

April 30, 2025

Amy Gleason Acting Administrator U.S. DOGE Service 736 Jackson Place NW Washington, DC 20503 admin@doge.eop.gov

Re: Expedited Freedom of Information Act Request

Dear Ms. Gleason:

Citizens for Responsibility and Ethics in Washington ("CREW") submits this request for records to the United States DOGE Service ("DOGE")¹ pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552.

To the extent not included in CREW's January 24, 2025 FOIA request to DOGE, see Attach. 1, CREW requests the following records² from January 20, 2025 to the date this request is processed:

- 1. All direct messages sent to or by the DOGE X account conducting government business;³
- 2. All direct messages sent to or by the X accounts affiliated with "DOGE Teams" within federal agencies conducting government business;⁵
- 3. All direct messages sent to or by the X account of any person working for or with DOGE in any capacity by which that person is conducting government business, and regardless of their employment classification, including as a full-time employee,

¹The 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 14158, 90 Fed. Reg. 8441 (Jan. 20, 2025).

² "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 DOGE regarding the subject matter described in that subpart.

³ Department of Government Efficiency (@DOGE), X, https://x.com/DOGE (last visited Mar. 14, 2025).

⁴ Exec. Order 14158 requires the establishment of "DOGE Teams" within each agency "in consultation with the USDS Administrator." *Id.*

⁵ To date, CREW has identified at least 32 DOGE affiliate X accounts, including: @DOGE_GSA, @DOGE_STATE, @DOGE_SBA, @DOGE_DOI, @DOGE_HUD, @DOGE_NPS, @DOGE_SSA, @DOGE_OMB, @DOGE_ED, @DOGE_OPM, @DOGE_DOI, @DOGE_NASA, @DOGE_VA, @DOGE_USDA, @DOGE_FAA, @DOGE_DOT, @DOGE_EPA, @DOGE_DOD, @DOGE_FDA, @DOGE_HHS, @DOGE_DHS, @DOGE_FEMA, @DOGE_SEC, @DOGE_FCC, @DOGE_FTC, @DOGE_DOE, @DOGE_DOL, @DOGE_DOC, @DOGE_TREAS, @DOGE_IRS, and @DOGE_NSF; @DOGE_NIH.

temporary employee, "special government employee," detailee, DOGE Team member, or volunteer. Those persons include, but not are limited to:⁶

a. Elon Musk (@elonmusk); Steve Davis; Brad Smith; Amy Gleason; Chris Young; Amanda Scales; Katie Miller; Ricardo Biasini; Anthony Armstrong; Jennifer Balajadia; Adam Ramada; Brooks Morgan; Scott Langmack; Jeremy Lewin; Justin Fulcher; Michael Mirski; Tyler Hassen; Tarak Makecha; Rachel Riley; Conor Fennessy; Tom Krause; Marko Elez; Ryan Wunderly; Edward Coristine; Luke Farritor; Christopher Stanley; Ethan Shaotran; Alexandra Beynon; Gavin Kliger; Jordan Wick; Gautier "Cole" Killian; Greg Hogan; Ryan Riedel; Nate Cavanaugh; Nikhil Rajpal; Akash Bobba; Kyle Schutt; James Burnham; Brian Bjelde: Kendall Lindemann: Stephanie Holmes: Christina Hanna: Stephen Duarte; Bryanne-Michelle Mlodzianowki; Jacob Altik; Keenan Kmiec; Noah Peters; Austin Raynor; Michael Russo; Frank Schuler; Nicole Hollander; Joanna Wisher; Justin Monroe; Joe Gebbia; Sam Corcos; Daniel Abrahamson; Justin Aimonetti; Ashley Boizelle; Scott Coulter; Mattieu Gamache-Asselin; Brady Glantz; Joshua Hanley; Erica Jehling; Thomas Kiernan; Ted Malaska; Clark Minor; Aram Moghaddassi; Sam Smeal; Stephen Ehikian; Kathryn Armstrong Loving: Riccardo Baisini; Emily Bryant; Joshua Fox; Antonio Gracias; Nicholas Lahera; Thomas Shedd; Katrine Trampe; Jon Koval; Payton Rehling; Cary P. Volpert; Sahil Lavingia; Christopher Roussos; Michael Grimes; Russell Vought; Scott Kupor; Leland Dudek; or Baris Akis.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind. Our request includes without limitation all correspondence, letters, emails, text messages, and facsimiles. 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.

