From:	Seth Jaffe
To:	"Gast, Scott F. EOP/WHO"
Cc:	Dale A. Christopher; Christopher J. Swartz
Subject:	OGE"s Inquiry into Ethics Risk (IiER) Follow Up
Date:	Thursday, April 17, 2025 4:01:04 PM
Attachments:	FINAL Warren Schiff Letter to OGE re Musk DOGE CFPB Conflicts.pdf top_democrats_warn_doge_employees_of_potential_criminal_exposure_from_ethical_misconduct (1).pdf 2025.03.13 Letter on Tesla commercial at White House.pdf 2025.03.17 Letter to Trump Administration on Corruption.pdf

Hello Scott,

I am following up on the voicemail I left you on March 26th, 2025, as part of OGE's Inquiry into ethics risks (IiER) standard operation procedure (SOP). As I mentioned in the voicemail, I called to follow up on the following Congressional inquiries (see attached) concerning potential conflicts of interest (COI) involving DOGE and Elon Musk: 1) a Congressional inquiry letter dated 3/5/25 concerning potential COI involving DOGE/CFPB, 2) a Congressional inquiry letter dated 3/10/25 concerning potential COI interests involving DOGE generally, 3) a Congressional inquiry letter dated 3/13/25 concerning ethics issues stemming from a Tesla presentation on the White House lawn, and 4) a Congressional inquiry concerning potential COI involving DOGE/FAA (among other concerns).

(b) (5) [redacted]

Please let us know when you are available for a call to discuss. When you do reach out, please contact Christopher Swartz, Acting Chief of the Ethics Law, and Policy Branch.

Thanks,
Seth

Seth Jaffe
U.S. Office of Government Ethics
Chief, Ethics Law & Policy Branch
(202) 482-9303

TIM SCOTT, SOUTH CAROLINA, CHAIRMAN
ELIZABETH WARREN, MASSACHUSETTS, RANKING MEMBER

MIKE CRAPO, IDAHO
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CATHERINE FUCHS, STAFF DIRECTOR
JON DONENBERG, DEMOCRATIC STAFF DIRECTOR

United States Senate
COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS
WASHINGTON, DC 20510–6075

March 5, 2025

Secretary Doug Collins
Acting Director
U.S. Office of Government Ethics
250 E Street, SW, Suite 750
Washington, DC 20024

Dear Secretary Collins:

On February 19, 2025, we asked Acting Director of the Consumer Financial Protection Bureau (CFPB) Russell Vought and Treasury Secretary Scott Bessent to provide us with information regarding the compliance of billionaire Elon Musk and other "Department of Government Efficiency" (DOGE) employees with federal ethics laws as part of their campaign to dismantle the CFPB.[1] Acting Director Vought and Secretary Bessent failed to respond. Therefore, we write to ask the Office of Government Ethics (OGE) to determine whether Mr. Musk and other DOGE officials have complied with all federal ethics laws, regulations, reporting requirements, and norms in their interactions at the CFPB.

Since its founding, the CFPB has returned over $21 billion to millions of consumers scammed out of their money, including returning hundreds of millions of dollars to veterans, seniors, and student borrowers cheated by predatory lenders.[2] Efforts to shut down the CFPB are dangerous and are particularly costly for people whose claims of illegal foreclosures, car repossessions, or debanking are currently under investigation by the agency. However, despite the critical importance of the CFPB to American consumers, the Trump Administration, including Mr. Musk and DOGE, have worked to systemically undermine the agency.

As you know, Mr. Musk is a "senior advisor to the president" who has served as the public face of DOGE, an office organized within the Executive Office of the President.[3] On February 6, 2025, DOGE officials reportedly entered CFPB headquarters and requested access to sensitive CFPB information, including internal staff records, competitive industry data, and personally

[1] Letter from Senators Warren and Schiff to Acting Director Vought and Secretary Bessent, February 19, 2025, https://www.banking.senate.gov/imo/media/doc/warren_schiff_letter_on_cfpb.pdf.
[2] Consumer Financial Protection Bureau, "The CFPB," https://www.consumerfinance.gov/about-us/the-bureau/.
[3] Politico, "Who's in charge of DOGE? Not Elon Musk, White House Says," Kyle Cheney, February 17, 2025, https://www.politico.com/news/2025/02/17/doge-administrator-elon-musk-00204639; The White House, "Establishing and Implementing the President's 'Department of Government Efficiency,'" Executive Order, January 20, 2025, https://www.whitehouse.gov/presidential-actions/2025/01/establishing-and-implementing-the-presidents-department-of-government-efficiency/.

identifiable consumer information.[4] One day later, on February 7, 2025, Mr. Musk tweeted " CFPB RIP".[5] These efforts followed a stop-work order issued by then-Acting CFPB Director Scott Bessent on February 3, 2025.[6] Since then, the new Acting CFPB Director Russell Vought has issued further stop work orders, fired hundreds of CFPB employees, and refused to draw down funds to support the agency's work from the Federal Reserve for Q2 2025.[7]

In addition to his role as head of DOGE, Mr. Musk is the primary owner of the social media company X. Since purchasing X, Mr. Musk has considered expanding the social media platform into digital payments.[8] On January 28, X announced a partnership with Visa to process peer-to-peer payments and launch a digital wallet.[9] Notably, the CFPB has taken steps in recent years to protect consumers from fraud on digital payment apps[10] and collects proprietary information from the digital payment industry.[11] Mr. Musk is also the founder and CEO of Tesla, which offers customers the option of working with Tesla to finance their auto purchases.[12] The CFPB plays a critical role in supervising the auto lending industry and protecting consumers from corporate malfeasance and scams.[13] Therefore, actions by Mr. Musk and DOGE at the CFPB have the potential to directly benefit X, Visa, and Tesla—and by extension, Mr. Musk.

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[4] National Public Radio, "Musk's team takes control of key systems at Consumer Financial Protection Bureau," Bobby Allyn, Laurel Wamsley, and Chris Arnold, February 7, 2025, https://www.npr.org/2025/02/07/g-s1-47322/musks-team-takes-control-of-key-systems-at-consumer-financial-protection-bureau.

[5] Tweet by Elon Musk, February 7, 2025, https://x.com/elonmusk/status/1887979940269666769?s=46&mx=2.

[6] National Public Radio, "Treasury Secretary Bessent, tapped to run CFPB, orders staff to halt work," Laurel Wamsley, February 4, 2025, https://www.npr.org/2025/02/03/nx-s1-5285356/treasury-secretary-bessent-acting-cfpb-director.

[7] NBC News, "Russell Vought, CFPB's new acting head, issues directives to halt parts of bureau activity," Katherine Doyle, Raquel Coronell Uribe, and Megan Lebowitz, February 8, 2025, https://www.nbcnews.com/politics/doge/russell-vought-consumer-financial-protection-bureau-trump-rcna191356; Tweet by Russ Vought, February 8, 2025, https://x.com/russvought/status/1888423503537360986; CNBC, "Consumer Financial Protection Bureau staff told to 'stand down' from all work," Hugh Son, February 9, 2025, https://www.cnbc.com/2025/02/09/consumer-financial-protection-bureau-staff-to-work-remotely-hq-shuttered.html; National Public Radio, "Up to 100 more workers are fired at CFPB as staff fear mass layoffs are looming," Laurel Wamsley, February 13, 2025, https://www.npr.org/2025/02/13/nx-s1-5296929/cfpb-layoffs-staff-trump-doge; The Verge, "The technology team at financial regulator CFPB has been gutted," Lauren Feiner, February 14, 2025, https://www.theverge.com/policy/612933/cfpb-tech-team-gutted-trump-doge-elon-musk.

[8] CNBC, "Elon Musk's X begins its push into financial services with Visa deal," Hugh Son and MacKenzie Sigalos, January 28, 2025, https://www.cnbc.com/2025/01/28/elon-musk-x-visa-digital-wallet.html.

[9] *Id.*

[10] Consumer Financial Protection Bureau, "CFPB Finalizes Rule on Federal Oversight of Popular Digital Payment Apps to Protect Personal Data, Reduce Fraud, and Stop Illegal 'Debanking'," press release, November 21, 2024, https://www.consumerfinance.gov/about-us/newsroom/cfpb-finalizes-rule-on-federal-oversight-of-popular-digital-payment-apps-to-protect-personal-data-reduce-fraud-and-stop-illegal-debanking/.

[11] Consumer Financial Protection Bureau, "CFPB Proposes New Federal Oversight of Big Tech Companies and Other Providers of Digital Wallets and Payment Apps," press release, November 7, 2023, https://www.consumerfinance.gov/about-us/newsroom/cfpb-proposes-new-federal-oversight-of-big-tech-companies-and-other-providers-of-digital-wallets-and-payment-apps/.

[12] Tesla, "Elon Musk," https://www.tesla.com/elon-musk; Tesla, "Financing Your Vehicle," https://www.tesla.com/support/financing-your-vehicle.

