



CITIZENS FOR
RESPONSIBILITY &
ETHICS IN WASHINGTON

March 28, 2025

Office of Management and Budget
725 17th Street NW, Suite 9272
Washington, DC 20503

Re: Expedited Freedom of Information Act Request

Dear FOIA Officer:

Citizens for Responsibility and Ethics in Washington (“CREW”) submits this request for records pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, and Office of Management and Budget (“OMB”) regulations. Specifically, CREW requests the following records:

1. From January 20, 2025, to the date this request is processed:
 - a. All records¹ regarding requests for apportionments for the United States DOGE Service (“DOGE”);²
 - b. All records regarding the establishment of a “United States DOGE Service” account referenced in OMB’s January 27, 2025 apportionment, Iteration No. 1 for TAFS 011-X-0041;³
 - c. All records regarding apportionments providing funding for the “United States DOGE Service” account (the “DOGE account”) referenced above, including the apportionments issued on the dates listed in (i)-(vii), or after March 21, 2025:⁴
 - i. January 27, 2025 for \$750,000;⁵
 - ii. January 30, 2025 for \$6,000,000;⁶

¹ “Records” here is used within the meaning of 5 U.S.C. § 552 and, unless otherwise indicated, all “records” sought in this FOIA request and each of its numbered and lettered subparts include communications sent or received by OMB regarding the subject matter described in that subpart.

² Unless otherwise indicated, DOGE means both the United States DOGE Service and its predecessor, the United States Digital Service, as well as their components. The United States Digital Service was renamed and reorganized as the United States DOGE Service by executive order on January 20, 2025. *See Establishing and Implementing the President’s “Department of Government Efficiency,”* Exec. Order No. 14158, 90 Fed. Reg. 8441 (Jan. 20, 2025).

³ *See, e.g.*, OMB, January 27, 2025 apportionment, Iteration No. 1 for TAFS 011-X-0041 (approved Jan. 27, 2025, 08:29 PM) (apportioning \$750,000 for a “Software Modernization Initiative” for the “First Request of Year” for the United States DOGE Service account).

⁴ Paul M. Krawzak, [White House scraps public spending database](https://rollcall.com/2025/03/24/white-house-scrap-public-spending-database/), Roll Call (Mar. 24, 2025), <https://rollcall.com/2025/03/24/white-house-scrap-public-spending-database/>.

⁵ OMB, January 27, 2025 apportionment, Iteration No. 1 for TAFS 011-X-0041 (approved Jan. 27, 2025, 08:29 PM) (apportioning \$750,000 for a “Software Modernization Initiative”).

⁶ OMB, January 30, 2025 apportionment, Iteration No. 2 for TAFS 011-X-0041 (approved Jan. 30, 2025, 04:51 PM) (apportioning an additional \$6,000,000 for a “Software Modernization Initiative”).

- iii. February 8, 2025 for \$2,559,689;⁷
 - iv. February 8, 2025 for \$7,693,147;⁸
 - v. February 8, 2025 for \$8,151,078;⁹
 - vi. February 8, 2025 for \$13,967,242;¹⁰ and
 - vii. March 2, 2025 for \$2,000,000.¹¹
2. From January 20, 2025, to the date this request is processed, all records regarding:
 - a. Treasury Account Symbol 011-0041, to include Treasury Appropriation Fund Symbols 0011-X-0041, 011-2022-2031-0041, 011-2025-2025-0041, and 011-2024-2028-0041; and
 - b. Treasury Account Symbol 011-0036, to include Treasury Appropriation Fund Symbol 011-X-0036.
3. From January 20, 2025, to the date this request is processed, any agreements entered into between DOGE or any of its components and any other government entity under 31 U.S.C. § 1535, 5 U.S.C. § 3161, or any other authority, and any agreements entered into before January 20, 2025, supporting requests for the following apportionments:¹²
 - a. January 30, 2025 for \$6,000,000;¹³
 - b. February 8, 2025 for \$2,559,689;¹⁴
 - c. February 8, 2025 for \$7,693,147;¹⁵
 - d. February 8, 2025 for \$8,151,078;¹⁶
 - e. February 8, 2025 for \$13,967,242;¹⁷ and
 - f. March 2, 2025 for \$2,000,000.¹⁸
4. From January 20, 2025, to the date this request is processed, all records regarding the “Software Modernization Initiative” referenced in the aforementioned apportionments.¹⁹

⁷ OMB, February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2024-2028-0041 (approved Feb. 8, 2025, 11:33 AM) (apportioning \$2,559,689 for a “Software Modernization Initiative”).

