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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 apps¹⁰ 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.

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/musk-s-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.cnbcm.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.cnbcm.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).

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](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