

EXHIBIT A



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TECHNOLOGY

THE GOVERNMENT COMPUTING EXPERTS SAY THEY ARE TERRIFIED

Four IT professionals lay out just how destructive Elon Musk's incursion into the U.S. government could be.

By Charlie Warzel and Ian Bogost



Illustration by The Atlantic. Source: Getty.

FEBRUARY 7, 2025

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If you have tips about the remaking of the federal government, you can contact Charlie and Ian on Signal at [@cwarzel.92](#) and [@ibogost.47](#).

ELON MUSK'S UNCEASING ATTEMPTS to access the data and information systems of the federal government range so widely, and are so unprecedented and unpredictable, that government computing experts believe the effort has spun out of control. This week, we spoke with four federal-government IT professionals—all experienced contractors and

civil servants who have built, modified, or maintained the kind of technological infrastructure that Musk's inexperienced employees at his newly created Department of Government Efficiency are attempting to access. In our conversations, each expert was unequivocal: They are terrified and struggling to articulate the scale of the crisis.

Even if the president of the United States, the head of the executive branch, supports (and, importantly, understands) these efforts by DOGE, these experts told us, they would still consider Musk's campaign to be a reckless and dangerous breach of the complex systems that keep America running. Federal

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EXHIBIT B



Post

Elon Musk  
@elonmusk



Reagan campaigned on ending the federal Dept of Education, which was created by Carter in 1979, but it was bigger when Reagan left office than when he started!

Not this time. President [@realDonaldTrump](#) will succeed.



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EXHIBIT C

How an arcane Treasury Department office became ground zero in the war over federal spending

By [Katelyn Polantz](#), [Phil Mattingly](#) and [Tierney Sneed](#), CNN

🕒 7 minute read · Updated 6:26 PM EST, Sat February 1, 2025

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Signage on the exterior of the US Department of the Treasury building, Saturday, January 11, 2025, in Washington, D.C. (AP Photo/Chris Wedel)

Washington (CNN) — A few weeks before Donald Trump was sworn in as president, members of his transition team went to the Treasury Department to talk about the handover of power.

But what is normally a routine discussion turned into an alarming series of interactions for a handful of top career Treasury officials.

Trump's team, which included members of Elon Musk's Department of Government Efficiency, peppered Treasury officials about one of the department's most sensitive and critical functions: processing trillions of dollars in government payments a year.

Through a series of specific requests, Trump's landing team attempted to lift the hood on the department's Bureau of the Fiscal Service, an arcane branch that distributes nearly 90 percent of all federal payments, including Social Security benefits, tax refunds and payments to federal workers and contractors. That adds up to a billion annual transactions totaling more than \$5 trillion.

A month later, this obscure Treasury office is now a key battlefield in a wider war being waged by Trump and his allies over federal spending. Signs of the fight emerged this week.

The top civil servant at the Treasury Department, David Lebryk, left unexpectedly on Friday after Trump-affiliated officials expressed interest in stopping certain payments made by the federal government, according to three people familiar with the situation.

With Lebryk out, Musk's DOGE associates at Treasury now have full access to the government's payments system.

According to one person familiar with the department, Trump-affiliated employees had previously asked about Treasury's ability to stop payments. But Lebryk's pushback was, "We don't do that," the person said.

"They seem to want Treasury to be the chokepoint on payments, and that's unprecedented," the person added, emphasizing that it is not the bureau's role to decide which payments to make — it is "just to make the f-ing payments."

Looking closely at payments

Before Trump's inauguration, members of his transition landing team wanted to know granular details about the bureau's proprietary computer systems, including "each step in the

disbursement process.” They also wanted to visit field offices where government workers, in Philadelphia or Kansas, work on computers that disburse payments.

The requests puzzled many career officials initially. The transition operation hadn’t requested substantive briefings on any of Treasury’s other critical areas of operation, multiple people familiar with the matter said. Veterans of past transition efforts, representing presidents of both parties, couldn’t recall precedent for the Trump team’s entreaty.

The arcane process of cutting the government’s checks is normally overlooked by political leadership, though the incoming administration exhibited an odd interest in its inner workings, sources said — raising suspicions among career officials about the intent to tinker with a crucial financial pipeline that keeps the nation’s economy running.



In this 2023 photo, David Lebyk looks out a window in his office in Washington, DC. Bill O’Leary/The Washington Post/Getty Images

Tension between Lebryk and Trump political appointees, including those affiliated with DOGE, had been mounting, with sources telling CNN that things escalated this week after the Office of Management and Budget on Monday ordered a sweeping freeze on trillions of dollars in federal spending.

At the time, Lebryk was the acting Treasury Secretary. Trump's pick to lead Treasury, Scott Bessent, was sworn in Tuesday. OMB rescinded that order a few days later after an uproar that's still being litigated in court.

Lebryk's departure, which he announced by email to his team on Friday morning, has shaken up career Treasury officials, several sources have told CNN this week. With Lebryk gone, Bessent signed off on access to the payments system for the DOGE team detailed to Treasury by Friday evening.

DOGE officials, in the lead up to Bessent's decision to sign-off on their access, had been operating from the position that Trump's Inauguration Day executive order establishing their agency had already authorized their access. That order, in part, directs the heads of federal agencies to take "all necessary steps" within the law to ensure Musk's group has "full and prompt access to all unclassified agency records, software systems, and IT systems."

Lebryk's exit was first reported by the Washington Post, but the full scale of the tension inside the Treasury Department has not been previously reported. Lebryk didn't respond to an inquiry from CNN on Friday morning.



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Sen. Elizabeth Warren, the ranking member of the Senate Banking Committee, called for an investigation on Friday following news of Lebryk's departure.

"It's alarming that Elon Musk is attempting to gain access to the Federal Government's critical payment system, which is responsible for delivering Social Security checks, tax refunds, and Medicare benefits to Americans across the country," Warren said in a statement provided to CNN. "It is equally alarming that Musk and the Trump Administration drove out the most senior career official at Treasury as the agency is already taking extraordinary measures to avoid a US default."

Multiple Trump administration officials, including people at Treasury, didn't respond to several

Musk himself acknowledged his interest in the Treasury Department's payment processing in a middle-of-the-night post on his social media platform Saturday.

He wrote his team "discovered, among other things, that payment approval officers at Treasury were instructed always to approve payments, even to known fraudulent or terrorist groups. They literally never denied a payment in their entire career. Not even once."

The post appeared to ignore the mechanisms already in place for Treasury to simply fulfill lawful payment decisions made by other agencies, and that the system's value to the federal bureaucracy and the nation's economy lies in its reliability.

Jack Lew, who ran the Treasury Department during President Barack Obama's second term, said any attempt to disrupt payments made by the BFS would be dangerous to the world's markets.

"The American people should not have to worry about political interference when it comes to receiving Social Security and other payments the fiscal service makes," Lew told CNN. "And as the world's reserve currency, it is crucial to maintain confidence around the globe that the US Government will make timely payments on its obligations."

'Rove around as a pack'

Some of the members of Trump's landing team present for the initial transition meetings are now working at the Treasury Department.

Among them is Baris Akis, a Musk ally who is the co-founder of a venture capital firm, Human Capital. Akis' presence raised alarms among some of the Treasury officials present for those early meetings, since he was not an official member of the incoming Trump administration and didn't have a security clearance at the time, the sources told CNN.

Akis, along with a few others affiliated with Musk's DOGE, has been in the Treasury building in recent days. Sources familiar with the department tell CNN they "rove around as a pack" — emphasizing how the group is working in the building in a way that is separate from the rest of the department's staff.

Akis did not respond to a request for comment from CNN.





Elon Musk at Donald Trump's inauguration at the US Capitol in Washington, DC, on January 20. Kenny Holston/The New York Times/Pool/Reuters

Meanwhile, several blocks away in downtown Washington, Musk has asserted significant influence at the Office of Personnel Management, with at least one other employee formerly with Human Capital. The agency, which serves as the overarching human resources headquarters for the federal government, has historically been an operation driven by career officials who have worked across administrations of both parties.

Political appointees have long played a role, but according to one long-time official, the current iteration “is like a different world.”

That world is now populated with a number of Musk acolytes.

Amanda Scales, who previously worked for Musk’s artificial intelligence company xAI after working for Human Capital, arrived at OPM as the agency chief of staff on Inauguration Day and has been the central figure identified with the agency’s sweeping efforts to restructure the federal workforce, multiple agency officials said. She previously worked at Akis’ company.

Brian Bjelde, the human resources chief for SpaceX, and Anthony Armstrong, a Morgan Stanley banker who worked on Musk’s purchase of Twitter, have also taken on substantial roles. Musk worked out of the OPM headquarters – with his surrogates by his side – last week, the officials said.

Trump’s nominee to run OPM, Scott Kuper, is awaiting confirmation but also holds deep ties to the Silicon Valley universe integral to Musk’s DOGE operations.

Fights continue in court

Nonprofits and Democrat-led states are already suing to try to block the Trump administration’s attempts to freeze federal spending. Despite the rescission of the memo directing the pause, they say the lawsuits need to continue, because of evidence the funding is being withheld.

On Friday, a federal judge in Rhode Island told the Trump administration it couldn’t block payments to states, nor could it try to revive stopping payments in any agency under Trump. More hearings are to come, including on Monday morning in a separate federal court, in DC.

The court fights show how any action by the administration that tampers with congressionally mandated funding could attract aggressive litigation.

The lawsuits haven’t yet touched upon the Bureau of the Fiscal Service’s work inside the Treasury Department.

This story has been updated with new reporting.

CNN’s Alayna Treene contributed to this report.

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EXHIBIT D



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‘Took away my hope.’ Federal workers say Trump mass firings upended their lives

Phillip M. Bailey, Zac Anderson, Terry Collins and Jeanine Santucci USA TODAY

Published 6:06 a.m. ET Feb. 16, 2025 | Updated 7:19 a.m. ET Feb. 17, 2025

The termination notice came just before Valentine's Day, and Elena Moseyko's heart was shattered as she broke down crying in front of her two young children.

She has bills to pay – a mortgage, preschool tuition, a car payment – and a scared family.

“I feel so angry now at the administration because I traumatized my kids,” she said. “I wish I would’ve never joined the federal government.”

Moseyko joined the U.S. Department of Veterans Affairs last year as a data scientist. She’d been “happily employed” in the private sector for a consulting firm but thought a government job seemed more stable.

Related: 'It's a lie': Federal workers incensed by performance language in termination letters

Instead, her life was turned upside down last week after President Donald Trump’s administration began instituting mass layoffs as part of an aggressive effort to trim the federal workforce.

Harrison Fields, a special assistant to the president, said in a statement to USA TODAY that Trump “returned to Washington with a mandate from the American people to bring about unprecedented change in our federal government to uproot waste, fraud, and abuse.”

