

# Congress of the United States

Washington, DC 20515

September 17, 2025

David O. Sacks  
Special Advisor for AI and Crypto  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. Sacks:

We are investigating whether you may have exceeded the time limit for serving in your temporary role as the White House's Special Advisor for AI and Crypto. We are writing to request information regarding the number of days you have served in this role since your appointment.

Through Craft Ventures and your other holdings, you are deeply invested in the crypto and AI companies that you have the power to impact as the nation's "Crypto and AI Czar." The White House waived ethics restrictions to allow you to maintain those investments in the industries you regulate.<sup>1</sup> Any effort to stay beyond the time limits imposed on you as a Special Government Employee (SGE) would raise additional ethics concerns for you and the Trump Administration, particularly as it moves to implement recently enacted cryptocurrency legislation and put in place new rules for the crypto industry.

President Donald Trump appointed you to serve as an SGE. By definition, SGEs are meant to perform "temporary duties" "for not to exceed one hundred and thirty days during any period of three hundred and sixty-five consecutive days."<sup>2</sup> The Office of Government Ethics has explained that any day that an SGE is either compensated or performs more than *de minimis* tasks counts toward the 130-day limit.<sup>3</sup> SGEs enjoy more flexible ethics requirements precisely because they are meant to work no longer than 130 days per year. Unlike regular employees, SGEs may be paid by private entities for time spent working for the federal government, among other

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<sup>1</sup> Yahoo Finance, "David Sacks and the blurred lines of government service," Connie Loizos, July 19, 2025, <https://finance.yahoo.com/news/david-sacks-blurred-lines-government-175628401.html>; The White House, "Memorandum for David O. Sacks, Special Advisor for A.I. and Crypto," March 5, 2025, <https://www.whitehouse.gov/wp-content/uploads/2025/03/Memo-David-Sacks-3.5.2025-1.pdf>.

<sup>2</sup> 18 U.S.C. 202.

<sup>3</sup> Office of Government Ethics, "Counting Days of Service for Special Government Employees," Robert I. Cusick, January 19, 2007, [https://www.oge.gov/web/oge.nsf/News+Releases/BCEEDA0A325554C5852585D60073869D/\\$FILE/DO-07-002.pdf](https://www.oge.gov/web/oge.nsf/News+Releases/BCEEDA0A325554C5852585D60073869D/$FILE/DO-07-002.pdf); Office of Government Ethics, "Counting Days of Service for Special Government Employees: Travel Days, Past Government Service, and Application of Ethics Laws," Shelley K. Finlayson, October 30, 2024, [https://www.oge.gov/Web/oge.nsf/Legal%20Docs/F24F83CD5FDBFA6D85258BC6004B8C21/\\$FILE/LA-24-14%20-%20SGE%20Day%20Counting.pdf?open](https://www.oge.gov/Web/oge.nsf/Legal%20Docs/F24F83CD5FDBFA6D85258BC6004B8C21/$FILE/LA-24-14%20-%20SGE%20Day%20Counting.pdf?open).

allowances.<sup>4</sup> As a result of this flexibility, you simultaneously serve as a General Partner at the venture capital fund Craft Ventures while working in the federal government.

As OGE has made clear, “an individual’s very status as an SGE, and consequently the ability to rely on important exceptions created by Congress and OGE for the sole benefit of SGEs, depends on the counting of days of expected service” to comply with the 130-day limit.<sup>5</sup> It is unclear, however, how many days you have worked as an SGE for the Trump Administration. You were appointed in December 2024 and began work for President Trump on or around January 20, 2025.<sup>6</sup> If you have worked every calendar day since the presidential inauguration, your 130<sup>th</sup> day of work in this role was May 29, 2025, and if you have worked every business day, your 130<sup>th</sup> day was July 25, 2025. As of the date of this letter, it is the 167<sup>th</sup> business day of this Administration. According to Craft Ventures, you have been “splitting [your] weeks between D.C. and Silicon Valley to stay under the 130-day term limit as a special government employee,” and the White House claims you have only “counted” the days you “engage[] in work as the AI and crypto czar” towards your 130-day SGE limit.<sup>7</sup> However, information about the exact number of days you have served in this position is not publicly available. Concerningly, a colleague of yours at the White House reportedly said that you have “no intention of leaving.”<sup>8</sup>