⁸ OMB, February 8, 2025 apportionment, Iteration No. 3 for TAFS 011-X-0041 (approved Feb. 8, 2025, 11:33 AM) (apportioning an additional \$7,693,147 for a “Software Modernization Initiative”).

⁹ OMB, February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2022-2031-0041 (approved Feb. 8, 2025, 11:33 AM) (apportioning \$8,151,078 for a “Software Modernization Initiative”).

¹⁰ OMB, February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2025-2025-0041 (approved Feb. 8, 2025, 11:33 AM) (apportioning \$13,967,242 for a “Software Modernization Initiative”).

¹¹ OMB, March 2, 2025 apportionment, Iteration No. 2 for TAFS 011-2025-2025-0041 (approved March 2, 2025, 1:57 PM) (apportioning \$2,000,000 for a “Software Modernization Initiative”).

¹² The requested “agreements” include any documents setting forth general terms and conditions, order forms, and appropriate obligating documents that may accompany or relate to a memorandum of understanding.

¹³ OMB, January 30, 2025 apportionment, Iteration No. 2 for TAFS 011-X-0041 (approved Jan. 30, 2025, 04:51 PM).

¹⁴ OMB, February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2024-2028-0041 (approved Feb. 8, 2025, 11:33 AM).

¹⁵ OMB, February 8, 2025 apportionment, Iteration No. 3 for TAFS 011-X-0041 (approved Feb. 8, 2025, 11:33 AM).

¹⁶ OMB, February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2022-2031-0041 (approved Feb. 8, 2025, 11:33 AM).

¹⁷ OMB, February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2025-2025-0041 (approved Feb. 8, 2025, 11:33 AM).

¹⁸ OMB, March 2, 2025 apportionment, Iteration No. 2 for TAFS 011-2025-2025-0041 (approved March 2, 2025, 1:57 PM).

¹⁹ *Supra* notes 13-18.

- a. All memoranda, applications, reports, directives, or final documents, excluding communications, that purport to set or define the details and parameters of the "Software Modernization Initiative;"
 - b. From January 20, 2025 to the date this request is processed, all communications with OMB personnel regarding funding for the "Software Modernization Initiative;" and
 - c. From January 20, 2025 to the date this request is processed, all records regarding changes to the scope or definition of the "Software Modernization Initiative."
5. From January 20, 2025, to the date this request is processed, all records regarding any obligation incurred by DOGE.
6. From January 20, 2025, to the date this request is processed, all records containing any instructions provided to any executive branch entity regarding the preparation of its congressional budget justification or its submission to OMB for review or approval.
7. A copy of the version of OMB Circular A-11, *Preparation, Submission, and Execution of the Budget*, on which OMB currently relies, and on which OMB has instructed agencies to rely, and documentation sufficient to show that OMB currently relies on such version.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, and anyone who was cc'ed or bcc'ed on any emails.

If it is your position any portion of the requested records is exempt from disclosure, CREW requests that you provide it with an index of those documents as required under *Vaughn v. Rosen*, 484 F.2d 820 (D.C. Cir. 1973). If some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. See 5 U.S.C. § 552(b). If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. See *Mead Data Central v. U.S. Dep't of the Air Force*, 566 F.2d 242, 261 (D.C. Cir. 1977).

Please be advised that CREW intends to pursue all legal remedies to enforce its rights under FOIA. Accordingly, because litigation is reasonably foreseeable, the agency should institute an agency wide preservation hold on all documents potentially responsive to this request.