“This isn’t easy to do in a broken system entrenched in bureaucracy and bloat, but it’s a task long overdue,” he said.

USA TODAY spoke to federal workers fired from the departments of Education, Veterans Affairs, Agriculture and Transportation who said they were shocked, angry and emotionally distraught by the terminations. They were scrambling over the weekend to figure out how to file for unemployment benefits and reviewing their budgets to adjust to a new financial reality.

They worried about everything from making rent to paying student loans. Many talked about going into government work because they value public service and feeling like those values are being trampled.

"I'm much more angry than devastated," said Chelsea Milburn, a 34-year-old Navy reservist, who lost her job as a public affairs specialist for the Department of Education. "It took away my hope that I would continue to be respected and valued for my service. And especially in the way the termination happened."

Firings target probationary employees

The ex-employees USA TODAY spoke to said they never received bad performance reviews at work, but their walking papers all included similar language:

"The agency finds, based on your performance, that you have not demonstrated that your further employment at the agency would be in the public interest," multiple federal workers told USA TODAY their termination letter read.

Which agencies are being impacted? Education Department, USAID, NIH and more

"It read like a copy-and-paste letter that did not provide any specifics," Milburn said. "It was just very cold and cruel."

She said her teleworking job was a near-perfect situation after her life dramatically changed two years ago, first with a bout with COVID-19 and then being diagnosed with POTS, a disability that makes it hard for her to sit at a desk full-time.

Milburn was one of the nearly 70 employees in the Education Department still within their probationary periods who were let go Wednesday night. Federal employees in probationary status have typically been hired within the past year.

They are easier to fire because they lack the bargaining rights that career employees have to appeal their terminations. But some who had been in their departments longer than that got

caught up, too.

Doug Berry, who worked for U.S. Department of Agriculture Rural Development, left his former career in real estate for his job at the USDA for more stability, was hired as a loan technician last January. But in July, the 53-year-old chose to take a position as a pathways intern instead, in part because it would give him a better career path after the probationary period, but also because he wanted to pursue an MBA at the same time.

His probationary period reset, but he couldn't have known at the time what that would mean.

Berry said his termination letter was emailed to him close to 5 p.m. Thursday and was effective at the end of that business day, but his office closes at 4:30 p.m. and he was already gone for the day. He showed up Friday morning to discover his job was gone.

"I got to donate an hour of my time to clean out my desk and hand off what I was working on to my coworkers," he said.

At least five unions representing government workers have filed suit over the administration's firing of probationary workers, alleging it breaks the formal process used by government agencies to dismiss employees.

"These firings are not about poor performance – there is no evidence these employees were anything but dedicated public servants," said Everett Kelley, president of the American Federation of Government Employees, which represents about 800,000 federal workers.

DOGE aims to slash government spending

The Department of Government Efficiency, led by Elon Musk, has been tearing through federal agencies, moving to shutter some and drastically cut back others. Nearly the entire federal workforce was offered a buyout. Then the notices began.

Thousands of workers have been laid off in recent days, with the terminations focused on newer hires who still have probationary status. The extent of the layoffs is still unclear, but roughly 220,000 federal employees out of 2.3 million had less than one year of experience in their current positions as of March 2024, according to the most recently publicly available data from the U.S. Office of Personnel Management.

Trump showed no signs of yielding despite a deluge of suits.

"He who saves his country does not violate any law," Trump said on Truth Social, his social media app.

But as Musk's team scours the federal government, looking to purge scores of employees, the president's opponents continue to warn about the ramifications, both personal and national.

Sen. Lisa Murkowski, R-Alaska, a GOP lawmaker who has occasionally opposed Trump in public, said dozens of federal workers from her state were suddenly laid off.

"I share the administration's goal of reducing the size of the federal government, but this approach is bringing confusion, anxiety, and now trauma to our civil servants – some of whom moved their families and packed up their whole lives to come here," she said.

The full ramifications of Trump's decision, whether in the country's urban centers or rural enclaves, won't be fully absorbed for weeks or months. Asked for a total or estimate on how many workers have been let go, for instance, the Office of Personnel Management on Friday declined to provide USA TODAY with answers.

Former workers worry about the communities they were hired to serve

Victoria Porter, 28, said she found her dream job riding horses into the backcountry to maintain hiking trails for the U.S. Forest Service in Montana. That all went away Friday, when she said eight other people on her 12-person trail team also were fired.

The terminations will have a big impact the community around the forest where she worked, Porter said. Outdoor outfitters and other local businesses rely on the trails as an economic engine for the region. There's "no way" the trails can be maintained with a drastically smaller crew, she said.

"They'll try their best, but it will mean that hikers can't get through, it will mean that the outfitters can't get through and their livelihoods depend on taking people out to the backcountry," Porter said. "So they will suffer. The communities around here will suffer. It's going to hit the economy really hard because tourism will drop."

Berry also worried about the impact of the terminations on the low-income, rural communities his work reviewing loans and funding for community projects served.

"USDA Rural Development helps the towns that voted for Trump every day, and I think there's a disconnect between understanding that these things are necessary in small-town life and realizing that you just voted to get rid of the water project you need," he said.

"I don't know where I'm going to end up," Berry said, now worried that he would have to disclose being fired for anything else he applies to. "I've never been terminated for cause in my life, until now."

Moseyko joined the VA in June 2024 in a highly skilled position writing machine learning algorithms. She is confident about getting a new job with her skills, but said the sudden pink slip is taking a mental toll and the immediate financial concerns are worrying. She spent Friday figuring out how to file for unemployment.

"Mentally it's very draining," she said.

Berry has started the process of fighting the decision. Moseyko believes the termination was illegal.

"Every one of us who got the exact same form letter without proper process or actual cause have a grievance," Berry said.

Meanwhile, Milburn said she now has to find work that will accommodate her medical condition like her federal job did. She is also upset that most Americans who support cutting government jobs aren't really aware of the repercussions of the forceful downsizing that will eventually have a trickle-down effect.

"When I see people cheering on these broad, sweeping attacks on civil servants as if it's a good thing, that is incredibly hurtful and infuriating to me," Milburn said. "I feel like I have served my country admirably, and now it has betrayed me.

"But, I'm not going out without a fight."

Contributing: Joey Garrison

EXHIBIT E

DOGE

Hundreds of FAA employees are let go as Trump's mass layoffs continue

The firing of nearly 300 Federal Aviation Administration employees comes just weeks after a midair collision in Washington, D.C., killed 67 people.



— Workers inside air traffic control at Ronald Reagan Washington National Airport, in Arlington, Va., a day after a deadly midair crash that killed all 67 people. Evelyn Hockstein / Reuters

Feb. 17, 2025, 11:16 AM EST / Updated Feb. 17, 2025, 1:04 PM EST

By Aaron Gilchrist and Natasha Korecki

The Trump administration fired hundreds of employees with the Federal Aviation Administration over the weekend, just weeks after a fatal crash in Washington, D.C., exposed understaffing at the agency.

The union representing the employees [called the firings a “hastily made decision”](#) that would increase the workload of a workforce already stretched thin. The union statement referred to the D.C. crash as well as two others in recent weeks across the country as evidence that it was not the time to cut back personnel at the agency.

“This decision did not consider the staffing needs of the FAA, which is already challenged by understaffing,” David Spero, the national president of the Professional Aviation Safety Specialists, AFL-CIO, [said in a statement](#). “Staffing decisions should be based on an individual agency’s mission-critical needs. To do otherwise is dangerous when it comes to public safety. And it is especially unconscionable in the aftermath of three deadly aircraft accidents in the past month.”

A union spokesperson said close to 300 of its members received termination notices over the weekend, and those affected worked as maintenance mechanics, aeronautical information specialists, environmental protection specialists, aviation safety assistants as well as management and program assistants.

The firings come as President Donald Trump tapped the world's richest man, Elon Musk, to lead the so-called Department of Government Efficiency, an advisory commission that is targeting U.S. government agencies for massive layoffs.

The same FAA that now faces layoffs also regulates Musk’s company, SpaceX. The FAA [last year proposed civil penalties](#) against SpaceX over alleged licensing and safety violations, after [which Musk threatened to sue](#) the agency. The FAA oversight on Musk's company has serious implications. In mid-January, for example, a [SpaceX rocket explosion](#) affected [dozens of flights](#), prompting detours and sending debris into the Caribbean. The FAA ordered SpaceX to [conduct a “mishap investigation”](#) following the incident.

FAA officials have [in recent years](#) warned that the agency was understaffed and employees were operating in a system that was already overstressed.

The National Transportation Safety Board is still investigating the cause of a Jan. 29 collision near Washington, D.C., that killed everyone aboard a commercial American Airlines flight and an Army Helicopter. In all, 67 people died. It was the deadliest U.S. air crash in nearly 25 years.

"The flying public needs answers. How many FAA personnel were just fired? What positions? And why?" former Transportation Secretary Pete Buttigieg posted [on social media Monday](#).

A Department of Transportation spokesperson did not immediately respond to NBC News' request for comment.



Aaron Gilchrist

Aaron Gilchrist is a White House correspondent for NBC News.



Natasha Korecki

Natasha Korecki is a senior national political reporter for NBC News.

Lora Kolodny, CNBC contributed.

EXHIBIT F



Post

Elon Musk  
@elonmusk



A corrupt judge protecting corruption.

He needs to be impeached NOW!

Glenn Beck  @glennbeck · Feb 8

Let me see if I have this right. The Treasury Secretary CANNOT access any data from the treasury? Wow. Who is afraid the secrets are coming out. This judge was not elected nor was he given the mandate by the people. Enough is enough. WE THE PEOPLE demand x.com/amuse/status/1...
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EXHIBIT G

MATT BURGESS ANDREW COUTS SECURITY FEB 15, 2025 6:30 AM

Security News This Week: The Official DOGE Website Launch Was a Security Mess

Plus: Researchers find RedNote lacks basic security measures, surveillance ramps up around the US-Mexico border, and the UK ordering Apple to create an encryption backdoor comes under fire.



PHOTOGRAPH: KAMRAN JEBREILI/AP



As the United States reels from the upheaval caused by Elon Musk's so-called Department of Government Efficiency (DOGE), hackers from countries the US considers hostile continue to wreak havoc from afar.

New research shows that China's Salt Typhoon hacking group has expanded its targets list to include universities around the world and at least two more telecoms operating in the US. That brings the total number of US telecommunications networks breached by Salt Typhoon to at least 11.

Russia's notorious Sandworm hacking unit may be best known for its attacks on Ukraine, including multiple blackouts caused by its cyberattacks and its release of the destructive NotPetya malware. However, a hacking group within Sandworm is now taking aim at targets in Western nations, including Australia, Canada, the UK, and the US, according to research released this week by Microsoft. The group, which Microsoft calls BadPilot, is known as an "initial access operation," breaching targets for the purpose of handing over access to those systems to other Sandworm hackers.

