-critical activities of HHS will continue during the Democrat-led government shutdown. Please use this site as a resource as the Trump Administration works to reopen the government for the American people.

This partisan statement was displayed on the HHS official website, using taxpayer-funded government platforms to blame the "Democrat-led government shutdown" while crediting the "Trump Administration" for working to reopen the government. Rather than informing the public about which HHS functions would continue during the shutdown or how to access essential health services, the message served purely partisan political purposes.

The HHS website serves as a critical resource for Americans seeking information about health insurance, Medicare and Medicaid services, public health guidance, and other essential health programs. Using this official platform to disseminate partisan political messaging undermines the Department's public health mission and violates federal restrictions on the use of government resources for political purposes.

Legal Analysis

Federal agencies are prohibited from using appropriated funds for "publicity or propaganda purposes" under annual appropriations acts. GAO has consistently held that communications serving purely partisan political purposes constitute prohibited propaganda when funded with government resources.

The HHS partisan shutdown messaging violated these restrictions by using the Department's official website infrastructure, government web servers, and employee time to create and display political statements that served no legitimate public health purpose related to the Department's mission of enhancing the health and well-being of all Americans.

Using government resources to display partisan political messaging on an official agency website violates the Anti-Deficiency Act by obligating appropriated funds for unauthorized purposes that exceed the Department's appropriated authority for legitimate operational communications about health services.

Request for Investigation

We respectfully request that GAO investigate whether the Department of Health and Human Services violated federal appropriations law by using government resources to create, authorize, and display partisan political messaging during the government shutdown. This investigation should examine the authorization and implementation of partisan website messaging and determine what federal resources were used for political purposes rather than public health.

The Department of Health and Human Services should focus on protecting public health and serving American families, not advancing partisan political messaging at taxpayer expense.

Thank you for your consideration of this matter.

Respectfully,
Omar H. Nouredin
Senior Vice President, Policy & Litigation
Common Cause

Exhibit A

