

United States Senate

WASHINGTON, DC 20510

February 7, 2025

Loren Scieurba
Deputy Inspector General
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Heather M. Hill
Acting Treasury Inspector General for Tax Administration
U.S. Department of the Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Dear Deputy Inspector General Scieurba and Acting Inspector General Hill:

We write regarding the troubling reports that Treasury Secretary Scott Bessent granted Elon Musk’s Department of Government Efficiency (DOGE) team unprecedented access to the federal government’s payment systems on January 31, 2025.¹ These critical systems handle virtually every payment made by the federal government and contain highly sensitive personal and financial information about tens of millions of Americans.² This information is protected by law, and – until this past week – only a small group of career agency employees could access it.³

Senators Warren, Wyden, and Reed each wrote to Secretary Bessent days ago seeking information about the facts underlying these disturbing reports.⁴ The Department of the Treasury’s (Department) response raised more questions than it answered. For example, the Department asserted that “[c]urrently” a set of Treasury staff members “working with Tom Krause . . . will have read-only access to the coded data of the Fiscal Service’s payment

¹ The Guardian, “Elon Musk’s Doge team granted ‘full access’ to federal payment system,” Ed Pilkington, February 2, 2025, <https://www.theguardian.com/technology/2025/feb/02/elon-musk-doge-access-federal-payment-system>.

² The New York Times, “Elon Musk’s Team Now Has Access to Treasury’s Payments System,” Andrew Duehren, Maggie Haberman, Theodore Schleifer, and Alan Rappoport, February 1, 2025, <https://www.nytimes.com/2025/02/01/us/politics/elon-musk-doge-federal-payments-system.html>.

³ The Washington Post, “Senior U.S. official exits after rift with Musk allies over payment system,” Jeff Stein, Isaac Arnsdorf, and Jacqueline Alemany, January 31, 2025, <https://www.washingtonpost.com/business/2025/01/31/elon-musk-treasury-department-payment-systems/>.

⁴ Letter from Senator Elizabeth Warren to Department of Treasury, February 2, 2025, https://www.warren.senate.gov/imo/media/doc/final_rm_warren_letter_to_bessent_re_treasury_payment_system.pdf; Letter from Senator Ron Wyden to Department of Treasury, January 31, 2025, https://www.finance.senate.gov/imo/media/doc/letter_from_senator_wyden_to_secretary_bessent_on_payment_system.pdf; Letter from Senator Jack Reed to Department of Treasury, February 3, 2025, https://www.reed.senate.gov/imo/media/doc/sen_reed_letter_to_bessent_re_bureau_of_fiscal_service_2325.pdf.

systems.”⁵ It provided no information about whether access had previously been extended to anyone beyond Treasury employees, such as individuals working for Elon Musk and DOGE. It provided no information about whether Mr. Krause himself had access beyond “read only” at the time of the letter or had any type of access to the information before he became a Treasury employee. It did not explain when Mr. Krause and his team became employees, and whether they were hired as career civil servants or in some other capacity. The Department’s response provided no information about whether Mr. Musk, Mr. Krause, or other people affiliated with DOGE had more than “read only” access before the public outcry about the potentially unlawful intrusion in the Treasury payment systems.⁶

Beyond failing to provide that basic information, the Department only vaguely asserted that Mr. Krause and his team have access that is “similar” to the “kind of access that Treasury provides to individuals reviewing Treasury systems.” It failed to provide any explanation for how the access provided to Mr. Krause and his team differs from the access customarily provided to others who review Treasury systems.⁷ The response also described the access provided to Mr. Krause and others as an “operational efficiency assessment” that “expand[s] on efforts that began under the prior Administration . . . to maximize payment integrity for agencies and the public.”⁸ But subsequent reporting appears to indicate that these assertions were false. After reviewing internal government emails, the New York Times reported that the Department’s chief of staff “originally pushed for Tom Krause, a software executive affiliated with Mr. Musk’s so-called Department of Government Efficiency, to receive access to the closely held payment system so that the Treasury could freeze U.S. Agency for International Development payments.”⁹ These documents “undercut the Treasury’s explanation for why Mr. Krause and his team were given access to the payment system last week.”¹⁰ They undermine any confidence that even the limited information that the Department has conveyed is accurate.

