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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

February 7, 2025

Susie Wiles
White House Chief of Staff
Executive Office of the President
Washington, D.C. 20500

David Warrington
Assistant to the President and Counsel to the President
White House Counsel Office
Washington, D.C. 20500

Dear Ms. Susie Wiles and Mr. David Warrington:

I am requesting that Elon Musk and any other individuals associated with the U.S. Department of Government Efficiency Service (USDS), or U.S. DOGE Service Temporary Organization, immediately pause their work within all federal agencies, until you provide responses to the questions below. This includes any (i) access to federal buildings; (ii) access to agency data, classified information, technology, and resources; (iii) interactions with federal officials; and (iv) execution of government programs.

Alarming reports have indicated that Mr. Musk, and officials associated with Mr. Musk and the USDS or USDS Temporary Organization, may have engaged in activity which may be illegal or unconstitutional. Since January 20, 2025, reports indicate that—among other things—Mr. Musk, and individuals associated with Mr. Musk, have led the process of shutting down government agencies and components—including U.S. Agency for International Development (USAID) and the General Services Administration's (GSA) 18F; gained access to the Treasury Department's payment system which distributes trillions of dollars in annual payments and taxes; and locked Office of Personnel Management officials out of computer systems that contain data or information on millions of individuals.¹

On February 3, 2025, two weeks after Mr. Musk reportedly began service in government, the White House designated Mr. Musk as a Special Governmental Employee—but did not indicate critical information about his employment and authorities within that position.² The White House has not indicated (i) the date on which this appointment was made; (ii) the employment designations of other individuals associated with USDS; (iii) how Mr. Musk has addressed the apparent conflicts of interests with his federal government work; (iv) the authorities that allow Mr. Musk to gain access and/or control of sensitive and classified information; (v) under what authority Mr. Musk is making final agency decisions; and (vi) any

¹ Trump and Musk move to dismantle USAID, igniting battle with Democratic lawmakers, Associated Press (Feb. 3, 2025) (<https://apnews.com/article/trump-musk-usaid-c0c7799be0b2fa7cad4c806565985fe2>); Elon Musk creates confusion about IRS' Direct File — but the free tax program is still available, Associated Press (Feb. 3, 2025) (<https://apnews.com/article/irs-direct-file-musk-18f-6a4dc35a92f9f29c310721af53f58b16>); Elon Musk's Team Now Has Access to Treasury's Payments System (Feb. 1, 2025) (<https://www.nytimes.com/2025/02/01/us/politics/elon-musk-doge-federal-payments-system.html>); Exclusive: Musk aides lock workers out of OPM computer systems, Reuters (Feb. 2, 2025) (<https://www.reuters.com/world/us/musk-aides-lock-government-workers-out-computer-systems-us-agency-sources-say-2025-01-31/>).

² White House says Elon Musk is serving as a 'special government employee', NBC News (Feb. 3, 2025) (<https://www.nbcnews.com/politics/donald-trump/white-house-says-elon-musk-serving-special-government-employee-rcna190520>).

limitations, if any, that have been placed on Mr. Musk and associated members of U.S. DOGE Service (USDS) or U.S. DOGE Service Temporary Organization with regards to their level of agency access and decision making.

If these reports are true, Mr. Musk and individuals associated with the U.S. DOGE Service (USDS), or U.S. DOGE Service Temporary Organization may be in violation of several privacy, national security, and ethics laws. Additionally, it is unclear whether Mr. Musk's actions and authorities comply with Article II, Section 2, Clause 2 of the Constitution, which requires principal officers to be appointed by the President, by and with the Advice and Consent of the Senate. Please respond to this letter by no later than 6pm on Monday, February 10, 2025.

Questions

- 1) What is Mr. Musk's role in the federal government (including his position description)? What legal authority has been used to hire Mr. Musk and do you consider Mr. Musk an employee or officer under the Appointments Clause? Who is the U.S. DOGE Service Administrator?
- 2) What are the titles and dates of employment (including start and end dates) for all positions Mr. Musk has held within the federal government? Does Mr. Musk receive payment for his services? If so, what amount?
- 3) Who in the federal government does Mr. Musk report to? When did Mr. Musk begin reporting to that person? Has Mr. Musk reported to anyone else in the federal government since January 20, 2025? If so, to whom did he report?
- 4) On what date did Mr. Musk become a Special Governmental Employee and on what date does Mr. Musk anticipate he will serve his final day as an SGE?
 - a) Has Mr. Musk filled out the required financial disclosure reports? If not, why not?
 - b) Has Mr. Musk filled out all required conflict of interest paperwork? Please specify whether he has entered into an ethics agreement or otherwise committed in writing to divesting his financial assets that create a conflict of interest or recusing from matters that raise a conflicts of interest due to his positions with, or financial holdings, in SpaceX, Tesla, "X" (formerly known as Twitter) or any other entity?
 - c) Has Mr. Musk been issued any waivers related to his non-government positions or his personal financial interests? If so, by whom and under what legal authority?
 - d) Has Mr. Musk been issued a certificate of divestiture?
 - e) Is Mr. Musk in compliance with the requirements of the Federal Records Act and Presidential Records Act?
 - f) List each training(s) Mr. Musk has received related to his duties within government, including those related to cybersecurity, privacy, and data management and security as a Special Government Employee? If none, please indicate so.
 - g) Please identify who made the determination that Mr. Musk is an SGE and when that determination was made? How and when was that decision documented?