Meanwhile, we dug into the slimy world of romance scammers who are making ill-gotten fortunes by capitalizing on the loneliness epidemic, and we dipped into the opaqueness of online advertising data that could pose a threat to US national security. Finally, we found that US funding cuts under the new Trump administration are hurting the organizations protecting children from exploitation, abuse, and human trafficking.

And there's more. Each week, we round up the security and privacy news we didn't cover in depth ourselves. Click the headlines to read the full stories. And stay safe out there.

The Official DOGE Website Launch Was a Security Mess

Elon Musk's DOGE finally started publishing some information about its activities on its threadbare website this week. But it wasn't the only entity publishing on the site.

Two web developers, working independently, found that it is possible to push updates to the DOGE.gov domain, which claims to be an official US government website. The website uses a database that can be edited by anyone online, the experts told 404Media. To demonstrate the insecurity, they left a couple of messages on the DOGE site: "This is a joke of a .gov site," one read, while the other says: "THESE 'EXPERTS' LEFT THEIR DATABASE OPEN."

The messages stayed on the website for at least 12 hours and remained visible for some time on Friday. The DOGE website was launched in January and until this week was a single landing page containing very little information. The web experts who discovered the vulnerabilities told [404Media](#) that the website appeared to have been “slapped together.”

The website only started being populated this week—with some figures purporting to show the size of the US government—after Musk promised his organization would be “maximally transparent.” That transparency may have gone a step too far, however, with [HuffPost reporting](#) on Friday that the site included classified material. As well as being insecure, the [DOGE website heavily leans on X](#), the social media platform owned by Musk. DOGE’s homepage is a feed of its own X posts, but it also uses code that directs search engines to X.com instead of DOGE.gov, a [WIRED review of the site found](#). “This isn't usually how things are handled, and it indicates that the X account is taking priority over the actual website itself,” one developer told WIRED.

RedNote Security Flaws Come Into Focus

Chinese TikTok alternative [RedNote](#) gained around 700,000 US users and [courted American influencers](#) when the [ban on TikTok](#) loomed in January. While many of those people may have only used RedNote for a few days, a new analysis from the University of Toronto’s [Citizen Lab has highlighted](#) how a lack of encryption could have opened up US users to “surveillance by any government or ISP [Internet Service Provider], and not just the Chinese government.”

The analysis of RedNote found a host of network security issues in both its Android and iOS apps. RedNote fetched images and videos using HTTP connections, not the industry standard and encrypted HTTPS; some versions of the app contained a vulnerability that allows an attacker to have “read” permissions on a phone; and it “transmitted insufficiently encrypted device metadata.” The flaws were contained in RedNote’s app and several third-party software libraries that it uses. Citizen Lab reported the issues to the companies starting in November 2024 but has not heard back from any of them.

The security researchers say that the vulnerabilities could risk surveillance for all users, including those in China. “As the Chinese government might already have mechanisms to lawfully obtain detailed data from RedNote about their users, the issues that we found also make Chinese users especially vulnerable to surveillance by non-Chinese governments,” the research says.

It underscores that within China even widely used apps may not meet the same security standards as those developed outside the country. “Applications that are popular in China often use no encryption, proprietary encryption protocols, or use TLS without certificate validation to encrypt sensitive data,” the analysis says.

Military Spy Planes Increase Surveillance Flights at US-Mexico Border

Over the last two weeks, US spy planes have flown at least 18 missions around the Mexico border, analysis from [CNN](#) has shown. The flights mark a “dramatic escalation in activity,” the publication reports, and come as the Trump administration has designated drug cartels as terrorist organizations and has turned the nation’s security apparatus toward deporting millions of migrants. According to CNN, various military planes, including Navy P-8s and a U-2 spy plane, were used in the operations and are capable of collecting both imagery and signals intelligence. Also this week, US Immigration and Customs Enforcement has [advertised](#) new contracts that would allow it to monitor “negative” social media posts that people make about it.

Backlash Mounts Against UK’s Secret Apple Encryption Order

Last month, the [UK government hit Apple](#) with a secret order demanding the company create a way to [access data stored in encrypted iCloud backups](#). The order, called a Technical Capability Notice and issued under the [UK’s controversial 2016 surveillance law](#), was first reported by The Washington Post last week. Since then, there’s been a growing backlash against the demands from the UK government, with

many highlighting how a change would impact the security of millions around the world.

US senator Ron Wyden and representative Andy Biggs have sent a letter to Tulsi Gabbard, the new director of national intelligence, saying the order undermines trust between the US and UK. “If the UK does not immediately reverse this dangerous effort, we urge you to reevaluate US-UK cybersecurity arrangements and programs as well as US intelligence sharing with the UK,” the pair said, drawing comparisons to the Chinese-linked Salt Typhoon hacks of US telecom firms that utilized a surveillance “backdoor.” Since details of the order emerged, Human Rights Watch has called it an “alarming overreach,” while 109 civil society organizations, companies, and other groups signed an open letter saying the “demand jeopardizes the security and privacy of millions.”

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Matt Burgess is a senior writer at WIRED focused on information security, privacy, and data regulation in Europe. He graduated from the University of Sheffield with a degree in journalism and now lives in London. Send tips to Matt_Burgess@wired.com. ... [Read more](#)

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Andrew Couts is Senior Editor, Security & Investigations at WIRED overseeing cybersecurity, privacy, policy, national security, and surveillance coverage. He also oversees investigations across WIRED's newsroom. Prior to WIRED, he served as executive editor of Gizmodo and politics editor at the Daily Dot. He was part of teams whose works ... [Read more](#)

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Elon Musk's DOGE Posts Classified Data On Its New Website

“People are scrambling” to see if their sensitive information has been accessed by Musk’s programmers, said one federal intelligence employee.

By Jennifer Bendery

Feb 14, 2025, 02:25 PM EST

Updated Feb 14, 2025



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WASHINGTON — Elon Musk’s team at the so-called [Department of Government Efficiency](#) has posted classified information about the size and staff of a U.S. intelligence agency on its new website, raising bigger concerns about where Musk’s programmers got this information and what they are doing with it.

DOGE, which President Donald Trump created to purportedly root out waste in the federal government, [launched its website](#) on Wednesday night with a feature allowing users to “trace your tax dollars through the bureaucracy.” People can navigate through all federal agencies and offices for details about their head counts, budgets and average ages of employees.

The website states in tiny print at the bottom that its database excludes information from U.S. intelligence agencies.

But an easy search shows that DOGE's database provides details on the National Reconnaissance Office, the federal agency that designs, builds and maintains U.S. intelligence satellites. Not only are NRO's budgets and head counts classified, but the prospect of Musk's tech team meddling in sensitive personnel information is setting off alarms for some in the intelligence community.

"DOGE just posted secret NOFORN info on their website about [intelligence community] headcount, so currently people are scrambling to check if their info has been accessed," said one Defense Intelligence Agency employee, who requested anonymity to avoid retaliation from senior leaders.

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NOFORN stands for "Not Releasable to Foreign Nationals," meaning information in this category can't be shared with any foreign

governments, international organizations or foreign nationals without specific authorization.

NRO appears to be the only intelligence agency with its data publicly available on DOGE's website. The U.S. intelligence community is composed of 18 organizations, and HuffPost searched DOGE's website for details on all of them. None of the others had any data.

Musk can't claim he wasn't aware that the National Reconnaissance Office is one of the nation's intelligence agencies. His company, SpaceX, [has a \\$1.8 billion contract](#) with NRO to build hundreds of spy satellites.

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Elon Musk and his surrogates at DOGE are posting classified information on DOGE's website. VIA ASSOCIATED PRESS

Two Senate aides who work on intelligence matters confirmed that NRO's headcount and budget are classified, though they noted there have been debates within the intelligence community as to whether they should be. The reason to keep this information private at all, they said, is because foreign adversaries could use it to extrapolate how much the U.S. is prioritizing certain intelligence activities.

Nonetheless, DOGE sharing this information "is absolutely a problem under the current intelligence standards," said one of the Senate aides.

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And the real concern is that Musk’s surrogates are bumbling around in classified programs. “These 25-year-old programmers, I don’t think they have enough experience to know what they don’t know,” said this aide. “Really, the question is: Where did they get this information and what are they doing with it?”

A spokesperson for the National Reconnaissance Office punted questions about this back to DOGE.

“We defer to the Department of Government Efficiency for comment on the release of information posted on DOGE.gov,” said the spokesperson.

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Hours after this story published, a White House spokesperson said in a statement that DOGE did not share classified information — even as NRO’s classified information was still accessible on DOGE’s website.

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“DOGE did not share classified information, any assertion to the contrary is a lie,” said the spokesperson. “Yesterday the accusation was DOGE was not transparent and today the accusation is DOGE is too transparent. Stop the fearmongering, DOGE’s mission remains to cut waste, fraud, and abuse and are doing so with the proper security clearances and following the law.”

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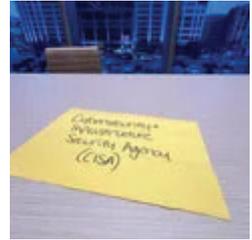
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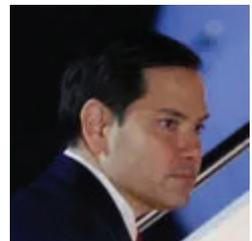
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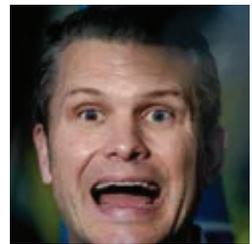
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EXHIBIT I

Musk associates given unfettered access to private data of government employees

The Musk-connected political hires include two recent high school graduates

CALEB ECARMA AND JUDD LEGUM

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The United States Office of Personnel Management in Washington, D.C. (Sarah Silbiger for The Washington Post via Getty Images)

Several of Elon Musk’s associates installed at the Office of Personnel Management (OPM) have received unprecedented access to federal human resources databases

containing sensitive personal information for millions of federal employees. According to two members of OPM staff with direct knowledge, the Musk team running OPM has the ability to extract information from databases that store medical histories, personally identifiable information, workplace evaluations, and other private data. The staffers spoke on the condition of anonymity because they were not authorized to speak publicly and feared professional retaliation. Musk Watch also reviewed internal OPM correspondence confirming that expansive access to the database was provided to Musk associates.

The arrangement presents acute privacy and security risks, one of the OPM staffers said.

Among the government outsiders granted entry to the OPM databases is University of California Berkeley student Akash Bobba, a software engineer who graduated high school less than three years ago. He previously interned at Meta and Palantir, a technology firm chaired by Musk-ally and fellow billionaire Peter Thiel. Edward Coristine, another 2022 high school graduate and former software engineering intern at Musk's Neuralink, has also been given access to the databases.