⁶ CREW is only seeking communications concerning government business sent or received from any individual affiliated with DOGE. To the extent any of the messages are of a personal nature or do not concern government business, CREW does not request them.

Request for Expedited Processing

CREW requests expedited processing of this request pursuant to FOIA. CREW is entitled to expedited processing because (1) CREW "is primarily engaged in disseminating information;" and (2) there is an "urgency to inform the public about an actual or alleged Federal Government activity." $5 \text{ U.S.C.} \S 552(a)(6)(E)(v)(II)$.

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.⁷

b. There is an urgency to inform the public about an actual or alleged Federal Government activity

As DOGE continues its accelerated, secretive, and possibly illegal⁸ campaign to reshape the federal government, there is an urgency to shed light on how the federal government is using the social media platform, X, to rapidly advance "the DOGE agenda." It is unclear just how many direct messages DOGE-affiliated X accounts have sent or received since DOGE has begun exercising "substantial authority over vast swathes of the federal government" with "unusual secrecy." Informing the public now is doubly urgent, as communications on X are outside of established government communication channels and may violate DOGE's record keeping obligations, allowing DOGE, already "operating with unusual secrecy," to permanently conceal its communications from public scrutiny.

⁷ 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 Nov. 20, 2024) (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").

⁸ *Doe v. Musk*, --- F. Supp. 3d --- , No.25–0462-TDC (D.Md. Mar. 18, 2025), *67 (describing Musk and DOGE's steps in dismantling USAID, likely in violation of the Appointments Clause and separation of powers principles).

⁹ *See 90 Fed. Reg. 8441* ("This Executive Order establishes the Department of Government Efficiency to implement the President's DOGE Agenda.").

¹⁰ CREW v. DOGE, --- F. Supp. 3d ---, No. 81:25-cv-00511-CRC (D.D.C.Mar. 10, 2025), *25.

¹¹ CREW v. DOGE, --- F. Supp. 3d ---, No. 81:25-cv-00511-CRC (D.D.C.Mar. 10, 2025), *8.

On November 13, 2024, President-elect Trump announced the formation of a "Department of Government Efficiency" on the social media platform X.¹² President Trump had previously announced on his own social media platform, Truth Social, that Elon Musk would lead DOGE.¹³ On January 20, 2025, President Trump took three executive actions establishing and directing the activities of DOGE.¹⁴ The executive actions created "DOGE Teams" at federal agencies that work on behalf of DOGE.¹⁵ DOGE reportedly sourced staff from Mr. Musk's existing businesses to implement President Trump's DOGE Agenda.¹⁶

Since November 2024, X verified the DOGE X account as representing a "government/multilateral organization" by assigning it a grey verification checkmark.¹⁷ The official website of USDS, doge.gov, bears the same logo as the X account, links directly to the X account, and its homepage is a feed of the X account's ongoing posts about DOGE's activities.¹⁸ Other than submitting an application through the DOGE website's "Join" page, it appears the only way to contact the DOGE is through DOGE X accounts, including Mr. Musk's preexisting account on X.

This DOGE X account has open direct messages, meaning that the account administrator can receive direct messages from anyone with an X account. On November 14, 2024, DOGE posted on X seeking applicants to work at DOGE via direct messages to this account. DOGE also posted on X calling on the public to direct message DOGE accounts for ideas on "reducing waste, fraud and abuse" in the government.

¹² Donald J. Trump (@realDonaldTrump), X (Nov. 13, 2024, 6:21 AM) https://x.com/realDonaldTrump/status/1856658569124262092.

¹³ Donald J. Trump (@realDonaldTrump), Truth Social (Nov. 12, 2024, 7:46 PM), https://truthsocial.com/@realDonaldTrump/posts/113472884874740859.

¹⁴ See Establishing DOGE, Exec. Order 14158, supra note 1; Reforming the Federal Hiring Process and Restoring Merit to Government Service, Exec. Order. 14170, 90 Fed. Reg.. 8621 (Jan. 20, 2025); Hiring Freeze (Jan. 20, 2025), https://www.whitehouse.gov/presidential-actions/2025/01/hiring-freeze/.

¹⁵ Order, *AFL-CIO v. Dep't of Labor*, --- F. Supp. 3d ---, 25-cv-00339-JDB (D.D.C. Mar. 31, 2025) ("The Executive Order directs agency heads to select the individuals to implement the DOGE Agenda 'in consultation with the USDS Administrator' and requires the agencies to 'coordinate [the DOGE Teams'] work with DOGE.") (citing *Establishing DOGE*, Exec. Order 14158 at § 3(c), *supra* note 1).