- 5) How many individuals report to Mr. Musk (in his federal government capacity), including all government employees and all individuals who are not government employees? *Please list the titles and responsibilities of these individuals.*
 - a) Please list the training(s) each employee received related to their duties within government, including those related to cybersecurity, privacy, and data management and security. If none, please indicate so.
 - b) Please list the respective government email addresses for all individuals who report to Mr. Musk.
 - c) Have any individuals who are not government employees been given access to government systems, agency data, or other federal resources (including personally identifiable information)? If so, please list the names of these individuals and details about their access and use of the data (including date, scope, and purpose of access, and any removals or changes to those resources).
- 6) How many individuals have been hired into the United States DOGE Service (USDS) or the U.S. DOGE Service Temporary Organization? Please provide the names, titles, date of hiring, position descriptions, and employment status of each individual on these teams (please include the specific method by which they were recruited (e.g., USAJobs).
- 7) What are all the types of temporary employees currently working within the USDS or U.S. DOGE Service Temporary Organization (i.e. volunteer, detailee, excepted service)?
- 8) How many USDS and DOGE Service Temporary Organization agency teams have been created as of the date of your response to this letter?
 - a) For each DOGE agency team, please identify:
 - i) The name of the each team;
 - ii) The supervisor or lead for each team;
 - iii) The individuals who serve on each team; and
 - iv) Whether each individual is a federal employee, and if so, their employment status.
- 9) Provide a list of all the federal agencies Mr. Musk and/or USDS or U.S. DOGE Service Temporary Organization have accessed.
 - a) For each agency accessed, please list the names, titles, and federal email addresses of the individuals who gained access.
- 10) Please provide the following information on each individual working or associated with the USDS or U.S. DOGE Service Temporary Organization in a policymaking role – both government officials and individuals who are not government employees – including but not limited to Tom Krause, Anthony Armstrong, Brian Bjelde, Riccardo Biasini, Akash Bobba, Edward Coristine, Luke Farritor, Gautier Cole Killian, Gavin Kliger, Ethan Shaotran, Steve Davis, Michael Grimes, Antonio Gracias, Marko Elez, Vinay Hiremath, Shaun Maguire, and Marc Andreessen:
 - a) position title and description;
 - b) hiring authority;
 - c) employment classification;
 - d) functions and duties of that position (including the applicable authorizing statutes);

- e) indication of whether the individual has had a background check (include the level of background check); and
 - f) reporting structure of that individual in the agency (including the number of direct reports and supervisors).
- 11) Has any individual who is not a government employee used any government resources, including funds, office space, or technology in the performance of their work? If so, please describe the nature of these instances, including:
- a) The name of the individual using the government resources;
 - b) The type of government resource used (e.g. funds, office space, technology, etc.);
 - c) The purpose of the individual's work; and
 - d) The date of the occurrence(s).
- 12) How many individuals within USDS or U.S. DOGE Service Temporary Organization (including Mr. Musk or any individual who is not a government employee) have access to classified information? For each individual, please indicate the level of their access and what level of security clearances they hold. If they do not hold a security clearance, please indicate this.
- 13) For Mr. Musk, each individual within USDS or U.S. DOGE Service Temporary Organization, or any other official associated with USDS, please indicate whether such individual has access to classified information without the required level of security clearance.
- 14) Does Mr. Musk or any individual within USDS or U.S. DOGE Services Temporary Organization have access to sensitive personally identifiable information, including but not limited to individual or employee social security numbers, addresses, and dates of birth, payment information, or other sensitive data? If so, please describe the information they have access to and under which authorities they viewed and worked with this data. If so, please identify each individual, the information which they have access, and their purposes for accessing such information.
- 15) Has Mr. Musk or any individual within USDS or U.S. DOGE Service Temporary Organization (including individuals who are not government employees) terminated, or directed termination of, government employees? If so, please provide the number of terminated employees, along with each terminated employee's name and former position. Please also identify each individual by name, title, and position who directed the termination and the reasons for termination.

Sincerely,



Gary C. Peters
Ranking Member
Senate Committee on Homeland
Security and Governmental Affairs



Richard Blumenthal
Ranking Member
Permanent Subcommittee on
Investigations

Maggie Hassan

Margaret Wood Hassan
United States Senator

Elissa Slotkin

Elissa Slotkin
United States Senator

Ruben Gallego

Ruben Gallego
United States Senator

John Fetterman

John Fetterman
United States Senator