Fee Waiver Request

In accordance with 5 U.S.C. § 552(a)(4)(A) and agency regulations, CREW requests a waiver of fees associated with processing this request for records. The subject of this request concerns the operations of the federal government, and the disclosures likely will contribute to a better understanding of relevant government procedures by CREW and the general public in a significant way. *See id.* § 552(a)(4)(A)(iii). Moreover, the request primarily and fundamentally is for non-commercial purposes. *See, e.g., McClellan Ecological v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

On November 13, 2024, then-President-elect Donald Trump announced the formation of a “Department of Government Efficiency.”²⁰ On January 20, 2025, President Trump took three executive actions establishing and directing the activities of DOGE, which, despite the lack of statutory authority for DOGE activities, purport to grant DOGE substantial authority to implement the president’s agenda. The first is an executive order (the “DOGE Order”)²¹ which orders the reorganization and renaming of the United States Department of Digital Service (“Digital Service”), which had been within OMB’s Office of E-Government and Information Technology, into the United States DOGE Service (“DOGE”) within the Executive Office of the President and created, pursuant to 5 U.S.C. § 3161, the U.S. DOGE Service Temporary Organization within DOGE. The executive order states that DOGE will “implement the President’s DOGE Agenda, by modernizing Federal technology and software to maximize governmental efficiency and productivity” and directs the DOGE Administrator to “commence a Software Modernization Initiative” and to “work with Agency Heads to promote inter-operability between agency networks and systems.”²² The two other executive actions direct the DOGE Administrator to consult with the Assistant to the President for Domestic Policy to develop “a Federal Hiring Plan”²³ and direct the Director of OMB to consult with the DOGE Administrator and the Director of OPM to “submit a plan to reduce the size of the Federal Government’s workforce through efficiency improvements and attrition.”²⁴

On February 11, 2025, the president issued another executive order (the “Workforce Optimization Order”)²⁵ directing each agency head to consult with “its DOGE Team Lead” for hiring new federal employees and stating that, absent approval from an Agency Head, agencies “shall not fill any vacancies for career appointments that the DOGE Team Lead assesses should not be filled[.]”²⁶

DOGE’s actions since January 20 indicate that its implementation of the “DOGE agenda” is well underway, even though its actions are not authorized by any statute. In just one month, DOGE has effectively taken control of and directed the actions of OPM;²⁷ taken

²⁰ Donald J. Trump (@realDonaldTrump), X (Nov. 13, 2024, 6:21 AM) <https://x.com/realDonaldTrump/status/1856658569124262092>.

²¹ *See Establishing DOGE*, Exec. Order No. 14158, *supra* note 2.

²² *Id.*

²³ *Reforming the Federal Hiring Process and Restoring Merit to Government Service*, Exec. Order No. 14170, 90 Fed. Reg. 8621 (Jan. 20, 2025).

²⁴ *Hiring Freeze* (Jan. 20, 2025), <https://www.whitehouse.gov/presidential-actions/2025/01/hiring-freeze/>.

²⁵ *Implementing The President’s “Department of Government Efficiency” Workforce Optimization Initiative*, Exec. Order No. 14210, 90 Fed. Reg. 9669 (Feb. 11, 2025).

²⁶ *Id.*

²⁷ Brian Bennett, *This Obscure Office Is at the Center of Elon Musk’s Efforts to Harness Federal Data*, TIME (Feb. 7, 2025), <https://time.com/7213990/elon-musk-doge-opm/>.

credit for cancelling billions of dollars in federal contracts across multiple agencies;²⁸ executed a plan to destroy the U.S. Agency for International Development, an independent agency authorized by Congress;²⁹ secured access to a system containing highly restricted and confidential data, including classified material and millions of Americans' personal information, across more than a dozen agencies;³⁰ gained access to a highly sensitive payment system used by the Treasury Department to disburse trillions of dollars every year;³¹ and enlisted and claimed authority to summon federal law enforcement in the form of the U.S. Marshals Service to achieve its ends.³² At the same time, DOGE is providing virtually no information regarding its operations, including how DOGE is tracking its work and associated expenditures.

