

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

American Federation of Teachers, *et al.*,

Plaintiffs,

vs.

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

Defendants.

Case No. 8:25-cv-00430-DLB

Date: March 17, 2025

Time: 10:30 a.m.

Place: Greenbelt Courthouse

Judge: Hon. Deborah Boardman

**DECLARATION OF XIAONAN APRIL HU
IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

I, Xiaonan April Hu, declare as follows:

1. I am over the age of eighteen and legally competent to make this declaration. I am an attorney with Munger, Tolles & Olson LLP in Washington, D.C. I have personal knowledge of the facts set forth in this declaration, and, if called as a witness, I could and would testify competently to the matters set forth herein.

2. Attached hereto as **EXHIBIT A** is a true and correct copy of the Grants.gov webpage entitled “U.S. Department of Education (ED),” which was downloaded from <https://www.grants.gov/learn-grants/grant-making-agencies/u-s-department-of-education-ed> on March 9, 2025.

3. Attached hereto as **EXHIBIT B** is a true and correct copy of the Department of Education’s webpage entitled “Privacy Act System of Record Notice Issuances,” which was downloaded from <https://www.ed.gov/about/ed-overview/required-notices/privacy/privacy-act-system-of-record-notice-issuances#oese> on March 9, 2025.

4. Attached hereto as **EXHIBIT C** is a true and correct copy of the U.S. Office of Personnel Management’s webpage entitled “Our Work,” which was downloaded from <https://www.opm.gov/about-us/our-work/> on March 9, 2025.

5. Attached hereto as **EXHIBIT D** is a true and correct copy of the U.S. Office of Personnel Management’s Privacy Impact Assessment for USA Staffing dated July 28, 2021, which was downloaded from https://www.fhfa.gov/sites/default/files/202312/OPM%20USA%20Staffing_pia.pdf on March 9, 2025.

6. Attached hereto as **EXHIBIT E** is a true and correct copy of the Department of Treasury’s Privacy and Civil Liberties Impact Assessment, Automated Standard Application for

Payments (ASAP) dated June 18, 2019, which was downloaded from <https://www.fiscal.treasury.gov/files/pia/asappclia.pdf> on March 9, 2025.

7. Attached hereto as **EXHIBIT F** is a true and correct copy of the Department of Treasury’s Privacy and Civil Liberties Impact Assessment, Secure Payment System (SPS) dated March 22, 2021, which was downloaded from <https://www.fiscal.treasury.gov/files/pia/spsplia.pdf> on March 9, 2025.

8. Attached hereto as **EXHIBIT G** is a true and correct copy of an excerpted transcript of the February 19, 2025 hearing on Plaintiffs’ Motion for Temporary Restraining Order in this matter.

9. Attached hereto as **EXHIBIT H** is a true and correct copy of the Brief of Amici Curiae Former Treasury Department Officials in Support of Plaintiffs’ Motion for a Preliminary Injunction, filed in *Alliance for Retired Americans v. Bessent*, No. 25-cv-003130CKK, ECF No. 20-1 (S.D.N.Y. Feb. 11, 2025), which was downloaded from the corresponding docket in the Electronic Court Filing System.

10. Attached hereto as **EXHIBIT I** is a true and correct copy of an article titled “Who’s Working for Elon Musk’s DOGE?,” published by the *Washington Post* on March 5, 2025, which was downloaded from <https://www.washingtonpost.com/business/2025/02/14/doge-employees-list-staff-elon-musk/> on March 9, 2025.

11. Attached hereto as **EXHIBIT J** is a true and accurate copy of an excerpted transcript of the February 26, 2025 status conference in this matter.

12. Attached hereto as **EXHIBIT K** is a true and accurate copy of the 1975 Privacy Act Guidelines – July 1, 1975, 40 Fed. Reg. 28949 (July 9, 1975).

13. Attached hereto as **EXHIBIT L** is a true and accurate copy of the Department of Education's Privacy Impact Assessment for the Common Origination and Disbursement dated September 29, 2023, which was downloaded from <https://www.ed.gov/sites/ed/files/notices/pia/fsa-pia-cod.pdf> on March 9, 2025.

Executed this 10th day of March, 2025, at Washington, D.C.

/s/Xiaonan April Hu

Xiaonan April Hu