

October 3, 2025  
Hon. Gene Dodaro  
Comptroller General  
Government Accountability Office  
441 G Street NW  
Washington, DC 20548

Dear Comptroller General Dodaro:

Common Cause and I write to request that the Government Accountability Office investigate whether the Department of Justice violated federal appropriations law by using government resources to disseminate partisan political messaging during the government shutdown that began on September 30, 2025.

### Background

During the government shutdown that commenced on September 30, 2025, the Department of Justice displayed a partisan political message on its official website banner. Instead of providing neutral information about the shutdown's impact on DOJ services, the Department's homepage prominently featured the following message (see Exhibit A):

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Democrats have shut down the government. Department of Justice websites are not currently regularly updated. Please refer to the Department of Justice's contingency plan for more information.

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This banner message was displayed at the top of the DOJ's official website, using taxpayer-funded government platforms to assign partisan blame for the shutdown. Rather than informing the public about which Justice Department functions would continue or how to access essential services, the message served purely partisan purposes by disparaging one political party while echoing the Administration's political messaging.

The Justice Department's website serves as a critical resource for Americans seeking information about federal law enforcement, civil rights enforcement, and other essential DOJ functions. Using this platform for partisan political messaging undermines the Department's role and violates federal restrictions on the use of government resources for partisan political activity.

### Legal Analysis

Federal agencies are prohibited from using appropriated funds for "publicity or propaganda purposes" under annual appropriations acts. GAO has consistently held that communications serving purely partisan political purposes constitute prohibited propaganda when funded with government resources.

The Justice Department's partisan shutdown messaging violated these restrictions by using the Department's official website, government servers, and employee time to create and maintain political statements that served no legitimate law enforcement or operational purpose related to the Department's mission.

Using government resources to display partisan political messaging violates the Anti-Deficiency Act by obligating appropriated funds for unauthorized purposes that exceed the Department's appropriated authority for legitimate communications about agency operations.

### Request for Investigation

We respectfully request that GAO investigate whether the Department of Justice violated federal appropriations law by using government resources to create, authorize, and display partisan political messaging during the government shutdown. This investigation should examine the federal resources used to develop and maintain these partisan communications, as well as who authorized their publication.

The Department of Justice should focus on upholding the rule of law, not advancing partisan political messaging at taxpayer expense.

Thank you for your consideration of this matter.

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

### Exhibit A