If you have indeed passed the 130<sup>th</sup> day mark, you are undermining the careful balance Congress struck in creating the SGE designation. It is only because of your designation as an SGE that you have been able to continue working for and being paid by Craft Ventures during your time in government.<sup>9</sup> For any SGE, “accurate day counting is vital because designation as an SGE

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<sup>4</sup> Office of Government Ethics, Ethics Laws Applicable to Special Government Employees, <https://extapps2.oge.gov/Training/OGETraining.nsf/xsp/.ibmmodes/domino/OpenAttachment/training/ogetraining.nsf/D006291C1FEC02448525869C005BD4B8/Body/EthicsLawsApplicabletoSGEs.pdf>; Office of Government Ethics, Memorandum from Office of Government Ethics Director, to Designated Agency Ethics Officials, General Counsels and Inspectors General, February 15, 2000, [https://www.oge.gov/Web/oge.nsf/Legal%20Docs/445ECB1FB63809DA852585BA005BED9E/\\$FILE/00x1.pdf?open](https://www.oge.gov/Web/oge.nsf/Legal%20Docs/445ECB1FB63809DA852585BA005BED9E/$FILE/00x1.pdf?open).

<sup>5</sup> Office of Government Ethics, Memorandum from Office of Government Ethics Director to Designated Agency Ethics Officials, January 19, 2007, [https://www.oge.gov/web/oge.nsf/News+Releases/BCEEDA0A325554C5852585D60073869D/\\$FILE/DO-07-002.pdf](https://www.oge.gov/web/oge.nsf/News+Releases/BCEEDA0A325554C5852585D60073869D/$FILE/DO-07-002.pdf).

<sup>6</sup> The American Presidency Project, “Statement by President-elect Donald J. Trump Announcing the Appointment of David O. Sacks as ‘White House A.I. & Crypto Czar,’” Gerhard Peters and John T. Woolley, December 5, 2024, <https://www.presidency.ucsb.edu/documents/statement-president-elect-donald-j-trump-announcing-the-appointment-david-o-sacks-white>; *see, e.g.*, Fox Business, “Trump crypto czar David Sacks touts president’s executive order, says Biden drove industry offshore,” Breck Dumas, January 23, 2025, <https://www.foxbusiness.com/politics/trumps-ai-crypto-czar-david-sacks>.

<sup>7</sup> The San Francisco Standard, “A czar is born: Inside David Sacks’ 130-day White House mission to remake crypto and AI,” Margaux MacColl and Rya Jetha, July 10, 2025, <https://sfstandard.com/2025/07/10/david-sacks-crypto-white-house-donald-trump/>.

<sup>8</sup> Semafor, “David Sacks’ rules for success in Trump’s Washington,” Ben Smith, September 8, 2025, <https://www.semafor.com/article/09/08/2025/david-sacks-rules-for-success-in-trumps-washington>.

<sup>9</sup> 18 U.S.C. 209; Time, “What Trump’s New AI and Crypto Czar David Sacks Means For the Tech Industry,” Andrew R. Chow, December 7, 2024, <https://time.com/7200518/david-sacks-new-white-house-ai-crypto-czar-trump-administration/>.

affects how ethics rules apply.”<sup>10</sup> When issuing your ethics waiver, the White House noted that the careful balance in conflict-of-interest rules for SGEs was reached with the understanding that they would only serve the public “on a temporary basis.”<sup>11</sup> For you in particular, compliance with the SGE time limit is critical, given the scale of your conflicts of interest.<sup>12</sup>

To better understand your compliance with the expectation that you will work for a maximum of 130 days this year, we ask that you respond to the following questions by October 1, 2025:

1. Please provide a copy of your SF-50 Notification of Personnel Action form.
2. How many days have you worked for the Trump Administration in 2025, either in your capacity as the White House’s Special Advisor for AI and Crypto or in any other capacity, as of the date of your response? Please provide a list of each day you have served in this capacity.
3. Who in the White House has been responsible for monitoring the number of days you are working, in accordance with guidance from the Office of Government Ethics?<sup>13</sup>
4. Have you been “splitting [your] weeks between D.C. and Silicon Valley” as reported,<sup>14</sup> and if so, how many days have you spent physically present in Washington D.C. this year?
  - a. Of your days in Washington D.C. this year, during how many days did you conduct any official business?
5. Have you conducted any duties associated with your White House role, including taking meetings and responding to emails, while in Silicon Valley or other locations outside of Washington D.C.?
6. When in Washington D.C., have you conducted any duties associated with your White House role while not on the White House campus? Please list any meetings and/or obligations conducted outside of the White House.