Other Musk underlings embedded at OPM following President Donald Trump's inauguration include the agency's new chief of staff, Amanda Scales, who until January was a human resources staffer at xAI, Musk's artificial intelligence firm and Brian Bjelde, who has spent the past 21 years at Musk's SpaceX, including last 10 leading the human resources department. They are joined by Gavin Klig, a former Twitter software engineer serving as a special advisor to the director of OPM, and Riccardo Biasini, a former software engineer at Musk's tunneling venture, the Boring Company.

OPM did not respond to a request for comment.

Shortly after Trump took office, OPM installed Greg Hogan to serve as its new chief information officer (CIO). Hogan was tapped to replace OPM CIO Melvin Brown, who had accepted the job less than a month ago.

The civil servants who oversee the OPM's information technology services were then instructed to provide access to Musk's associates, according to the OPM staffers who spoke to Musk Watch. One of the OPM staffers received an email from the agency's new leadership instructing them to give Musk's team "access [to] the system as an admin user" and "code read and write permissions."

"They have access to the code itself, which means they can make updates to anything that they want," the staffer explained.

USAJOBS, the federal government's official hiring site, was one of the systems that Musk's associates were given access to. The database stores personal information — Social Security numbers, home addresses, employment records provided by private individuals who have applied for federal jobs, regardless of whether the applicants went on to work for the government.

Musk's aides were also given access to the OPM's Enterprise Human Resources Integration (EHRI) system. Contained within the EHRI are the Social Security numbers, dates of birth, salaries, home addresses, and job descriptions of all civil government workers, along with any disciplinary actions they have faced. "They're looking through all the position descriptions... to remove folks," one of the OPM staffers said of Musk's team. "This is how they found all these DEI offices and had them removed — [by] reviewing position description level data."

Other databases Musk's team has access to include USA Staffing, an onboarding system; USA Performance, a job performance review site; and HI, which the government uses to manage employee health care. "The health insurance one

scares me because it's HIPAA [protected] information, but they have access to all this stuff," the OPM staffer noted.

A former OPM director, who spoke to Musk Watch on the condition that they not be mentioned by name, agreed with the staffer's concerns. "What [Musk is] doing will put so many government employees at risk. It's not at all what the office is intended for," said the former OPM director. "I just can't believe what I'm seeing."

There are also potential security risks. "China and Russia are literally trying to hack us every day and we just gave all this data over to somebody that's not been properly vetted," one of the OPM staffers said. "It's not just Amanda Scales, it's all the [political appointees] in that office right now. So it's multiple vulnerability points." Outside actors have already [gained access](#) to some of the massive email lists that OPM created as part of Musk's effort to convince federal employees to resign.

A new server being used to control these databases has been placed in a conference room that Musk's team is using as their command center, according to an OPM staffer. The staffer described the server as a piece of commercial hardware they believed was not obtained through the proper federal procurement process.

There is a [legal requirement](#) that the installation of a new server undergo a Privacy Impact Assessment (PIA), a formal process to ensure the change would not create any security vulnerabilities. But in this instance, the staff believes there was no PIA. "So this application and corresponding hardware are illegally operating," they added.

On Friday, Reuters [reported](#) that some senior civil servants have been blocked from accessing the EHRI and other OPM systems, making it difficult for career OPM employees to know what Musk's team has been examining or modifying.

the same report, the outlet revealed the team had moved sofa beds into the agency's headquarters to continue their work around the clock.

Upon gaining access to the OPM databases last week, Musk used the agency [to email](#) all federal civil employees simultaneously. The email announced a “deferred resignation” program, claiming that any federal employee who wished to resign effective September 30, 2025, would receive pay and benefits until that date and would not have to show up for work except in rare cases. Musk and the White House [falsely described](#) the offer as a “buyout” or “severance.” The American Federation of Government Employees, the largest federal employee union, has condemned the program, [saying](#) it “will cause chaos for the Americans who depend on a functioning federal government.”

Musk, who spent a quarter of a billion dollars bankrolling Trump’s election campaign, is not a federal employee or a congressionally confirmed member of Trump administration. His vast and growing powers in Washington stem from Trump choosing him to lead the Department of Government Efficiency, itself a successor to the U.S. Digital Service. In the past, the Digital Service had a relatively narrow mandate, serving primarily to maintain websites and technology systems used by the federal government.

Musk’s influence now [extends to](#) the U.S. Treasury Department, where he and his team took over the federal government’s enormous payment system despite the protests of a top career official who has since been [forced out](#). Over the weekend Musk said he would use his access to cancel hundreds of millions of dollars worth of federal grants.



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VALERIE MELUSKEY Feb 3

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KAO Feb 3

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EXHIBIT J

Home • Industry • Musk's DOGE effort could spread malware, expose US systems to threat actors

by **Cynthia Brumfield**
Contributing Writer

Musk's DOGE effort could spread malware, expose US systems to threat actors

News Analysis
04 Feb 2025 • 8 mins

Government IT Security Security Practices

Given free rein by President Trump to plumb the depths of US government networks and databases, Elon Musk's DOGE is putting the federal digital infrastructure at risk on a variety of fronts, security experts say.



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[<https://enterprise.shutterstock.com/g/FLD>]

Over the past 10 days, an astonishing series of actions by Elon Musk via his Department of Government Efficiency (DOGE) project has elevated the cybersecurity risk of some of the most sensitive computing systems in the US government.

Musk and **his team of young, inexperienced engineers** [<https://www.wired.com/story/elon-musk-government-young-engineers/>] — at least one of whom is not a US citizen — have taken a number of publicly known steps that raise serious concerns among cybersecurity and privacy professionals.

These actions violate several fundamental security principles, experts contend, potentially exposing highly sensitive US government systems to **malware** [<https://www.csoonline.com/article/565999/what-is-malware-viruses-worms-trojans-and-beyond.html>] while opening new possible avenues of attacks by cybercriminals and even nation-state adversaries.

What DOGE has done

On Friday of last week, the Treasury Department's top civil servant, David Lebryk, **left unexpectedly** [<https://www.cnn.com/2025/01/31/politics/doge-treasury-department-federal-spending/index.html>] after Trump-affiliated officials expressed interest in stopping certain payments made by the federal government. In the wake of Lebryk's departure, the Treasury Department ultimately gave Musk's associates full access to the federal payment system at the US Treasury Department responsible for handling trillions of dollars in government expenditures.

Also on Friday, Musk aides **locked out career civil servants** [<https://www.reuters.com/world/us/musk-aides-lock-government-workers-out-computer-systems-us-agency-sources-say-2025-01-31/>] at the Office of Personnel Management (OPM) from computer systems that contain the personal data of millions of federal employees, giving DOGE workers access to a system called Enterprise Human Resources Integration. This system contains dates of birth, Social Security numbers, appraisals, home addresses, pay grades, and length of service of government workers.

Concerns at the agency are high, with some officials saying the situation “creates real cybersecurity and hacking implications.”

Previously, during earlier OPM incidents, Musk and his team **set up an email address** [<https://storage.courtlistener.com/recap/gov.uscourts.dcd.276820/gov.uscourts.dcd.276820.1.0.pdf>], HR.gov, to make it look like a Musk-linked email system was emanating from OPM. The Musk team then sent an email asking federal employees who wished to resign to reply with the word “resign,”

causing some employees to fear that malicious actors could spoof their responses and inadvertently resign them from federal service. Responses to the email were sent not to the federal government but to a Musk employee, Amanda Scales, who at the time was working at Musk's AI company xAI but later became Chief of Staff at OPM.

This incident forced career public servant and OPM CIO Melvin Brown to resign.

On Saturday, the US Agency for International Development's (USAID) director of security and his deputy **were placed on administrative leave** [<https://www.nbcnews.com/politics/national-security/usaids-security-leaders-removed-refusing-elon-musks-doge-employees-access-rcna190357>] after they tried to prevent DOGE workers from accessing secure USAID systems. Sources say the DOGE team tried to access personnel files and security systems, including classified systems beyond the security level of at least some of the DOGE employees. The systems also included security clearance information for agency employees. A DOGE spokesperson contends, "No classified material was accessed without proper security clearances." Musk posted on X calling for USAID "to die" and accusing the independent agency, without evidence, of being a "criminal organization." Later, **he said** [<https://www.nbcnews.com/politics/politics-news/elon-musk-says-trump-are-shutting-usaid-rcna190388>] that he and Trump were shutting down USAID and instructed agency employees not to show up for work.

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Ask a question



In addition, over the past week, workers at the Technology Transformation Services (TTS), housed within the General Services Administration (GSA), **were summoned into meetings** [<https://www.wired.com/story/elon-musk-government-tech-workers-gsa-tts/>] to discuss their code and projects with Musk's team members. TTS helps develop the platforms and tools that underpin many government services, including analytics tools and API plugins that agencies can use to deploy tech faster. Thomas Shedd, who used to work for Musk's Tesla, is now the head of TTS. Some DOGE workers had yet to receive a GSA laptop, indicating that some connected to government systems using their own devices.

Musk's authority to do this

Although many of Musk's actions or intended actions, such as shutting down Treasury payments or eliminating USAID, might be questionable legally, his authority to gain access to unclassified information appears unlimited under an **executive order** [<https://www.whitehouse.gov/presidential-actions/2025/01/establishing-and-implementing-the-presidents-department-of-government-efficiency/>] Trump signed to implement DOGE's agenda.

Security engineer Matthew Garrett, who has not worked for the federal government but has been in touch with those who do, said he understands that the executive order obviates any technical protections federal agencies put on their systems.

"It doesn't matter how secure a system you built is if the orders you are getting are to give someone access to that system; then your choices are either give them access or potentially be suspended, fired, whatever, and then the next in line will do it in any case," Garrett tells CSO.

Michael Daniel, president and CEO of the Cyber Threat Alliance, says the unprecedented nature of Musk's actions makes it difficult to call, but he thinks there could be serious legal consequences for Musk, his workers, and compliant government officials. "You've got the potential for all sorts of legal violations, privacy act violations," he tells CSO.

"Before you even get to the [more technical] cybersecurity issues, you've got a whole bunch of just basic governance issues that are completely unclear," Daniel says. "It's a principle of good cybersecurity that you know who logs into your network and what role they have. And the potential for privacy violations, data misuse, monetary gain, and political retaliation, I mean, is just legion here."

Mark Montgomery, senior director of the Center on Cyber and Technology Innovation at the Foundation for the Defense of Democracies, tells CSO that "there are strict governance

controls for accessing federal systems. To the degree these governance controls were waived or ignored, that introduces risk. That is just unacceptable. And the speed at which these accesses were made make me concerned that those governance controls may not have been followed.”

