

119TH CONGRESS
1ST SESSION

S. RES. 217

Expressing the sense of the Senate that Secretary of Health and Human Services Robert Fitzgerald Kennedy Jr. does not have the confidence of the Senate or of the American people to faithfully carry out the duties of his office.

IN THE SENATE OF THE UNITED STATES

MAY 12, 2025

Ms. ALSOBROOKS (for herself, Mr. WYDEN, Mr. VAN HOLLEN, and Ms. WARREN) submitted the following resolution; which was referred to the Committee on Finance

RESOLUTION

Expressing the sense of the Senate that Secretary of Health and Human Services Robert Fitzgerald Kennedy Jr. does not have the confidence of the Senate or of the American people to faithfully carry out the duties of his office.

Whereas, while serving as the Secretary of Health and Human Services (referred to in this preamble as the “Secretary”), Robert Fitzgerald Kennedy Jr., in violation of his constitutional oath, has engaged in a pattern of conduct that is incompatible with his constitutional and statutory duties as the Secretary, including by—

(1) failing to meet his obligations under section 1701 of the Public Health Service Act (42 U.S.C. 300u), including the obligation to support “research and dem-

onstrations respecting health information and health promotion, preventive health services, and education in the appropriate use of health care” and to increase “the application and use of health knowledge, skills, and practices by the general population in its patterns of daily living”;

(2) failing to meet his obligations under sections 402 and 464z–3 of the Public Health Service Act (42 U.S.C. 282; 285t), wherein it is clear that the congressional intent of National Institutes of Health research is to support programs for research, research training, and recruitment that “provide for an increase in the number of women and individuals from disadvantaged backgrounds (including racial and ethnic minorities) in the fields of biomedical and behavioral research” and to support research and training “with respect to minority health conditions and other populations with health disparities”;

(3) failing to meet his obligations under the many statutes that govern the programs of the Department of Health and Human Services (referred to in this preamble as the “Department”) and appropriate funding for the Department to administer such programs, in violation of Federal law and the Constitution of the United States, through his directed reduction in force and reorganization of Department functions, which was initiated with little regard to the impact of the reductions on congressionally mandated activities, the efficacy of government programs and services, or the very legality of the reductions; and

(4) failing to meet his obligations under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.), the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.), and the Rehabilita-

tion Act of 1973 (29 U.S.C. 701 et seq.), which together entrust the Secretary with ensuring both older Americans and individuals with disabilities are afforded the inherent dignity they are entitled to, including living where they choose with the ability to fully participate in their communities;

Whereas, under the direction of political leadership, the National Institutes of Health has sent hundreds of letters to Federal grant recipients at public research institutions announcing that various grants have been terminated because they “no longer effectuate agency priorities”, resulting in delays and terminations that have caused direct, immediate, significant, and irreparable harm to the States and to public research institutions;

Whereas, on March 24, 2025, the Department abruptly and arbitrarily terminated \$11,000,000,000 of critical public health funding from States across the country, jeopardizing disease surveillance programs, substance abuse services, emergency preparedness initiatives, and funding to modernize State programs for childhood immunization and access to vaccinations, causing serious harm to public health and leaving States at risk for pandemics and the spread of disease;

Whereas these terminations exceeded the Secretary’s statutory authority and are unlawful under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the “Administrative Procedure Act”);

Whereas in late February of 2025, the Secretary and the Director of the National Institutes of Health launched a “reckless and illegal purge” of hundreds of research projects because they allegedly had “some alleged connec-

tion to ‘gender identity’ or diversity, equity, and inclusion”, when in reality, this new mandate was used as a guise to cut research from diverse researchers, diverse populations, or research related to health disparities;

Whereas, according to court filings, this research included grants for Alzheimer’s research, research on disparities in pregnancy health, violence prevention among children, and the efficacy of preventative HIV medications, and as a result of these actions, “scientific advancements will be delayed, treatments will go undiscovered, human health will be compromised, and lives will be lost”;

Whereas 2 days after being sworn in as the Secretary, 5,200 probationary workers across multiple agencies of the Department received termination notices, in which these workers were told that they were “not fit for continued employment because your ability, knowledge and skills do not fit the Agency’s current needs, and your performance has not been adequate to justify further employment at the Agency”;

Whereas, on March 27, 2025, the Secretary announced that the Department would begin to terminate an additional 10,000 employees as part of a broader effort to push 20,000 Federal civil servants out of Federal health agencies and consolidate divisions;

