

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.

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](#)