Malware and authentication exploitation are top concerns

One of Garrett’s biggest cybersecurity concerns is that some of Musk’s workers appear to be connecting their own devices to sensitive government systems.

“The easiest way to think about that is if there’s malware running on your computer, any files you download, whoever’s operating that malware could send those files elsewhere,” he says.

Ideally, government policies would stipulate that only trusted devices can connect to the network.

“But, if you have enough power over the technical leadership of that agency, you’re going to be in a position to just turn that off and then give access to anything,” Garrett says. “And we’ve seen numerous claims that people have just been bringing in their computers from outside and plugging those into department networks. And that means we don’t know whether they have any reasonable security policies.”

If Musk’s workers and the government agencies are not following reasonable security policies, “we should assume anything they download is going to be potentially exfiltrated,” Garrett says.

Moreover, malicious actors could use any authentication that the Musk team used. “They’re going to be able to wait for someone to log in to a system and then potentially bounce through one of those machines, log in against that system themselves, and gain access to all data that user has access to rather than just the material that was looked at and downloaded,” says Garrett.

“All of those seem valid concerns to me, but I also think there’s a first-order question: Would any company on earth just let people walk in and plug devices into their network?” Daniel asks. “Who are these people? Are they actually federal employees? Are they contractors? Nobody knows. Their status is unknown. Their authority to do any of this is unknown.” Moreover, “What company on Earth would hire people without any background investigation or looking at their resume?” Daniel asks. “Even if you just apply a private sector lens to it, the idea is ludicrous that you would just simply turn over all your data. No general counsel on Earth would say that that’s a good idea for your company.”

Government cybersecurity workers need to build a CYA paper trail

Another primary concern Garrett raises is that Musk could not only expose government data to criminals and state-sponsored adversaries, “but we also need to consider what would be the impact of a successful ransomware infection of a government department,” he says.

“Do we trust that this material is still being backed up in the appropriate way? Is the normal kind of technical side of things still operating as normal? We also need to consider if people with sufficiently elevated privileges read this data, how many of them have access to rights to it, and what would the outcomes of a state-level adversary deliberately modifying some of this data look like?”

Given this potential infosec house of cards, those cybersecurity workers in the federal government who are watching what the DOGE team does should be scrupulously documenting all these goings on, if for no other reason than to protect themselves.

“I would assume that anybody in that situation would be doing everything they can to ensure that their paper trail exists demonstrating that this was someone else’s fault,” Garrett says.

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EXHIBIT K

Young Aides Emerge as Enforcers in Musk's Broadside Against Government

Much of the billionaire's handiwork — gaining access to internal systems and asking employees to justify their jobs — is being driven by a group of engineers operating in secrecy.



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By Theodore Schleifer, Nicholas Nehamas, Kate Conger and Ryan Mac

Feb. 7, 2025

At the end of his third week bulldozing through the federal government, Elon Musk sat down to give Vice President JD Vance a 90-minute briefing on his efforts to dismantle the bureaucracy. Mr. Musk was not alone.

Invited to join him on Thursday morning in Mr. Vance's stately ceremonial office suite in the Eisenhower Executive Office Building, next to the White House, were a clutch of young aides whose presence at federal agencies has served as a harbinger of the upheaval that would follow them.

Across the federal government, civil servants have witnessed the sudden intrusion in the last two weeks of these young members of the billionaire's team, labeled the Department of Government Efficiency. As Mr. Musk traipses through Washington, bent on disruption, these aides have emerged as his enforcers, sweeping into agency headquarters with black backpacks and ambitious marching orders.

While Mr. Musk is flanked by some seasoned operatives, his dizzying blitz on the federal bureaucracy is, in practice, largely being carried out by a group of male engineers, including some recent college graduates and at least one as young as 19.

Unlike their 20-something peers in Washington, who are accustomed to doing the unglamorous work ordered up by senior officials, these aides have been empowered to break the system.

Of the roughly 40 people on the team, just under half of them have some previous ties to the billionaire — but many have little government experience, The New York Times found. This account of their background and activities is based on public records, internal government databases and more than 20 people familiar with their roles, who spoke on the condition of anonymity out of fear of retaliation.

Some on the Musk team are former interns at his companies. Others are executives who have served in his employ for as long as two decades. They all appear to have channeled his shoot-first, aim-later approach to reform as they have overwhelmed the bureaucracy.

A 23-year-old who once used artificial intelligence to decode the word “purple” on an Ancient Greek scroll has swiftly gained entree to at least five federal agencies, including the Centers for Medicare and Medicaid Services, where he has been seeking access to sensitive databases. He was part of a group that helped effectively shutter the United States Agency for International Development, joined by the 19-year-old, a onetime Northeastern student who was fired from a data security firm after an investigation into the leaking of internal information, as Bloomberg first reported.



The United States Agency for International Development is one of several federal agencies that young representatives of Mr. Musk's team have been tasked to root out what he perceives as wasteful spending and left-wing ideology. Haiyun Jiang for The New York Times

In the past week, his aides have descended upon the Education, Energy, Housing and Urban Development, Health and Human Services, Transportation and Veterans Affairs Departments, along with the National Oceanic and Atmospheric Administration, the Federal Emergency Management Agency and the Consumer Financial Protection Bureau, according to people familiar with their activities.

Mr. Musk has praised his team as talented and relentless, defending its work as crucial to rooting out what he perceives as wasteful spending and left-wing ideology in the federal government.

"Time to confess," he wrote on X this week. "Media reports saying that @DOGE has some of world's best software engineers are in fact true."

Mr. Musk did not respond to a request for comment.

On Friday, Mr. Trump told reporters that he was “very proud of the job that this group of young people, generally young people, but very smart people, they’re doing.

“They’re doing it at my insistence,” he added. “It would be a lot easier not to do it, but we have to take some of these things apart to find the corruption.”

Even as Mr. Musk’s team members upend the government, their identities have been closely held, emerging only piecemeal when the new arrivals press career officials for information and access to agency systems.

The opacity with which they are operating is highly unusual for those working in government. Aside from those conducting classified or intelligence work, the names of public employees are not generally kept secret.

Harrison Fields, a White House spokesman, said the cost-cutting team has gone through the same vetting as other federal employees, but declined to say what the vetting consisted of or whether Mr. Musk’s aides have security clearances.

The Times identified members of Mr. Musk’s initiative through internal emails identifying their roles and interviews with employees across the government who have interacted with them. None of the Musk aides responded to requests for comment.

The secrecy, Musk allies have said, is necessary so the team members do not become targets.

Several of Mr. Musk’s aides have resisted being listed in government databases out of fear of their names leaking out, according to people familiar with the situation. Others have worked to remove information about themselves from the internet, scrubbing résumés and social media accounts.

When their names have been made public by news organizations such as Wired, they have been scrutinized by online sleuths. Mr. Musk has asserted, falsely, that the exposure of their roles is a “crime,” and X has removed some posts and issued suspensions to those who publicize their identities.

One Musk aide whose name surfaced, Marko Elez, a 25-year-old former employee of X, resigned on Thursday, according to a White House official, after The Wall Street Journal revealed that he had made racist posts on X, writing in one message that “you could not pay me to marry outside of my ethnicity.” Mr. Elez, a former employee at both X and xAI, Mr. Musk’s artificial intelligence company, was one of two staff members affiliated with Mr. Musk’s team who had gained access to the Treasury Department’s closely held payment system.

Mr. Elez was among those who had been invited to attend Mr. Musk’s meeting with the vice president before he resigned, according to documents seen by The Times. On Friday, Mr. Musk called for The Journal reporter to be fired and said he was reinstating Mr. Elez, a move that both the president and the vice president said they supported. “We shouldn’t reward journalists who try to destroy people,” Mr. Vance posted on X.

A spokesman for Mr. Vance declined to comment.

Some of Mr. Musk’s top advisers are more seasoned. Senior players include Brad Smith, a health care entrepreneur and an official during President Trump’s first term; Amy Gleason, a former U.S. Digital Service official who has been helping at the Centers for Medicare and Medicaid Services; and Chris Young, a top Republican field operative whom Mr. Musk hired as a political adviser last year. Others bring extensive private sector backgrounds, including from firms like McKinsey and Morgan Stanley.

Brad Smith, left, was a health care official during President Trump's first term and now is counted among the top advisers to Mr. Musk. Doug Mills/The New York Times

But Washington is a town where much is run by twentysomethings. And much of Mr. Musk's handiwork — gutting federal websites, demanding access to internal systems, sending late-night all-staff emails and asking veteran employees to justify their jobs — is being executed by young aides, some of them pulling all-nighters as they burrow into agencies.

Last week, young representatives of Mr. Musk's team with backpacks stuffed with a half-dozen laptops and phones arrived at the headquarters of U.S.A.I.D., demanding access to financial and personnel records. On Friday, a dozen stayed into the night, powered by a bulk order of coffee. The next day, the agency's website went dark.

At the Education Department alone, as many as 16 team members are listed in an employee directory, including Jehn Balajadia, who has effectively served as Mr. Musk's assistant for years.

Jehn Balajadia, who has long worked for Mr. Musk, is now listed in the Education Department's employee directory.

Patrick T. Fallon/Bloomberg

At the Office of Personnel Management, the nerve center of the federal government's human resources operation, a small group of coders on Mr. Musk's team sometimes sleep in the building overnight. They survive on deliveries of pizza, Mountain Dew, Red Bull and Doritos, working what Mr. Musk has described as 120-hour weeks.

At the General Services Administration, another central hub for Mr. Musk's aides, beds have been installed on the sixth floor, with a security guard keeping people from entering the area.

While most senior employees wear suits, the aides favor jeans, sneakers and T-shirts, sometimes under a blazer, with one sporting a navy-blue baseball cap with white lettering reading "DOGE."

The culture clash is evident. Perhaps unsurprisingly, career employees who have worked for decades in the government have bristled at taking orders from the young newcomers. One coder has openly referred to federal workers as "dinosaurs." Some staff members at the personnel office, in turn, derisively call the young men "Muskrats."

As they assess the workings of the government, Mr. Musk's aides have been conducting 15-minute video interviews with federal workers. Some of their questions have been pointed, such as querying employees about whom they would choose to fire from their teams if they had to pick one person. At times, the aides have not turned on their cameras or given their last names, feeding suspicion.

In one video interview heard by The Times, a young team representative who introduced himself by his first name said he was an "adviser" to government leadership and a startup founder. He pressed the interviewee to describe their contributions with "highest impact" and to list any technical "superpowers."

It is not always clear which employees are formally part of the team. Even the putative head of the department, Steve Davis, a decades-long lieutenant of Mr. Musk who has accompanied the billionaire on his meetings in Washington, has not been formally announced.