In light of these conflicting accounts, we ask that you conduct an independent investigation into the facts underlying the concerning public reports. It is critically important to understand what systems were involved, who granted access to them, what type of access was permitted, exactly who gained the ability to get into the systems, and the reason they were allowed to access such sensitive information. We also ask that you determine whether this unprecedented access represents a threat to the economy and our national security, given this system’s role in preventing the federal government from defaulting on the federal debt, and whether Secretary Bessent or anyone else in the Department has violated any laws, regulations, or policies that

⁵ U.S. Department of the Treasury, “Treasury Department Letter to Members of Congress Regarding Payment Systems,” press release, February 4, 2025, <https://home.treasury.gov/news/press-releases/sb0009>.

⁶ CBS News, “Treasury says Elon Musk’s DOGE has “read only” access to payment systems,” Richard Escobedo, February 5, 2025, <https://www.cbsnews.com/news/treasury-says-elon-musk-doge-has-read-only-access-to-payment-systems/>.

⁷ U.S. Department of the Treasury, “Treasury Department Letter to Members of Congress Regarding Payment Systems,” press release, February 4, 2025, <https://home.treasury.gov/news/press-releases/sb0009>.

⁸ U.S. Department of the Treasury, “Treasury Department Letter to Members of Congress Regarding Payment Systems,” press release, February 4, 2025 <https://home.treasury.gov/news/press-releases/sb0009>; The New York Times, “Treasury Sought to Freeze Foreign Aid Payments, Emails Show,” Andrew Duehren, Alan Rappeport, and Theodore Schleifer, February 6, 2025, <https://www.nytimes.com/2025/02/06/us/politics/trump-musk-usaid.html>.

⁹ *Id.*

¹⁰ *Id.*

govern conflicts of interest or protect the confidentiality and handling of sensitive personal information.

The access provided to Mr. Musk’s team – a decision that reportedly was finalized after Secretary Bessent personally intervened – has important privacy implications for Americans across the country.¹¹ Treasury payment systems include “sensitive personal information about the millions of Americans who receive Social Security checks, tax refunds and other payments from the federal government.”¹² With access to these systems, Mr. Musk’s team would apparently have access to individuals’ Social Security numbers, addresses, bank account identifiers, and federal taxpayer information.¹³ Such information is protected under the *Privacy Act*, 5 U.S.C. § 552a, which generally prohibits the disclosure of such information and requires agencies to follow rules of conduct and maintain systems with appropriate administrative, technical, and physical safeguards.¹⁴ Similarly, 26 U.S.C. § 6103 precludes the Department and the Internal Revenue Service (IRS) from disclosing taxpayer information, including tax payments and taxpayer identifying information except in specifically defined circumstances.¹⁵ Violations of these laws may be punished by fines or imprisonment.¹⁶

It is not at all clear that Mr. Musk or DOGE officials meet the strict criteria that would allow them to access the sensitive information protected by these statutes,¹⁷ raising questions about whether their access – or the decision to grant it – constituted a criminal offense or otherwise violated the law. Nor is it clear that the Department has consistently adhered to all other laws, regulations, and policies that protect such sensitive information.

In addition to the information on individual taxpayers, these systems also contain confidential information on government contract payments and nonpublic details about the operation of the payment system itself.¹⁸ Given that two of Mr. Musk’s companies – Tesla and SpaceX – have received more than \$15.4 billion in government contracts over the past decade, Mr. Musk has the ability to benefit from access to this system by obtaining payment information on competitors and theoretically having “control over whom the government does business with.”¹⁹ Mr. Musk’s

¹¹ The New York Times, “Elon Musk’s Team Now Has Access to Treasury’s Payments System,” Andrew Duehren, Maggie Haberman, Theodore Schleifer, and Alan Rappaport, February 1, 2025, <https://www.nytimes.com/2025/02/01/us/politics/elon-musk-doge-federal-payments-system.html>.

¹² *Id.*

¹³ CBS News, “Elon Musk’s access to Treasury’s payment system is raising alarms. Here’s what to know,” Kate Gibson, February 5, 2025, <https://www.cbsnews.com/news/musk-treasury-social-security-access-federal-payment-system-trump/>.

¹⁴ 5 U.S.C. § 552a(b), (e).

¹⁵ 26 U.S.C. § 6103.

¹⁶ 5 U.S.C. § 552a(g), (i); 26 U.S.C. § 7213, 7422.