[13] Consumer Financial Protection Bureau, "Supervisory Highlights: Special Edition Auto Finance," Issue 35, October 2024, https://files.consumerfinance.gov/f/documents/cfpb_supervisory-highlights-special-ed-auto-finance_2024-10.pdf., pg. 3. "The auto-finance market is subject to various laws and regulations the CFPB enforces."

Mr. Musk is serving as a "special government employee," meaning that he is subject to a series of conflict-of-interest laws designed to prevent government officials from enriching themselves at the expense of taxpayers.[14] Specifically, 18 U.S.C. § 208 prohibits special government employees from participating "personally and substantially" in any "decision, approval, disapproval, recommendation, the rendering of advice, investigation… judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, arrest, or other particular matter" that would have a "direct and predictable effect" on his or her financial interests.[15] Therefore, if Mr. Musk has taken actions in his federal role that will benefit his financial interests without receiving appropriate waivers and approvals, he may have violated the criminal conflict of interest statute. Special government employees are also subject to the "Standards of Ethical Conduct for Employees of the Executive Branch."[16] DOGE employees are also subject to federal conflicts of interest laws.

On February 10, 2025, Senator Schiff sent letters to former OGE Director David Huitema and White House Chief of Staff Susan Wiles requesting clarification regarding Mr. Musk's compliance with federal conflicts of interest, ethics, and reporting requirements.[17] On February 19, 2025, we sent a letter to Acting Director Vought and Treasury Secretary Bessent requesting information regarding Mr. Musk's and other DOGE employees' compliance with federal ethics laws in their work at the CFPB.[18] On February 20, 2025, following President Trump's announcement firing Mr. Huitema without cause and designating Secretary of Veterans Affairs Doug Collins as acting OGE Director,[19] Senator Schiff sent a follow-up letter to Ms. Wiles and Secretary Collins requesting that the OGE preserve all records and correspondence regarding Mr. Huitema's removal and inquiring, yet again, about Mr. Musk's financial reporting obligations and any conflict of interest considerations communicated with the OGE on behalf of the White House.[20] We have yet to receive a response to any of these letters (enclosed).

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[14] National Public Radio, "Trump hired Musk as a 'special government employee.' Here's what that means," Joe Hernandez, February 13, 2025, https://www.npr.org/2025/02/13/nx-s1-5293124/special-government-employee-trump-musk-doge.

[15] 18 USC 208; U.S. Office of Government Ethics, Memorandum, "Conflict of Interest and the Special Government Employee," February 15, 2000,https://www.oge.gov/Web/oge.nsf/Legal%20Docs/445ECB1FB63809DA852585BA005BED9E/$FILE/00x1.pdf.

[16] 5 CFR Part 2635.

[17] Letter from Senator Adam B. Schiff to White House Chief of Staff Susan Wiles, February 10, 2025, https://www.schiff.senate.gov/wp-content/uploads/2025/02/20250210-Sen-Schiff-Letter-to-COS-Wiles-on-Musk.pdf; Letter from Senator Adam B. Schiff to OGE Director David Huitema, February 10, 2025, https://www.schiff.senate.gov/wp-content/uploads/2025/02/20250210-Sen-Schiff-Letter-to-OGE-on-Musk.pdf.

[18] Letter from Senators Warren and Schiff to Acting Director Vought and Secretary Bessent, February 19, 2025, https://www.banking.senate.gov/imo/media/doc/warren_schiff_letter_on_cfpb.pdf.

[19] U.S. Office of Government Ethics, "OGE has been notified that the President is removing David Huitema as the Director of OGE. OGE is reverting to an Acting Director. Please see OGE's Organizational Leadership webpage," February 10, 2025, https://oge.gov/web/oge.nsf/News+Releases/FCCCCDB6367A7C0A85258C2D00683079?opendocument.

[20] Letter from Senator Adam B. Schiff to White House Chief of Staff Susan Wiles and VA Secretary Doug Collins, February 20, 2025, https://www.schiff.senate.gov/wp-content/uploads/2025/02/2025.02.20-Sen-Schiff-Letter-to-COS-Wiles-Sec-Collins-on-OGE-Director-Firing-2.pdf.

OGE has historically played a critical role as the independent arbiter and enforcer of the federal criminal conflict of interest statute and other ethics rules. The office is integral to ensuring government employees, including special government employees, do not participate personally and substantially in official matters where they have a financial interest.[21] These functions are essential to maintaining congressional and public trust in Executive Branch actions. Therefore, we ask that OGE provide answers to the following questions no later than March 12, 2025:

1. Please provide a list of all federal ethics laws and regulations that Mr. Musk is subject to in his role as Senior Advisor to the President.
    a. Please provide any written communications between OGE and the White House, the Executive Office of the President, or Mr. Musk regarding his compliance with these ethics laws and regulations generated on or after January 20, 2025. Please preserve all relevant records and correspondence.
    b. Please provide any written communications between OGE and the White House, the Executive Office of the President, or Mr. Musk regarding the decision to classify Mr. Musk as a "special government employee." Please preserve all relevant records and correspondence.

2. To your knowledge, what are the employment classifications of DOGE employees that have engaged in work related to the CFPB, including any employees who may have entered CFPB headquarters and requested access to sensitive CFPB information, including internal staff records, competitive industry data, and personally identifiable consumer information?
    a. For each of these classifications, please provide a list of all federal ethics laws and regulations that these DOGE employees are subject to.
    b. Please provide any written communications between OGE and DOGE officials, including any DOGE officials involved in work at the CFPB, regarding compliance with federal ethics laws and regulations generated on or after January 20, 2025. Please preserve all relevant records and correspondence.

3. What contact, if any, have CFPB officials had with OGE regarding Mr. Musk's work at the CFPB and his compliance with federal ethics laws? Please provide any written communications between the CFPB and OGE regarding Mr. Musk since February 6, 2025. Please preserve all relevant records and correspondence.

4. What contact, if any, have officials at the Treasury Department had with OGE regarding Mr. Musk's work at the CFPB and his compliance with federal ethics laws? Please provide any written communications between the Treasury Department and OGE regarding Mr. Musk since February 6, 2025. Please preserve all relevant records and correspondence.

5. What contact, if any, have officials at CFPB had with OGE regarding other DOGE or DOGE-affiliated officials' work at the CFPB and their compliance with federal ethics laws? Please provide any written communications between the CFPB and OGE regarding

[21] U.S. Office of Government Ethics, "Analyzing Potential Conflicts of Interest," https://www.oge.gov/web/oge.nsf/Resources/Analyzing+Potential+Conflicts+of+Interest.

DOGE employees since February 6, 2025. Please preserve all relevant records and correspondence.

6. What contact, if any, have officials at the Treasury Department had with OGE regarding other DOGE or DOGE-affiliated officials' work at the CFPB and their compliance with federal ethics laws? Please provide any written communications between the Treasury Department and OGE regarding DOGE or DOGE-affiliated employees since February 6, 2025. Please preserve all relevant records and correspondence.

7. What specific plans are in place at the CFPB to ensure that DOGE or DOGE-affiliated officials, including Mr. Musk, comply with federal conflict of interest rules? If no plans exist, please explain why not.

8. To your knowledge, since February 6, 2025, has Mr. Musk recused himself from any particular matters associated with DOGE's work at the CFPB, including any matters related to his position and ownership interest in X or Tesla? If so, please provide a list of the particular matters, along with copies of any written communication regarding those particular matters and recusals.

9. To your knowledge, since February 6, 2025, have any ethics waivers been issued to Mr. Musk to address his conflicts of interest, including any conflicts arising from his position and ownership interest in X, his position and ownership interest in Tesla, and from his DOGE-related work at the CFPB, including any waivers issued under 18 U.S.C. § 208? Please provide copies of any ethics waivers issued and the date you were made aware of the waivers.
    a. If a written waiver has been provided exempting Mr. Musk from the penalties set forth in 18 U.S.C. § 208, please clarify whether the waivers was issued pursuant to 18 U.S.C. § 208(b)(1) or (b)(3).

10. To your knowledge, since February 6, 2025, have any other DOGE or DOGE-affiliated officials recused themselves from any particular matters associated with DOGE's work at the CFPB? If so, please provide a list of the employees, the particular matters from which they recused themselves, and copies of any written communication regarding those particular matters and recusals.

11. To your knowledge, since February 6, 2025, have ethics waivers been issued to DOGE employees to address conflicts of interest involving DOGE-related work at the CFPB, including any waivers issued under 18 U.S.C. § 208 or the Standards of Ethical Conduct Applicable to Executive Branch Employees? Please provide copies of any ethics waivers issued and the date you were made aware of the waivers.

12. What recusal or other measures have been put in place to ensure that DOGE or DOGE-affiliated officials, including Mr. Musk, cannot access information that would present conflicts?

13. Please provide answers to any outstanding questions included in Senator Schiff's letters sent on February 10, 2025, and February 20, 2025.

