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January 31, 2025

The Honorable Scott Bessent
Secretary
Department of the Treasury
1500 Pennsylvania Avenue, N.W.
Washington, D.C. 20220

Dear Secretary Bessent:

I write regarding disturbing reports that officials associated with Elon Musk and the so-called U.S. Department of Government Efficiency (“DOGE”) attempted to gain access to systems that control payments to millions of American citizens, including Social Security, Medicare and tax refunds.¹ A confrontation over access apparently resulted in the abrupt resignation of David Lebryk, a career non-partisan Treasury official who recently had been named acting Secretary of the Treasury by President Trump. These reports are particularly concerning given incidents earlier this week in which Medicaid portals in all 50 states were shut down along with other crucial payment programs, following the Trump Administration illegally issuing an order to freeze all grant and loan payments.

As you are aware, the Bureau of the Fiscal Service’s payment systems control the flow of more than \$6 trillion in annual payments to households, businesses and other entities nationwide. These payment systems process more than a billion payments annually and are responsible for the distribution of Social Security and Medicare benefits, tax refunds, payments to federal employees and contractors, including competitors of Musk-owned companies, and thousands of other functions.

To put it bluntly, these payment systems simply cannot fail, and any politically-motivated meddling in them risks severe damage to our country and the economy. I am deeply concerned that following the federal grant and loan freeze earlier this week, these officials associated with Musk may have intended to access these payment systems to illegally withhold payments to any number of programs. I can think of no good reason why political operators who have

¹ *Senior U.S. Official to exit after rift with Musk allies over payment system*, The Washington Post, Jan. 31, 2025, online at <https://www.washingtonpost.com/business/2025/01/31/elon-musk-treasury-department-payment-systems/>

demonstrated a blatant disregard for the law would need access to these sensitive, mission-critical systems.

Whether intentional or unintentional, failure of these payment systems could stop Social Security checks from being sent to retirees who need to pay bills and buy food and drugs. It could stop paychecks from being sent to our troops and their families. As you well know, Americans are in the middle of tax filing season, with many counting on tax refunds that they are legally owed by the government. Most importantly, the federal government is in a financially precarious position, currently utilizing accounting maneuvers to continue paying its bills since it reached the debt limit at the beginning of the year. I am concerned that mismanagement of these payment systems could threaten the full faith and credit of the United States.

Accordingly, I am deeply concerned by the possibility that Elon Musk and a cadre of other unknown DOGE personnel are seeking to gain access to and potentially control the Fiscal Service's payment systems in order to carry out a political agenda that clearly involves violating the law. It appears that Musk's behavior is forcing out highly qualified and experienced career public servants in order to get his way and fulfill Trump's goal of eviscerating the federal budget, including potentially by cutting social security and Medicare benefits for millions of Americans who are already struggling to pay their bills or buy groceries.

The press has previously reported that Musk was denied a high-level clearance to access the government's most sensitive secrets.² I am concerned Musk's enormous business operations in China -- a country whose intelligence agencies have stolen vast amounts of sensitive data about Americans, including U.S. government employee data by hacking U.S. government systems -- endangers U.S. cybersecurity and creates conflicts of interest that make his access to these systems a national security risk. As you are aware, the Treasury Department was recently breached by Chinese government hackers who compromised Treasury's systems and accessed thousands of sensitive documents, including Secretary Yellen's emails.³ Musk's Tesla, which accounts for half of his net worth, operates its largest factory in China, producing more than 1 million cars per year in the country.⁴ Tesla has also received several unusual concessions from the Chinese government, including Tesla to operate without a joint venture with a Chinese company, something no other car company is permitted to do. Tesla also received favorable loans by Chinese state-owned banks and pays a discounted corporate tax rate of 15% in China, something that could change quickly if Musk were to anger the Chinese government.⁵ In light of China's recent hack of the Treasury Department's systems, it seems unusual to be granting access to sensitive systems to an individual with such significant business interests in China.

² *Why Musk Doesn't Have Access to SpaceX's Biggest Government Secrets*, The Wall Street Journal, Dec. 15, 2024, online at <https://www.wsj.com/tech/musk-spacex-security-clearance-secrets-b9774346>

³ *Chinese hackers accessed thousands of Treasury files, including Yellen's, officials told lawmakers*, Politico, Jan. 15, 2025, online at <https://www.politico.com/news/2025/01/15/chinese-hackers-treasury-files-yellen-00198506>

⁴ *Tesla is building a huge factory in Shanghai even as trade tensions rise*, CNN, May 24, 2024, online at <https://www.cnn.com/2024/05/24/business/tesla-shanghai-battery-factory-trade-tariffs>

⁵ *Tesla secures up to \$521 million in China bank loans for plant*, Los Angeles Times, Mar. 7, 2019, online at <https://www.latimes.com/business/la-fi-tesla-china-factory-loans-20190307-story.html>; *Tesla's path in China clears as Musk courts both Trump and Xi*, The Guardian, Nov. 21, 2024, online at <https://www.theguardian.com/technology/2024/nov/22/elon-musk-tesla-china-us-relationship-trump-xi-jinping#:~:text=The%20Shanghai%20government%20gave%20Tesla,up%20without%20a%20local%20partner>.

In order to better understand the risks posed by Musk's and DOGE's efforts to gain access to the Fiscal Service's payment systems, please provide answers to the following questions no later than February 12, 2025:

1. Have officials associated with Elon Musk or DOGE requested access to the Bureau of the Fiscal Service's payment systems? If so, please provide the identities of those individuals.
2. Has the Treasury Department granted Bureau of Fiscal Service payment systems access to officials associated with Elon Musk or DOGE? If so, please provide the following information:
 - a. The legal authority under which the Treasury Department granted access to any of the Fiscal Service's payment systems to officials associated with Elon Musk or DOGE
 - b. A detailed description of why the Treasury Department gave officials associated with Elon Musk or DOGE and the intended changes to the system that merits such access
 - c. A list of all officials associated with Elon Musk or DOGE who have been granted access to the Fiscal Services Payment Systems.
 - d. Copies of all communications between officials associated with Elon Musk or DOGE and Treasury staff related to the Bureau of the Fiscal Service's payment systems.
3. Has the Treasury Department given access to payment system databases related to the disbursement of Social Security and Medicare benefits? If so, why?
4. Has the Treasury Department conducted any screenings, background checks, screening of security clearances or other vetting of officials associated with Elon Musk or DOGE? If so, please describe these efforts and whether they took place prior to granting officials associated with Elon Musk or DOGE access to the Fiscal Service's payment systems.
5. Has the Treasury Department done any vetting of potential conflicts of interest posed by Elon Musk's significant business operations in China prior to granting him access to the Fiscal Service's payment systems or any other Treasury databases?
6. Please describe what information security measures and other operational security steps will be taken to ensure that providing officials associated with Elon Musk or DOGE such access does not result in hackers and foreign spies breaching or otherwise gaining access to the Fiscal Service's payment systems.?

Thank you for your attention to this important matter. Please don't hesitate to contact Patricio Gonzalez from my staff if you have any questions or wish to discuss this request.

Sincerely,

Ron Wyden

Ron Wyden
United States Senator
Ranking Member, Committee
on Finance