¹⁷ Bloomberg, “Treasury, Bessent Sued Over Giving Access to Musk’s DOGE,” Sabrina Willmer, February 3, 2025, <https://www.bloomberg.com/news/articles/2025-02-04/treasury-bessent-sued-over-giving-access-to-musk-s-doge-team>.

¹⁸ The New York Times, “Elon Musk’s Team Now Has Access to Treasury’s Payments System,” Andrew Duehren, Maggie Haberman, Theodore Schleifer, and Alan Rappaport, February 1, 2025, <https://www.nytimes.com/2025/02/01/us/politics/elon-musk-doge-federal-payments-system.html>.

¹⁹ The New York Times, “U.S. Agencies Fund, and Fight With, Elon Musk. A Trump Presidency Could Give Him Power Over Them,” Eric Lipton, David A. Fahrendthold, Aaron Krolik, and Kirsten Grind, October 20, 2024, <https://www.nytimes.com/2024/10/20/us/politics/elon-musk-federal-agencies-contracts.html>; MSNBC, “There are

company X has also announced that it plans to work with Visa to launch a new payments system this year.²⁰ These represent potential conflicts of interest that could subject Mr. Musk to criminal penalties. The Trump Administration recently announced that Mr. Musk is serving as a “special government employee.”²¹ In this official role, Mr. Musk is prohibited “from participating in matters that would affect [his] financial interests” under the criminal financial conflict of interest statute, 18 U.S.C. § 208.²²

White House Press Secretary Karoline Leavitt’s statement that “Elon Musk will excuse himself from any conflicts of interest between his various business interests and his efforts to cut from the federal government,” falls far short of alleviating these concerns about Mr. Musk’s access.²³ No individual can effectively and objectively police themselves, and it would be irresponsible of the Department to allow any individual access to these critical systems without proper oversight.

Given the threats to the economy and national security, and the potential violation of laws protecting Americans’ privacy and tax data posed by Mr. Musk and his team’s reported access to critical federal payment systems – especially in light of the potentially false or misleading explanations provided by the Department earlier this week²⁴ – we request that you use your authorities to investigate this matter. Although a federal judge has issued an order temporarily blocking further access to the payment systems, there remains considerable uncertainty about access to these systems moving forward and the circumstances under which it was granted in the first place.²⁵ We ask that you commence and conduct this investigation as quickly as possible. The investigation should address the following questions:

1. There are several payment systems managed by the Department. According to recent reporting, Mr. Musk and his associates were given access to “two of the most sensitive systems in the US government: The Payment Automation Manager [(PAM)] and Secure Payment System [(SPS)] at the Bureau of the Fiscal Service [(BFS)].”²⁶
 - a. What specific Department or IRS systems were accessed by these individuals?
 - b. What sensitive or private data was contained in these systems?

several reasons Musk wants to control Treasury payments. None of them are good,” Lindsay Owens, February 1, 2025, <https://www.msnbc.com/opinion/msnbc-opinion/musk-doge-treasury-payment-system-rcna190222>.

²⁰ The New York Times, “Elon Musk’s X Partners With Visa to Provide Financial Services,” Kate Conger, January 28, 2025, <https://www.nytimes.com/2025/01/28/technology/x-visa-financial-services.html>.

²¹ CNN, “Elon Musk is serving as a ‘special government employee,’ White House says,” Kaitlan Collins and Tierney Sneed, February 3, 2025, <https://www.cnn.com/2025/02/03/politics/musk-government-employee/index.html>.

²² *Id.*; 18 U.S.C. § 208.

²³ Reuters, “Musk will excuse himself from any conflicts, White House says,” Jeff Mason and Jarrett Renshaw, February 5, 2025, <https://www.reuters.com/world/us/musk-will-excuse-himself-any-conflicts-white-house-says-2025-02-05/>.

²⁴ U.S. Department of the Treasury, “Treasury Department Letter to Members of Congress Regarding Payment Systems,” press release, February 4, 2025 <https://home.treasury.gov/news/press-releases/sb0009>.

²⁵ Bloomberg, “Treasury Access by DOGE Partly Limited by Judge for Now,” Sabrina Willmer, February 6, 2025, <https://www.bloomberg.com/news/articles/2025-02-06/treasury-access-by-musk-s-doge-partly-limited-by-judge-for-now>.

²⁶ Wired, “A 25-Year-Old With Elon Musk Ties Has Direct Access to the Federal Payment System,” Vittoria Elliott, Dhruv Mehrotra, Leah Feiger, and Tim Marchman, February 4, 2025, <https://www.wired.com/story/elon-musk-associate-bfs-federal-payment-system/>.

