

October 3, 2025  
Ms. Juliet T. Hodgkins  
Acting Inspector General  
U.S. Department of Health and Human Services  
Office of Inspector General  
330 Independence Avenue, SW  
Washington, DC 20201

Dear Acting Inspector General Hodgkins:

I am writing to formally complain about a violation of the Anti-Lobbying Act (18 U.S.C. § 1913) by officials at the Department of Health and Human Services. This complaint requests that the HHS Office of Inspector General investigate the Department's use of appropriated federal funds to disseminate partisan political messaging during the government shutdown on September 30, 2025.

### Background and Factual Allegations

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 that served no legitimate public health purpose. These communications violated federal restrictions on using government resources for partisan political activity. 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:

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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.

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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 Violation

The Anti-Lobbying Act, codified at 18 U.S.C. § 1913, prohibits federal agencies from using appropriated funds for activities designed to influence members of Congress or to encourage the public to contact Congress about pending legislation. The statute specifically provides:

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, rule, regulation, policy, or appropriation.

The HHS partisan messaging violated this prohibition by using government resources—including the Department's official website infrastructure, government web servers, and federal employee time—to advance political positions that served no legitimate public health function.

## Specific Violations

The HHS actions violated the Anti-Lobbying Act in the following ways:

1. **Use of Appropriated Funds for Political Messaging:** The creation, approval, and display of partisan political content on the HHS website required the use of federal employee time, government web infrastructure, and other taxpayer-funded resources in violation of 18 U.S.C. § 1913.
2. **Grassroots Lobbying Activity:** By explicitly labeling the shutdown as "Democrat-led" while crediting the "Trump Administration" for working to reopen the government, the message was designed to influence public opinion about political matters rather than provide neutral information about HHS operations during the shutdown.
3. **Exceeding Authorized Appropriations:** The HHS has no congressional authorization to use appropriated funds for partisan political communications. Such expenditures exceed the Department's authorized appropriations and constitute improper obligations of federal funds.

## Responsible Officials

Secretary Robert F. Kennedy Jr. bears ultimate responsibility for the content published on the Department of Health and Human Services' official website. As the senior official overseeing the Department, he has authority over and responsibility for ensuring that HHS communications comply with federal law, including the Anti-Lobbying Act.

## Evidence

I have attached supporting documentation that details the partisan political messaging displayed on the HHS website.

## Request for Investigation

I respectfully request that the HHS Office of Inspector General conduct a thorough investigation into this apparent violation of the Anti-Lobbying Act, including:

1. Determining who authorized the creation and publication of the partisan political messaging on the HHS website;
2. Identifying what federal resources were used to create, approve, and maintain this content;
3. Calculating the cost to taxpayers of the government resources used for partisan political purposes;
4. Reviewing HHS policies and procedures to determine how such violations occurred; and
5. Recommending appropriate remedial actions and disciplinary measures.



Thank you for your attention to this serious matter. The American people deserve a Department of Health and Human Services that uses taxpayer resources for legitimate public health functions—protecting public health and serving American families—not advancing partisan political messaging at taxpayer expense.

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

## Exhibit A