A robust response to our request is of the utmost importance. The President's decision to place a political ally at the head of OGE raises significant concerns about OGE's independence and undermines trust in the OGE as an impartial, apolitical ethics arbiter. It is therefore critical that you respond to our inquiries in full and in a timely manner.

Sincerely,

Elizabeth Warren
Ranking Member
Committee on Banking,
Housing, and Urban Affairs

Adam B. Schiff
United States Senator

Congress of the United States

Washington, DC 20515

March 10, 2025

The Honorable Doug Collins
Acting Director
Office of Government Ethics
250 E St. SW
Suite 750
Washington, DC 20024

Dear Acting Director Collins:

We write to request clarity on your actions and plans, as acting Director of the U.S. Office of Government Ethics (OGE), to ensure that volunteers serving with the "Department of Government Efficiency" ("DOGE") are aware of their rights and responsibilities under federal law.

According to President Trump's executive order on "Establishing and Implementing the President's 'Department of Government Efficiency,'" DOGE is a temporary organization covered by 5 U.S. Code § 3161.[1] Under that executive order, the organization will terminate by July 2026, but in the meantime has the authority to both hire employees and accept volunteers in accordance with federal law.

We are deeply concerned that those volunteers, by virtue of their rare status within the federal workforce, may be unaware of some of the legal requirements that they must abide by in their work with DOGE. Under 5 U.S. Code § 3161(i)(4), all temporary organization volunteers are considered federal employees for the purposes of all laws in 18 U.S. Code ch. 11 (Bribery, Graft, and Conflicts of Interest).[2]

Among other provisions, that chapter includes a *criminal conflict of interest* law that bars executive branch officers and employees from participating "personally and substantially" in any particular matter in which they know that they have a financial interest. The law also treats a number of other interests as their own, including the interests of: any business or organization in which they serve in any of a number of management positions or as an employee; any prospective employer which they have, or are negotiating, an agreement for future employment; and any spouse or minor child. That definition of financial interest is expansive; for example, a DOGE volunteer participating in a matter affecting a company that they have invested in, either directly or through a parent company or investment fund, could be found to have broken the law.

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[1] Establishing and Implementing the President's 'Department of Government Efficiency | White House

[2] 5 USC 3161: Employment and compensation of employees | U.S. Code

Anyone violating the criminal conflict of interest statute risks up to five years in prison and a financial penalty either up to $50,000 or the value of the illegally generated compensation.[3] Cases may be brought against them for up to *five years*—the standard statute of limitations for federal non-capital cases. Concerningly, many of those volunteers are acting as if they are unaware of their coverage under that statute—which could expose them to severe criminal penalties.

Given the potentially severe consequences facing those volunteers, please provide answers to the following questions:

1. What steps, if any, has OGE taken to inform volunteers advising or assisting DOGE about their responsibilities as volunteers with a temporary organization established under 5 U.S. Code § 3161?
2. Has OGE specifically informed volunteers advising or assisting DOGE about their coverage by 18 U.S. Code § 208, a criminal conflict of interest law?
3. Has OGE specifically informed volunteers advising or assisting DOGE that the penalties for violating 18 U.S. Code § 208 are the penalties laid out in 18 U.S. Code § 216, including up to five years in prison and significant financial penalties?
4. Has OGE specifically informed volunteers advising or assisting DOGE that cases arising under 18 U.S. Code § 208 may be brought up to five years after the date of any crime?
5. Have you, as OGE's Acting Director, ensured that ethics officials are able to identify all financial interests of DOGE employees and volunteers and to conduct a thorough conflict of interest analysis as to each of them?

Given the urgency of ensuring that those volunteers are aware of their responsibilities under the criminal laws that apply to them, we request a response to these questions by March 17, 2025. We thank you for your attention to this matter and look forward to receiving your responses.

Sincerely,

Donald S. Beyer Jr.
Member of Congress

Jamie Raskin
Member of Congress

Maxwell Alejandro Frost
Member of Congress

Joaquin Castro
Member of Congress

Dan Goldman
Member of Congress

Veronica Escobar
Member of Congress

[3] 18 USC 216: Penalties and injunctions

United States Senate
WASHINGTON, DC 20510

March 13, 2025

The Honorable Douglas A. Collins
Acting Director
U.S. Office of Government Ethics
250 E Street, SW, Suite 750
Washington, DC 20024

Dear Acting Director Collins:

We write with serious concern that a top Trump Administration official, Elon Musk — in conjunction with President Trump — is using his official role and the public resources of the White House to promote his car company, Tesla. We ask that the Office of Government Ethics (OGE) recommend this matter for investigation and possible disciplinary action.

Yesterday, President Trump and Mr. Musk held a press conference at the White House to promote Tesla, turning the White House into "a temporary Tesla showroom."[1] Five Tesla vehicles were displayed prominently outside of the White House.[2] At one point, the President and Mr. Musk entered one of the cars to explain its features.[3] Standing beside a Tesla, Mr. Musk touted that one model won "best car ever" and encouraged viewers to "try it," adding, "you'll like it."[4]

President Trump assisted in the promotion. While holding notes explaining the prices and features of various Tesla products,[5] the President announced that, although he does not drive, he would buy a Tesla and allow his staff to drive it.[6] He "declared the vehicles 'beautiful' and in particular praised the company's unusually designed Cybertruck."[7] President Trump even expressed support for the federal government defending Tesla by designating individuals who commit violence at Tesla dealerships as domestic terrorists.[8] Earlier that day, President Trump also posted on Truth Social signaling that his supporters should purchase Tesla vehicles to demonstrate their political support: "To Republicans, Conservatives, and all great Americans,

[1] NBC, "Trump turns the White House lawn into a Tesla showroom," David Ingram, March 11, 2025, https://www.nbcnews.com/tech/elon-musk/trump-musk-tesla-white-house-showroom-buys-car-rcna195905.
[2] *Id.*
[3] PBS News, "WATCH: Trump talks Tesla shopping with Musk," Chris Megerian, March 11, 2025, 20:00-21:00, https://www.pbs.org/newshour/politics/watch-trump-talks-tesla-shopping-with-musk.
[4] *Id.* at 5:45-6:25.
[5] NBC, "Trump turns the White House lawn into a Tesla showroom," David Ingram, March 11, 2025, https://www.nbcnews.com/tech/elon-musk/trump-musk-tesla-white-house-showroom-buys-car-rcna195905.
[6] PBS News, "WATCH: Trump talks Tesla shopping with Musk," Chris Megerian, March 11, 2025, 1:34-1:45, https://www.pbs.org/newshour/politics/watch-trump-talks-tesla-shopping-with-musk.
[7] NBC, "Trump turns the White House lawn into a Tesla showroom," David Ingram, March 11, 2025, https://www.nbcnews.com/tech/elon-musk/trump-musk-tesla-white-house-showroom-buys-car-rcna195905.
[8] Reuters, "Trump says violence against Tesla is domestic terrorism," Jeff Mason and Abhirup Roy, March 11, 2025, https://www.reuters.com/world/us/trump-says-he-will-buy-new-tesla-show-support-musk-2025-03-11.

Elon Musk is 'putting it on the line' in order to help our Nation, and he is doing a FANTASTIC JOB! . . . I'm going to buy a brand new Tesla tomorrow morning as a show of confidence and support for Elon Musk, a truly great American."[9]

Mr. Musk appears to have violated federal ethics laws by using his official position to promote his company. As a Special Government Employee (SGE), Mr. Musk is subject to OGE regulations governing the conduct of executive branch employees.[10] He works as an SGE within the White House, and "[e]mployees of the Executive Office of the President are subject to the executive branch-wide standards of ethical conduct."[11] One of those standards, OGE regulation 5 CFR § 2635.702, prohibits using public office for private gain — including by using one's "[g]overnment position or title or any authority associated with their public office to endorse any product" or "to imply that their agency or the Government sanctions or endorses their personal activities."[12] While President Trump is exempt from that prohibition, Mr. Musk is not. By promoting Tesla during an official press conference with the President while using the White House as a backdrop, Mr. Musk appeared to leverage his senior role in the government and the authority associated with the presidency to recommend Tesla and to imply that the Trump Administration endorses Tesla vehicles. His actions also may have implicated 5 CFR § 2635.704, which prohibits using government property for purposes other than authorized purposes — such as using the White House as a *de facto* showroom to advertise a consumer product.[13] Violations of these standards of ethical conduct can result in disciplinary action, including suspension or removal.[14]

OGE has previously warned that White House staff risk violating federal ethics laws by using their platforms to promote products.[15] In 2017, senior Trump official Kellyanne Conway encouraged the public to "[g]o buy Ivanka's stuff," referring to a line of jewelry, clothing, and accessories sold by President Trump's daughter.[16] Conway added, "I'm going to give a free commercial here: Go buy it today, everybody; you can find it online."[17] Soon thereafter, OGE advised that the White House's Designated Agency Ethics Official (DAEO) investigate the matter, noting that there was "strong reason to believe" that Conway had violated ethics laws and that disciplinary action was warranted.[18] The White House Counsel's Office then "immediately