2. What information in these systems have these individuals accessed?
3. Was any information exported or copied from these systems to other servers or systems?
4. Do any of the systems to which Mr. Musk and his team were granted access to include a “do not pay” list with information on “individuals or contractors the government has blacklisted”?²⁷
5. There have been contradicting reports on the type of access provided to Mr. Musk and his team. While certain reports claim that Secretary Bessent’s approval of their access was “contingent on it being essentially a read-only operation,” others allege that Mr. Musk’s team can write code in these systems.²⁸
 - a. What type of access was granted to Mr. Musk, Mr. Krause, any anyone else associated with DOGE?
 - b. What legal restrictions apply to these types of access?
6. Which individuals at the Department provided Mr. Musk, Mr. Krause, or members of their teams with access? What procedures were followed in giving them access?
7. Did the White House or Secretary Bessent place any pressure on career officials to grant this access?
8. Did the individuals who were granted access to these systems have appropriate authorization and clearances? Was the Chief Information Officer consulted before access was granted?
9. Did the individuals who were granted access to these systems follow security protocols that are identical to those for career, veteran Treasury staff?
10. What laws, rules, regulations, or policies are in place to protect privacy with regard to these payment systems, including the protection of tax data under 26 U.S.C. 6103? Were any of these laws, rules, regulations, or policies breached?
11. What laws, rules, regulations, or policies are in place to protect economic and national security (such as protecting programs or individuals from missed payments or preventing those with access to key information in these systems from sharing it with foreign

²⁷ MSNBC, “There are several reasons Musk wants to control Treasury payments. None of them are good,” Lindsay Owens, February 1, 2025, <https://www.msnbc.com/opinion/msnbc-opinion/musk-doge-treasury-payment-system-rcna190222>.

²⁸ Politico, “Trump administration gives Musk allies access to Treasury payment system,” Michael Stratford, Sam Sutton, and Holly Otterbein, February 1, 2025, <https://www.politico.com/news/2025/02/01/musk-claims-doge-lax-treasury-00201946>; Wired, “A 25-Year-Old With Elon Musk Ties Has Direct Access to the Federal Payment System,” Vittoria Elliott, Dhruv Mehrotra, Leah Feiger, and Tim Marchman, February 4, 2025, <https://www.wired.com/story/elon-musk-associate-bfs-federal-payment-system/>.

adversaries) with regard to these payment systems? Were any of these laws, rules, regulations, or policies breached?

12. Once obtaining access to these systems, Mr. Musk or others in the Trump Administration may have been able to illegally “enact a political agenda”²⁹ and “unilaterally restrict disbursement of money approved for specific purposes by Congress.”³⁰ Were protections in place to prevent these abuses?
13. Elon Musk’s X announced that it would be partnering with Visa on a payment system it plans to launch this year.³¹ This raises the possibility that individuals granted access to these payment systems may be using information they obtained via this access for their own personal gain. Were appropriate protections in place to identify and manage individuals with conflicts of interest who may have had access to these systems?
14. Two of Elon Musk’s companies, Tesla and SpaceX, have received billions of dollars in government contracts.³² This raises the possibility that Mr. Musk may be using his access to these systems to reroute government contract payments away from or gain a competitive advantage over his competitors. Were appropriate protections in place to ensure that Mr. Musk cannot control the flow of government contract funds to his companies and away from his adversaries?
15. Elon Musk’s Tesla has significant ties to China, where the company operates its largest factory by output and receives favorable treatment from the Chinese government.³³ Were appropriate protections in place to identify and manage national security risks related to individuals who may have had access to the system?
16. In response to earlier letters we wrote to Secretary Bessent, the Department stated that Treasury employee Mr. Krause will have read-only access to the coded data in the payment systems.
 - a. Before Secretary Bessent granted access to Mr. Musk and his associates, did Mr. Krause or any other people associated with DOGE have access that went beyond read-only?

²⁹ The Washington Post, “Senior U.S. official exits after rift with Musk allies over payment system,” Jeff Stein, Isaac Arnsdorf, and Jacqueline Alemany, January 31, 2025, <https://www.washingtonpost.com/business/2025/01/31/elon-musk-treasury-department-payment-systems/>.

