

United States Senate
WASHINGTON, DC 20510

February 11, 2025

Eugene Dodaro
Comptroller General of the United States
Government Accountability Office
441 G St., NW
Washington, D.C., U.S. 20548

Dear Comptroller General Dodaro,

I write to request an investigation into the legality and scope of the agreement authorizing Elon Musk and his private aides¹, to utilize private servers to access, obtain information on, and otherwise enter varying levels of sensitive and classified information that belongs to the federal government, and to work in the federal government as ‘special government employees’ (SGE).

On Monday, February 3, 2025, a White House official confirmed that Elon Musk (and by extension, his aides) have been designated SGEs. While the designation absolves Musk and his aides of some government requirements that apply to most federal employees, it does not absolve them of *all* obligations, nor does such a designation afford Musk and his aides carte blanche access to government data and servers. I also believe that Musk and his aides are subject to various conflict of interest statutes which prohibit federal employees from participating in matters that impact their own financial interests. Given the authority that President Trump has ceded to Musk and his aides, it is imperative the public understands whether Musk and his aides have complied with the law and whether highly sensitive data could be at risk if accessed by private actors who seek to benefit from the information illegally, or worse, by foreign adversaries who wish to attack this country.

As Senator Charles Grassley has rightly noted, the use of this designation at times has allowed some of the President’s political allies to work for the government while keeping their private sector jobs. Under this designation, many standard ethics and disclosure requirements are circumvented, but not all. In this case, press reports state Musk and his aides have set up private servers in at least one, and possibly multiple, federal agencies. This is very alarming if true. As Senator Grassley noted, “[t]he public’s business ought to be public with few exceptions...When employees are allowed to serve the government and the private sector at the same time and use private email, the employees have access to everything and the public, nothing.^[2]”

Specifically, I ask you to examine, and make publicly available, the following:

- any agreements, and any related documents, concerning the designation of Musk and his aides as ‘special designation employees;’
- all documents associated with required ethics compliance for Musk and his aides, including whether the required financial disclosures have occurred;
- whether all ethics officers at the relevant agencies were consulted or aware of the presence of Musk and his aides and compliance with federal law;
- the security of the private servers, including whether such servers can be exploited or accessed by individuals without appropriate security clearances;
- the names of the individuals who used, or continue to use, private e-mail addresses to conduct the business of the federal government^[3] (and for these individuals, identify any dual employment);

- whether any work-related emails from such servers have been deleted^[4];
- whether any “Department considered any other candidates besides [Musk and his aides] for the expert position requiring expert knowledge on policy, administrative, and other matters? If so, please provide the supporting documentation. If not, why not?”^[5]”
- whether [Musk and his aides] will be “reminded before [their] departure from government employment about [their] obligations in preserving [their] email communications and records^[6].”
- whether Musk and his aides have adhered to legal obligations and otherwise to safeguard data, including, but not limited to, creating data inventories, undertaking data minimization and purpose limitation, and adhering to the highest levels of cybersecurity to protect the data from exploitation and exfiltration; and
- whether Musk and his aides can identify whether any data that they have accessed (within their authorized access level or not), has also been accessed impermissibly by any other party without authorization, and if so, what remedial measures have taken place.

Given the stakes of what has occurred, I request that you expedite this investigation.

Respectfully submitted,



Christopher S. Murphy
United States Senate

^[1] Grassley, C. (2025, February 11). *Grassley continues State Department document request amid new information*. U.S. Senate. <https://www.grassley.senate.gov/news/news-releases/grassley-continues-state-department-document-request-amid-new-information>

^[2] Grassley, C. (2015, March 3). *Government business on private email is detrimental to good government*. United States Senate. <https://www.grassley.senate.gov/news/news-releases/government-business-private-email-detrimental-good-government>

^[3] Grassley, C. (2015, August 3). *Letter to the U.S. Department of State regarding Abedin, Clinton, and Teneo emails*. Senator Chuck Grassley. https://www.grassley.senate.gov/imo/media/doc/grassley_to_state_-_abedin_clinton_teneo_emails.pdf

^[4] Id., p. 4.

^[5] Id., p. 5.

^[6] Id., p. 6.