

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND

Chambers of
Ellen Lipton Hollander
District Court Judge

101 West Lombard Street
Baltimore, Maryland 21201
410-962-0742

March 21, 2025

LETTER TO COUNSEL

Re: *American Federation of State, County and Municipal Employees,
AFL-CIO, et al. v. Social Security Administration, et al.*
Civil Action No. ELH-25-0596

Dear Counsel:

I write with respect to the Temporary Restraining Order issued yesterday afternoon in the above captioned matter. ECF 48 (“Order” or “TRO”).

Among other things, except under conditions as described in the Order, the TRO enjoins and restrains the United States Social Security Administration (“SSA”), Leland Dudek, and Michael Russo from granting access to *non-anonymized* personally identifiable information in any SSA system of record to the Department of Government Efficiency (“DOGE”); the United States DOGE Service; the United States DOGE Service Temporary Organization; members of the DOGE Team at the SSA; Elon Musk; Amy Gleason; and “DOGE Affiliates,” as defined in the Order. Conversely, paragraph 2 of the Order *expressly allows* the SSA to provide access to redacted or anonymized data and records to the DOGE Team, subject to proper training and the like. Notably, paragraph 3 of the TRO permits the SSA to provide non-anonymized data to the DOGE Team, subject to certain conditions.

The Court is aware of several news reports claiming that Acting Social Security Commissioner Dudek believes that virtually all employees of SSA fall within the scope of the Order, including his “IT Staff” and his “anti-fraud team.” And, according to the news reports, Mr. Dudek apparently believes he is required to terminate their access to SSA’s IT systems, in order to comply with the Order.

Such assertions about the scope of the Order are inaccurate. Employees of SSA who are not involved with the DOGE Team or in the work of the DOGE Team are not subject to the Order. A DOGE Affiliate is defined in the Order, *inter alia*, as a person working on or implementing the DOGE agenda. *See* ¶ 10(b). Moreover, any suggestion that the Order may require the delay or suspension of benefit payments is incorrect.

However, if the government has any concern about the text of the Order, or otherwise seeks clarification of it, I instruct government counsel to contact Chambers immediately to arrange a telephone conference with counsel.

