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October 8, 2026

The Honorable Thomas March Bell
Inspector General
U.S. Department of Health and Human Services
Office of Inspector General
330 Independence Avenue, SW
Washington, DC 20201

Dear Inspector General Bell:

I write regarding my concern that the U.S. Department of Health and Human Services (HHS or the Department) has potentially submitted incorrect or fraudulent information in litigation. By way of background, at the start of 2025, multiple public reports exposed that the Department of Government Efficiency (DOGE) had gained access to the information technology (IT) system controlling all U.S. government payments¹ and infiltrated systems across HHS and other federal agencies.² As a result, I asked the U.S. Government Accountability Office (GAO) in February 2025 to expeditiously investigate and assess the IT systems at the Departments of Education, Labor, and Health and Human Services; DOGE's activities in these systems; the legality of DOGE's interventions; and, potential consequences for children and vulnerable workers.³

Shortly before Secretary Robert F. Kennedy, Jr.'s appearance before the Committee on Education and Workforce on April 17, 2026, to discuss the policies and priorities of the Department,⁴ my staff was informed that HHS' Office of General Counsel (OGC) had denied GAO's request for a standard observational walkthrough of the Department's systems for

¹ Josh Marshall, *Musk Cronies Dive Into Treasury Dept Payments Code Base*, THE BACKCHANNEL (Feb. 4, 2025), <https://talkingpointsmemo.com/edblog/musk-cronies-dive-into-treasury-dept-payments-code-base>; Nathan Tankus, *Day Five of the Trump-Musk Treasury Payments Crisis of 2025: Not "Read Only" Access Anymore*, NOTES ON THE CRISES (Feb. 4, 2025), <https://www.crisisnotes.com/day-five-of-the-trump-musk-treasury-payments-crisis-of-2025-not-read-only-access-anymore/>; Richard Rubin, *Treasury Department Says DOGE's Access to Payment Data Is 'Read Only'*, WALL ST. J. (Feb. 4, 2025), <https://www.wsj.com/politics/policy/treasury-department-says-doge-access-is-read-only2563712d>.

² Letter from the Honorable Robert C. "Bobby" Scott to Comptroller General Gene Dodaro regarding the DOGE's intervention of information technology systems (Feb. 6, 2025), https://democrats-edworkforce.house.gov/imo/media/doc/scott_letter_to_gao_re_doge_access_to_agency_data.pdf.

³ *Id.*

⁴ *Examining the Policies and Priorities of the Department of Health and Human Services: Hearing Before the H. Comm. on Educ. & Wrkf.*, 119th Cong. (2026).

verification purposes. After GAO submitted a modified request for artifacts and screenshots as verification, OGC, again, declined to cooperate with GAO's investigation. The Department explained to GAO that its noncooperation stemmed from concerns that information, materials, items, or other documentation provided to GAO may not match those provided in litigation.

I am deeply concerned about the possibility that the Department is providing false or inaccurate information in litigation. During the Committee's recent oversight hearing on April 17, 2026, I raised the aforementioned concern, resulting in the following exchange with Secretary Kennedy:

Mr. Scott: Mr. Secretary, what did the Department mean when it told the GAO that it could not fully cooperate or respond because it was concerned about discrepancies between what it produced in litigation and what it provided to the GAO?

Secretary Kennedy: You know, I don't know anything about that issue, but I will check with OGC and get back to you.⁵

On May 17, 2026, I wrote to Secretary Kennedy to follow-up and request a detailed explanation about what the Department meant when it informed GAO that it could not cooperate or accommodate an observational walkthrough, artifacts, screenshots, and other documentation out of concern for discrepancies with what HHS produced in litigation and what it would provide to GAO, and whether HHS did provide false, incomplete, or inaccurate information in litigation.⁶ I have given the Department ample opportunity to respond to my requests and refute the assertion that it has provided misinformation to one or more courts and yet have received no response to date.

Accordingly, given the serious nature of the allegation, I request the Office of Inspector General to initiate an investigation immediately of whether HHS has provided false, incomplete, or inaccurate information, materials, items, or other documentation in litigation since January 20, 2025.

Thank you for your consideration of this request.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member

⁵ *Id.* at 2:40:34 to 2:40:56.

⁶ Letter from the Honorable Robert C. "Bobby" Scott to the Honorable Robert F. Kennedy, Jr., regarding HHS providing inaccurate information in litigation (May 17, 2026), https://democrats-edworkforce.house.gov/imo/media/doc/ranking_member_scott_demands_explanation_over_concerns_of_hhs_providing_inaccurate_information_in_litigation.pdf.