



One Hundred Nineteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

October 16, 2025

The Honorable Gene Dodaro
Comptroller General of the United States
United States Government Accountability Office (GAO)
441 G Street, NW
Washington, DC 20548

Dear Comptroller General Dodaro:

We write to request that GAO review whether Secretary of Homeland Security Kristi Noem violated provisions of the Antideficiency Act by using government resources to produce and disseminate a partisan, political video during a lapse in appropriations.

On October 10, 2025, the Department of Homeland Security (DHS) posted to social media and reportedly directed airports to air a video of Secretary Noem blaming Democrats for the ongoing government shutdown.¹ The video is clearly intended to advance a partisan, political message and appears to have been filmed during the lapse in appropriations.² Many airports have refused to air the video, citing its partisan nature.³

Other Members of Congress have alleged the Secretary's actions may violate the Hatch Act, the Anti-Lobbying Act, and Section 715 of Public Law 118-47 (prohibiting the use of funds for propaganda purposes).^{4,5} We support those allegations and believe they warrant thorough investigation. Additionally, the use of DHS resources to develop, produce, and distribute the Secretary's video during a lapse in appropriations makes her actions especially inappropriate.

The Secretary's sophomoric political ploy during a government shutdown appears to be a blatant violation of the Antideficiency Act. As you are aware, the Antideficiency Act requires agencies to

¹ Surina Venkat, *Trump Administration Blaming Democrats for Shutdown in Airport Videos*, THE HILL (Oct. 10, 2025), <https://thehill.com/regulation/transportation/5549134-noem-tsa-democrats-shutdown-airport/>.

² Throughout the video, Secretary Noem refers to the government shutdown in the present tense. For example, she states, "Most of our TSA employees are working without pay."

³ Suzanne Rowan Kelleher, *Top 10 Busiest U.S. Airports All Reject Kristi Noem's Video Blaming Democrats for Shutdown*, FORBES (Oct. 15, 2025), <https://www.forbes.com/sites/suzannerowankelleher/2025/10/15/airports-refuse-dhs-video-blaming-democrats-shutdown-not-hatch-act-violation/>.

⁴ Letter from Sen. Maria Cantwell to Jamieson Greer, Acting Special Counsel, United States Office of Special Counsel (Oct. 15, 2025), <https://www.commerce.senate.gov/services/files/5B95454E-D7ED-4599-B05E-57B9AD750C42>.

⁵ Letter from Sen. Richard Blumenthal, et. al., to Kristi Noem, Secretary, Department of Homeland Security (Oct. 15, 2025), https://www.blumenthal.senate.gov/imo/media/doc/2025-10-15_blumenthal-reed_letter.pdf.

generally stop their operations during a lapse in appropriations.⁶ One key exception is that agencies may continue activities “for emergencies involving the safety of human life or the protection of property.”⁷ Secretary Noem’s partisan smears have nothing to do with protecting human life and government property. GAO should investigate.

Secretary Noem has made clear that her interest in appearing on camera at every turn eclipses her desire and ability to do her job to secure the homeland. Nevertheless, her desire does not negate her duty to follow the law. Secretary Noem’s use of government resources during a lapse in appropriations to produce and distribute a partisan political video is unprecedented, highly improper, and likely illegal. She must be held to account.

Thank you for your attention to this important matter.

Sincerely,



Bennie G. Thompson
Ranking Member
Committee on Homeland Security



Shri Thanedar
Ranking Member
Subcommittee on Oversight, Investigations
and Accountability



LaMonica McIver
Ranking Member
Subcommittee on Transportation and
Maritime Security

cc: The Honorable Andrew R. Garbarino, Chairman, Committee on Homeland Security

The Honorable Josh Brecheen, Chairman, Subcommittee on Oversight, Investigations and Accountability

The Honorable Carlos Gimenez, Chairman, Subcommittee on Transportation and Maritime Security

⁶ 31 U.S.C. § 1342.

⁷ *Id.*