

United States Senate

WASHINGTON, DC 20510

November 20, 2025

The Honorable Pete Hegseth
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

The Honorable Steven A. Stebbins
Acting Inspector General
U.S. Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Hegseth and Acting Inspector General Stebbins,

We write to you with deep concern regarding the recent news that the Trump Administration has accepted a private donation of \$130 million to pay military servicemembers during the government shutdown.¹ While it is imperative that those in our armed forces receive the payment they deserve, this use of outside funds raises many legal and national security concerns.²

On Friday, October 24th, Chief Pentagon Spokesman Sean Parnell asserted that the Pentagon may accept the gift under the general gift acceptance authority provided by Congress.³ While Congress has provided the executive branch with the authority to accept private donations, spending those funds without congressional appropriations likely violates the Antideficiency Act.⁴ This law requires the executive branch not make expenditures more than amounts available via Congressional appropriations, preserving the legislative branch's constitutional authority over the purse. Under the Antideficiency Act, without express direction from Congress, the Trump Administration cannot use private funds to pay servicemembers.

In addition, the private gift poses significant concerns about potential conflicts of interest that could affect sensitive national security decisions. Recent reports suggest that the anonymous donor may be Timothy Mellon.⁵ Without full public disclosure of the donor's identity, there remain serious risks of foreign influence, conflicts of interest involving potential Department of Defense contracts, and other vulnerabilities that could compromise taxpayer funds and U.S. national security objectives. Moreover, the U.S. military serves the American people – not any individual – and the acceptance of private funding for these purposes undermines the integrity of the institution. Additionally, according to public estimates, the Department of Defense spends approximately \$6.5 billion every two weeks to pay servicemembers,⁶ which means this donation “will cover about one-third of one day's pay for the force.”⁷

¹ Adam Cancryn, “Pentagon to use \$130 million donation from anonymous Trump ‘friend’ to pay military members”, CNN, October 24, 2025, <https://www.cnn.com/2025/10/24/politics/anonymous-donor-military-pay-shutdown>

² Anastasia Obis, “Can DoD use private funds to pay troops during shutdown?”, Federal News Network, October 24, 2025, <https://federalnewsnetwork.com/government-shutdown/2025/10/can-dod-use-private-funds-to-pay-troops-during-shutdown/#:~:text=%E2%80%9Cnot,ours%3F%E2%80%9D%20Super%20said.>

³ Joey Garrison, “Pentagon accepts anonymous \$130 million donation from Trump ‘friend’ to pay military”, USA TODAY, October 24, 2025, <https://www.usatoday.com/story/news/politics/2025/10/24/trump-130-million-anonymous-donation-pay-military-government-shutdown/86884357007/#:~:text=Pentagon%20spokesman%20Sean, pay%20from%20troops.%22>

⁴ Antideficiency Act, 31 U.S.C. § 1341 (1982)

⁵ Tyler Pager, “Donor Who Gave \$130 Million to Pay Troops Is Reclusive Heir to Mellon Fortune,” The New York Times, October 25, 2025, <https://www.nytimes.com/2025/10/25/us/politics/timothy-mellon-donation-troops.html>

⁶ Jennifer Scholtes and Meredith Lee Hill, “Lawmakers bemoan Trump's taest power grab: Troop pay”, Politico, October 20, 2025, <https://www.politico.com/news/2025/10/20/troops-showdown-trump-funding-00614874>

⁷ Leo Shane III, Paul McLeary, and Jack Detsch, “DOD accepts anonymous \$130M donation to partially cover troop pay,” Politico, October 24, 2025, <https://www.politico.com/news/2025/10/24/dod-accepts-anonymous-130-million-donation-to->

In light of these recent developments, we respectfully request your office expeditiously conduct an evaluation to assess the following questions:

1. How does the Department of Defense intend to ensure that the acceptance and expenditure of the \$130 million donation complies with the Antideficiency Act?
 - a. What statutory authority does the Department of Defense rely upon to justify the acceptance and obligation of this donation for the payment of military salaries? Please provide any legal analysis supporting this action.
 - b. Has the Department of Defense sought or received an opinion from the Department of Justice's Office of Legal Counsel or the Government Accountability Office regarding the legality of this action? If so, please provide copies of these opinions.
2. Was this donation solicited by the department, and if so by whom?
 - a. If not, who in the department was approached and what was the offer?
 - b. Was the donor Timothy Mellon?
3. Why has the Department of Defense not disclosed the identity of the donor?
 - a. What due diligence measures were taken to verify the donor's identity, citizenship, and potential affiliations before the donation was accepted?
 - b. Has the Department of Defense confirmed that no portion of the donation originated from a foreign source, directly or indirectly? If so, please provide copies of this investigation.
4. What safeguards has the Department of Defense implemented to ensure that the donors' interests, whether financial, political, or otherwise, do not influence the Department's contracting decisions?
 - a. Has the Department of Defense conducted a conflict-of-interest assessment or national security review related to the donor? If so, please provide the results.
 - b. Will the Office of Inspector General open an independent review into potential undue influence or conflicts arising from this donation?
5. Given the Department of Defense's biweekly payroll for military personnel is approximately \$6.5 billion, how does the Department of Defense plan to allocate the \$130 million donation?
 - a. Please provide a detailed breakdown of all expenses from this \$130 million donation to date.
 - b. If there are any unspent funds remaining, how and when will those be allocated?
 - c. How will the Department of Defense account for these funds within its financial reporting systems and ensure auditability?
6. What guidance has been issued to Department of Defense components regarding the solicitation or acceptance of similar donations? If any, please provide copies.
7. Has the Department of Defense accepted additional donations since October 1?

With the federal government now reopened, it is critical that the Administration not undermine Congress's spending authority, and does not allow private funds from secret sources to be used in a way that creates financial conflicts of interests and threatens national security. It is essential that Congress, and the American people, receive transparency on whether and how these funds were used for servicemember pay.

At a time when the American public has record levels of distrust in the government, full transparency is in the best interest of our nation's security, independence, and integrity.

Thank you for your prompt attention to this matter.

Sincerely,



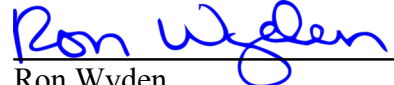
Andy Kim
United States Senator



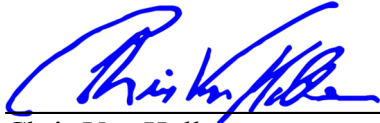
Elizabeth Warren
United States Senator



Richard Blumenthal
United States Senator



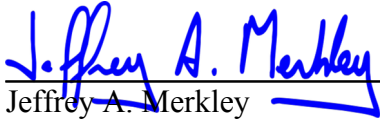
Ron Wyden
United States Senator



Chris Van Hollen
United States Senator



Tammy Duckworth
United States Senator



Jeffrey A. Merkley
United States Senator