[9] Truth Social post by Donald J. Trump, March 11, 2025, https://truthsocial.com/@realDonaldTrump/posts/114141854575248527.
[10] NPR, "Trump hired Musk as a 'special government employee.' Here's what that means," Joe Hernandez, February 13, 2025, https://www.npr.org/2025/02/13/nx-s1-5293124/special-government-employee-trump-musk-doge; 5 CFR § 2635.102.
[11] 3 CFR § 100.1.
[12] 5 CFR § 2635.702.
[13] 5 CFR § 2635.704.
[14] 5 CFR § 2635.106.
[15] Letter from House Oversight Committee to the Director of the Office of Government Affairs Walter Shaub, February 9, 2017, https://oversight.house.gov/wp-content/uploads/2017/02/Letter-to-OGE-re-Conway-Endorsement-FINAL.pdf.
[16] New York Times, "Kellyanne Conway Promotes Ivanka Trump Brand, Raising Ethics Concerns," Richard Pérez-Peña and Rachel Abrams, February 9, 2017, https://www.nytimes.com/2017/02/09/us/politics/kellyanne-conway-ivanka-trump-ethics.html.
[17] *Id.*
[18] Tweet from House Oversight Committee Democrats, February 14, 2017, https://x.com/OversightDems/status/831578815868575744/photo/1; NBC News, "Office of Government Ethics: 'Strong Reason' to Think Conway Violated Rules," Andrew Rafferty, February 14, 2017,

undertook a review of the facts and circumstances," agreed that the comments "implicated the prohibition on using one's official position to endorse any product or service," and met with Conway to review the standards of ethical conduct.[19]

OGE should do the same here. We ask that you recommend that the White House's DAEO investigate these circumstances and determine whether Mr. Musk has violated federal ethics laws and whether additional action is warranted.

Ethics laws on the misuse of government positions serve a practical purpose. They help ensure that finite taxpayer resources are devoted to addressing public problems, from soaring egg prices to a Measles outbreak — rather than redirecting the President's scarce time and White House resources to helping the world's richest man get richer. Enforcement of these laws is of the utmost importance.

Sincerely,

Elizabeth Warren
United States Senator

Adam B. Schiff
United States Senator

Cory A. Booker
United States Senator

Richard Blumenthal
United States Senator

Cc: Scott Gast, Designated Agency Ethics Official, White House Office;
Susie Wiles, White House Chief of Staff

https://www.nbcnews.com/politics/politics-news/office-government-ethics-strong-reason-think-conway-violated-rules-n720866._

[19] Letter from the Deputy Counsel to the President for Compliance and Ethics Stefan Passantino to the Director of the Office of Government Affairs Walter Shaub, February 28, 2017, https://www.scribd.com/document/340675586/WH-Ethics-Office-on-Conway.

Congress of the United States

Washington, DC 20515

March 17, 2025

Susie Wiles
White House Chief of Staff
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Susie Wiles:

Congress has broad authority to conduct oversight of the President and the Executive Branch to inform the legislative process and ensure that the Executive Branch is faithfully executing the laws Congress passes. Widespread conflicts of interest erode public confidence in that faithful execution and open the door to corruption — which, in turn, undermines the President's agenda. We write today to exercise our oversight responsibility regarding the fact that President Trump's administration has, in less than two months, been overwhelmed with conflicts of interest and corruption. We request that his Administration provide written assurances that it will immediately remediate the worst violations and take steps to address future concerns.

Despite President Trump's promises to fight for working families, he has appointed a string of corporate billionaires and industry insiders, putting them in positions to enrich themselves at the expense of ordinary Americans. And despite his 2017 promise to not "take advantage of" the presidency,[1] he has degraded the dignity of the office by using the tools of the federal government to drive customers to his businesses. Meanwhile, his unelected "co-president" Elon Musk is relentlessly attacking and disarming federal agencies that regulate his companies, even as his companies have benefited from billions in federal contracts.

Corruption scandals were a feature of President Trump's first term. He earned millions from foreign governments and special interest groups that visited his properties, and he "turned the U.S. Secret Service into an ATM for his personal enrichment."[2] Meanwhile, his appointees stood to profit from policies they set. From Commerce Secretary Wilbur Ross who oversaw natural gas export policy while maintaining a large stake in a gas shipping company,[3] to Betsy DeVos who

[1] New York Times, "An Ethical Minefield Awaits a Possible Second Trump Presidency," Ben Protess, Maggie Haberman, and Eric Lipton, October 29, 2024, https://www.nytimes.com/2024/10/29/us/elections/trump-foreign-business-presidency-conflicts.html.

[2] House Committee on Oversight and Accountability, "Oversight Democrats' New Report Proves Trump Used His D.C. Hotel to Take Unconstitutional Domestic Emoluments, Fleecing the Taxpayers," press release, October 18, 2024, https://oversightdemocrats.house.gov/news/press-releases/oversight-democrats-new-report-proves-trump-used-his-dc-hotel-take.

[3] The American Prospect, "Mapping Corruption: Donald Trump's Executive Branch," Jim Lardner, April 9, 2020, https://prospect.org/power/mapping-corruption-donald-trump-executive-branch/; NBC News, "Trump's Chinese Gas Deals Raises Ethics Issues for Wilbur Ross," Suzy Khimm, November 8, 2017, https://www.nbcnews.com/politics/white-house/trump-s-chinese-gas-deal-raises-ethics-issues-wilbur-ross-n818861; Citizens for Responsibility and Ethics in Washington, "Has Commerce Secretary Ross resolved all potential conflicts of interest?" Eden Tadesse, John Morgan, and Virginia Canter, November 1, 2017,

led the Department of Education while maintaining a multi-million-dollar stake in a child "brain performance" company, President Trump's nominees enriched themselves using leverage they gained in their public service jobs.[4] Multiple members of the Trump administration resigned under a cloud of ethics concerns, including his Director of the U.S. Centers for Disease Control and Prevention (CDC) Dr. Brenda Fitzgerald who purchased stock in a tobacco company while leading public health policy[5] and William Wehrum who faced allegations that he improperly assisted his former coal and oil industry clients while serving as President Trump's top air policy official at the U.S. Environmental Protection Agency (EPA).[6] The list goes on.[7]

Less than two months into President Trump's second term, his new administration is already beating his earlier record of corruption.[8] His appointees are former lobbyists, billionaire chief executive officers (CEOs), and stockholders with a direct financial stake in their own policy work. He has appointed lobbyists to lead the agencies they recently lobbied — from former airline lobbyist Sean Duffy to lead the nation's transportation policy[9] to crypto lobbyist Paul Atkins to lead securities regulation.[10] Similar, he has appointed industry executives to lead the agencies that regulate their businesses,[11] such as fracking company CEO Chris Wright to lead the Energy Department,[12] hedge fund executive Scott Bessent to lead the Treasury Department,[13] and Martin Makary, executive of a company that produces a weight-loss drug, to lead the Food and Drug Administration.[14] Meanwhile, several of President Trump's picks own lucrative stock holdings in companies that contract with their agencies — such as Defense Secretary Pete

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https://www.citizensforethics.org/reports-investigations/crew-investigations/commerce-secretary-ross-resolved-potential-conflicts-interest/.

[4] Citizens for Responsibility and Ethics in Washington, "Betsy DeVos made at least $225 million while education secretary," Linnaea Honl-Stuenkel and Caitlin Moniz, March 22, 2021, https://www.citizensforethics.org/reports-investigations/crew-investigations/betsy-devos-made-at-least-225-million-while-education-secretary/.

[5] Politico, "CDC director who traded tobacco stock resigns," Brianna Ehley and Sarah Karlin-Smith, January 31, 2018, https://www.politico.com/story/2018/01/31/cdc-director-resigns-over-financial-conflicts-380206.

[6] NPR, "Top Clean-Air Official Plans To Step Down From EPA Post Amid Ethics Probe," Vanessa Romo, June 26, 2019, https://www.npr.org/2019/06/26/736290295/top-clean-air-official-plans-to-step-down-from-epa-post-amid-ethics-probe.

[7] *See, e.g.*, Washington Post, "Interior Secretary Zinke resigns amid investigations," Juliet Eilperin, Josh Dawsey, and Darryl Fears, December 15, 2018, https://www.washingtonpost.com/national/health-science/interior-secretary-zinke-resigns-amid-investigations/2018/12/15/481f9104-0077-11e9-ad40-cdfd0e0dd65a_story.html; CNN, "Who has left Trump's administration and orbit?" Jan Diehm, Sam Petulla, and Zachary B. Wolf, October 21, 2019, https://www.cnn.com/interactive/2017/08/politics/trump-admin-departures-trnd/.

[8] Brennan Center for Justice, "Uncovering Conflicts of Interest and Self-Dealing in the Executive Branch," Eric Petry, February 21, 2025, https://www.brennancenter.org/our-work/research-reports/uncovering-conflicts-interest-and-self-dealing-executive-branch.