Moreover, between January 27, 2025, and March 2, 2025, OMB approved a series of apportionments, totaling \$41,121,156, for a "Software Modernization Initiative" for a United

²⁸ Charles Creitz, *DOGE announces more than \$1B in savings after canceling 104 federal DEI contracts*, FOX News (Jan. 31, 2025), <https://www.foxnews.com/politics/doge-announces-morethan-1b-savings-after-canceling-104-federal-dei-contracts>; Savings, Dep't of Gov't Efficiency, <https://www.doge.gov/savings> (last visited Feb. 19, 2025).

²⁹ Anna Maria Barry-Jester & Brett Murphy, *In Breaking USAID, the Trump Administration May Have Broken the Law*, ProPublica (Feb. 9, 2025), <https://www.propublica.org/article/usaidtrump-musk-destruction-may-have-broken-law>.

³⁰ Chas Danner, *All the Federal Agencies DOGE Has Gotten Access To*, NY Mag. (Feb. 10, 2025), <https://nymag.com/intelligencer/article/doge-elon-musk-what-federal-agencies-accesslawsuits.html>; Aileen Graef & Veronica Stracqualursi, *Homeland Security Secretary Noem says DOGE team has access to agency data*, CNN (Feb. 9, 2025), <https://www.cnn.com/2025/02/09/politics/noem-homeland-security-doge-musk-cnntv/index.htm>; Tony Romm, *DOGE targets Consumer Financial Protection Bureau as Musk tweets 'RIP'*, Wash. Post (Feb. 7, 2025), <https://www.washingtonpost.com/business/2025/02/07/cfpb-dogetrump-musk-chopra/>; Ellen Knickmeyer, *Elon Musk says President Donald Trump has 'agreed' USAID should be shut down*, Associated Press (Feb. 2, 2025), <https://apnews.com/article/dogemusk-trump-classified-information-usaid-security-35101dee28a766e0d9705e0d47958611>.

³¹ Fatima Hussein, *Elon Musk's DOGE commission gains access to sensitive Treasury payment systems: AP sources*, AP News (Feb. 1, 2025), <https://apnews.com/article/donald-trump-elonmusk-doge-treasury-5e26cc80fcb766981cea56afd57ae759>; Andrew Duehren et al., *Elon Musk's Team Now Has Access to Treasury's Payments System*, N.Y. Times (Feb. 1, 2025), <https://www.nytimes.com/2025/02/01/us/politics/elon-musk-doge-federal-paymentssystem.html>.

³² Andrew Roth, *Doge v USAid: how Elon Musk helped his acolytes infiltrate world's biggest aid agency*, The Guardian (Feb. 5, 2025), <https://www.theguardian.com/us-news/2025/feb/05/musk-doge-takeover-usaid>; Ruth Marcus, *Pardon me: What were the folks at DOGE thinking?*, Wash. Post (Jan. 23, 2025), <https://www.washingtonpost.com/opinions/2025/01/23/doge-jan-6marshals-federal-judges/>.

States DOGE Service account (the “DOGE account”).³³ Many of the apportionments referred to the Economy Act or otherwise cited “reimbursements” as the source of the funds.³⁴

OMB apportioned these amounts for the DOGE account and cited the Economy Act as a funding source despite the fact that Congress has not appropriated any funding specifically for DOGE or provided any authority for DOGE to act. Given DOGE’s substantial activities in implementing the president’s agenda without congressional authorization, the public has a significant interest in understanding how DOGE is funding its widespread efforts. The materials CREW seeks will provide this important information and contribute to public awareness of DOGE’s activities and operations.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public’s right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and working to reduce the influence of money on politics. CREW uses a combination of research, litigation, and advocacy to advance its mission. CREW intends to analyze the information responsive to this request and to share its analysis with the public through reports, press releases, or other means. In addition, CREW will disseminate documents it acquires from this request to the public through its website, www.citizensforethics.org. The release of information obtained through this request is not in CREW’s financial interest.

