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United States Senate
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION
WASHINGTON, DC 20510-6125
WEBSITE: <https://commerce.senate.gov>

April 2, 2025

The Honorable Sean Duffy
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Duffy,

Through a series of misguided executive orders (“EO”), directives, and guidance memoranda, the Trump Administration is taking a sledgehammer, rather than a scalpel, to our Federal agencies. The effect appears to be the dismantling of long-standing programs that have benefitted the American people, and the demoralization and destabilization of the Federal workforce that is needed to implement and manage these programs in support of our democracy.

One EO called for the termination of all diversity, equity, and inclusion and environmental justice programs¹, with complete disregard for the purpose or success of those programs—and their constitutional underpinnings. For example, reports indicate that these terminations are so indiscriminate that they cut programs or research projects merely because a woman led them or because they required outreach to impacted communities who happen to be minorities, even if the project was awarded in a full, open, and fair competition.²³ This disrespect and indignity flies in the face of those bipartisan members of Congress who created these programs and support these projects.

Multiple EOs, followed by an Office of Management and Budget memo⁴, called for a freeze of all Federal grant and loan funding, including the disbursement of already obligated funds, halting funding to states, local governments, and tribes. This included \$316 billion in Bipartisan Infrastructure Law funding that had not been disbursed by the Department of Transportation (DOT)⁵ leading to the temporary halting of funding by agencies within your department. Thankfully, Federal courts intervened to stop this wasteful and potentially illegal effort to delay lawful Federal funding to build infrastructure, engage in workforce development, and support our economy.

¹ <https://www.whitehouse.gov/presidential-actions/2025/01/ending-radical-and-wasteful-government-dei-programs-and-preferencing/>

² <https://apnews.com/article/trump-academic-research-funding-dei-5c8f89118da6c9604329120a576ba183>

³ <https://www.rdworldonline.com/nsf-layoffs-in-2025-deep-budget-cuts-headed-for-u-s-research-sector/>

⁴ <https://www.documentcloud.org/documents/25506191-omb-memo-1-27/>

⁵ <https://www.transportation.gov/sites/dot.gov/files/2025-02/IIJA%20Draft%20SOF%20Report%201-31-25%20%28IIJA%20Only%29%20Combined.pdf>

Then, in the wake of an EO to freeze all Federal hiring⁶, the Office of Personnel Management, possibly from a private server installed by Elon Musk, sent a highly-questionable “Fork in the Road” offer⁷ to all Federal employees requesting their resignation, followed by insulting guidance calling Federal jobs “lower productivity”⁸ and revoking the offer for some employees. This created needless confusion and fear across the Department’s workforce working to keep us safe including air traffic controllers, rail safety inspectors, and pipeline safety inspectors.

Now, the President has directed Elon Musk, and the newly created, so-called Department of Government Efficiency⁹ (“DOGE”), through an initiative not sanctioned by Congress, to reach all corners of the Federal government to seek additional funding cuts and indiscriminate reductions in force (“RIF”) under the guise of saving taxpayer funding. Indeed, with Federal employees’ compensation amounting to approximately 3 percent of the Federal budget in fiscal year 2024,¹⁰ DOGE could terminate the entire Federal civilian workforce and the fiscal impact would be relatively insignificant—especially when the Trump Administration is preparing to blow a hole in the deficit by cutting trillions in taxes for corporations and billionaires.¹¹ Unfortunately, it appears recent terminations of probationary employees—regardless of skill set, job performance, or the function they fill—are just the beginning of this short-sighted effort, which will certainly have a long-term detrimental effect on the ability of the Federal government to provide the public the services Congress has promised.

As Ranking Member of the U.S. Senate Committee on Commerce, Science, and Transportation with oversight of your department, I write to you today with serious questions about the impacts these EOs, directives, guidance, and DOGE efforts have had on your department thus far. Given the lack of publicly available information regarding the governance, oversight, or operational structure of the DOGE, we are compelled to conduct rigorous oversight to determine the extent to which Federal agencies may be engaging with this entity, what conflicts of interest may exist for the employees and volunteers running the DOGE, and what risks such interactions may pose to national security, public safety, government integrity, taxpayer privacy, and public accountability.

Accordingly, we request that you provide a comprehensive response to the following questions no later than April 11, 2025:

Termination of Programs and Employees

⁶ <https://www.whitehouse.gov/presidential-actions/2025/01/hiring-freeze/>

⁷ <https://www.opm.gov/fork/original-email-to-employees/>

⁸ <https://www.opm.gov/fork/faq/>

⁹ <https://www.whitehouse.gov/presidential-actions/2025/01/establishing-and-implementing-the-presidents-department-of-government-efficiency/>

¹⁰ <https://www.npr.org/2025/02/13/nx-s1-5296928/layoffs-trump-doge-education-energy>

¹¹ https://www.washingtonpost.com/politics/2025/02/14/trump-firing-probation-workforce-buyouts-layoffs-doge/f816fbae-eb23-11ef-969b-cfbefac1eb3_story.html; <https://www.nbcnews.com/politics/congress/house-gop-panel-approves-budget-blueprint-steep-tax-spending-cuts-rcna192002>.