Steve Davis, right, has been a decades-long lieutenant of Mr. Musk and now seemingly has a leadership role in his Department of Government Efficiency. Patrick Fallon/Zuma, via Alamy

Many of Mr. Musk's aides, including Mr. Davis, hold multiple roles simultaneously, working for one of the team's central hubs — the personnel office or the General Services Administration — while also maintaining email addresses and offices at other agencies.

Luke Farritor, who won the award for using artificial intelligence to decipher an ancient scroll, joined Mr. Musk's initiative after dropping out of the University of Nebraska-Lincoln to pursue a fellowship funded by the billionaire PayPal founder Peter Thiel. A former SpaceX intern, Mr. Farritor, in preparation to join the team, started learning COBOL, a coding language considered retrograde in Silicon Valley but common in government.

Luke Farritor, a former University of Nebraska-Lincoln student and SpaceX intern, is one of many of Mr. Musk's aides who hold multiple roles simultaneously, working for one of the team's central hubs while also maintaining email addresses and offices at other agencies.
University of Nebraska-Lincoln

He and Rachel Riley, a former McKinsey consultant who works closely with Mr. Smith, are now both listed as employees in the Office of the Secretary at the Department of Health and Human Services. This week, they requested access to payment systems at the Medicare agency, according to a document seen by The Times.

Mr. Farritor, who also has email accounts at the General Services Administration, the Education Department and the Centers for Disease Control and Prevention, was at the Energy Department on Wednesday, and has told others that he is getting deployed to additional agencies. He is one of about a half-dozen aides who are holed up in a corner around the G.S.A. administrator's offices, interviewing tech staff members about their work.

The General Services Administration has served as a central hub for Mr. Musk's aides, with beds installed on the sixth floor and a security guard to keep people from entering. Graeme Sloan/Sipa, via AP Images

Other figures often on hand include Ethan Shaotran and Edward Coristine, who have been accompanying a top Musk ally, Thomas Shedd, who oversees the agency's tech division. Mr. Shaotran, a 22-year-old Harvard student, was part of a team that was the runner-up in a hackathon competition run by xAI last year.

Mr. Coristine, 19, graduated from high school in Rye, N.Y., last year, according to a school magazine that noted his outstanding performance on the Advanced Placement exams. Nowadays, he has an email address at the Education

Department.

Before joining the government, Mr. Coristine was fired in June 2022 from an internship at Path, an Arizona-based data security company, after “an internal investigation into the leaking of proprietary company information that coincided with his tenure,” the company said in a statement Friday.

One Musk acolyte has leaned into his new status as a Washington celebrity.

Gavin Klinger, a newly minted senior adviser at the personnel office, wrote a Substack post this week titled “Why DOGE: Why I gave up a seven-figure salary to save America” — and asked users to pay a \$1,000-per-month subscription fee to read it.

The post behind the paywall appeared to have been left intentionally blank, according to users who saw it.

Mr. Klinger, 25, a software engineer, amplified a message posted on X in December by Nick Fuentes, one of the country’s most prominent young white supremacists, which mocked those who celebrate their interracial families. The post was removed from Mr. Klinger’s page after The Times inquired about it. He did not respond to requests for comment.

Mr. Klinger and Mr. Farritor were among those who obtained access to U.S.A.I.D. websites and tried to get into a secure area at the agency before being turned away by security last week, according to people familiar with the matter. After midnight on Monday, Mr. Klinger sent an email from a U.S.A.I.D. email account informing thousands of staff members that the agency’s headquarters would be closed.

On X, Mr. Klinger has defended cuts to the agency. He also responded to one person who criticized him as “one of the men carrying out Musk’s coup.”

“A ‘coup’ is when a duly elected president wins a democratic election and delivers on campaign promises,” Mr. Klinger wrote on X on Monday. “Got it.”

Reporting was contributed by Maggie Haberman, Mattathias Schwartz, Edward Wong, Erica L. Green, Madeleine Ngo, Zach Montague, Christopher Flavelle, Andrew Duehren, Brad Plumer, Kellen Browning and Aric Toler. Kitty Bennett contributed research.

Theodore Schleifer is a Times reporter covering billionaires and their impact on the world. More about Theodore Schleifer

Nicholas Nehamas is a Times political reporter covering the presidential campaign of Vice President Kamala Harris. More about Nicholas Nehamas

Kate Conger is a technology reporter based in San Francisco. She can be reached at kate.conger@nytimes.com. More about Kate Conger

Ryan Mac covers corporate accountability across the global technology industry. More about Ryan Mac

A version of this article appears in print on , Section A, Page 1 of the New York edition with the headline: Young Enforcers Carry Out Blitz On Bureaucracy

EXHIBIT L

EXHIBIT A

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ALLIANCE FOR RETIRED
AMERICANS, *et al.*,

Plaintiffs,

v.

SCOTT BESSENT, in his official capacity
as Secretary of the Treasury, *et al.*,

Defendants.

1:25-cv-00313-CKK

**BRIEF OF *AMICI CURIAE* FORMER TREASURY DEPARTMENT
OFFICIALS IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

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INTEREST OF AMICI CURIAE¹

Amici curiae respectfully submit this brief in support of Plaintiffs’ motion for a preliminary injunction. *Amici* are former United States Treasury officials with substantial experience and knowledge concerning the Bureau of Fiscal Services (“BFS”) payment systems at issue in this action. *Amici* have been following with great interest and concern recent public reports about efforts by the “Department of Government Efficiency” (“DOGE”) to gain access to BFS payment systems. *Amici* believe that their informed perspectives, as set forth in this brief, will assist the Court in assessing Plaintiffs’ instant motion.

Amici consist of the following former Treasury officials:

- Jacob Leibenluft, former Counselor to United States Treasury Secretary Janet Yellen.²
- Natasha Sarin, former Counselor to the Secretary, Tax Policy and Implementations
- Don Hammond, former Fiscal Assistant Secretary
- Dick Gregg, former Assistant Secretary and FMS Commissioner

¹ No party’s counsel authored this brief in whole or in part; no party or party’s counsel contributed money that was intended to fund preparing or submitting the brief; and no person—other than *amici curiae*, its members, or its counsel—contributed money that was intended to fund preparing or submitting the brief.

² This brief is adapted from an essay prepared by Mr. Leibenluft. *See* Jacob Leibenluft, “DOGE” Access to Treasury Payment Systems Raises Serious Risks, Center on Budget & Policy Priorities (Feb. 11, 2025), <https://www.cbpp.org/research/federal-budget/doge-access-to-treasury-payment-systems-raises-serious-risks#>.

- Josh Frost, former Assistant Secretary for Financial Markets
- Anna Canfield Roth, former Assistant Secretary for Management
- Aditi Hardikar, former Assistant Secretary for Management
- Danny Werfel, former OMB Controller
- Graham Steele, former Assistant Secretary for Financial Institutions
- Amias Gerety, former Acting Assistant Secretary for Financial Institutions
- Antonio Weiss, former Counselor to the Treasury Secretary

SUMMARY OF THE ARGUMENT

On January 31, reports began emerging from the Treasury Department that senior civil servants were resisting requests from the “Department of Government Efficiency” (“DOGE”) concerning access to the payment systems the Bureau of the Fiscal Service (“BFS”) operates.³ As the *New York Times* would later report, “Trump administration appointees and allies of Elon Musk,” had requested that career officials use the BFS payment systems to freeze federal payments, prior to

³ Andrew Duehren *et al.*, *Treasury Official Quits After Resisting Musk’s Requests on Payments*, N.Y. Times, Jan. 31, 2025, <https://www.nytimes.com/2025/01/31/us/politics/david-lebryk-treasury-resigns-musk.html>.

political appointees gaining access.⁴ Musk—who is reportedly “fixated on the Treasury system as a key to cutting federal spending”⁵—tweeted about DOGE’s intention to stop certain payments, declaring that civil servants at BFS are criminally enabling fraudulent payments.⁶

Shortly thereafter, officials affiliated with DOGE were granted certain access to BFS systems, although press reports have varied on the exact nature of this access.⁷ For the first time in decades, the Secretary of the Treasury has delegated the responsibilities of overseeing these payment systems to a political official rather than a non-partisan career civil servant with long expertise and experience in these

⁴ Andrew Duehren, Alan Rappeport, and Theodore Schleifer, Treasury Sought to Freeze Foreign Aid Payments, Emails Show, N.Y. Times, Feb. 6, 2025, <https://www.nytimes.com/2025/02/06/us/politics/trump-musk-usaid.html>.

⁵ Duehren *et al.*, “Treasury Official Quits After Resisting Musk’s Requests on Payments,” *supra*.

⁶ “Career Treasury officials are breaking the law every hour of every day by approving payments that are fraudulent or do not match the funding laws passed by Congress. This needs to stop NOW!” @elonmusk, X.com (Feb. 2, 2025, 2:27 PM), <https://x.com/elonmusk/status/1886134485822922785>.

⁷ Jake Bleiberg, Viktoria Dendrinou, and Gregory Korte, *US Treasury Brings In Two Members From Musk’s DOGE Team*, Bloomberg, Feb. 4, 2025, <https://www.bloomberg.com/news/articles/2025-02-04/us-treasury-brings-in-two-members-from-musk-s-doge-team>.

matters, even while that political official maintains his role as a private company CEO.⁸

DOGE access to or control over BFS systems raises serious concerns, including the risk that payments will be illegally stopped based on Musk's or the Trump Administration's own political or policy preferences, the possibility of severe cybersecurity and privacy breaches, and the potential that payments could be inadvertently delayed to millions of individuals, including retirees and veterans; to organizations and businesses providing public services on behalf of the federal government; and to states, localities, territories, and tribal nations providing services like Medicaid and transportation. *Amici's* concerns are widely shared by those with knowledge of BFS's systems. Five former Treasury Secretaries, in an article entitled "Our Democracy Is Under Siege," emphasized the fundamental problem of allowing political actors to exercise unfettered control over government payments. They warned that "it is not for the Treasury Department or the administration to decide which of our congressionally approved commitments to fulfill and which to cast aside."⁹

⁸ See Affirmation of Thomas H. Krause, *New York, et al. v. Trump et al.*, No. 25-cv-1144 (S.D.N.Y. Feb. 9, 2025), ECF. No. 13.

⁹ See Robert Rubin *et al.*, *Five Former Treasury Secretaries: Our Democracy Is Under Siege*, N.Y. Times, Feb. 10, 2025, <https://www.nytimes.com/2025/02/10/opinion/treasure-secretaries-doge-musk.html>.

This *amicus* brief explains what BFS does, how it has traditionally been managed by career civil servants, and the risks posed by tampering with the system. While this brief is focused on the Treasury payment systems, DOGE personnel are also seeking and gaining access to other sensitive government systems, including the federal student aid system, which has confidential information about student borrowers (some of whom are long out of school).¹⁰ There have been similar reports of DOGE personnel accessing health agency payment and contracting systems as well as systems for major programs like Medicaid and Medicare.¹¹ Many of the same concerns raised by access to the Treasury systems hold for those systems as well.