CREW further requests that it not be charged search or review fees for this request pursuant to 5 U.S.C. § 552(a)(4)(A)(ii)(II) because CREW qualifies as a member of the news media. See *Nat’l Sec. Archive v. U.S. Dep’t of Defense*, 880 F.2d 1381, 1386 (D.C. Cir. 1989) (holding

³³ See January 27, 2025 apportionment, Iteration No. 2 for TAFS 011-X-0036 (approved Jan. 27, 2025, 08:29 PM) (non-expenditure transfer of \$750,000 in no-year budget authority from the “Information Technology Oversight and Reform” account (“ITOR”), reducing amounts for the “Digital Services Pilot” by \$750,000), <https://openomb.org/file/11409024>; January 27, 2025 apportionment, Iteration No. 1 for TAFS 011-X-0041 (approved Jan. 27, 2025, 08:29 PM) (\$750,000 in no-year budget authority for anticipated non-expenditure transfer with funding source Public Law number 118–47), https://openomb.org/file/11409026#tafs_11409026--011-0041--1--2025; January 30, 2025 apportionment, Iteration No. 2 for TAFS 011-X-0041 (approved Jan. 30, 2025, 04:51 PM) (\$6,000,000 in no-year budget authority for anticipated reimbursements with funding source Public Law 118–47), https://openomb.org/file/11409329#tafs_11409329--011-0041--2--2025; February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2024-2028-0041 (approved Feb. 8, 2025, 11:33 AM) (\$2,559,689 in multi-year budget authority for anticipated non-expenditure transfers with funding sources 31 U.S.C. § 1535 and 5 U.S.C § 3161), https://openomb.org/file/11410064#tafs_11410064--011-0041-2024-2028--1--2025; February 8, 2025 apportionment, Iteration No. 3 for TAFS 011-X-0041 (approved Feb. 8, 2025, 11:33 AM) (\$7,693,147 in no-year budget authority for both anticipated reimbursements and non-expenditure transfers with funding sources 31 U.S.C. § 1535 and 5 U.S.C § 3161), https://openomb.org/file/11410065#tafs_11410065--011-0041--3--2025; February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2022-2031-0041 (approved Feb. 8, 2025, 11:33 AM) (\$8,151,078 in multi-year budget authority described for non-expenditure transfers with funding sources 31 U.S.C. § 1535 and 5 U.S.C § 3161), https://openomb.org/file/11410067#tafs_11410067--011-0041-2022-2031--1--2025; February 8, 2025 apportionment, Iteration No. 1 for TAFS 011-2025-2025-0041 (approved Feb. 8, 2025, 11:33 AM) (\$13,967,242 in one-year budget authority for anticipated reimbursements with funding sources 31 U.S.C. § 1535 and 5 U.S.C § 3161), https://openomb.org/file/11410066#tafs_11410066--011-0041-2025-2025--1--2025; OMB, March 2, 2025 apportionment, Iteration No. 2 for TAFS 011-2025-2025-0041 (approved March 2, 2025, 1:57 PM) (\$2,000,000 in one-year budget authority for anticipated reimbursements with funding sources 31 U.S.C. § 1535, 5 U.S.C § 3161, and Public Law 118–47), https://openomb.org/file/11412264#tafs_11412264--011-0041-2025-2025--2--2025.

³⁴ See, e.g., OMB, February 8, 2025 Apportionment, Iteration No. 1 for TAFS 011-2025-2025-0041 (approved Feb. 8, 2025, 11:33 AM) (citing 31 U.S.C. § 1535), https://openomb.org/file/11410066#tafs_11410066-011-0041-2025-2025--1--2025.

non-profit a “representative of the news media” and broadly interpreting the term to include “any person or organization which regularly publishes or disseminates information to the public”).

CREW routinely disseminates information obtained through FOIA to the public in several ways. For example, CREW’s website receives hundreds of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. These reports frequently rely on government records obtained through FOIA. CREW also posts the documents it obtains through FOIA on its website.

Under these circumstances, CREW satisfies fully the criteria for a fee waiver.