³⁰ The New York Times, “Elon Musk’s Team Now Has Access to Treasury’s Payments System,” Andrew Duehren, Maggie Haberman, Theodore Schleifer, and Alan Rappeport, February 1, 2025, <https://www.nytimes.com/2025/02/01/us/politics/elon-musk-doge-federal-payments-system.html>.

³¹ The New York Times, “Elon Musk’s X Partners With Visa to Provide Financial Services,” Kate Conger, January 28, 2025, <https://www.nytimes.com/2025/01/28/technology/x-visa-financial-services.html>.

³² The New York Times, “U.S. Agencies Fund, and Fight With, Elon Musk. A Trump Presidency Could Give Him Power Over Them,” Eric Lipton, David A. Fahrenthold, Aaron Krolik, and Kirsten Grind, October 20, 2024, <https://www.nytimes.com/2024/10/20/us/politics/elon-musk-federal-agencies-contracts.html>.

³³ Los Angeles Times, “Tesla secures up to \$521 million in China bank loans for plant,” March 7, 2019, <https://www.latimes.com/business/la-fi-tesla-china-factory-loans-20190307-story.html>; The Guardian, “Tesla’s path in China clears as Musk courts both Trump and Xi,” Amy Hawkins, November 21, 2024, <https://www.theguardian.com/technology/2024/nov/22/elon-musk-tesla-china-us-relationship-trump-xi-jinping>.

- b. When did Mr. Krause get Special Government Employee (SGE) status?
 - c. Who authorized Mr. Krause to conduct this review?
 - d. Would any part of this review in its process or outcome compromise the government's ability to make payments?
 - e. Is Mr. Krause currently CEO at Cloud Software? If so, were appropriate protections in place to identify and manage any conflicts of interest he may have as a result of access to these systems?
17. The Department said that Mr. Krause and staff had access to the payment systems for the purposes of conducting an “operational efficiency assessment” and suggested that it was not for the purpose of “the suspension or rejection of any payment instructions submitted to Treasury.”³⁴ Subsequent reports indicate that the chief of staff “originally pushed” for Mr. Krause to “receive access to the closely held payment system so that the Treasury could freeze U.S. Agency for International Development payments.”³⁵ Is that reporting incorrect?
18. The Department said that “the ongoing review of Treasury’s systems is not resulting in the suspension or rejection of any payment instructions submitted to Treasury by other federal agencies across the government” and that “in particular” it “has not caused payments for obligations such as Social Security and Medicare to be delayed or re-routed.”³⁶
- a. Has the Department delayed or rerouted payments for obligations other than Social Security and Medicare?
 - b. Has the Department blocked payments for any obligations?
19. Did the individuals with access to the system insert or leave behind any bugs, vulnerabilities, or code that could interfere with system performance or security? What protocols will the Department follow to conduct an after-action review to ensure there are no vulnerabilities?”

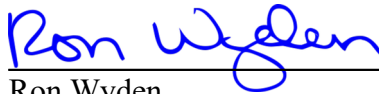
We thank you for your attention to this important matter of economic and national security.

Sincerely,

³⁴ U.S. Department of the Treasury, “Treasury Department Letter to Members of Congress Regarding Payment Systems,” press release, February 4, 2025, <https://home.treasury.gov/news/press-releases/sb0009>.

³⁵ The New York Times, “Treasury Sought to Freeze Foreign Aid Payments, Emails Show,” Andrew Duehren, Alan Rappeport, and Theodore Schleifer, February 6, 2025, <https://www.nytimes.com/2025/02/06/us/politics/trump-musk-usaid.html>.

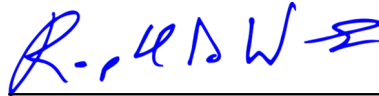
³⁶ U.S. Department of the Treasury, “Treasury Department Letter to Members of Congress Regarding Payment Systems,” press release, February 4, 2025, <https://home.treasury.gov/news/press-releases/sb0009>.



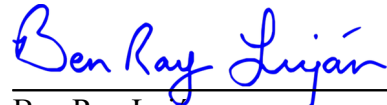
Ron Wyden
United States Senator



Elizabeth Warren
United States Senator



Raphael Warnock
United States Senator



Ben Ray Lujan
United States Senator



Sheldon Whitehouse
United States Senator



Ruben Gallego
United States Senator



Bernard Sanders
United States Senator



Lisa Blunt Rochester
United States Senator



Tina Smith
United States Senator



Jack Reed
United States Senator