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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To repeal President Donald Trump’s January 20, 2025, Executive Order titled “Establishing and Implementing the President’s ‘Department of Government Efficiency’”, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. MIN introduced the following bill; which was referred to the Committee
on _____

A BILL

To repeal President Donald Trump’s January 20, 2025, Executive Order titled “Establishing and Implementing the President’s ‘Department of Government Efficiency’”, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Bolstering America’s
5 Democracy and Demanding Oversight and Government
6 Ethics Act” or the “BAD DOGE Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) The United States DOGE Service (in this
4 section referred to as “USDS”) (formerly known as
5 the United States Digital Service) and the U.S.
6 DOGE Service Temporary Organization (in this sec-
7 tion, referred to as “USDSTO”) created by Execu-
8 tive Order 14158 (90 Fed. Reg. 8441; relating to es-
9 tablishing and implementing the President’s “De-
10 partment of Government Efficiency”) (in this section
11 referred to as “the DOGE Executive Order”) are
12 operating beyond the scope of their authorities and
13 organizational purposes.

14 (2) The DOGE Executive Order specifically cre-
15 ates the USDSTO as a “temporary organization” in
16 accordance with section 3161 of title 5, United
17 States Code, which limits the purpose of such an or-
18 ganization to “performing a specific study or other
19 project”.

20 (3) The DOGE Executive Order specifies that
21 the USDSTO shall be headed by the USDS Admin-
22 istrator, who is to be appointed by the Office of
23 Management and Budget, and shall be dedicated to
24 advancing the President’s DOGE agenda.

25 (4) This DOGE agenda is described in the
26 DOGE Executive Order as a “Software Moderniza-

1 tion Initiative” led by the USDS Administrator to
2 “improve the quality and efficiency of government-
3 wide software, network infrastructure, and informa-
4 tion technology (IT) systems”.

5 (5) The DOGE Executive Order additionally
6 specifies that USDS shall adhere to rigorous data
7 protection standards.

8 (6) In fact, both the USDS and USDSTO are
9 being led by Elon Musk, who was not appointed as
10 USDS Administrator.

11 (7) There are no government records indicating
12 that Mr. Musk has any formal role with the Federal
13 Government, or that he is complying with any disclo-
14 sure or conflict-of-interest requirements that would
15 apply to Federal employees or officials.

16 (8) The White House subsequently indicated
17 that Mr. Musk is a “special government employee”
18 but has not produced any evidence that he was re-
19 tained in this role, or that he is complying with any
20 rules or laws that would be required for a Federal
21 employee or the USDS Administrator.

22 (9) According to numerous media reports and
23 first-hand accounts, including social media posts and
24 press statements from Mr. Musk himself, under the
25 leadership of Mr. Musk, the USDSTO has taken ac-

1 tions that go far beyond what the DOGE Executive
2 Order authorized either USDS or USDSTO to do,
3 including freezing payments to different Federal
4 agencies and programs, acquiring personnel informa-
5 tion for all Federal employees from the Office of
6 Personnel Management (in this section referred to
7 as “OPM”), gaining control over and access to the
8 Department of Treasury’s Bureau of Fiscal Services
9 (in this section referred to as “BFS”) Federal pay-
10 ments system and its associated data, locking Fed-
11 eral employees out of their computer systems, offer-
12 ing Federal employees a buyout, and ostensibly ter-
13 minating Federal agencies, bureaus, and programs
14 created by and funded by Congress.

15 (10) These actions are inconsistent with the
16 provisions of the DOGE Executive Order and also
17 with what a “temporary organization” is statutorily
18 permitted to do.

19 (11) Mr. Musk’s actions and authorities also
20 grossly exceed what he might be permitted to do as
21 a “special government employee”.

22 (12) The USDS and the USDSTO, under the
23 direction of Mr. Musk, are repeatedly violating a
24 number of Federal statutes and provisions of the
25 United States Constitution.

1 (13) USDS, USDSTO, and Mr. Musk have re-
2 portedly gained access to OPM’s personnel files,
3 gained control and access to BFS’s payments sys-
4 tems and associated data, sent a buyout offer to all
5 Federal employees, attempted to dismantle the
6 United States Agency for International Development
7 and the Consumer Financial Protection Bureau
8 without congressional approval, and removed public
9 health information from the Centers for Disease
10 Control and Prevention and the Food and Drug Ad-
11 ministration websites, among other things.

12 (14) These actions violate the Constitution, in-
13 cluding Article I, section 1 (Separation of Powers),
14 Article I, section 7 (Presentment and Appropriations
15 Clause), Article I, section 8 (Spending Clause), and
16 Article II, section 3 (Take Care Clause).

17 (15) These actions also violate a broad array of
18 Federal statutes, including—

19 (A) the Congressional Budget and Im-
20 poundment Control Act of 1974 (2 U.S.C. 601
21 et seq.);

22 (B) chapter 15 of title 31, United States
23 Code (commonly known as the “Anti-Deficiency
24 Act”);

1 (C) section 6329a through 6329c of title 5,
2 United States Code (commonly known as the
3 “Administrative Leave Act of 2016”);

4 (D) chapter 36 of title 44, United States
5 Code (commonly known as the “E-Government
6 Act of 2002”);

7 (E) section 552a of title 5, United States
8 Code (commonly known as the “Privacy Act of
9 1974”);

10 (F) subchapter II of chapter 35 of title 44,
11 United States Code (commonly known as the
12 “Federal Information Security Modernization
13 Act of 2014”);

14 (G) the Foreign Affairs Reform and Re-
15 structuring Act of 1998 (22 U.S.C. 6501 et
16 seq.);

17 (H) chapter 10 of title 5, United States
18 Code (commonly known as the “Federal Advi-
19 sory Committee Act”);

20 (I) chapter 41 of title 44, United States
21 Code (commonly known as the “Paperwork Re-
22 duction Act of 1995”);

23 (J) numerous Federal ethics regulations;
24 and

1 (K) various provisions of subchapter II of
2 chapter 5 of title 5, United States Code (com-
3 monly known as the “Administrative Procedure
4 Act”).

5 **SEC. 3. REPEAL OF EXECUTIVE ORDER 14158.**

6 Executive Order 14158 (90 Fed. Reg. 8441; relating
7 to establishing and implementing the President’s “Depart-
8 ment of Government Efficiency”) shall have no force or
9 effect.