[9] The American Prospect, "Trump at the Lobbyist Trough," David Dayen, November 25, 2024, https://prospect.org/politics/2024-11-25-trump-at-the-lobbyist-trough/.

[10] CFO Dive, "Trump taps crypto lobbyist, business consultant to lead SEC," Alexei Alexis, December 4, 2024, https://www.cfodive.com/news/trump-taps-business-consultant-crypto-lobbyist-lead-sec/734648/.

[11] The American Prospect, "Trump at the Lobbyist Trough," David Daden, November 25, 2024, https://prospect.org/politics/2024-11-25-trump-at-the-lobbyist-trough/.

[12] U.S. News & World Report, "What to Know About Chris Wright, Trump's Pick for Energy Secretary," Aneeta Mathur-Ashton, November 18, 2024, https://www.usnews.com/news/national-news/articles/2024-11-18/who-is-chris-wright-trumps-pick-for-energy-secretary.

[13] The American Prospect, "Trump at the Lobbyist Trough," David Daden, November 25, 2024, https://prospect.org/politics/2024-11-25-trump-at-the-lobbyist-trough/.

Hegseth whose household owns stock in large defense contractors and who has not agreed to take sufficient steps to mitigate those conflicts.[15] Others with a financial stake in their own work have simply given the stake to their adult children, thereby maintaining an indirect financial interest, including Secretary of Health and Human Services Robert F. Kennedy and Commerce Secretary Howard Lutnick.[16]

Meanwhile, President Trump's own business ventures have grown to a scale that makes the conflict-of-interest concerns from his first administration "seem almost quaint" in comparison.[17] He has acquired a publicly traded social media company, Truth Social, that — until his meme coin launch — accounted for most of his wealth.[18] He asserted that he has "NO INTENTION OF SELLING!" Truth Social,[19] and instead transferred shares into a trust controlled by his son.[20] And despite previously calling crypto a "scam," President Trump has become a crypto salesman.[21] In the past year, he has launched a cryptocurrency business, World Liberty Financial,[22] and on January 18, 2025, he released the $TRUMP meme coin — which earned his family and business partners close to $100 million in trading fees alone in less than 14 days on the market.[23] Foreign entities that seek to sway his foreign policy decisions can invest in both his

[14] STAT News, "Trump's pick to run FDA is top exec of company that provides compounded weight-loss drugs," John Wilkerson, Rachel Cohrs Zhang, and Katie Palmer, November 24, 2024, https://www.statnews.com/2024/11/24/makary-sesame-compounded-weight-loss-drugs-semaglutide-fda-shortage-list/.

[15] Office of Senator Elizabeth Warren, "Ahead of Confirmation Vote, Warren Calls On Hegseth to Address Conflicts of Interest, Commit to Public Integrity Standards," press release, January 17, 2025, https://www.warren.senate.gov/newsroom/press-releases/ahead-of-confirmation-vote-warren-calls-on-hegseth-to-address-conflicts-of-interest-commit-to-public-integrity-standards.

[16] Bloomberg, "Howard Lutnick Starts Wall Street Dynasty With DJ and Trader Sons," Todd Gillespie and Max Abelson, February 19, 2025, https://www.bloomberg.com/news/articles/2025-02-20/howard-lutnick-gives-top-cantor-fitzgerald-jobs-to-sons-brandon-kyle; STAT, "RFK Jr. is giving his son any fees he earns from Gardasil vaccine litigation," John Wilkerson, January 31, 2025, https://www.statnews.com/2025/01/31/rfk-jr-hhs-gardasil-litigation-fees-divest-son-wisner-baum/.

[17] New York Times, "An Illustrated Guide to Trump's Conflict of Interest Risks," Karen Yourish, Eric Lipton, and Lazaro Gamio, January 24, 2025, https://www.nytimes.com/interactive/2025/01/17/us/politics/trump-conflicts-of-interest.html; CNN, "Gold-plated watches and electoral map sneakers: Trump's newest merchandise raises conflict of interest questions," Fredreka Schouten and Steve Contorno, January 8, 2025, https://www.cnn.com/2025/01/08/politics/trump-conflicts-of-interest-second-term/index.html.

[18] Forbes, "Trump's Net Worth Rose $3.6 Billion This Year—Despite Wild Fluctuations In His Wealth," Stephen Pastis, December 25, 2024, https://www.forbes.com/sites/stephenpastis/2024/12/25/trumps-net-worth-rose-36-billion-this-year-despite-wild-fluctuations-in-his-wealth/; Axios, "Donald Trump, crypto billionaire," Felix Salmon, January 19, 2025, https://www.axios.com/2025/01/19/donald-trump-crypto-billionaire.

[19] Truth Social post by Donald J. Trump, November 8, 2024, https://truthsocial.com/@realDonaldTrump/posts/113447949058695478.

[20] New York Times, "Trump Puts $4 Billion in Shares of His Media Company in a Trust," Matthew Goldstein, December 20, 2024, https://www.nytimes.com/2024/12/20/business/trump-media-donald-trump-trust.html.

[21] NBC News, "Donald Trump flips on crypto: From 'scam' to building a 'crypto army,'" Alex Seitz-Wald, June 15, 2024, https://www.nbcnews.com/politics/2024-election/donald-trump-flips-crypto-scam-building-crypto-army-rcna157171.

[22] New York Times, "Trump Rolls Out His New Cryptocurrency Business," David Yaffe-Bellany, Sharon LaFraniere, and Matthew Goldstein, September 16, 2024, https://www.nytimes.com/2024/09/16/technology/trump-crypto-world-liberty-financial.html.

[23] Reuters, "Exclusive: Trump's meme coin made nearly $100 million in trading fees, as small traders lost money," Tom Wilson and Michelle Conlin, February 3, 2025, https://www.reuters.com/markets/currencies/trumps-meme-

crypto and social media companies.[24] Indeed, President Trump has received over $50 million from a Chinese national who purchased his crypto tokens and who has been facing fraud charges brought by the Securities and Exchange Commission (SEC) — although, since President Trump took office, the SEC has taken steps to discontinue that prosecution.[25]

President Trump has also enlarged his network of foreign real estate ventures, with new properties, golf courses, and more in Saudi Arabia, Oman, Vietnam, India, and other countries whose cooperation his businesses depend on[26] — giving foreign governments leverage to sway his foreign policy decisions.[27] He has also sought to grow his portfolio of domestic real estate. For example, the Trump Organization is currently seeking to buy back the former Trump Hotel in DC that, during his first term, became the "'epicenter' of corruption" for foreign dignitaries and "anyone looking to 'curry favor'" with him — which raised serious questions about whether he violated the Constitution's Foreign Emoluments Clause.[28] And perhaps his most well-known property, Mar-a-Lago, has turned into a well-oiled pay-to-play machine. Membership fees have skyrocketed five-fold since 2017,[29] and elites can pay millions of dollars for private access to the

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coin-made-nearly-100-million-trading-fees-small-traders-lost-money-2025-02-03/; New York Times, "Milei, $Melania and Memecoins: Unraveling Argentina's Crypto Fiasco," Jack Nicas and David Yaffe-Bellany, February 28, 2025, https://www.nytimes.com/2025/02/28/world/americas/argentina-crypto-scandal-president.html.

[24] New York Times, "What to Know About Trump Media Now That the Election Is Over," Matthew Goldstein, November 13, 2024, https://www.nytimes.com/2024/11/13/business/trump-media-truth-social.html; New York Times, "An Ethical Minefield Awaits a Possible Second Trump Presidency," Ben Protess, Maggie Haberman, and Eric Lipton, October 29, 2024, https://www.nytimes.com/2024/10/29/us/elections/trump-foreign-business-presidency-conflicts.html; New York Times, "Trump's Social Media Company Opens New Avenue for Conflicts of Interest," Sharon LaFraniere, March 27, 2024, https://www.nytimes.com/2024/03/27/us/trump-media-truth-social-campaign.html; ABC News, "Chinese entrepreneur sued for fraud invests $30 million in Trump crypto venture," Peter Charalambous, December 6, 2024, https://abcnews.go.com/US/chinese-entrepreneur-sued-fraud-invests-30-million-trump/story?id=116499146.

[25] The New Republic, "The First Corruption Scandal of Trump's Second Term Is Already Here," Hafiz Rashid, December 3, 2024, https://newrepublic.com/post/188957/trump-18-million-justin-sun-banana-charged-fraud-sec; U.S. Securities and Exchange Commission, "SEC Charges Crypto Entrepreneur Justin Sun and His Companies for Fraud and Other Securities Law Violations," press release, March 22, 2023, https://www.sec.gov/newsroom/press-releases/2023-59; Mother Jones, "SEC Halts Fraud Prosecution of Chinese Crypto Bro Whose Purchases Enriched Trump," Rebecca Crosby and Judd Legum, February 28, 2025, https://www.motherjones.com/politics/2025/02/sec-fraud-prosecution-chinese-crypto-entrepreneur-justin-sun-donald-trump-world-liberty-financial-tokens/.

