



October 2, 2025

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

Dear Comptroller General Dodaro:

Yesterday, October 1, 2025, our organization, Democracy Defenders Fund (DDF) sent you a letter raising concerns that the U.S. Department of Housing and Urban Development (HUD) violated the Full-Year Continuing Appropriations and Extensions Act, 2025, and the Anti-Deficiency Act by posting purely partisan messages on their website.¹ As we noted, HUD's website ran a full-page banner on September 30, 2025, claiming that "the Radical Left" wanted to cause a lapse in appropriations and then amended that banner the next day to state that "the Radical Left" caused the current lapse in appropriations.²

Over the course of the day on October 1, 2025, during the shutdown, several other Executive Departments included similar partisan statements blaming "Democrats" and "the Radical Left" for the current lapse in appropriations. These agencies include the Department of Treasury, Department of State, Department of Agriculture, Department of Health and Human Services, and Department of Justice. These statements are set out below in Appendix A. As we explained in our letter yesterday regarding HUD's banner:

HUD's statements . . . appear to have been provided for the sole purpose of making clear to any person visiting HUD's website that "the Radical Left" should be blamed for a shutdown. The same day [September 1, 2025] that HUD displayed its shutdown message, President Trump repeatedly used the phrase "radical left" to rail against members of the Democratic party during his speech at Quantico. In this light, HUD's statements appear so "political in nature" and so "devoid of any connection with official functions" as to suggest that there was "no use for such information except for partisan, political party purposes."³

The above statement is true as well of the banners that appear on the websites of the Department of Treasury, Department of State, Department of Agriculture, Department of Health and Human Services, and Department of Justice. These statements, such as the Department of Treasury's unfounded claim that "[t]he radical left has chosen to shut down the United States

¹ Letter from Norman Eisen, Executive Chair, Democracy Defenders Fund to Hon. Gene Dodaro, Comptroller General, Government Accountability Office (Oct. 1, 2025), [fb1cd5_47b27e45abd840b0a932b896f2ab5027.pdf](https://www.democracydefendersfund.org/en/wp-content/uploads/2025/10/fb1cd5_47b27e45abd840b0a932b896f2ab5027.pdf).

² *Id.*

³ *Id.*

government in the name of reckless spending and obstructionism”⁴ are nothing more than political invective.

As we explained in our earlier letter, Congress has expressly prohibited the use of appropriated funding for “publicity and propaganda” including political demagoguery.⁵ As a result, any employee who has participated in publishing or directing the publication of these partisan political messages may have violated the Anti-Deficiency Act, which prevents the use of government resources for any reason in excess of a given appropriation.⁶ For the above reasons, and those contained in our previous letter, DDF respectfully requests that your office investigate whether the website banners of the above mentioned agencies violated the appropriations laws.

Sincerely,

/s/

Ambassador Norman Eisen (ret.)
Executive Chair and Founder
Democracy Defenders Fund

/s/

Virginia Canter
Ethics and Anticorruption Chief Counsel and
Director
Democracy Defenders Fund

/s/


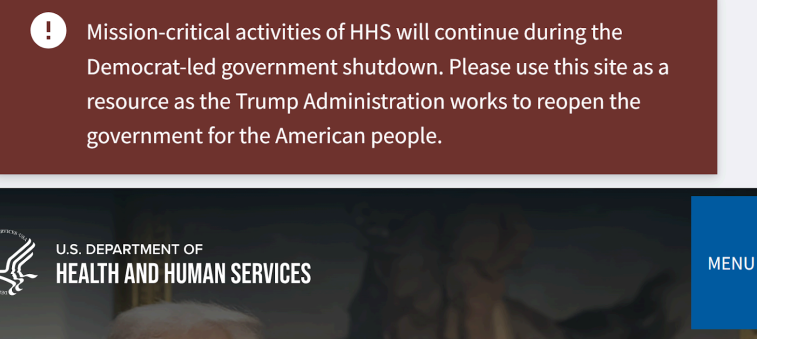
Chris Swartz
Senior Ethics Counsel
Democracy Defenders Fund

⁴ www.treasury.gov (last visited, Oct. 2, 2025).

⁵ Letter, *supra* nt. 1; Further Consolidated Appropriations Act, 2025, Pub. L. 118-47, § 718, 138 Stat. 576 (Mar. 23, 2024), as extended by the Full-Year Continuing Appropriations and Extensions Act, 2025, Pub. L. 119-4, § 1101(a)(5), 139 Stat. 11 (Mar. 15, 2025).

⁶ 31 U.S.C. § 1341(a)(1)(A).

APPENDIX A

<p>Department of the Treasury (www.treasury.gov)</p>	<p>i The radical left has chosen to shut down the United States government in the name of reckless spending and obstructionism. As a result, the U.S. Department of the Treasury's websites will only be sporadically updated until this shutdown concludes. Please refer to Treasury's contingency plans for more information.</p>
<p>Department of State (www.state.gov)</p>	<p>FEDERAL GOVERNMENT SHUTDOWN</p> <p>Due to the Democrat-led shutdown, website updates will be limited until full operations resume.</p>
<p>Department of Agriculture (www.usda.gov)</p>	 <p>The screenshot shows the USDA website header with the logo and navigation links: Farming and Ranching, Forestry, Sustainability, Trade and Markets, and Ab. A large orange banner contains the following text: "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".</p>
<p>Department of Health and Human Services (www.hhs.gov)</p>	 <p>The screenshot shows a dark red banner with the following text: "Mission-critical activities of HHS will continue during the Democrat-led government shutdown. Please use this site as a resource as the Trump Administration works to reopen the government for the American people." Below the banner is the HHS website header with the logo and the text "U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES". A blue "MENU" button is visible on the right.</p>
<p>Department of Justice (www.justice.gov)</p>	<p>i 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.</p>