¹⁰ Collin Binkley and Bianca Vazquez Toness, *Musk team's access to student loan systems raises alarms over personal information for millions*, Associated Press, Feb. 7, 2025, <https://apnews.com/article/education-department-trump-doge-8c5bba3883b3d924b28114a4f291bec4>.

¹¹ Anna Wide Mathews and Liz Essley White, *DOGE Aides Search Medicare Agency Payment Systems for Fraud*, Wall St. J., Feb. 5, 2025, <https://www.wsj.com/politics/elon-musk-doge-medicare-medicaid-fraud-e697b162>.

ARGUMENT

I. BFS IS RESPONSIBLE FOR DISBURSING THE FEDERAL GOVERNMENT’S PAYMENTS AND MAINTAINING HIGHLY SENSITIVE INFORMATION

A. BFS’s disbursement role

BFS operates the “plumbing” that collects information from government agencies about the people, entities, and governments to which funds should be disbursed and then makes those payments. The vast majority of payments that flow in and out of the federal government go through the Treasury payment systems. BFS manages an average daily cash flow of roughly \$205 billion, securely disbursed nearly 1.3 billion payments totaling \$5.4 trillion in fiscal year 2023, and centrally disburses nearly 88 percent of all federal payments.¹²

These payments operate through several different systems. For example, the Automated Standard Application for Payments (known as ASAP.gov) makes grant funding available to be securely drawn down by state and local governments, educational and financial institutions, vendors and contractors, for-profit and nonprofit organizations, and tribal organizations. Through ASAP.gov, federal agencies enroll recipient entities, authorize payments to them, and manage their accounts, allowing these entities to request payments from pre-authorized accounts.

¹² “*Fiscal Service Overview: Data through FY 2023*,” BFS, <https://www.fiscal.treasury.gov/about.html> (last visited Feb. 11, 2025).

BFS also operates the Payment Automation Manager (or PAM), which is used to make over a billion payments annually, including tax refunds and benefit payments like Social Security.

While these systems differ, they generally operate through the following process:

- A federal agency will develop, certify, and send a “payment file” to BFS through the Secure Payment System (SPS) with instructions on who is to be paid, when, and how much.¹³
- That payment file will typically include the necessary information to complete a payment, including the recipient’s banking information, as well as sensitive identifying information like Social Security Numbers.¹⁴
- Payment files are checked against a series of pre-approved data sets as part of the Do Not Pay program.¹⁵ These data sets check whether the intended payee is deceased (the “death master file”), delinquent on federal debts, or debarred from receiving payments or doing business with the federal government—such as blocked foreign nationals on the Office of Foreign Assets Control’s list. If issues are flagged, it is the agency that initiated the payment file that must adjudicate them and determine whether a payment is proper.
- BFS processes the payment by sending the money electronically to the designated account or sending a paper check – reflecting the fact that Treasury’s role is to disburse the funds, while the certifying agency

¹³ See 31 U.S.C. § 3528 and *Secure Payment Systems*, BFS, <https://fiscal.treasury.gov/sps/> (last visited Feb. 11, 2025).

¹⁴ See the July 11, 2019 “Privacy and Civil Liberties Impact Assessment: Payment Automation Manager,” <https://www.fiscal.treasury.gov/files/pia/pampclia.pdf>, for an example of sensitive information included in these systems.

¹⁵ See *Do Not Pay*, BFS, <https://www.fiscal.treasury.gov/DNP/> (last visited Feb. 11, 2025).

establishes who is eligible to be paid and how much. It will do so only after the payment has been properly certified. *See* 31 U.S.C. § 3325(a)(1) (requiring “disbursing official[s]” to “disburse money only as provided by a voucher certified by ... the head of the executive agency concerned”). Indeed, other than checking “the correctness of computations on a voucher”—and potentially redirecting some portion of a recipient’s payment towards a delinquent federal debt that they owed—disbursing officials at Treasury are “held accountable for” ensuring that any funds certified by the relevant agency are paid out to the payee. 31 U.S.C. § 3325(a)(3).

As this process makes clear, BFS staff do not independently determine a payment’s eligibility (a responsibility performed by agencies with respect to the specific laws and regulations governing their programs), but instead ensure that requested payments are successfully and securely processed. As this Court has long explained, “[t]he disbursing officials [at Treasury] do not review the vouchers to determine the legality or propriety of the underlying claims but, rather, the [Treasury’s] Regional Financial Centers examine the vouchers to determine if they are in the proper format, have been duly certified and are correctly computed.” *State v. Bowsher*, 734 F. Supp. 525, 530 (D.D.C. 1990). BFS career officials thus execute an important but operational role: as noted above, if the payment information BFS receives from an agency is certified in its proper form, then BFS makes the payment. It is the so-called “certifying officer” at an agency—the one who sends over the payment—who “is responsible for . . . the legality of a proposed payment under the appropriation or fund involved,” including adjudicating any payment flags that are raised by cross-checks with Do Not Pay databases. 31 U.S.C. § 3528(a). BFS has

no authority to directly alter requested payment amounts unless it is to “offset” (*i.e.*, redirect a portion of a payment toward) a known government debt, an authority provided in the Debt Collection Improvement Act of 1996. *See* Public Law 104-134; *see also* 31 U.S.C. § 3716(c)(1)(A).

Access to or control over the BFS systems could have implications for entitlement programs, like Social Security and Medicare, and “discretionary” programs funded annually through the appropriations process, whether implemented via direct federal payments to individuals; through payments to states, territories, or tribal or local governments; or through payments to private nonprofits or businesses. In each of these cases, BFS is responsible for ensuring that funds accurately reach the intended federal recipients. To give three examples:

- In the case of entitlement programs where money goes directly from the federal government to a recipient’s bank account, like **Social Security benefits** or **veterans’ disability compensation**, BFS processes a payment file that is developed by the Social Security Administration or the Department of Veterans Affairs and then deposits funds into an individual’s account or sends them a check.
- In the case of a federal program administered by a state, territory, or tribal nation, program like Medicaid (administered by the Department of Health and Human Services) or WIC (the Department of Agriculture’s Special Supplemental Nutrition Program for Women, Infants, and Children), BFS processes a payment file to make funding available to the administering government, which then provides services or benefits to individuals. In some cases, this funding is provided up front; in others, it is provided on a reimbursable basis.
- In the case of Pell Grants, where funds are provided to private (for-profit or nonprofit) universities, BFS processes a payment file from the

Department of Education that enumerates how much the provider was due to be reimbursed or the university was due to cover Pell Grant recipients at the institution.

B. Personnel with access to BFS systems

For decades, BFS (and its immediate predecessor, the Financial Management Service) has been staffed by nonpartisan career employees led by a nonpartisan career official, reporting to a career official (the fiscal assistant secretary).¹⁶ Only a small number of career staff at BFS have served as disbursing officials within the Treasury Department. BFS maintains strict access controls and separation of duties protocols, and individuals with access to BFS systems are subjected to extensive monitoring and oversight. Each employee undergoes a thorough security screening and is given extensive training on the proper management and operation of the payment systems and the handling of sensitive data. This arrangement has protected the integrity of these federal payment systems and processes, ensuring insulation

¹⁶ For example, the three fiscal assistant secretaries who served between 2007 and 2025 had decades of civil service experience at Treasury among them. *See, e.g.*, Jason Miller, *Treasury's Gregg to retire after 41 years in federal financial management*, Federal News Network, May 29, 2014, <https://federalnewsnetwork.com/management/2014/05/treasurys-gregg-to-retire-after-41-years-in-federal-financial-management/>; Emma Brown, *Kenneth E. Carfine Treasury Official*, Wash. Post, May 23, 2010, <https://www.washingtonpost.com/wp-dyn/content/article/2010/05/02/AR2010050203225.html>; Department of the Treasury, "Donald V. Hammond Appointed Fiscal Assistant Secretary," September 28, 1998, <https://home.treasury.gov/news/press-releases/pr2716>.

from political pressures or policy interests and focusing BFS’s mission on reliability, accuracy, timeliness, operational efficiency, and privacy protections.

II. DOGE ACCESS TO BFS SYSTEMS POSES SERIOUS RISKS TO THE INTEGRITY OF FEDERAL PAYMENT SYSTEMS

The integrity of federal payment systems is critically important to the individuals, businesses, organizations, governments, and financial institutions that trust their information will be protected in the system and that legally owed payments will be reliably received without any threat of interference. Breaking the longstanding precedent that non-career officials will not access or interfere with BFS payment systems creates at least four major risks.

A. DOGE access would provide a centralized avenue for the illegal withholding of payments or benefits to a wide range of recipients.

The Trump Administration has already indicated through its first-week executive orders and the Office of Management and Budget’s actions (such as the now rescinded OMB memo M-25-13) that it will seek to compel agencies to block payments to legally entitled recipients for political or policy reasons, which may amount to illegal impoundment.¹⁷ Already, courts have begun to order these actions

¹⁷ See, e.g., Executive Orders “Reevaluating and Realigning United States Foreign Aid”, Exec. Order No. 14,169, 90 Fed. Reg. 8619 (Jan. 20, 2025), *available at*: (<https://www.whitehouse.gov/presidential-actions/2025/01/reevaluating-and-realigning-united-states-foreign-aid/>) and “Unleashing American Energy”, Exec. Order. No. 14,154, 90 Fed. Reg. 8353 (Jan. 20, 2025), *available at*: <https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american->

stopped.¹⁸ Further, Musk has made clear his intention to use BFS payments to cut federal spending, including his charge to DOGE staff to maximize the amount of daily spending cuts.¹⁹

Access to or control of the BFS payment systems would potentially allow empowered political officials to bypass the guardrails of career civil servant stewardship in federal agencies and at BFS and centralize efforts to illegally block payments—either in conjunction with, or apart from, any steps agencies would take. For example, individuals with access to the BFS payment system could potentially (and illegally):

- Block, or threaten to block, payment to a Social Security recipient.
- Block, or threaten to block, specific program payments or federal payments *en masse* to a recipient state or local government based on a dispute over a policy issue (*e.g.*, if a state is accused of not fully cooperating with the Trump

energy/; *see also* Matthew J. Vaeth, “Memorandum for Heads of Executive Departments and Agencies,” January 27, 2025, <https://s3.documentcloud.org/documents/25506186/m-25-13-temporary-pause-to-review-agency-grant-loan-and-other-financial-assistance-programs.pdf>.

¹⁸ ECF No. 13, Order, dated February 6, 2025; Order, *New York v. Trump*, No. 25-cv-1144 (JAV) (S.D.N.Y. Feb. 8, 2025), ECF No. 6; *New York v. Trump*, No. 25-cv-39 (JJM) (D.R.I. Feb. 10, 2025), ECF No. 96.