[26] New York Times, "An Illustrated Guide to Trump's Conflict of Interest Risks," Karen Yourish, Eric Lipton, and Lazaro Gamio, January 24, 2025, https://www.nytimes.com/interactive/2025/01/17/us/politics/trump-conflicts-of-interest.html.

[27] *Id.*; New York Times, "Trump Real Estate Deal in Oman Underscores Ethics Concerns," Eric Lipton, June 20, 2023, https://www.nytimes.com/2023/06/20/us/politics/trump-real-estate-deal-oman.html.

[28] Wall Street Journal, "The Trumps Are in Talks to Reclaim Their Prized D.C. Hotel," Craig Karmin, January 10, 2025, https://www.wsj.com/real-estate/trump-dc-hotel-sale-white-house-return-0a4ba019; Business Insider, "Trump's DC hotel was the 'epicenter' of corruption where anyone looking to 'curry favor' could just walk in and 'flash cash,' says watchdog group," Joshua Nelken-Zitser, December 19, 2021, https://www.businessinsider.com/trumps-dc-hotel-was-epicenter-of-corruption-watchdog-head-says-nbc-2021-12.

[29] Business Insider, "Trump's Mar-a-Lago club just doubled its new membership fee to $200,000," Dennis Green, January 25, 2017, https://www.businessinsider.com/mar-a-lago-doubles-membership-fee-to-200000-2017-1; The Guardian, "Trump hikes Mar-a-Lago membership to $1m, raising concerns of selling access," Richard Luscombe, August 5, 2024, https://www.theguardian.com/us-news/article/2024/aug/05/trump-mar-a-lago-membership-price-hike.

President over dinner.[30] President Trump continues to refuse to divest from this maze of business interests, although every other American president in the modern era has done so.[31] Even former Vice President Nelson Rockefeller, whose businesses the President often points to as precedent,[32] agreed to take "whatever steps are necessary" to resolve potential conflicts of interests, undergoing months of intense congressional hearings about the conflicts and releasing tax returns from a dozen years to address ethics concerns.[33]

Perhaps most concerning, President Trump has ceded power to the world's richest man, Elon Musk, who stands to profit from the Department of Government Efficiency's (DOGE) attempts to raze the executive branch. Since President Trump took office, at least 11 of the agencies with "investigations, pending complaints or enforcement actions" against Musk's companies have been hamstrung, including through the firing of the agencies' independent commissioners and rolling back the agencies' independence.[34] Meanwhile, Musk's companies — which have already received at least $38 billion in federal funding[35] — are vying for new federal contracts. For example, it appears that the Federal Aviation Administration (FAA) may cancel a $2.4 billion contract that it awarded to Verizon in 2023 to upgrade a communications platform for air traffic control facilities, and the FAA plans to pay Musk's Starlink to help manage U.S. airspace.[36]

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[30] Wired, "People Are Paying Millions to Dine With Donald Trump at Mar-a-Lago," Leah Feiger, Louise Matsakis, Jake Lahut, March 4, 2025, https://www.wired.com/story/people-paying-millions-donald-trump-mar-a-lago/; The Guardian, "Trump's top inauguration donors to be rewarded with dinners and access," Robert Tait, December 4, 2024, https://www.theguardian.com/us-news/2024/dec/04/trump-inauguration-donors-dinners.

[31] CNBC, "Trump won't pledge to divest from businesses if he wins second term," Kevin Breuninger, January 10, 2024, https://www.cnbc.com/2024/01/10/trump-wont-pledge-to-divest-from-businesses-if-he-wins-second-term.html; Executive Functions, "The Meme Coin Is Just the Beginning," Bob Bauer, January 27, 2025, https://substack.com/home/post/p-155776681.

[32] New York Times, "It 'Falls Short in Every Respect': Ethics Experts Pan Trump's Conflicts Plan," Karen Yourish and Larry Buchanan, January 12, 2017, https://www.nytimes.com/interactive/2017/01/12/us/politics/ethics-experts-trumps-conflicts-of-interest.html; Quinn Emanuel Urquhart & Sullivan, LLP, "White Paper: President Trump's Second Term in Office," January 10, 2025, https://static01.nyt.com/newsgraphics/documenttools/ea6760794c5e7239/0b5172f7-full.pdf.

[33] CBS News, "Conflicts of interest: Donald Trump 2017 vs. Nelson Rockefeller 1974," Jake Miller, January 13, 2017, https://www.cbsnews.com/news/conflicts-of-interest-donald-trump-2017-vs-nelson-rockefeller-1974/; New York Times, "Rockefeller Promises to Take Steps to Resolve Any Conflicts of Interest," Linda Charlton, September 4, 1974, https://www.nytimes.com/1974/09/04/archives/rockefeller-promises-to-take-steps-to-resolve-any-conflicts-of.html; Ford Library Museum, "Vice President - Rockefeller Statement to the Senate Rules Committee," September 23, 1974, https://www.fordlibrarymuseum.gov/sites/default/files/pdf_documents/library/document/0011/1683471.pdf.

[34] New York Times, "Elon Musk's Business Empire Scores Benefits Under Trump Shake-Up," Eric Lipton and Kirsten Grind, February 11, 2025, https://www.nytimes.com/2025/02/11/us/politics/elon-musk-companies-conflicts.html; NPR, "Trump claims expanded power over independent agencies," Danielle Kurtzleben, February 19, 2025, https://www.npr.org/2025/02/19/nx-s1-5302481/trump-independent-agencies; Letter from Senators Alex Padilla, Elizabeth Warren, et al. to President Donald J. Trump, February 12, 2025, https://www.padilla.senate.gov/wp-content/uploads/02.12.25_Letter-to-POTUS-on-Removal-of-FEC-Chair-Weintraub.pdf.

[35] Washington Post, "Elon Musk's business empire is built on $38 billion in government funding," Desmond Butler, Trisha Thadani, Emmanuel Martinez, et al., February 26, 2025, https://www.washingtonpost.com/technology/interactive/2025/elon-musk-business-government-contracts-funding/.

[36] Washington Post, "FAA targeting Verizon contract in favor of Musk's Starlink, sources say," Ian Duncan, February 26, 2025, https://www.washingtonpost.com/business/2025/02/26/musk-starlink-doge-faa-verizon/; CNN, "Musk's Starlink gets FAA contract, raising new conflict of interest concerns," Chris Isidore, February 25, 2025, https://www.cnn.com/2025/02/25/business/musk-faa-starlink-contract/index.html; Rolling Stone, "FAA Officials

Meanwhile, the State Department announced that it would pay over $400 million to purchase vehicles from Musk's Tesla; following public outcry, the Department announced it was pausing that purchase (though documentation creates some ambiguity about the Department's current plans).[37] In addition, Musk is pushing to privatize functions performed by companies in which he has a financial stake. For example, he is insisting that agencies increase their reliance on artificial intelligence while simultaneously building out the AI arm of X (formerly Twitter) and seeking to buy OpenAI, the founder of ChatGPT.[38] And he appears to be angling for the FAA to privatize portions of the air traffic control system in which his company SpaceX has an interest.[39] Musk has done all of this without so much as disclosing his financial interests to the public.[40]

At the same time that President Trump's own conflicts and those of his team are on the rise, he is decapitating the watchdog offices responsible for enforcing public integrity standards in the executive branch. In just his first three weeks in office, he attempted to fire at least 17 Inspectors General who were working to root corruption out of federal agencies.[41] That attempt is currently being litigated.[42] Furthermore, President Trump fired the head of the Office of Special Counsel (OSC), which investigates prohibited practices like nepotism, racial discrimination, and unauthorized political activity by federal workers.[43] The Trump administration also reassigned responsibility for the Department of Justice's (DOJ) ethics oversight away from DOJ's top career official and gave it to President Trump's former criminal defense lawyer and an early-career

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Ordered Staff to Find Funding for Elon Musk's Starlink," Andrew Perez, and Asawin Suebsaeng, March 2, 2025, https://www.rollingstone.com/politics/politics-features/elon-musk-starlink-faa-officials-find-funding-1235285246/.

[37] National Public Radio, "A new document undercuts Trump admin's denials about $400 million Tesla deal," Bobby Allyn, February 24, 2025, https://www.npr.org/2025/02/24/nx-s1-5305269/tesla-state-department-elon-musk-trump; Letter from Senate Permanent Subcommittee on Investigations Ranking Member Richard Blumenthal to Secretary of State Marco Rubio, February 13, 2025, https://www.hsgac.senate.gov/wp-content/uploads/2025-02-13-Letter-from-Blumenthal-to-Secretary-Rubio.pdf.

