

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 Small Business Administration violated federal appropriations law by using government resources to disseminate partisan political messaging during the September 30, 2025, government shutdown.

### Background

During the government shutdown that began on September 30, 2025, the Small Business Administration—under Administrator Kelly Loeffler's leadership—used both its official website and federal employee email systems to distribute explicitly partisan political communications that blamed one political party for the appropriations lapse.

The SBA's official website prominently displayed a "Special Announcement" that stated:

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Senate Democrats voted to block a clean federal funding bill (H.R. 5371), leading to a government shutdown that is preventing the U.S. Small Business Administration (SBA) from serving America's 36 million small businesses. Every day that Senate Democrats continue to oppose a clean funding bill, they are stopping an estimated 320 small businesses from accessing \$170 million in SBA-guaranteed funding... The agency is executing its Lapse Plan and as soon as the shutdown is over, we are prepared to immediately return to the record-breaking services we were providing under the leadership of the Trump Administration.

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Additionally, according to widespread news reporting, the SBA systematically replaced employee out-of-office auto-reply messages with partisan content without the employees' knowledge or consent. These mandatory messages read:

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I am out of office for the foreseeable future because Senate Democrats voted to block a clean federal funding bill (H.R. 5371), leading to a government shutdown that is preventing the U.S. Small Business Administration (SBA) from serving America's 36 million small businesses.

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These communications were distributed through taxpayer-funded government systems to assign political blame to "Senate Democrats" while crediting the "Trump Administration" with providing "record-breaking services." Rather than providing neutral information about which SBA programs would continue or how small businesses could access available services, the messages served purely partisan political purposes.

### 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 SBA's partisan shutdown messaging violated these restrictions by using the agency's official website infrastructure, government web servers, email systems, and employee time to create and distribute political statements that served no legitimate small business assistance purpose related to the SBA's mission of supporting America's small businesses through loans, loan guarantees, and business development programs.

Using government resources to systematically distribute partisan political messaging through both official websites and mandatory employee auto-replies violates the Anti-Deficiency Act by obligating appropriated funds for unauthorized purposes that exceed the agency's appropriated authority for legitimate operational communications about small business services.

### Request for Investigation

We respectfully request that GAO investigate whether the Small Business Administration violated federal appropriations law by using government resources to create, authorize, and distribute partisan political messaging during the government shutdown. This investigation should examine the authorization and implementation of both the website messaging and the mandatory employee email auto-replies, and determine what federal resources were used for political rather than small business assistance purposes.


The Small Business Administration should focus on supporting America's small businesses, 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

 An official website of the United States government [Here's how you know](#)


 **Special announcement**

Senate Democrats voted to block a clean federal funding bill (H.R. 5371), leading to a government shutdown that is preventing the U.S. Small Business Administration (SBA) from serving America's 36 million small businesses.

Every day that Senate Democrats continue to oppose a clean funding bill, they are stopping an estimated 320 small businesses from accessing \$170 million in SBA-guaranteed funding.


As a result of the shutdown, we wanted to notify you that many of our services supporting small businesses are currently unavailable. The agency is executing its Lapse Plan and as soon as the shutdown is over, we are prepared to immediately return to the record-breaking services we were providing under the leadership of the Trump Administration.








If you need disaster assistance, please visit [sba.gov/disaster](https://sba.gov/disaster).


 **U.S. Small Business Administration**

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