

THE SO-CALLED "DOGE"

March 11, 2025

EXECUTIVE SUMMARY

Since the creation of the so-called <u>Department of Government Efficiency (DOGE)</u>, confusion and a lack of transparency have reigned. Under the auspices of finding fraud, waste, and abuse, DOGE has hurt the middle class, created chaos, and attempted to usurp Congress' power of the purse with illegal impoundments.

The President's constitutional role is to faithfully execute the laws enacted by Congress. The lack of transparency surrounding all aspects of DOGE raises unanswered questions about its leadership, fiscal structure, data security practices, and legal authority to execute the laws enacted by Congress.

THE BASICS

What is DOGE?

One of President Trump's first executive orders on January 20, 2025 renamed and reorganized the United States Digital Service (USDS) into DOGE.

DOGE is an organization in the Executive Office of the President. It is not a cabinet-level agency with Senate-approved leadership and has no statutory authority to alter Congressionally appropriated funds.

Who leads DOGE and serves as its Service Administrator?

After substantial media questioning, White House Press Secretary Karoline Leavitt <u>identified Amy Gleason</u> the DOGE Service Administrator.

However, President Trump has <u>publicly stated</u> that Elon Musk is in charge of DOGE, and in multiple venues, Elon Musk has made statements to indicate as much. This contradicts what the White House Office of Administration <u>told a district court</u> on February 17, stating that Elon Musk is a "Senior Advisor to the President," a "Special Government Employee," and specifically "not an employee of the U.S. DOGE Service."

Given these various titles, roles, and contradictory statements, Elon Musk's official role is unclear and in keeping with the chaotic nature of President Trump's tenure.

What are the legal authorities of Service Administrators, White House Senior Advisors, and Special Government Employees (SGEs), such as Elon Musk?

None. Senior Advisors and <u>SGEs</u> in the White House hold no formal authorities. Their role is to provide strategic advice to the President, typically on very niche portfolios meant to help translate recommendations on issues of high priority, often requiring deep subject-matter, diplomatic, or political expertise. Due to the lack of transparency, authority, and questionable access to sensitive data, multiple legal cases have been filed against DOGE and its SGEs.

What is the difference between a Senior Advisor and SGE? Do they have to follow conflict of interest and ethics rules?

SGEs are a type of Senior Advisor to the President, with a service period of no more than 130 days during any 365 consecutive days. Typically, these outside experts are not held to the same stringent ethical or conflict of interest rules as federal employees or longer-serving Advisors, in part due to their shorter service timeline.

Who else works for DOGE?

While various media outlets have identified individuals associated with DOGE, neither the White House nor Elon Musk has provided any official insight into who works for DOGE, their experience, backgrounds, or the organization's leadership structure.

Who pays for DOGE and the salaries of its mysterious employees?

DOGE's predecessor, the USDS, received funding in a variety of ways. In 2021, the American Rescue Plan Act provided \$200 million in direct spending to the USDS, which funded the service through 2024. USDS can receive appropriated funding from the Information Technology Oversight and Reform account, which received \$8 million in the final 2024 appropriations measure and remains in effect under the continuing resolution. In addition to annual appropriations and other amounts provided by Congress, this account also receives reimbursements from other federal offices.

How much money has been given to DOGE?

Between January 27 and March 2, the Trump Administration made <u>seven apportionments</u> to DOGE. Apportionments are the Executive Branch's plan for executing funds provided by Congress. Through February 8, the Administration has apportioned more than <u>\$39 million</u> to DOGE, but the source of the funding remains unclear. An additional apportionment on March 2 provided another \$2 million, and the Administration continues to direct more resources to DOGE. DOGE has largely appeared to rely upon legal authorities for interagency reimbursements and compensation for temporary organizations. The Biden Administration previously estimated resources of <u>\$30 million</u> for USDS for 2025 and DOGE has exceeded that amount in barely two months.

While these findings are helpful in discerning what appears to be the basic fiscal structure of DOGE, as with so much surrounding this entity, transparency into the nuance of its budgetary execution is lacking and raises more questions than answers.

How is DOGE conducting its so-called fiscal reviews?

There is no insight regarding how these rapidly conducted reviews are being made and by whom. Recent court filings indicate sweeping access to sensitive government systems by DOGE personnel who lack the technical and legal training that agency staff must complete prior to receiving similar access. Even by their own acknowledgement, many of the cancelled contracts yield no savings.

Is DOGE accessing sensitive data?

Yes, definitely. This is despite existing laws and policies restricting access to these systems by unauthorized personnel. Staff who are granted access ordinarily undergo extensive additional training and meet stringent legal requirements. In addition to unknown individuals accessing sensitive personal, private, and fiscal data, screenshots of multiple federal agencies' fiscal information have been posted to the DOGE website.

Typically, this sort of information and structure is considered sensitive, which is why it resides on agency systems with restricted access. Publicly posting how it is tracked and managed gives fraudsters a view into aggregated financial and agency information, and provides hackers with the possible insight needed for nefarious actions against everyday Americans.

What oversight currently exists and how has DOGE attempted to avoid scrutiny?

Congress and federal entities with oversight authorities use multiple mechanisms to conduct audits and perform their oversight duties. For example, Congress relies on the Government Accountability Office (GAO) for objective, non-partisan, fact-based information to identify fraud, waste, and abuse in the Executive Branch. Inspectors General (IGs) are oversight entities with law enforcement capabilities, meant to prevent unlawful or inefficient practices within the federal or state government and serve as a protected place for whistleblowers to raise concerns of fraud, waste and abuse within the government. While most IGs are appointed at the agency level, some are Presidentially nominated, with Senate approval. These IGs can only be terminated or reassigned with a 30-day Congressional notification and explanation per the Inspector General Act of 1978.

On January 24, 2025, the <u>Trump Administration fired</u> 17 Inspectors General across departments and agencies without providing the legally required notice. DOGE, with its rapid, unskilled reviews have ignored previous IG findings or no longer have to worry about the inconvenience of oversight in their Silicon Valley approach of break-now, fix-later. In the process, they are breaking laws and compromising vital services and programs.

How does the public access DOGE investigative findings?

While GAO publishes its findings on its <u>website</u>, and IG findings are posted on agency websites, DOGE actions remain murky and haphazard.

Currently, there are no written findings to back up the multiple claims made by DOGE, other than the twitter-like postings and screenshots of sensitive government systems on www.doge.gov, which appear

to change daily. In fact, many of these changes appear to come from DOGE posting incorrect information and then having to revise them once called out on their mistakes by the media.

This lack of insight and transparency is troubling, especially as the impact across the federal government and its workforce escalates and intensifies.

RECENT HISTORY

How are DOGE's unilateral actions different from past efforts to reshape the federal government?

During the Clinton Administration, the <u>National Partnership for Reinventing Government</u> (NPR) reviewed agencies and government-wide systems including procurement, budget, and personnel. The goal was to create a government that "works better, costs less, gets results Americans care about." This multi-year effort resulted in a methodical reduction of 250 programs, elimination of 16,000 pages of regulations, and streamlined the federal civilian workforce. It recognized innovation within government agencies and improved public trust in government.

The NPR enjoyed bipartisan support, worked with Congress to enact laws, found efficiencies, and pioneered an extensive website when websites were just beginning to be used. In contrast to that legacy, DOGE sows chaos, raises legal questions, and hurts everyday Americans.

This document has not been reviewed and approved by the Democratic Caucus of the Budget Committee and may not necessarily reflect the views of all members.



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