[38] Associated Press, "Elon Musk-led group proposes buying OpenAI for $97.4 billion. OpenAI CEO says 'no thank you,'" Matt O'Brien, February 10, 2025, https://apnews.com/article/elon-musk-openai-bid-chatgpt-sam-altman-b1ad37fe4fe70e3b5d283940bd3b8215; The New Yorker, "Elon Musk's A.I.-Fuelled War on Human Agency," Kyle Chayka, February 12, 2025, https://www.newyorker.com/culture/infinite-scroll/elon-musks-ai-fuelled-war-on-human-agency; CBS News, "Musk launches Grok 3 AI chatbot. Here's what to know," Megan Cerullo, February 18, 2025, https://www.cbsnews.com/news/elon-musk-grok-3-xai-ai-chatbot-openai/.

[39] The Guardian, "Elon Musk's six major conflicts of interest with the federal government," George Chidi, December 13, 2024, https://www.theguardian.com/us-news/2024/dec/13/elon-musk-conflict-of-interest; X post by Secretary of Transportation Sean Duffy, February 16, 2025, https://x.com/SecDuffy/status/1891310401800872114.

[40] New York Times, "Elon Musk's Financial Disclosure Will Not Be Made Public," Theodore Schleifer and Eric Lipton, February 11, 2025, https://www.nytimes.com/2025/02/11/us/politics/elon-musk-finances.html.

[41] ABC News, "Trump fires 17 independent watchdogs at multiple agencies in late-night move," Katherine Faulders, Benjamin Siegel, Alexander Mallin, and Allison Pecorin, January 25, 2025, https://abcnews.go.com/Politics/trump-fires-17-independent-watchdogs-multiple-agencies-late/story?id=118097873V; Associated Press, "White House fires USAID inspector general after warning about funding oversight, officials say," Ellen Knickmeyer, February 11, 2025, https://apnews.com/article/usaid-american-companies-layoffs-lawsuit-8c116d877c179169fbce2d3348fcd997.

[42] New York Times, "8 Inspectors General Fired by Trump File Lawsuit Seeking Reinstatement," Charlie Savage, February 12, 2025, https://www.nytimes.com/2025/02/12/us/politics/inspectors-general-trump-lawsuit.html.

[43] National Public Radio, "Judge grants top whistleblower advocate reprieve after he sued Trump over firing," Stephen Fowler, February 10, 2025, https://www.npr.org/2025/02/10/nx-s1-5292259/hampton-dellinger-trump-special-counsel; U.S. Office of Special Counsel, "Prohibited Personnel Practices Overview," https://osc.gov/Services/pages/ppp.aspx.

political staffer.[44] Finally, President Trump became the first president in history to fire the director of the Office of Government Ethics (OGE), the primary office responsible for mitigating conflicts of interest in the executive branch.[45]

These immense financial conflicts of interest have real-world stakes for the American public. President Trump, Musk, and his appointees have multiple incentives to funnel taxpayer dollars to their own pockets, even if it means hurting the American workers President Trump claims to champion. This risk is not hypothetical. For example, during his last term, President Trump approved the Sprint-T-Mobile merger that was called "bad for ordinary Americans but suspiciously good for Donald Trump," as T-Mobile "suddenly became a big customer at his hotels once it needed approval for [its] merger."[46] Similarly, his administration sided with the payday lending industry in opposing a rule to protect consumers around the same time that the industry hosted its conventions at his hotel, earning him $1 million.[47] And this time, President Trump, Musk, and his appointees will be able to put their thumbs on the scale of even more policy decisions to enrich themselves. For example, as President Trump works to erode the independence of the Federal Communications Commission, he enhances his ability to pressure it to treat social media sites like Truth Social more leniently or to target disfavored media

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[44] Bloomberg Law, "Trump DOJ Assigns Sensitive Ethics Powers to Political Aides (1)," Ben Penn, February 16, 2025, https://news.bloomberglaw.com/us-law-week/trump-doj-delegates-sensitive-ethics-powers-to-political-aides.

[45] CBS News, "Trump ousts director of Office of Government Ethics," Kathryn Watson, February 10, 2025; https://www.cbsnews.com/news/trump-office-of-government-ethics-director/; Congress.gov, "PN923 — David Huitema — Office of Government Ethics," https://www.congress.gov/nomination/118th-congress/923; New York Times, "Government Ethics Chief Resigns, Casting Uncertainty Over Agency," Nicholas Fandos, July 6, 2017, https://www.nytimes.com/2017/07/06/us/politics/walter-shaub-office-of-government-ethics-resign.html; U.S. Office of Government Ethics, "The Passing of the Honorable Robert I. 'RIC' Cusick, former Director of the U.S. Office of Government Ethics," November 26, 2014, https://www.oge.gov/web/oge.nsf/Resources/The+Passing+of+the+Honorable+Robert+I.+"RIC"+Cusick,+former+Director+of+the+U.S.+Office+of+Government+Ethics; Washington Post, "Ethics Agency's Director Resigns," Christopher Lee, December 4, 2003, https://www.washingtonpost.com/archive/politics/2003/12/05/ethics-agencys-director-resigns/ebda57b0-16d4-43fe-b69e-48aa14b251c2/; Office of Government Ethics, "The Passing of the Honorable Stephen D. Potts, former Director of the U.S. Office of Government Ethics," December 17, 2019, https://oge.gov/Web/OGE.nsf/Resources/The+Passing+of+the+Honorable+Stephen+D.+Potts,+former+Director+of+the+U.S.+Office+of+Government+Ethics; U.S. Office of Government Ethics, "The Passing of the Honorable Frank Q. Nebeker, former Director of the U.S. Office of Government Ethics," January 11, 2024, https://www.oge.gov/web/oge.nsf/Resources/The+Passing+of+the+Honorable+Frank+Q.+Nebeker,+former+Director+of+the+U.S.+Office+of+Government+Ethics; New York Times, "Washington Talk: Office Of Government Ethics; Martin: Farewell To Ambiguity," Clifford D. May, August 18, 1987, https://www.nytimes.com/1987/08/18/us/washington-talk-office-of-government-ethics-martin-farewell-to-ambiguity.html; U.S. House Committee on Post Office and Civil Service, Subcommittee on Human Resources, "H.R. 1650 A Bill To Reauthorize The Office Of Government Ethics," April 5, 1983, p. 53, https://www.google.com/books/edition/Office_of_Government_Ethics/S0IqAAAAMAAJ?hl=en&gbpv=1; U.S. Senate Committee on Governmental Affairs, "Nomination Of J. Jackson Walter," December 19, 1979, p. 2, https://www.google.com/books/edition/Nomination_of_J_Jackson_Walter/Savpv7ENsXgC?hl=en&gbpv=1.

[46] Vox, "Trump is approving an anti-competitive merger that will cost you money," Matthew Yglesias, July 29, 2019, https://www.vox.com/2019/7/29/8932025/trump-sprint-tmobile-hotel.

[47] ProPublica, "How Payday Lenders Spent $1 Million at a Trump Resort — and Cashed In," Anjali Tsui and Alice Wilder, June 5, 2019, https://www.propublica.org/article/trump-inc-podcast-payday-lenders-spent-1-million-at-a-trump-resort-and-cashed-in.

companies.[48] Meanwhile, Musk is now sending inexperienced SpaceX employees to rapidly change the FAA in ways that could enrich himself and his own SpaceX business while making air travel less safe for everyone.[49] Furthermore, President Trump and Commerce Secretary Lutnick, whose firm is a major crypto investor, can discourage financial regulation of cryptocurrencies, even as unregulated crypto markets present warning signs of a bubble that could lead to another financial crash.[50]

These conflicts are real, but President Trump has done virtually nothing to mitigate them. During his last term, a week after taking office, he released an executive order requiring appointees to agree to an ethics pledge.[51] But now, over a month into his second term, President Trump has still not issued any such pledge — though the past three presidential administrations did so.[52] Furthermore, although the Trump Organization released a 2025 "ethics plan" for managing the President's personal conflicts of interest,[53] that plan is paper thin when stacked against his myriad conflicts of interest.[54] President Trump has placed his assets into a trust that is managed by his children instead of an independent trustee.[55] The trust is revocable (meaning he can regain access to the assets at any time) and he is its sole beneficiary.[56] The Trump Organization's plan allows him to continue to receive "general business updates" that may sway his decision-making on policy.[57] The plan also adopts more lenient standards than its 2017 predecessor.[58] And under the plan, he can continue to buy and sell assets without so much as a review by the Trump

[48] The White House, "Fact Sheet: President Donald J. Trump Reins in Independent Agencies to Restore a Government that Answers to the American People," press release, February 18, 2025, https://www.whitehouse.gov/fact-sheets/2025/02/fact-sheet-president-donald-j-trump-reins-in-independent-agencies-to-restore-a-government-that-answers-to-the-american-people/; The Guardian, "'A true free-speech emergency': alarm over Trump's 'chilling' attacks on media," Adam Gabbatt, February 24, 2025, https://www.theguardian.com/us-news/2025/feb/24/trump-free-speech-media-attack.

[49] WIRED, "These Are the SpaceX Engineers Already Working Inside the FAA," Vittoria Elliot and Aarian Marshall, February 19, 2025, https://www.wired.com/story/faa-doge-elon-musk-space-x/.