Thank you for your attention to this matter.

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<sup>10</sup> Office of Government Ethics, Letter from Office of Government Ethics Acting Director to Designated Agency Ethics Official, October 30, 2024, [https://www.oge.gov/Web/oge.nsf/Legal%20Docs/F24F83CD5FDBFA6D85258BC6004B8C21/\\$FILE/LA-24-14%20-%20SGE%20Day%20Counting.pdf?open](https://www.oge.gov/Web/oge.nsf/Legal%20Docs/F24F83CD5FDBFA6D85258BC6004B8C21/$FILE/LA-24-14%20-%20SGE%20Day%20Counting.pdf?open).


<sup>11</sup> The White House, “Memorandum for David O. Sacks, Special Advisor for A.I. and Crypto,” March 5, 2025, p. 2, <https://www.whitehouse.gov/wp-content/uploads/2025/03/Memo-David-Sacks-3.5.2025-1.pdf>.

<sup>12</sup> Senate Committee on Banking, Housing, and Urban Affairs, Letter from Ranking Member Elizabeth Warren to Office of Government Ethics Acting Director, May 5, 2025, [https://www.banking.senate.gov/imo/media/doc/oge\\_sacks\\_letter.pdf](https://www.banking.senate.gov/imo/media/doc/oge_sacks_letter.pdf); Senate Committee on Banking Housing, and Urban Affairs, Letter from Ranking Member Elizabeth Warren to David O. Sacks Chair, President's Council of Advisors on Science and Technology, March 6, 2025, [https://www.banking.senate.gov/imo/media/doc/letter\\_to\\_david\\_sacks.pdf](https://www.banking.senate.gov/imo/media/doc/letter_to_david_sacks.pdf).

<sup>13</sup> Office of Government Ethics, Letter from Office of Government Ethics Acting Director to Designated Agency Ethics Official, October 30, 2024, [https://www.oge.gov/Web/oge.nsf/Legal%20Docs/F24F83CD5FDBFA6D85258BC6004B8C21/\\$FILE/LA-24-14%20-%20SGE%20Day%20Counting.pdf?open](https://www.oge.gov/Web/oge.nsf/Legal%20Docs/F24F83CD5FDBFA6D85258BC6004B8C21/$FILE/LA-24-14%20-%20SGE%20Day%20Counting.pdf?open).

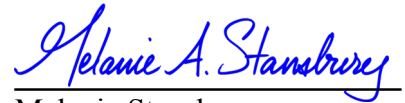
<sup>14</sup> The San Francisco Standard, “A czar is born: Inside David Sacks’ 130-day White House mission to remake crypto and AI,” Margaux MacColl and Rya Jetha, July 10, 2025, <https://sfstandard.com/2025/07/10/david-sacks-crypto-white-house-donald-trump/>.

Sincerely,




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Elizabeth Warren  
United States Senator




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Melanie Stansbury  
Member of Congress



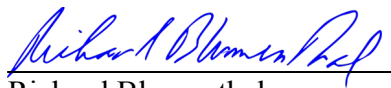
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Chris Van Hollen  
United States Senator




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Betty McCollum  
Member of Congress



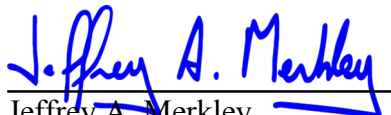
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Richard Blumenthal  
United States Senator



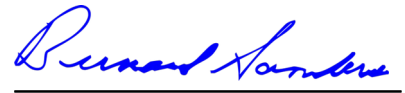
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Rashida Tlaib  
Member of Congress



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Jeffrey A. Merkley  
United States Senator



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Bernard Sanders  
United States Senator