¹⁶ See Shannon Bond et al., Who is part of Elon Musk's DOGE, and what are they doing?, NPR (Feb. 7, 2025), https://www.npr.org/2025/02/07/nx-s1-5288988/doge-elon-musk-staff-trump; Nick Robins-Early, Who is helping Elon Musk gut the US government?, The Guardian (Feb. 8, 2025),

https://www.theguardian.com/us-news/2025/feb/08/elon-musk-doge-team-staff/ ("Several people at Doge come directly from Musk's private companies").

¹⁷ Department of Government Efficiency (@DOGE), X, https://x.com/doge?lang=en (last visited Feb. 11, 2025); About profile labels and checkmarks on X, X, https://help.x.com/en/rules-and-policies/profile-labels (last visited Feb. 12, 2025); Tom Carter, Elon Musk's DOGE isn't an official department, yet it has a government checkmark on X, Business Insider (Nov. 14, 2024),

https://www.businessinsider.com/elon-musks-doge-gets-a-government-checkmark-on-x-2024-11.

¹⁸ See generally, Department of Government Efficiency (@DOGE), X, https://x.com/doge?lang=en.

¹⁹ Department of Government Efficiency (@DOGE), X (Nov. 14, 2024, 10:03 AM), https://x.com/DOGE/status/1857076831104434289...

²⁰ Department of Government Efficiency (@DOGE), X (Feb. 16, 2025, 7:49 PM), https://x.com/DOGE/status/1891288881674240070.

Like DOGE, Mr. Musk also appears to use an X account that existed before January 20, 2025 to conduct DOGE's public business, ²¹ including communicating about, and purportedly making, public policy decisions as its de facto leader. ²²

Following a further executive order purportedly granting "DOGE Team Leads" significant authority in agency hiring practices, ²³ DOGE announced on X the creation of DOGE affiliate X accounts for specific federal agencies. DOGE posted links to these accounts under the "Affiliates" tab of its primary X profile. ²⁴ X granted each of those DOGE affiliate X accounts a grey verification checkmark. ²⁵ DOGE posted on X calling on the public to direct message these agency-specific DOGE accounts. ²⁶ The DOGE affiliate accounts appear to use X to conduct DOGE's public business, including responding to and acting on direct messages. ²⁷

It is not clear whether DOGE is preserving federal records created on X to comply with its records preservation obligations. DOGE has made no indication that it preserving direct messages on X, despite National Archives and Records Administration ("NARA") guidance that social media content, including a "Twitter Direct Message," is subject to federal record retention laws. Exacerbating the risk of loss or destruction of federal records, in response to DOGE being unable to provide assurances to courts that records are

²¹ Kate Conger, *Elon Musk's X Becomes Weapon in Government Cost Cutting*, N.Y. Times (Feb. 4, 2025), https://www.nytimes.com/2025/02/04/technology/elon-musk-x-doge.html.

²² *Id.*; Elon Musk (@elonmusk), X (Feb. 2, 2025, 2:27 PM), https://x.com/elonmusk/status/1886134485822922785; Elon Musk (@elonmusk), X (Feb. 3, 2025, 11:49 AM), https://x.com/elonmusk/status/1886457064438030687; Elon Musk (@elonmusk), X (Feb. 3, 2025, 1:54 AM), https://x.com/elonmusk/status/1886307316804263979; Elon Musk (@elonmusk), X (Feb. 4, 2025, 1:39 PM), https://x.com/elonmusk/status/1886847092888310231; Elon Musk (@elonmusk), X (Feb. 5, 2025, 11:14 AM), https://x.com/elonmusk/status/1887172936924385705; Elon Musk (@elonmusk), X (Feb. 7, 2025, 11:54 PM), https://x.com/elonmusk/status/1888088975656509575; Elon Musk (@elonmusk), X (Feb. 7, 2025, 4:41 PM), https://x.com/elonmusk/status/1887979940269666769; Elon Musk (@elonmusk), X (Feb. 8, 2025, 2:51 PM), https://x.com/elonmusk/status/1888314844877376744; Elon Musk (@elonmusk), X (Feb. 8, 2025, 3:26 PM), https://x.com/elonmusk/status/1888323537372418297; Elon Musk (@elonmusk), X (Feb. 9, 2025, 1:19 AM), https://x.com/elonmusk/status/1888472865323856275; Elon Musk (@elonmusk), X (Feb. 10, 2025, 5:03 AM), https://x.com/elonmusk/status/1888891512303263815.