Whereas, on April 1, 2025, the termination notices began, with consequences that were, according to litigation, “severe, complicated, and potentially irreversible”;

Whereas, on April 1, 2025, most of the staff from the 8 Offices of Minority Health across the Department were eliminated at the Secretary’s direction as part of a Department-wide reorganization, including the entire Office

of Minority Health at the Centers for Medicare & Medicaid Services;

Whereas sections 1707 and 1707A of the Public Health Service Act (42 U.S.C. 300u-6; 300u-6a) mandate the existence of these offices and section 10334(b)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 300u-6a note; Public Law 111-148) specifically prohibits the termination or reorganization of these offices absent an Act of Congress;

Whereas the Secretary has undertaken mass firings at the Administration for Children and Families, reducing the agency's staffing footprint by 35 to 40 percent, that endanger children and seniors and undermine the provision of essential services like child care, Head Start, adoption and foster care, and adult and child protective services;

Whereas the Secretary has initiated steps to reorganize the Administration for Community Living, terminating half of the staff at the Department that work on Federal aging and disability programs and causing real harm to programs that support more than 11,000,000 seniors and 70,000,000 Americans with disabilities;

Whereas critical programs of the Administration for Community Living, such as the State Long-Term Care Ombudsman programs, which protect the health and safety of individuals living in long-term care facilities, will be eliminated, and other programs will be scattered across agencies that do not focus specifically on aging and disabilities;

Whereas staff at numerous Freedom of Information Act offices at the Department have been eliminated, eroding

the American people's ability to instrumentalize their right to government transparency and accountability;

Whereas 23 States have initiated numerous lawsuits against both Robert F. Kennedy Jr. in his official capacity as the Secretary of Health and Human Services and the Department of Health and Human Services, underscoring the illegality of the Secretary's actions, and the ways in which both the Secretary and the Department are undermining public health;

Whereas leading health research organizations and individual researchers have filed a lawsuit against Robert F. Kennedy Jr. in his official capacity as the Secretary of Health and Human Services for breaching his statutory authority under subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the "Administrative Procedure Act") by acting contrary to congressional mandates requiring the National Institutes of Health to promote health equity and address health disparities;

Whereas 20 States filed a lawsuit against Robert F. Kennedy Jr. in his official capacity as the Secretary of Health and Human Services for his arbitrary and capricious directive to conduct an abrupt reduction in force and reorganization of the Department, which violates the Appropriations Clause of section 9 of article I of the Constitution of the United States and the constitutional doctrine of separation of powers;

Whereas the Secretary's illegal termination of National Institutes of Health research grants and the subsequent termination of Federal employees working at Federal health agencies, as well as the elimination of a number of Centers of the Centers for Disease Control and Prevention

and Institutes of the National Institutes of Health will undermine efforts to combat chronic disease;

Whereas the Secretary eliminated staff at the National Institute of Allergy and Infectious Diseases, the National Institute of Neurological Disorders and Stroke, the National Center for Chronic Disease Prevention and Health Promotion, the National Center for HIV, Viral Hepatitis, STD, and Tuberculosis Prevention, the National Institute for Occupational Safety and Health, the National Center for Environmental Health, and the National Center on Birth Defects and Developmental Disabilities, among others;

Whereas these actions will stifle efforts to research, prevent, and treat Americans living with Alzheimer's disease, diabetes, epilepsy, asthma, blood disorders, and many other chronic conditions;

Whereas it was reported that in order to secure support for his nomination from certain Republican Senators, Robert F. Kennedy Jr. committed that, as Secretary, he would maintain the Advisory Committee on Immunization Practices, the critical vaccine panel that advises the Centers for Disease Control and Prevention on how to use vaccines to control disease in the United States;

Whereas immediately after making that promise, the Secretary went back on his word, abruptly cancelling the February meeting of the Advisory Committee on Immunization Practices, and suggesting that he was preparing to remove experts from the committee;

Whereas the Secretary continued to breed distrust in our scientific institutions by saying in his Senate testimony and maiden speech as Secretary that "we will remove conflicts

of interest from the committees and research partners”, alleging without evidence that Federal vaccine advisers are not acting in the best interest of public health and safety;

Whereas in his first speech as Secretary, Robert F. Kennedy Jr. vowed to investigate the scientifically supported childhood vaccine schedule, saying “nothing is going to be off limits”;

Whereas the Secretary subsequently pushed out esteemed career civil servants, including Dr. Peter Marks, the Director of the Center for Biologics Evaluation and Research at the Food and Drug Administration, the regulator responsible for ensuring the safety and effectiveness of vaccinations;

