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October 7, 2025

The Honorable Tim Walberg
Chairman
House Committee on Education and Workforce
2176 Rayburn House Office Building
Washington DC, 20515

Dear Chairman Walberg:

In the wake of the lapse in appropriations to fund the federal government, multiple Executive Departments under the jurisdiction of our Committee have taken political actions in apparent violation of the Hatch Act and other statutes. I write to ask you to hold hearings on these acts as soon as possible.

The Hatch Act prohibits federal government employees from engaging in political activity while on the job.¹ Despite this clear prohibition, the Departments have used official channels to undertake political activity in the wake of the government shutdown. At the Department of Health and Human Services, the landing page <http://www.hhs.gov> now includes a banner statement that "Mission-critical activities of HHS will continue during the **Democrat-led government shutdown**."² The Department of Agriculture's home page, <http://www.usda.gov>, has been updated to include the banner, "Due to the **Radical Left Democrat shutdown**, this government website will not be updated during the funding lapse. President Trump has made it clear he wants to keep the government open and support those who feed, fuel, and clothe the American people."³

At the Department of Education, news reports indicate that career employees who were furloughed had their non-partisan "out-of-office" reply messages changed without their knowledge or consent to partisan ones blaming the shutdown on "**Democrat Senators ...**

¹ 5 U.S.C. 7324.

² Dep't of Health & Hum. Svcs., *Home Page*, <http://www.hhs.gov> (last accessed Oct. 2, 2025) (emphasis added).

³ U.S. Dep't of Agric., *Home Page*, <http://www.usda.gov> (last accessed Oct. 7, 2025) (emphasis added).

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blocking passage of H.R. 5371.”⁴ The act of altering the messages of non-partisan of employees to literally put political speech in their mouths is incredibly egregious, and may be a violation of additional federal criminal statutes.⁵

You have consistently sought accountability under the law for acts taken within our Committees’ jurisdiction. I ask that you do the same in this case hold hearings as soon as possible to probe these actions.

Sincerely,



ROBERT C. “BOBBY” SCOTT

Ranking Member

⁴ Natasha Korecki et al., *Education Department employees surprised to find their email automatically changed to blame Democrats for shutdown*, NBC News, Oct. 2, 2025, <https://www.nbcnews.com/politics/trump-administration/education-department-employees-email-automatically-changed-rcna235211> (emphasis added).

⁵ 18 U.S.C. 610 (“It shall be unlawful for any person **to intimidate, threaten, command, or coerce, or attempt to intimidate, threaten, command, or coerce**, any employee of the Federal Government as defined in section 7322(1) of title 5, United States Code, **to engage in, or not to engage in, any political activity....**”)(emphasis added); Korecki, *supra* note 3 (“One person reported changing the out-of-office message back to the nonpartisan version, only to have it revert to the partisan wording later. ‘None of us consented to this. And it’s written in the first person, as if I’m the one conveying this message, and I’m not. I don’t agree with it. I don’t think it’s ethical or legal.’”).