Order 14210, 90 Fed. Reg. 9669 (Feb. 11, 2025).

24 See, e.g., Department of Government Efficiency (@DOGE), X (Feb. 16, 2025, 7:49 PM),

https://x.com/DOGE/status/1891288881674240070; Department of Government Efficiency (@DOGE), X, Affiliates, https://x.com/DOGE/affiliates (last visited Feb. 21, 2025).

 $^{^{25}}$ Id.; About profile labels and checkmarks on X, X, https://help.x.com/en/rules-and-policies/profile-labels (last visited Feb. 21, 2025).

²⁶ Department of Government Efficiency (@DOGE), X (Feb. 16, 2025, 7:49 PM), https://x.com/DOGE/status/1891288881674240070.

²⁷ DOGE GSA (@DOGE_GSA), X (Feb. 21, 2025), https://x.com/DOGE_GSA/status/1893107567905099846; Department of Government Efficiency (@DOGE), X (Feb. 23, 2025),

https://x.com/DOGE/status/1893528456077447334; ProudAmericanGarbageLady (@garbage_proud), X (Feb. 22, 2025, 10:27 PM), https://x.com/garbage_proud/status/1893503000724873413; DOGE GSA (@DOGE_GSA), X (Feb. 22, 2025, 11:52 PM), https://x.com/DOGE_GSA/status/1893524309382959571 ("Will take a look."); DataRepublican (small r) (@DataRepublican), X (Feb. 24, 2025, 10:43 AM),

https://x.com/DataRepublican/status/1894050491912622543 (reposted by DOGE GSA); DOGE_GSA (@DOGE_GSA), X (Feb. 24, 2025, 12:33 PM), https://x.com/DOGE_GSA/status/1894078177661571237.

²⁸ National Archives and Records Administration, Bulletin 2015-02, July 29, 2015, https://www.archives.gov/records-mgmt/bulletins/2015/2015-02.html (Before being purchased by Mr. Musk,the social media company X was known as Twitter).

²⁹ National Archives and Records Administration, Bulletin 2014-02, Oct. 25, 2013, *available at* https://www.archives.gov/records-mgmt/bulletins/2014/2014-02.html.

being appropriately preserved, one court entered a preservation order because the evidence in that case gave rise "to the possibility that representatives of [DOGE] may not fully appreciate their obligations to preserve federal records."³⁰

Given the immense impact DOGE has had on the federal government and outstanding questions about the legality of its actions and structure, it is imperative that the public receive prompt information about how DOGE is using X, a non-government social media platform, to inform and achieve its agenda. The urgency is further increased given that DOGE does not appear to be fulfilling its federal record preservation obligations for federal records created on X, meaning that with every day that passes records of its activities could be permanently lost.

Under these circumstances, there is an "urgency to inform the public about an actual or alleged Federal Government activity" about which this request seeks information, namely, DOGE's use of Mr. Musk's social media platform to implement its agenda and possible failure to preserve federal records which may be permanently lost – particularly given that DOGE has been subject of widespread public reporting and debate.

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.

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).

As described above, DOGE publicly solicited tips for "waste, fraud, and abuse" to target and employment applications through direct messages on X. DOGE has not released any information about the substance of the direct messages it has sent and received, how those direct messages are being used to inform its operations, or whether it is fulfilling its federal record keeping obligations. The records sought in this request concern DOGE's operations throughout the federal government and will contribute to a better public understanding of DOGE's actions, which as described above may be outside of its legal authority.

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

³⁰ Order, CREW v. DOGE, --- F. Supp. 3d ---, No. 81:25-cv-00511-CRC (D.D.C.Mar. 10, 2025), *8.

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 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.

Conclusion

If you have any questions about this request or foresee any problems in fully releasing the requested records, please email kfarchadi@citizensforethics.org and foia@citizensforethics.org or call me at (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 kfarchadi@citizensforethics.org and foia@citizensforethics.org or by mail to Crew Staff, Citizens for Responsibility and Ethics in Washington, P.O. Box 14596, Washington, D.C. 20044.

Sincerely,

Donald Sherman

Citizens for Responsibility and Ethics in

Washington (CREW)