Request for Expedited Processing

CREW requests expedited processing of this request pursuant to FOIA, 5 U.S.C. § 552 and 5 C.F.R. 1303.40(e). CREW is entitled to expedited processing because (1) “[t]here is an urgency to inform the public about an actual or alleged Federal Government activity,” *id.* § 1303.40(e)(1)(ii) and CREW “is primarily engaged in disseminating information,” 5 U.S.C. § 552(6)(E)(v)(II); and (2) “[t]here are possible questions, in a matter of widespread and exceptional public interest, about the Government’s integrity which affect public confidence,” *id.* § 1303.40(e)(1)(iv).

a. CREW is primarily engaged in disseminating information to the public

CREW is “primarily engaged in disseminating information” to the public. This “standard ‘requires that information dissemination be the main [and not merely an incidental] activity of the requestor,’” but “publishing information ‘need not be [the organization’s] sole occupation.’” *Protect Democracy Project, Inc. v. U.S. Dep’t of Def.*, 263 F. Supp. 3d 293, 298 (D.D.C. 2017). CREW routinely disseminates information obtained through FOIA to the public in several ways. For example, CREW’s website receives hundreds of thousands of page views every month. The website includes blogposts that report on and analyze newsworthy developments regarding government ethics, corruption, and money in politics, as well as numerous reports CREW has published to educate the public about these issues. These reports frequently rely on government records obtained through FOIA. CREW also posts the documents it obtains through FOIA on its website. CREW is a credible requestor and disseminator of information often relied on by major media outlets.³⁵

³⁵ See, e.g., *Citizens for Responsibility and Ethics in Washington*, N.Y. Times, <https://www.nytimes.com/topic/citizens-for-responsibility-and-ethics-in-washington> (last visited Mar. 28, 2025) (list of numerous New York Times articles referencing CREW spanning over a decade); Ed Pilkington and Dharna Noor, *Top US ethics watchdog investigating Trump over dinner with oil bosses*, The Guardian (May 15, 2024), <https://www.theguardian.com/us-news/article/2024/may/15/ethics-watchdog-investigating-trump-big-oil> (referring to CREW as “Top US ethics watchdog”).

- b. *The request satisfies the standards for expedited processing under §§ 1303.40(e)(1)(ii), (iv)*

Public reporting indicates that DOGE is acting without congressional authorization and beyond any legal authority that could have lawfully been conferred by the president. As described above, despite the lack of congressional authorization to do so, the DOGE Order created DOGE and purported to grant DOGE substantial authority to modernize federal technology, commence a Software Modernization Initiative, and work with Agency Heads to promote agency network interoperability.³⁶ The U.S. DOGE Service Temporary Organization, for its part, is limited in purpose by statute to “performing a specific study or other project.” 5 U.S.C. § 3161(a)(1) (emphasis added), but nonetheless appears to be engaged in a wide ranging effort to reshape the executive branch. Further executive actions purport to grant the DOGE Administrator further authority by requiring they be consulted in the development of “a Federal Hiring Plan” and a plan to reduce the size of the federal government’s workforce, and direct agency DOGE Team Leads to exercise control over federal hiring.³⁷ Even as DOGE lacks congressional authorization to wield this authority, public reporting indicates that DOGE and its Temporary Organization are operating well outside even the purported authority described in the president’s executive actions in myriad ways.³⁸

Moreover, OMB’s apportionments for the DOGE account raise questions about the legality of DOGE’s funding. For example, it appears that at least a portion of DOGE’s current funding was transferred from the fiscal year 2024 ITOR appropriation account.³⁹ ITOR funds are no-year amounts that remain available even after the end of the fiscal year,⁴⁰ but such funds may be obligated only for purposes allowed by law.⁴¹ And the fiscal year 2024 ITOR funds are available only for “necessary expenses for the furtherance of integrated, efficient, secure, and effective uses of information technology in the Federal Government.”⁴² Based on the directives in the president’s executive orders and public reporting on DOGE’s conduct, the uses of these funds appear to extend far beyond those purposes. For example, DOGE’s activities reportedly include identifying federal contracts and spending that do not align with the president’s policies,⁴³ demanding access to sensitive information,⁴⁴ and establishing a social media account on X that provides updates on, among other things, lease terminations and agency repeals of “DEIA policies.”⁴⁵

³⁶ *Establishing DOGE*, Exec. Order No. 14158, *supra* note 2.