¹⁹ “Reducing the federal deficit from \$2T to \$1T in FY2026 requires cutting an average of ~\$4B/day in projected 2026 spending from now to Sept 30.” @elonmusk, X.com (Jan. 30, 2025, 11:02 PM), <https://x.com/elonmusk/status/1885176751036252621>; “I am cautiously optimistic that we will reach the \$4B/day FY2026 reduction this weekend.” @elonmusk, X.com (Feb. 1, 2025, 1:03 AM), <https://x.com/elonmusk/status/188557467873703982>.

Administration or acceding to its desires on issues like immigration or LGBTQ rights).

- Block, or threaten to block, payments—potentially across multiple agencies’ programs—to specific nonprofits or businesses that the Trump Administration views as non-compliant with their policy preferences, or perhaps are competitors to someone well connected to the Administration.

This is no idle fear. In response to retired Lt. General Michael Flynn posting a list of institutions with “Lutheran” in their name that receive federal funding (both service providers and universities), Elon Musk tweeted on February 2, 2025 that “the DOGE team is rapidly shutting down these illegal payments.”²⁰ This is just one example of how providing DOGE with unfettered access to BFS could allow political officials to impose a payment stop on institutions that are eligible recipients of funding and have been approved by the relevant agency.

Even if the Trump Administration took no action, just the perceived ability to block payments in this manner could coerce individuals or entities into complying with Administration preferences that are not enshrined in law, issuing statements supportive of the Administration, or making other concessions to prevent the disruption of federal funds to which they are entitled. In short, it could become a tool to bully those with whom the President or Elon Musk disagree.

²⁰ @elonmusk, X.com, (Feb. 2, 2025, 3:14 AM), <https://x.com/elonmusk/status/1885964969335808217>.

B. DOGE access puts sensitive data—including taxpayer information, Social Security Numbers, and bank account information—in the hands of individuals who shouldn't have access to it.

The payment files that BFS maintains in its systems include highly sensitive information, including recipients' Social Security Numbers (regardless of the kinds of payment they are receiving), addresses, and bank account information. BFS's systems also contain, among other things:

- direct deposit information and other sensitive identifying information for tens of millions of Social Security recipients;
- bank account information for nonprofit and for-profit providers of government services through Medicare; and
- potentially sensitive personal or business information from private firms that do business as government contractors.

Unauthorized individuals who receive access to BFS's system could gain access to all of the above information, and more. And the risk that such information could be inappropriately viewed by political appointees who were not thoroughly vetted for access to sensitive information and lack the training needed to protect the data could reduce participation in government programs or reduce competition to provide government services. Businesses securing government contracts should not have to weigh the risk that their sensitive information will be inappropriately viewed by political appointees who might have close relationships with competitors—or, in the case of special government employees like those at DOGE, still have financial interests in those competitors themselves.

This risk is all the more acute given that one of the DOGE-affiliated individuals named by Treasury as having access to the BFS payments systems—Tom Krause—is serving as a temporary “special government employee” while still retaining his role as CEO of a software firm.²¹ Even more troubling, Krause has been given the role of fiscal assistant secretary overseeing BFS, despite that role having been filled by non-partisan career civil servants for decades.²² Similarly, Elon Musk has been leading DOGE efforts while seemingly still actively running his several companies (and doing business with the federal government), creating the possibility of extensive conflicts of interest.²³

C. DOGE access creates operational security risks that could leave the system and sensitive information vulnerable to exploitation by external actors.

BFS’s payment systems are considered part of the national financial critical infrastructure and are subjected to heightened controls and protections. For example, they must rigorously adhere to National Institute of Standards and Technology security and safety standards to protect the systems from external threats

²¹ See Affirmation of Thomas H. Krause, *New York, et al. v. Trump et al.*, No. 25-cv-1144 (S.D.N.Y. Feb. 9, 2025), ECF No. 13, ¶ 1.

²² *Id.*

²³ See Letter from Senator Adam B. Schiff to Susan Wiles, White House Chief of Staff, February 10, 2025, <https://www.schiff.senate.gov/wp-content/uploads/2025/02/20250210-Sen-Schiff-Letter-to-COS-Wiles-on-Musk.pdf>

and cyberattacks.²⁴ The payment systems must be rigorously maintained and kept up to date. Any system changes, no matter how small, must be performed by trained and authorized personnel, carefully controlled and monitored, and deployed only after thorough testing. The payment systems are designed to adhere to a “zero trust cybersecurity standard,” in which systems access is limited to the minimum needed for any particular function and constant verification and authentication are required to grant such access.²⁵

Providing full access to the BFS payment systems to unaccountable or inexperienced actors like DOGE therefore poses significant operational risks for fraud, theft, or espionage.²⁶ Such appointees, lacking the vetting and training described above, could accidentally expose a “roadmap” for thieves and fraudsters looking to penetrate the system, or for foreign intelligence services seeking to build

²⁴ BFS, “Congressional Budget Justification and Annual Performance Plan and Report FY 2025,” <https://home.treasury.gov/system/files/266/14.-BFS-FY-2025-CJ.pdf>.

²⁵ For a definition of “zero trust architecture,” see “Executive Order 14028—Improving the Nation’s Cybersecurity,” Exec. Order No. 14,028, 86 Fed. Reg. 26633 (May 12, 2021), at p. 15, <https://www.govinfo.gov/content/pkg/DCPD-202100401/pdf/DCPD-202100401.pdf> and OMB M-22-09 “Moving the Government Toward Zero Trust Cybersecurity Principles,” January 26, 2022, <https://zerotrust.cyber.gov/downloads/M-22-09%20Federal%20Zero%20Trust%20Strategy.pdf>.

²⁶ James Goldgeier and Elizabeth Saunders, *Does DOGE Pose a National Security Risk?* Foreign Affairs, Feb. 7, 2025, <https://www.foreignaffairs.com/united-states/elon-musk-does-doge-pose-national-security-risk>

out their understanding of who is receiving funds, in what amounts, and for what purposes—risking a cyberattack that would throw the federal government into chaos. The cybersecurity risks could stem from DOGE personnel using unauthorized systems to copy or analyze sensitive data or exposing—even if unintentionally—protected information about how the system works. And DOGE appears to have pushed career civil servants to grant inappropriate access to political appointees who lack experience in these systems and have little oversight or restraint, which could override existing protections in ways that dramatically increase those risks.²⁷ These risks are not merely speculative. The Treasury Department is frequently the target of hacks and other malicious cyber activity that are increasing in frequency and intensity. As recently as December 2024, the Treasury Department disclosed a major cybersecurity incident involving Chinese state-sponsored hackers that were able to override a third-party software service provider’s security measures to access multiple Treasury workstations.²⁸

²⁷ See Order, at 2, *New York v. Trump*, No. 25-cv-1144 (S.D.N.Y. Feb. 8, 2025), ECF. No. 6.

²⁸ “Letter from Aditi Hardikar, U.S. Department of the Treasury to Senator Sherrod Brown and Senator Tim Scott, Dec. 30, 2024, *available at*: <https://www.documentcloud.org/documents/25472698-letter-from-treasury-re-december-2024-cyberattack/>”.

Granting inappropriate access to political actors who may not closely adhere to existing safeguards is an unaffordable risk for cyber attacks and national security.

D. Even absent a cybersecurity event, providing DOGE with access to these sensitive systems creates the risk of “breaking” the system in ways that could inadvertently delay or stop payments like Social Security from arriving on time.

BFS disburses 1.3 billion payments a year and reports making 100 percent of payments on time.²⁹ Any efforts to interfere with the system, even in a limited way, run the risk of creating broader problems that could delay payments or damage the perceived reliability of federal payments. The system is designed to process payments at volume, and any attempts to target individual recipients at the disbursement stage—as opposed to at the agency level, before the payment file is sent—run the risk of delaying a much larger set of payments like monthly Social Security benefits. Markets, financial institutions, organizations and states providing services, and individuals all rely on the timely disbursement of government funds, so the payment systems cannot afford even brief unscheduled disruptions.

III. PROVIDING DOGE INDIVIDUALS WITH “READ-ONLY ACCESS” DOES NOT REMOVE THESE RISKS

Limiting DOGE-affiliated individuals to “read-only access” does not solve these problems. As described above, many of the risks posed by DOGE access to

²⁹ “*Fiscal Service Overview: Data Through FY 2023*”, BFS, <https://www.fiscal.treasury.gov/about.html> (last visited Feb. 11, 2025).

BFS’s systems exist regardless of whether the officials can just read the data or also can modify it. Read-only access would still threaten individuals’ privacy, compromise national security, and provide information that could support a broad and inappropriate use of the improper payments law to initiate illegal impoundment.

In fact, even an individual limited to “read-only” access can still direct personnel with current read-and-write access to stop payments through BFS—and Treasury Secretary Bessent has not committed to ensuring that such direction will not be given. Instead, as described above, contravening decades of non-partisan career civil servants serving as fiscal assistant secretary and overseeing BFS, Secretary Bessent has delegated those responsibilities to political appointee Tom Krause.³⁰ This followed reporting in the *New York Times* that Krause had advocated for career staff to hold one agency’s certified payments even after being informed by the then-fiscal assistant secretary that he did not believe Treasury had the legal authority to stop such payments.³¹

Treasury’s payment systems have long been managed by non-political technical experts for a reason—our government relies on trust from all parties, including the general public, that BFS will provide funds, on time and securely, to

³⁰ See Affirmation of Thomas H. Krause, *New York, et al. v. Trump et al.*, 25-cv-1144 (S.D.N.Y. Feb. 9, 2025), ECF No. 13.

³¹ Duehren, Rappeport, and Schleifer, *supra*.

those who government agencies determine are meant to receive them under the law. This is why five former Treasury secretaries wrote recently that any hint that congressionally authorized payments could be selectively suspended by Treasury comes at a cost to the credibility of the United States and would be “a breach of trust and ultimately, a form of default.”³² The approach signaled by DOGE leadership risks destroying the public’s trust, whether by creating an opportunity for political actors to unilaterally block payments to those who are legally entitled to receive them, compromising the privacy and security of sensitive information for millions of Americans, or inadvertently destabilizing the payment system.

³² Robert Rubin *et al.*, *supra*.

CONCLUSION

For the above reasons, DOGE's access to BFS payment systems poses critical risks to the Federal Government's fiscal integrity. The Court should grant Plaintiffs' motion for a preliminary injunction.

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Respectfully submitted,

Daniel S. Ruzumna

Daniel S. Ruzumna (D.C. Bar 450050)
PATTERSON BELKNAP WEBB & TYLER LLP
1133 Avenue of the Americas
New York, NY 10036
(212) 336-2000
druzumna@pbwt.com

Counsel for Amici Curiae