1. Please provide all actions your department took to comply with the EO titled “Ending Radical and Wasteful Government DEI Programs And Preferencing”, including:
 - The methodology for determining any program, project, grant, or employee terminations,
 - The Federal funding associated with the terminations and any non-Federal match,
 - Whether these terminations are in compliance with Federal laws and directives from Congress.
2. Please provide an accounting of the number of employees at your department that accepted the deferred resignation offer in the “Fork in the Road” email, including:
 - Their position and civil service pay scale,
 - Duty station,
 - Eligibility for Voluntary Early Retirement Authority (VERA) or standard retirement,
 - Whether they were probationary employees.
3. Please provide an accounting of all employees at your department that were terminated, or will be terminated under any RIF, including:
 - Their position and civil service pay scale,
 - Duty station,
 - Eligibility for VERA or standard retirement,
 - Whether they were or are probationary employees.
4. Please provide information on any direct service contractors or staff that were or will be terminated under any subsequent RIF, including:
 - Their contracted employer, and
 - Duty station.

Oversight of DOGE Actions

1. Agency Engagement and Authority
 - Has your department or any of its employees, contractors, or affiliates engaged with the DOGE in any capacity? If so, please provide details regarding the nature, scope, and frequency of such engagements.
 - Under what authority, if any, has your department authorized interaction with the DOGE?
 - Has your department issued any internal guidance, including informal guidance, regarding the DOGE? If so, please provide copies of all such guidance, including any related directives, policies, or communications.
2. Personnel and Security
 - Does your department have any information regarding the vetting processes, security clearances, or background checks applied to the DOGE representatives seeking to access agency information? If so, please provide a complete description of this information.

- Has your department identified any current or former Federal employees, consultants, or contractors who have worked with, for, or in coordination with the DOGE? If so, please provide a complete list of all such individuals.
3. Information Access and Decision-Making
- Has the DOGE or any of its representatives requested, received, or otherwise accessed any of your agency's information, sensitive or otherwise? If so, please provide a complete description of the nature of the information accessed and the circumstances under which it was shared. If not, please explain whether you expect the DOGE or any of its representatives to seek access to your agency's information in the future and the nature of the information expected to be sought.
 - Has your agency been asked to disclose any internal processes, decision-making frameworks, or other government functions to the DOGE or any affiliated entities? If so, please provide a complete description of any such request and your department's response to each.
 - Has the DOGE requested names of agency employees or other personally identifiable information (PII) related to your workforce? If so, please specify the categories of PII sought.
 - Has the DOGE been involved in, consulted on, or influenced any policy-making, advisory roles, or government decision-making processes? Has your legal and ethics counsel completed an ethics review for any conflicts of interest for all DOGE representatives prior to their involvement, consultation, or influence on policy-making, advisory work or decision-making?
 - Have DOGE representatives assumed responsibilities or advised any human resources or personnel-focused employees about RIFs, terminations, or other personnel actions? If so, please provide a complete description of these efforts.
4. Ethics and Communication
- Has your legal and ethics counsel completed an ethics review for any conflicts of interest for all DOGE representatives prior to providing any access to DOGE representatives to Department records, databases, systems, or information? If so, please identify whether any conflicts of interest were identified and what steps, if any, were taken to remediate them.
 - Has anyone affiliated with the DOGE attempted to contact any department employees regarding official Federal business from a private messaging platform, such as Signal? If so, please identify all such attempts and produce copies of any such communications.

The Commerce Committee is also committed to ensuring the programs it has authorized are implemented as intended. It is imperative that Congress be fully informed on actions taken in response to the EOs, directives, guidance, and the DOGE so the Committee can ensure: the integrity of government agencies and information systems free from outside influence; the preservation of national security by denying access to classified information by those without proper clearances; and, most importantly, the protection of public safety by eliminating outside conflicts of interest in policy- and decision-making.

Our oversight responsibility requires your full cooperation in this matter. Additionally, I request that appropriate officials be made available for a briefing to discuss these concerns in greater

detail. Please contact Commerce Committee Democratic staff by April 11, 2025, to schedule this briefing.

Sincerely,

A handwritten signature in black ink, reading "Maria Cantwell". The signature is fluid and cursive, with the first name "Maria" and last name "Cantwell" clearly legible.

Maria Cantwell
Ranking Member