³⁷ *See id.*; *Reforming the Federal Hiring Process*, Exec. Order No. 14170, *supra* note 23; *Hiring Freeze*, *supra* note 24; *Workforce Optimization Initiative*, Exec. Order No. 14210, *supra* note 25.

³⁸ *Supra* notes 27-32.

³⁹ *See supra* note 33.

⁴⁰ Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47, div. B, title II, 138 Stat. 460, 536 (2024).

⁴¹ 31 U.S.C. § 1301; GAO, *Department of the Interior—Activities at National Parks during the Fiscal Year 2019 Lapse in Appropriations*, B-330776 (Sept. 5, 2019).

⁴² Pub. L. No. 118-47, div. B, title II, 138 Stat. at 536.

⁴³ Aimee Picchi, *What is DOGE? Here's what to know about Elon Musk's latest cost-cutting efforts*, CBS News (Feb. 12, 2025), <https://www.cbsnews.com/news/what-is-doge-elon-musk-findings-trump/>.

⁴⁴ Nik Popli, *What DOGE Is Doing Across the Federal Government*, Time (Feb. 13, 2025), <https://time.com/7222251/doge-musk-federal-workers-government/>.

⁴⁵ *See, e.g.*, Department of Government Efficiency (@DOGE), X (Jan. 27, 2025, 6:06 PM), <https://x.com/DOGE/status/1884015256957296917>; Department of Government Efficiency (@DOGE), X (Jan. 27, 2025, 6:38 PM), <https://x.com/DOGE/status/1884023114608316634>.

Additionally, the sources of the remaining apportioned budget authority remain unclear. The apportionments indicate that DOGE entered into or is relying on Economy Act or other interagency agreements to receive funds for the provision of goods or services. But the documents do not explain DOGE's authority to provide goods or services under the Economy Act, the basis for DOGE's reliance on that Act, with which agencies DOGE has agreements, for what goods or services DOGE is receiving or will receive funds, or for what purpose the ordering agencies' appropriations are available. Nor is there public information showing what amounts DOGE is obligating or for what purpose.

Given that at least one court has found that "[DOGE's] operations thus far have been marked by unusual secrecy,"⁴⁶ that "[DOGE's] structure and operations doubtless concern a matter of current exigency to the public,"⁴⁷ and that "[DOGE's] activities qualify as a matter of widespread and exceptional public interest,"⁴⁸ it is imperative that the public and Congress receive prompt information about DOGE's current operations and funding structure.

Under these circumstances, "[t]here is an urgency to inform the public about an actual or alleged Federal Government activity" about which this request seeks information, and "possible questions, in a matter of widespread and exceptional public interest, about the Government's integrity which affect public confidence," namely, the planned and current operations of DOGE, its authority, and its current funding structure. *See* 5 C.F.R. §§ 1303.40(e)(1)(ii), (iv). The provision of these records will allow the millions of federal employees and members of the public affected by DOGE's work, as well as their representatives in Congress, to consider the legality of DOGE's actions thus far and determine the proper scope of DOGE's authority moving forward.

The undersigned certifies that the representations in the foregoing Request for Expedited Processing are true and correct to the best of his knowledge and belief.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email foia@citizensforethics.org or call (202) 408-5565. Also, if CREW's request for a fee waiver is denied, please contact our office immediately upon making such a determination.

Where possible, please produce records in electronic format. Please send the requested records to foia@citizensforethics.org or by mail to CREW Staff, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20004.

⁴⁶ *Citizens for Resp. & Ethics in Washington v. U.S. Doge Serv.*, No. 25-CV-511 (CRC), 2025 WL 752367 at *4 (D.D.C. Mar. 10, 2025).

⁴⁷ *Id.* at *13 (internal quotation marks omitted).

⁴⁸ *Id.* at *14 (internal quotation marks omitted).

March 28, 2025

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Sincerely,

A handwritten signature in black ink, appearing to read "Christie Wentworth". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Christie Wentworth
Senior Policy Counsel
Citizens for Responsibility and Ethics in
Washington (CREW)