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February 6, 2025

The Honorable Gene Dodaro
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Mr. Dodaro:

I write with urgency to request that Government Accountability Office (GAO) immediately engage in a review and assessment of the security of information technology (IT) systems at the Departments of Education, Labor, and Health and Human Services; interventions in those systems by a White House office that has been branded the "Department" of Government Efficiency (DOGE); the legality of such interventions; and potential consequences for children and vulnerable workers.

According to public reports, DOGE has already gained access to the IT system controlling all U.S. government payments—and may have even made changes to the code base, despite representations that their access would be limited to reading the code.¹ It also has been reported that DOGE has since gained access to the internal systems of the Department of Education and their vast collections of data, including very private information about those receiving federal student aid.²

Moreover, it is my understanding that DOGE has demanded access to all IT systems at the Department of Labor, starting this week. At stake are the integrity of investigations into workplace health, mine safety, and child labor violations, including the identity of witnesses and workers who file complaints; the personal privacy of workers and families who receive medical and financial support from the black lung program and other workers' compensation programs; the confidentiality

¹ Josh Marshall, *Musk Cronies Dive Into Treasury Dept Payments Code Base*, THE BACKCHANNEL (Feb. 4, 2025), <https://talkingpointsmemo.com/edb/musk-cronies-dive-into-treasury-dept-payments-code-base>; Nathan Tankus, *Day Five of the Trump-Musk Treasury Payments Crisis of 2025: Not "Read Only" Access Anymore*, NOTES ON THE CRISES (Feb. 4, 2025), <https://www.crisisnotes.com/day-five-of-the-trump-musk-treasury-payments-crisis-of-2025-not-read-only-access-anymore/>; Richard Rubin, *Treasury Department Says DOGE's Access to Payment Data Is 'Read Only'*, WALL ST. J. (Feb. 4, 2025), <https://www.wsj.com/politics/policy/treasury-department-says-doge-access-is-read-only-2563712d>.

² Laura Meckler *et al.*, *Trump Preps Order to Dismantle Education Dept. as DOGE Probes Data*, WASH. POST (Feb. 4, 2025), <https://www.washingtonpost.com/education/2025/02/03/trump-education-department-dismantling-executive-order-draft/>.

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of whistleblowers under dozens of whistleblower protection laws; the trustworthiness of market-moving Bureau of Labor Statistics data; and confidential business information of countless companies, exposure of which could upend the nation's economy.

DOGE has similarly infiltrated the Department of Health and Human Services (HHS), gaining access to the Centers for Medicare & Medicaid Services (CMS) payment and contracting systems³—systems that implicate sensitive health and financial information of millions of seniors and other individuals. DOGE has made further moves into other HHS agencies, such as the Centers for Disease Control and Prevention,⁴ and will not stop there.

This is a constitutional emergency. Insofar as the Inspectors General of the Departments of Education, Labor, and Health and Human Services have been fired by President Trump, there is now a void of oversight for a very young and inexperienced team⁵ and their leader, the world's richest man, who operates with "autonomy 'almost no one can control,'"⁶ as they gain dangerously broad powers. The nation needs answers immediately about the scope of those powers; any laws, regulations, or other policies regarding access to these data and systems which may be implicated by DOGE's infiltration; and the integrity of government programs on which schoolchildren and working families depend for their lives and livelihoods. Additionally, please assess to what extent, if any, the provisions of the executive order establishing DOGE set in actual practice any controls over DOGE's infiltration into these systems, including whether DOGE is limiting itself to unclassified systems or complying with data protection standards. Please use all authority at your disposal to undertake this review and complete it as quickly as possible.

Should you have any questions about this request, please contact the Democratic staff of the House Committee on Education and Workforce.

Sincerely,



ROBERT C. "BOBBY" SCOTT

Ranking Member

³ Press Release, CTRS. FOR MEDICARE & MEDICAID SERVS., CMS Statement on Collaboration with DOGE (Feb. 5, 2025), <https://www.cms.gov/newsroom/press-releases/cms-statement-collaboration-doge>.

⁴ Dan Diamond et al., DOGE Broadens Sweep of Federal Agencies, Gains Access to Health Payment Systems, WASH. POST (Feb. 5, 2025), <https://www.washingtonpost.com/health/2025/02/05/doge-health-agencies-labor/>.

⁵ Vittoria Elliott et al., *A 25-Year-Old With Elon Musk Ties Has Direct Access to the Federal Payment System*, WIRED (Feb. 4, 2025), <https://www.wired.com/story/elon-musk-associate-bfs-federal-payment-system/>; Vittoria Elliott, *The Young, Inexperienced Engineers Aiding Elon Musk's Government Takeover*, WIRED (Feb. 2, 2025), <https://www.wired.com/story/elon-musk-government-young-engineers/>.

⁶ Katie Hawkinson, *Musk Has Autonomy 'Almost No One Can Control' as He Oversees Unprecedented Overhaul of Federal Workforce*, THE INDEPENDENT (Feb. 4, 2025), <https://www.the-independent.com/news/world/americas/us-politics/elon-musk-doge-trump-government-overhaul-b2692074.html>.