

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

May 7, 2025

The Honorable Gene L. Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Dodaro:

I write to request that the Government Accountability Office (GAO) conduct a comprehensive review of the Department of Justice's (DOJ) use of government-owned aircraft by senior executives.

Multiple components within DOJ—including the Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), and United States Marshals Service (USMS)—own, lease, and operate a fleet of aircraft primarily to support mission-critical DOJ operations such as counterterrorism, criminal surveillance, and interdiction of illicit drug trafficking.¹ While use of government aircraft for nonmission-related needs is generally prohibited by federal regulations, such aircraft can be made available regardless of the trip's purpose for "required use travel," which is travel that "requires use of a [g]overnment aircraft to meet bona fide communications needs (e.g., 24-hour secure communications), security requirements (e.g., highly unusual circumstances that present a clear and present danger), or exceptional scheduling requirements... of an executive agency."² The President has typically designated two executives within DOJ as "required use" travelers—the Attorney General and the FBI Director—due to their need for special protective security measures and secure communications while in flight.³ However, federal guidance requires that such travelers reimburse the government for any travel that is for political or personal reasons.⁴

Recent public reporting about FBI Director Kash Patel's use of government-owned aircraft has raised questions about whether these rules are being consistently followed. For example, on April 6, a plane owned by DOJ flew to JFK Airport, arriving shortly before Patel was publicly seen attending a professional hockey game.⁵ Reportedly, Director Patel has also taken three round trips aboard FBI-operated Gulfstream jets to Nashville, Tennessee, where his significant other resides.⁶ Some of these flights appear to coincide with official business,⁷ but it is not clear whether all travel was mission-related or personal in nature. Nonetheless, this reporting

¹ The Office of Management and Budget (OMB) and the General Services Administration (GSA) established requirements for federal agencies regarding the use of government aircraft, including executive travel on these aircraft, such as OMB Circular A-126 and GSA's Federal Travel Regulation.

² 41 C.F.R. 300-3.1 ("Required use travel"), available at <https://www.ecfr.gov/current/title-41/subtitle-F/chapter-300/subchapter-A/part-300-3/section-300-3.1>.

³ Government Accountability Office, GAO-13-235, Department of Justice: Executives' Use of Aircraft for Nonmission Purposes, at p. 3, <https://www.gao.gov/assets/gao-13-235.pdf>.

⁴ See OMB Circular No. A-126 Revised, pp. 4–5, <https://whitehouse.gov/wp-content/uploads/2017/11/Circular-a-126.pdf>.

⁵ See Josh Fiallo, *Jet-Set Kash Patel Took FBI Plane to NHL Game and GF's City*, DAILY BEAST (Apr. 20, 2025), <https://www.thedailybeast.com/kash-patel-took-fbi-jet-to-nhl-game-and-girlfriends-city>.

underscores the need for clarity on whether DOJ executives—including the FBI Director—are complying with applicable regulations and reimbursement requirements for nonmission-related travel and whether DOJ has sufficient internal controls to track and enforce those obligations.

Given these developments, I request that GAO review the circumstances in which DOJ aircraft are being used to transport executives for nonmission purposes, including the costs of these flights. Specifically, we request that GAO update its 2013 report⁸ and address the following questions:

1. To what extent are there policies and procedures in place to ensure that DOJ executives follow regulations regarding the use of government aircraft for nonmission-related purposes, including the required reimbursement of such flights by DOJ executives and any accompanying family or friends?
2. How many flights have DOJ executives taken for official and/or nonmission-related reasons using government aircraft since fiscal year 2012?
3. To what extent have DOJ executives, and their family and friends who accompanied them on a flight, reimbursed the federal government for flights for nonmission-related reasons since fiscal year 2012?

This review is critical to ensuring the appropriate use of taxpayer resources and maintaining public trust in DOJ's operations and use of taxpayer dollars. I appreciate your attention to this request.

Sincerely,



Richard J. Durbin
Ranking Member

cc: The Honorable Charles E. Grassley
Chairman, Senate Committee on the Judiciary

⁶ See Adam Goldman & Aric Toler, *A Different Kind of F.B.I. Chief: Jet-Setting Patel Loves the Limelight*, N.Y. TIMES (Apr. 24, 2025), <https://www.nytimes.com/2025/04/20/us/politics/kash-patel-spotlight-fbi-director.html>.

⁷ *Id.*

⁸ Government Accountability Office, GAO-13-235, Department of Justice: Executives' Use of Aircraft for Nonmission Purposes, <https://www.gao.gov/assets/gao-13-235.pdf>.