UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION

AMERICAN FEDERATION OF
TEACHERS, *et al.*,

     Plaintiffs,

  vs.

SCOTT BESSENT, *et al.*,

     Defendants.

Case No. 8:25-cv-00430

<u>DECLARATION OF MATTHEW S. BIGGS</u>

I, Matthew S. Biggs, declare as follows:

1. I am over the age of 18 and have personal knowledge of the facts in this declaration.

2. I am the President of the International Federation of Professional and Technical Engineers ("IFPTE"). IFPTE is an international labor organization headquartered in Washington, D.C., that represents approximately 34,000 federal employees in addition to its other public and private sector represented bargaining units. Over 7,000 of these represented federal sector employees are dues-paying members. The majority of federal employees represented by IFPTE work at the Department of Defense, many in the Navy shipyards. Represented employees include nuclear submarine engineers, scientists and researchers at NASA, Administrative Law Judges at the Social Security Administration, and nuclear engineers at the Tennessee Valley Authority, as well as employees of the Environmental Protection Agency. IFPTE comprises many members who are veterans and represents and advocates for veterans and veterans' groups.

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3. As a labor union, IFPTE provides representation, information, and legislative advocacy for individual federal employees and represented units regarding terms and conditions of employment. This includes assistance with negotiating pay, healthcare, pensions, security clearances and the security revocation process, both at the IFPTE level and by supporting our local affiliates. We also provide training to federal sector local affiliates on how to bargain contracts regarding pay and benefits. IFPTE has a legislative program that includes priorities advocating for pay raises for federal employees and protecting federal pensions and healthcare. IFPTE has advocated for at least the last ten years for student loan forgiveness for public sector workers, including federal employees.

4. IFPTE helps its represented federal employees in navigating reasonable accommodations, leave under the Family Medical Leave Act and veterans preference issues in the workplace, including for the purposes of promotions and points for disability. This requires dealing with personal and medical information.

5. In addition to representation in federal workplaces that directly involves federal employee PII, IFPTE trains its federal locals on how to interact with OPM when it comes to processing retirement benefits, different types of pay schedules, special pay rates, and the like. Our local affiliates provide this same training for their individual members regarding interactions with OMB and other Executive Branch agencies. IFPTE also consistently advocates for adequate funding for OPM for processing retirement benefits and eliminating the backlog in processing retirement applications. This includes advocating against the first Trump administration's efforts to shutter OPM.

6. Because the services and advocacy IFPTE provides for its federal members involves sharing members' personal data with government agencies, and because IFPTE's federal employee members have extensive personal data stored in federal personnel and payment systems, IFPTE's advocacy efforts include calling on federal legislators and agencies to implement policies that protect IFPTE members' privacy interests. Specifically, IFPTE advocates to

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Congress to invest in software and cybersecurity measures to protect the PII of our represented federal employees. When OPM's data system was breached in 2015 by hackers, IFPTE advocated to Congress to provide credit monitoring and other individual assistance to federal employees.

7. At the local affiliate levels, our locals assist their represented employees in ensuring that the agency employers take steps to protect the PII of their members. As an example, IFPTE-represented Social Security Administrative Law Judges consistently face personal threats because of their jobs, and as such must advocate that their employing agency take every possible measure to protect their PII, including home addresses and other contact information.

8. I am aware of and can identify individual IFPTE members who have federal student loan debt, and/or are federal employees, and/or who have records housed within OPM and Department of Education records systems and receive payments from the United States Treasury. Specifically, I am aware of individual members with personally identifiable information contained in the payment systems of Treasury's Federal Disbursement Services; in the federal work files of OPM, including USAJOBS and the Electronic Official Personnel Folder, among others; and in the Department of Education's National Student Loan Data Systems, Common Origination and Disbursement System, FUTURE ACT System, and Financial Management System.

9. I am aware that sensitive information about IFPTE members is contained in these record systems, including Social Security numbers, bank account numbers, details of personal finances, and personnel information. Improper disclosure of this information increases the risk of access by external actors, doxxing, identity theft, invasion of personal privacy, personal threats to safety, and financial crimes against IFPTE members. Introducing sensitive personal data into artificial intelligence systems enhances these risks.

10. I am not aware of any IFPTE member who has requested or authorized DOGE or its representatives to access their personal data.

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11. I am aware of and can identify individual members whose right to privacy has been violated by such disclosures.

12. I am aware of and can identify individual federal employee members who received an email from OPM on their federal agency account with the subject "Fork in the Road," detailing a plan for federal employees to immediately resign their positions.

13. I have personally heard from members from every IFPTE federal sector local across the agencies in which we represent workers who are deeply concerned about the risks to their privacy and data security posed by unvetted and unqualified people associated with DOGE going through their personal and financial data.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: February 12, 2025

_____/s/*_____
Matthew S. Biggs

*Counsel hereby certifies that he has a signed copy of the foregoing document available for inspection at any time by the court or a party to this action.

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