Whereas in his resignation letter, Dr. Marks cast a light on the Secretary’s political interference and misinformation that was undermining the work of the Food and Drug Administration, stating, “it has become clear that truth and transparency are not desired by the Secretary, but rather he wishes subservient confirmation of his misinformation and lies”;

Whereas, in his answers to questions for the record following his nomination hearing before the Committee on Health, Education, Labor, and Pensions of the Senate, Robert F. Kennedy Jr. wrote, “I will do nothing as HHS Secretary that makes it difficult or discourages people from taking vaccines but instead seek transparency in these products”;

Whereas the Secretary has instead used his position to continue to discredit the science behind vaccines, stoke fear

about the efficacy and safety of vaccines, and dismantle vaccine approval and education programs;

Whereas the National Institutes of Health halted funding for at least 40 research grants for projects studying vaccine hesitancy and paths to overcome it;

Whereas the National Institutes of Health cancelled funding for studies seeking new vaccines and treatments for both COVID–19 and other pathogens that may cause future pandemics, requested project lists regarding mRNA vaccines, the technology at the center of COVID–19 vaccinations, and have been urging scientists to remove references to such technology from their grant applications, raising fears that projects relating to mRNA vaccines are next on the chopping block;

Whereas after the Food and Drug Administration delayed granting a license to a COVID–19 vaccine in April, the Secretary falsely declared that “for respiratory illnesses, the single antigen vaccines have never worked”;

Whereas through the Secretary’s reduction in force and reorganization efforts, the Department has eliminated entirely or reduced the functionality of the Vaccines and Related Biological Products Advisory Committee, the National Institute of Allergy and Infectious Diseases, and the Division of Microbiology and Infectious Diseases;

Whereas, during the Secretary’s first week on the job, the Centers for Disease Control and Prevention announced that it was stopping a flu vaccination advertising campaign during the height of flu season;

Whereas, according to the Centers for Disease Control and Prevention, a multi-State measles outbreak impacting communities with low measles vaccination coverage in

New Mexico, Oklahoma, and Texas has been raging during the Secretary's tenure, with the number of reported cases already through mid-April representing an 180 percent increase over the entirety of reported measles cases in the past year;

Whereas 96 percent of these patients have been unvaccinated or had unknown vaccination status;

Whereas this measles outbreak has resulted in 727 hospitalizations and 3 deaths, including 2 unvaccinated school-aged children with no known underlying medical conditions;

Whereas, while measles was declared eliminated in 2000, largely due to the Measles, Mumps and Rubella vaccine (referred to in this preamble as the "MMR vaccine") being 97 percent effective in preventing measles, this outbreak under the Secretary's watch represents the largest single measles outbreak in 25 years;

Whereas instead of vocal support for the MMR vaccine, the Secretary has uplifted untested treatments like cod liver supplements, vitamin A treatments, the antibiotic clarithromycin, or the asthma steroid budenonide;

Whereas, on May 2, 2025, the Secretary directed Federal health agencies to explore potential new treatments for measles, including vitamin A treatments;

Whereas vaccine safety experts at the Centers for Disease Control and Prevention and the American Academy of Pediatrics have found no conclusive link between autism and vaccines that contain thimerosal as a preservative, yet the Secretary has used inconsistent and often contradictory messaging around the MMR vaccine, questioning the MMR vaccine's safety by incorrectly saying

“we don’t know the risks of many of these products because they’re not safety tested,” ignoring the decades of scientific research behind the vaccine proving that the vaccine is safe, and routinely misrepresenting the potential for adverse events from the vaccine, sowing fear in the public about vaccine use;

Whereas the Secretary has downplayed the deaths associated with the measles outbreak, saying that more attention should be paid towards chronic diseases like diabetes and autism, while at the same time falsely claiming that there may be a relationship between the MMR vaccine and autism;

Whereas, on April 30, 2025, the Secretary made the false claim that the MMR vaccine contains “aborted fetus debris”, further perpetuating fears and stigma about the vaccine;

Whereas this is only the latest in a series of mistruths regarding the MMR vaccine that the Secretary has used his bully pulpit and position of leadership as the Secretary to promote;

Whereas, in his answers to questions for the record following his nomination hearing before the Committee on Health, Education, Labor, and Pensions of the Senate, Robert F. Kennedy Jr. wrote, “addressing maternal mortality, and its underlying causes, will be a priority in my leadership of HHS”, yet as the Secretary, he has decimated Department divisions and offices responsible for protecting the health of women and their babies;

