

**Congress of the United States**  
**House of Representatives**  
**Washington, D.C. 20515**

May 16, 2025

Ms. Amy Gleason  
Acting Administrator  
Department of Government Efficiency  
Eisenhower Executive Office Building  
1650 17th Street, NW  
Washington, DC 20006

Dear Acting Administrator Gleason:

We write with extraordinary alarm about attempted intrusion by the Department of Government Efficiency (DOGE) into the Government Accountability Office (GAO), a nonpartisan legislative branch agency. This action is a direct assault on the independence of a coequal branch of government and threatens to undermine the separation of powers that is foundational to our constitutional republic. DOGE must immediately cease any attempt to embed personnel within GAO or any other agency of the legislative branch.

On May 13, 2025, personnel from DOGE contacted GAO in an effort to discuss assigning DOGE personnel to GAO.<sup>1</sup> GAO then responded to you on May 16, 2025, emphasizing, correctly, that GAO is a legislative branch agency that is not subject to executive orders, including the January 20, 2025, executive order entitled “Establishing and Implementing the President’s ‘Department of Government Efficiency.’”<sup>2</sup>

Under well-settled law, GAO is “an independent agency within the Legislative Branch...[and] the Comptroller General, who leads the GAO, is an ‘officer of the Legislative Branch.’”<sup>3</sup> The Trump Administration acknowledged GAO’s status as a legislative branch

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<sup>1</sup> Email from Justin Fox to Orice Williams Brown and Paul Johnson (May 13, 2025).

<sup>2</sup> Executive Order 14158, 90 Fed. Reg. 8441 (Jan. 20, 2025); Letter from the Government Accountability Office to the Department of Government Efficiency (May 16, 2025).

<sup>3</sup> *Coll. Sports Council v. Gov’t Accountability Off.*, 421 F. Supp. 2d 59, 61 (D.D.C. 2006) (citing *Bowsher v. Synar*, 478 U.S. 714 [1986]). See also 5 U.S.C. 5531(4) (“‘agency in the legislative branch’ means the Government Accountability Office, the Government Publishing Office, the Library of Congress, the Office of Technology Assessment, the Office of the Architect of the Capitol, the United States Botanic Garden, the Congressional Budget Office, and the United States Capitol Police;”) ; 31 U.S.C. 702(a) (“‘The Government Accountability Office’ is an instrumentality of the United States Government independent of the executive departments.”).

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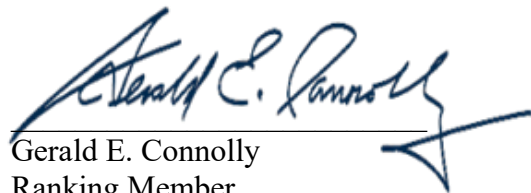
agency in a 2019 Office of Management and Budget (OMB) memorandum which reads, in relevant part:<sup>4</sup>

OMB respects GAO's opinions as those of an agency of a coequal branch of government. However, under the constitutional doctrine of separation of powers, a legal opinion by a Legislative Branch agency cannot bind the Executive Branch...As the Department of Justice has directly affirmed: "[b]ecause GAO is part of the Legislative Branch, Executive Branch agencies are not bound by GAO's legal advice.

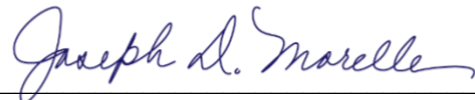
GAO provides essential, nonpartisan services to Congress and answers directly to Congress, not the executive branch. DOGE cannot and must not have any access to GAO. DOGE must immediately cease any attempts to subvert the coequal authority of the legislative branch.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. If you have any questions about this request, please contact Committee Democratic staff at (202) 225-5051. Thank you for your prompt attention to this request.

Sincerely,



Gerald E. Connolly  
Ranking Member  
Committee on Oversight and Government Reform



Joseph D. Morelle  
Ranking Member  
Committee on House Administration

cc: The Honorable James Comer, Chairman,  
Committee on Oversight and Government Reform

The Honorable Bryan Steil, Chairman  
Committee on House Administration

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<sup>4</sup> Memorandum from Mark Paoletta to Agency General Counsels, *Reminder Regarding Non-Binding Nature of GAO Opinions* (Nov. 5, 2019) (online at <https://trumpwhitehouse.archives.gov/wp-content/uploads/2019/11/Memo-to-Agencies-on-A-11.pdf>).