

United States Senate

WASHINGTON, DC 20510

February 6, 2025

Denise Carter
Acting Secretary
U.S. Department of Education
400 Maryland Ave SW
Washington, DC 20202

Dear Acting Secretary Carter:

We write regarding recent reports that Elon Musk’s Department of Government Efficiency (DOGE) has infiltrated the Department of Education (ED or the Department) and that “DOGE staffers have gained access to federal student loan data, which includes personal information for millions of borrowers.”¹

The federal government’s student loan database contains highly sensitive information for millions of borrowers, including Social Security Numbers, marital status, and income information.² Each year, 13 million students receive federal financial aid; there are over 40 million federal student loan borrowers in the United States.³ It is not at all clear that DOGE officials meet the strict criteria that would allow them to access this sensitive information protected by federal law—or whether DOGE officials have gained access to other sensitive ED databases as part of their efforts to “reform” the agency.⁴

This deeply troubling report raises questions about potential exposures of Americans’ private data, the abuse of this data by the Trump Administration, and whether officials who have access to the data may have violated the law or the federal government’s procedures for handling sensitive information.⁵ According to public reporting, “a handful of 19-to-24-year-old engineers linked to Musk’s companies, with unclear titles, could be bypassing regular security protocols”

1 The Washington Post, “U.S. government officials privately warn Musk’s blitz appears illegal,” Jeff Stein, Dan Diamond, Faiz Siddiqui, Cat Zakrzewski, Hannah Natanson and Jacqueline Alemany, February 4, 2025, <https://www.washingtonpost.com/business/2025/02/04/elon-musk-government-legal-doge/>.

2 U.S. Department of Education, “Privacy Impact Assessment (PIA) for the National Student Loan Data System (NSLDS-New),” May 19, 2022, p. 5, <https://www.ed.gov/sites/ed/files/notices/pia/pia-nslds-new.pdf>.

3 U.S. Department of Education, “Federal Student Aid,” <https://www.ed.gov/about/ed-offices/fsa/federal-student-aid>; U.S. Government Accountability Office, “Federal Student Loans: Preliminary Observations on Borrower Repayment Practices after the Payment Pause,” July 29, 2024, <https://www.gao.gov/products/gao-24-107150>.

4 The New York Times, “Musk Team Scrutinizes Education Department Operations,” Zach Montague and Jessica Silver-Greenberg, February 4, 2025, <https://www.nytimes.com/2025/02/04/us/politics/musk-education-department.html>.

5 The Washington Post, “U.S. government officials privately warn Musk’s blitz appears illegal,” Jeff Stein, Dan Diamond, Faiz Siddiqui, Cat Zakrzewski, Hannah Natanson and Jacqueline Alemany, February 4, 2025, <https://www.washingtonpost.com/business/2025/02/04/elon-musk-government-legal-doge/>.

in DOGE's takeover of federal agencies.⁶ The access provided to DOGE-affiliated staff by the Department may also violate the *Privacy Act*, 5 U.S.C. § 552a, which, absent permission from the affected individuals, 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.⁷

We are especially troubled by this reporting given President Trump's stated pledge to abolish the Department.⁸ Efforts to abolish the Department have sparked fear and uncertainty for students, families, and teachers across the country who rely on the agency for critical financial aid, loans, grants, and other assistance. The millions of families who rely on ED to help them achieve the American Dream deserve answers about reports that an unelected billionaire and his team now have access to some of their most sensitive personal information. Accordingly, we ask that you answer the following questions by February 13, 2025:

1. Have Mr. Musk and his team been provided access to the National Student Loan Data System or other databases with sensitive federal student loan data? If so:
 - a. Please list all individuals who have gained access to borrowers' personal data. What are these individuals' job titles and responsibilities? Are they federal government employees? What is the nature of their service (e.g., Special Government Employee, Competitive Service, Senior Executive Service)?
 - b. What procedures were followed in giving these individuals access? Did the individuals who were granted access to these systems have appropriate authorization and clearances?
 - c. What data can these individuals access?
 - d. Do these individuals have the ability to download or copy data or to modify programs or systems for maintaining and analyzing data?
 - e. Who decided to give these individuals access?
 - f. What was the rationale for granting these individuals access?
2. Please describe what safeguards are in place to ensure that federal student loan data is not misused.
 - a. What safeguards and procedures are in place to protect borrowers' personal data?
 - b. Did the Department and DOGE officials follow these safeguards and procedures?
 - c. What safeguards and procedures are in place to protect borrower's data privacy within the rest of the federal student aid system and ensure that DOGE staffers do not interfere with the timely disbursement of federal aid?
3. Have Mr. Musk and his team been provided access to any other sensitive databases managed by the Education Department? If so:
 - a. Please list and describe all those databases.
 - b. Please list all individuals who have gained access to those databases. What are these individuals' job titles and responsibilities? Are they federal government

⁶ *Id.*

⁷ 5 U.S.C. § 552a.

⁸ NBC News, "White House preparing executive order to abolish the Education Department," Yamiche Alcindor, Alexandra Marquez and Rebecca Shabad, February 4, 2025, <https://www.nbcnews.com/politics/donald-trump/white-house-preparing-executive-order-abolish-department-education-rcna190205>.

- employees? What is the nature of their service (e.g., Special Government Employee, Competitive Service, Senior Executive Service)?
- c. What procedures were followed in giving these individuals access? Did the individuals who were granted access to these systems have appropriate authorization and clearances?
 - d. What data can these individuals access?
 - e. Do these individuals have the ability to download or copy data or to modify programs or systems for maintaining and analyzing data?
 - f. Who decided to give these individuals access?
 - g. What was the rationale for granting these individuals access?

Thank you for your attention to this important matter.

Sincerely,



Elizabeth Warren
United States Senator



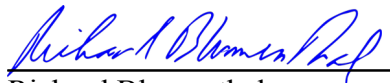
Charles E. Schumer
United States Senator



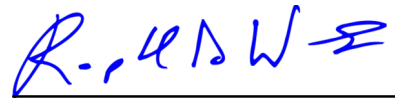
Tina Smith
United States Senator



Chris Van Hollen
United States Senator



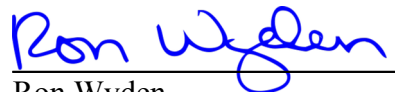
Richard Blumenthal
United States Senator



Raphael Warnock
United States Senator



Tammy Duckworth
United States Senator



Ron Wyden
United States Senator



Mazie K. Hirono
United States Senator



Alex Padilla
United States Senator



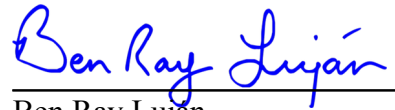
Cory A. Booker
United States Senator



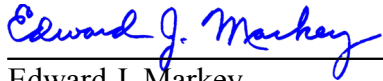
Jeffrey A. Merkley
United States Senator



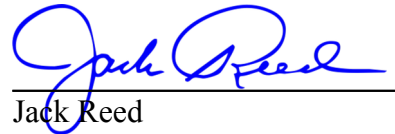
Richard J. Durbin
United States Senator



Ben Ray Lujan
United States Senator



Edward J. Markey
United States Senator



Jack Reed
United States Senator