Whereas the Secretary’s illegal reorganization and unlawful mass firings at the Department have devastated the Centers for Disease Control and Prevention’s Assisted Repro-

ductive Technologies office (which focuses on infertility and in vitro fertilization research), Division of Reproductive Health, Women’s Health and Fertility branch, and Office of Women’s Health, and the Health Resources and Services Administration’s Maternal and Child Health Bureau;

Whereas the Secretary has made a series of offensive and scientifically unfounded statements about autism, perpetuating harmful stereotypes, disregarding decades of scientific research and consensus, threatening public trust in lifesaving immunization programs, undermining the dignity of individuals with autism, and denying individuals with disabilities the services they are entitled to;

Whereas, in April 2025, the Secretary made crude, misleading, and ableist comments about individuals on the autism spectrum, offensively and incorrectly stating that they “will never pay taxes, they’ll never hold a job, they’ll never play baseball, they’ll never write a poem, they’ll never go on a date”;

Whereas reports have surfaced that the Secretary has directed the National Institutes of Health to launch an “autism registry” to track Americans with the disability, likely in violation of Federal privacy laws;

Whereas the Secretary has hired discredited vaccine skeptic David Geier as a data analyst to examine the long-debunked and harmful theory that links vaccines to autism, continuing to distort the public understanding of autism;

Whereas, during his confirmation hearing before the Committee on Health, Education, Labor, and Pensions of the Senate, Senator Hassan summarized the danger of Robert F. Kennedy’s words and actions best: “The problem

with this witness’ response on the autism cause, and the relationship to vaccines, is because he is re-litigating and churning settled science, so we cannot go forward and find out what the cause of autism is, and treat these kids, and help these families.”;

Whereas leading national autism organizations released a joint statement in April 2025 on the importance of upholding scientific integrity with evidence-based research and investments in diverse supports for the autism community, rejecting Robert F. Kennedy’s rhetoric that “autism is preventable”, his framing of autism as a “chronic disease”, “childhood disease”, or “epidemic”, and his perpetuation of the myth that vaccines cause autism;

Whereas, on April 7, 2025, the Secretary announced that he will direct the Centers for Disease Control and Prevention to stop recommending fluoridation in public drinking water across the country and eliminated the Centers for Disease Control and Prevention’s entire Division of Oral Health as part of its reorganization efforts;

Whereas rolling back the fluoride guidance would contradict the guidance of scientists, dentists, and national health organizations, including the American Academy of Pediatrics and the American Dental Association, which maintain that community water fluoridation is a proven method of preventing dental decay;

Whereas the American Dental Association has reiterated its support of the “credible, time-tested, evidence-based science” behind the recommendation, and has criticized the Secretary’s work to discredit science, saying that “when government officials, like Secretary Kennedy, stand behind the commentary of misinformation and dis-

trust peer-reviewed research it is injurious to public health”;

Whereas the Centers for Disease Control and Prevention recognize community water fluoridation as one of the top 10 public health interventions of the 20th century;

Whereas, according to the Centers for Disease Control and Prevention, dental caries is the most common childhood chronic disease in the United States and worldwide and disproportionately affects vulnerable children of lower incomes, children of color, and children that live in underserved areas;

Whereas the Centers for Disease Control and Prevention’s Division of Oral Health provides evidence-based guidance on critical public health issues ranging from infection control in dental practices, community water fluoridation, and dental sealant programs targeted at preventing tooth decay in children;

Whereas, in just a few months in his role as the Secretary of Health and Human Services, Robert F. Kennedy Jr. has demonstrated a pattern of deception, perpetuating erroneous and even dangerous statements that have eroded public trust in the Department, Federal health agencies, and scientific research;

Whereas Robert F. Kennedy Jr. has been negligent towards his statutory duty to provide for and enhance the health and well-being of all Americans, taking actions that have dismantled our public health system, defying the many statutes that govern the Department’s programs and appropriate funding for the Department to administer such programs, and intentionally undercutting the will of Congress; and

Whereas the role of the Secretary of Health and Human Services is to be a trusted leader and an authority on science and evidence-based health policies for the American public: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate that Sec-
2 retary Robert Fitzgerald Kennedy Jr. no longer holds the
3 confidence of the Senate or of the American people to
4 faithfully carry out his duties as Secretary of Health and
5 Human Services.

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