

October 3, 2025
Mr. Joseph V. Cuffari
Inspector General
Office of Inspector General/MAIL STOP 0305
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528-0305

Dear Inspector General Cuffari:

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 Homeland Security. This complaint requests that the DHS 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 commenced on September 30, 2025, the Department of Homeland Security sent agency-wide emails to federal employees containing explicitly partisan political statements that served no legitimate homeland security purpose. These official communications were distributed through taxpayer-funded DHS email systems and government resources.

According to news reports, the partisan email sent to DHS employees stated:

President Trump opposes a government shutdown and strongly supports enactment of H.R. 5371, which is a clean Continuing Resolution to fund the government through November 21, and already passed the U.S. House of Representatives. Unfortunately, Democrats are blocking this Continuing Resolution in the U.S. Senate due to unrelated policy demands. If Congressional Democrats maintain their current posture and refuse to pass a clean Continuing Resolution to keep the government funded before midnight on September 30, 2025, federal appropriated funding will lapse.

The DHS email further referenced "any lapse in appropriations forced by Congressional Democrats" and claimed that "Congressional Democrats are blocking" passage of continuing resolution legislation. These communications were distributed through official DHS email systems using taxpayer-funded government resources to advance partisan political positions rather than provide neutral information about agency operations during the shutdown.

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 DHS partisan messaging violated this prohibition by using government resources—including official DHS email systems, federal employee time, and taxpayer-funded communication infrastructure—to advance political positions that served no official homeland security function.

Specific Violations

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

1. **Use of Appropriated Funds for Political Messaging:** The creation, approval, and distribution of partisan political content through DHS email systems required the use of federal employee time, government communication systems, and other taxpayer-funded resources in violation of 18 U.S.C. § 1913.
2. **Grassroots Lobbying Activity:** By explicitly blaming "Congressional Democrats" for blocking legislation while praising President Trump's position, the messages were designed to influence public opinion about political matters rather than provide neutral information about DHS operations.
3. **Exceeding Authorized Appropriations:** DHS 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 Kristi Noem bears ultimate responsibility for the content distributed through official DHS communication systems. As the senior official overseeing the Department, she has authority over and responsibility for ensuring that DHS communications comply with federal law, including the Anti-Lobbying Act.

Evidence

I have attached supporting documentation that details the partisan political messaging distributed through official DHS channels.

Request for Investigation

I respectfully request that the DHS 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 distribution of the partisan political messaging through DHS email systems;
2. Identifying what federal resources were used to create, approve, and distribute this content;
3. Calculating the cost to taxpayers of the government resources used for partisan political purposes;



4. Reviewing DHS 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 federal agencies that use taxpayer resources for legitimate government functions, not partisan political messaging that undermines the Department's homeland security mission.

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

Exhibit A

The Hill, *Federal employees told Democrats to blame for shutdown in 'highly inappropriate' email*, (September 30, 2025): <https://thehill.com/homenews/administration/5530094-federal-emails-shutdown-democrats/>

