

MAJORITY MEMBERS:

TIM WALBERG, MICHIGAN, *Chairman*

JOE WILSON, SOUTH CAROLINA
VIRGINIA FOXX, NORTH CAROLINA
GLENN THOMPSON, PENNSYLVANIA
GLENN GROTHMAN, WISCONSIN
ELISE M. STEFANIK, NEW YORK
RICK W. ALLEN, GEORGIA
JAMES COMER, KENTUCKY
BURGESS OWENS, UTAH
LISA C. MCCLAIN, MICHIGAN
MARY E. MILLER, ILLINOIS
JULIA LETLOW, LOUISIANA
KEVIN KILEY, CALIFORNIA
ERIN HOUCHEIN, INDIANA
MICHAEL RULLI, OHIO
JAMES C. MOYLAN, GUAM
ROBERT F. ONDER, JR., MISSOURI
RYAN MACKENZIE, PENNSYLVANIA
MICHAEL BAUMGARTNER, WASHINGTON
MARK HARRIS, NORTH CAROLINA
MARK B. MESSMER, INDIANA



COMMITTEE ON
EDUCATION AND WORKFORCE
U.S. HOUSE OF REPRESENTATIVES
2176 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6100

MINORITY MEMBERS:

ROBERT C. "BOBBY" SCOTT, VIRGINIA,
Ranking Member

RAÚL M. GRIJALVA, ARIZONA
JOE COURTNEY, CONNECTICUT
FREDERICA S. WILSON, FLORIDA
SUZANNE BONAMICI, OREGON
MARK TAKANO, CALIFORNIA
ALMA S. ADAMS, NORTH CAROLINA
MARK DESAULNIER, CALIFORNIA
DONALD NORCROSS, NEW JERSEY
LUCY MCBATH, GEORGIA
JAHANA HAYES, CONNECTICUT
ILHAN OMAR, MINNESOTA
HALEY M. STEVENS, MICHIGAN
GREG CASAR, TEXAS
SUMMER L. LEE, PENNSYLVANIA
JOHN W. MANNION, NEW YORK

February 21, 2025

Jennifer Wendel
Chief Information Officer
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Ms. Wendel:

I write with serious concerns about recent actions that threaten the privacy of sensitive data housed by the U.S. Department of Health and Human Services (HHS).

Through the "Department" of Government Efficiency (DOGE), Elon Musk and his staff have gained access to some of the federal government's most far reaching and sensitive data systems. Specifically, it is my understanding that DOGE has infiltrated HHS, seeking, and in some cases gaining, access to payment and contracting systems across HHS that control hundreds of billions of dollars in annual payments to health-care providers.¹ Similarly, DOGE has gained access to the Centers for Medicare & Medicaid Services (CMS) payment and contracting systems² – 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.³ The full extent regarding the volume and nature of accessed protected information is still unknown.

These actions could run afoul of several federal laws, including the *Privacy Act of 1974*,⁴ which protects Americans' personal identifiable information. I urge you to protect private data within your Department to the fullest extent, and to encourage all officials at the HHS to do the same.

Additionally, I request your responses to the following no later than March 7, 2025:

¹ 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/>.

² 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>.

³ Diamond, *supra* note 1.

⁴ 5 U.S.C. § 552a.

1. Please provide a list and detailed description of the agency databases DOGE has sought, been granted, or accessed.
2. Have DOGE employees been granted read-only access to agency databases, or do they have the ability to modify the data and/or the underlying software?
3. Have all DOGE employees granted access to agency databases been legally authorized to access such databases? If so, please provide all relevant authorization documentation.
4. Please provide a detailed description of the precautions DOGE or agency employees have taken to protect the security of agency data, pursuant to federal data privacy laws.
5. Please provide a detailed description of the legitimate purpose(s) for granting access to agency databases to DOGE.

I appreciate your attention to this matter. 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