[50] Wall Street Journal, "Cantor Fitzgerald Holds Tether Convertible Bond, Howard Lutnick Says," Angus Berwick, January 29, 2025, https://www.wsj.com/livecoverage/fed-interest-rate-tesla-meta-earnings-01-29-2025/card/sen-warren-presses-howard-lutnick-on-tether-ties-before-confirmation-hearing-cEvRGcskZwmj7N8FuOjk; The Atlantic, "The Great Crypto Crash," Annie Lowrey, January 7, 2025, https://www.theatlantic.com/ideas/archive/2025/01/cryptocurrency-deregulation-future-crash/681202/; Barron's, "4 Signs That a Crypto Bubble Is Forming—and How It Could Burst," Jack Denton, February 2, 2023, https://www.barrons.com/articles/bitcoin-crypto-bubble-warning-signs-51675292698; New York Times, "Trump Rolls out his New Cryptocurrency Business," David Yaffe-Bellany, Sharon LaFraniere, and Matthew Goldstein, September 16, 2024, https://www.nytimes.com/2024/09/16/technology/trump-crypto-world-liberty-financial.html.

[51] The White House Archives, "Executive Order: Ethics Commitments by Executive Branch Appointees," January 28, 2017, https://trumpwhitehouse.archives.gov/presidential-actions/executive-order-ethics-commitments-executive-branch-appointees/.

[52] Citizens for Responsible Ethics in Washington, "Biden, Trump and Obama ethics pledges, compared," Virginia Canter, February 9, 2021, https://www.citizensforethics.org/reports-investigations/crew-reports/biden-ethics-pledge-compared-obama-trump/.

[53] Quinn Emanuel Urquhart & Sullivan, LLP, "White Paper: President Trump's Second Term In Office," January 10, 2025, https://static01.nyt.com/newsgraphics/documenttools/ea6760794c5e7239/0b5172f7-full.pdf.

[54] Executive Functions, "The Meme Coin Is Just the Beginning," Bob Bauer, January 27, 2025, https://substack.com/home/post/p-155776681.

[55] Quinn Emanuel Urquhart & Sullivan, LLP, "White Paper: President Trump's Second Term In Office," January 10, 2025, p. 4, https://static01.nyt.com/newsgraphics/documenttools/ea6760794c5e7239/0b5172f7-full.pdf.

[56] New York Times, "Trump Puts $4 Billion in Shares of His Media Company in a Trust," Matthew Goldstein, December 20, 2024, https://www.nytimes.com/2024/12/20/business/trump-media-donald-trump-trust.html.

Organization's Ethics Advisor as long as the deal is worth less than $10 million.[59] Finally, unlike during his first term — when the Trump Organization vowed that "[n]o new foreign deals will be made whatsoever during the duration of President Trump's presidency"[60] — this time, his organization is opening the door to new deals with foreign private actors while he is president.[61] Indeed, President Trump recently expressed interest in "clean[ing] out" the Gaza Strip and forcing out its people to make way for real estate developments that would capitalize on Gaza's "phenomenal location, on the sea."[62]

Even now, it is not too late for President Trump to reverse course and put our national interests ahead of his personal dealings.

To do so, we ask that he not just pay lip service to anti-corruption values but instead take the following steps[63]:

- First, reinstate the government watchdogs who President Trump purportedly fired, including all Inspectors General, the OGE Director, and the OSC Director, and commit to protecting those offices from further political interference.
- Second, thoroughly vet potential nominees for all conflicts of interest and refuse to appoint anyone who would enter with clear conflicts that existing recusal and divestment rules alone cannot resolve.
- Third, promptly issue an ethics pledge that is at least as robust as the Biden ethics pledge or President Trump's own pledge from 2017,[64] and ensure robust enforcement.
- Fourth, as every other president in the modern era has done, President Trump should divest from his business holdings, in this case by either liquidating the Trump Organization assets or placing them in a truly blind trust operated by an independent

[57] Quinn Emanuel Urquhart & Sullivan, LLP, "White Paper: President Trump's Second Term In Office," January 10, 2025, p. 4, https://static01.nyt.com/newsgraphics/documenttools/ea6760794c5e7239/0b5172f7-full.pdf.

[58] Executive Functions, "The Meme Coin Is Just the Beginning," Bob Bauer, January 27, 2025, https://substack.com/home/post/p-155776681.

[59] Quinn Emanuel Urquhart & Sullivan, LLP, "White Paper: President Trump's Second Term In Office," January 10, 2025, p. 3-4, https://static01.nyt.com/newsgraphics/documenttools/ea6760794c5e7239/0b5172f7-full.pdf.

[60] New York Times, "It 'Falls Short in Every Respect': Ethics Experts Pan Trump's Conflicts Plan," Karen Yourish and Larry Buchanan, January 12, 2017, https://www.nytimes.com/interactive/2017/01/12/us/politics/ethics-experts-trumps-conflicts-of-interest.html.

[61] New York Times, "Trump Organization Plans an Ethics Policy Without Banning Foreign Deals," Eric Lipton, Ben Protess, and David Yaffe-Bellany, December 5, 2024, https://www.nytimes.com/2024/12/05/us/politics/trump-organization-ethics-policy-foreign-deals.html; Quinn Emanuel Urquhart & Sullivan, LLP, "White Paper: President Trump's Second Term In Office," January 10, 2025, p. 4, https://static01.nyt.com/newsgraphics/documenttools/ea6760794c5e7239/0b5172f7-full.pdf.

[62] CNN, "Trump says he's 'not confident' Gaza ceasefire will hold," Lucas Lilieholm and Mick Krever, January 21, 2025, https://www.cnn.com/2025/01/21/world/trump-not-confident-gaza-ceasefire-intl/index.html; AP News, "Trump wants Jordan and Egypt to accept more Palestinian refugees and floats plan to 'clean out' Gaza," Zeke Miller and Will Weissert, January 26, 2025, https://apnews.com/article/trump-biden-israel-bomb-gaza-hamas-war-023b36984c6116c128b5e47f117bba2a.

[63] New York Times, "An Ethical Minefield Awaits a Possible Second Trump Presidency," Ben Protess, Maggie Haberman, and Eric Lipton, October 29, 2024, https://www.nytimes.com/2024/10/29/us/elections/trump-foreign-business-presidency-conflicts.html.

[64] Office of U.S. Senator Elizabeth Warren, Letter to Howard Lutnick and Linda McMahon, January 17, 2025, https://www.warren.senate.gov/imo/media/doc/warren_letter_re_trump_transition_ethics.pdf.

trustee who is instructed to divest the assets and reinvest the proceeds in other holdings so that the President does not know what the trust contains. He should also disclose his tax returns from the past three years.

- Finally, President Trump should revoke Mr. Musk's power to profit from his efforts to manipulate the executive branch for his own benefit. Mr. Musk should also be required to promptly release his financial disclosure form so that the public can understand his potential conflicts of interest.[65]

The American people deserve a presidential administration that governs exclusively in the public's interest. We urge President Trump and the wealthy elites to whom he has handed governing power to make good on his promise to put America first, above his and their own self-interest.

We request that the White House respond to the following questions by March 31, 2025:

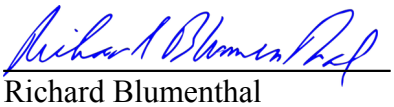
1. Will President Trump commit to reinstate all government watchdogs he has purportedly fired and to protect their independence from political interference, including inspectors general and the heads of the Office of Government Ethics, Office of Special Counsel, and Merit Systems Protection Board?
2. Will President Trump commit not to appoint additional officials whose personal finances or professional ties present direct conflicts of interest that cannot be resolved by corrective actions under existing ethics law?
3. Will President Trump issue an ethics pledge requiring nominees to commit to ethics requirements, as he did during his first term?
4. Will President Trump commit to divest from his private business interests, as every prior president in the modern era has done?
5. Will President Trump commit to disclose his tax returns from the past three years?
6. Will President Trump require Mr. Musk to publicly release his financial disclosure form?

Sincerely,

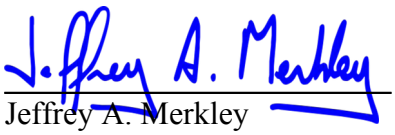
Elizabeth Warren
United States Senator

Jamie Raskin
Member of Congress

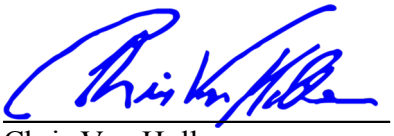
[65] Office of U.S. Senator Elizabeth Warren, Letter to Elon Musk regarding public disclosure, February 13, 2025, https://www.warren.senate.gov/imo/media/doc/letter_to_musk_republicfinancialdisclosure.pdf.



Richard Blumenthal
United States Senator



Jeffrey A. Merkley
United States Senator



Chris Van Hollen
United States Senator

Cc: Offices of Inspectors General