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SELECT COMMITTEE ON
THE STRATEGIC COMPETITION
BETWEEN THE UNITED STATES
AND THE CHINESE COMMUNIST
PARTY



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February 13, 2025

The Honorable Christopher Wright
Secretary
U.S. Department of Energy
1000 Independence Ave SW
Washington, DC 20024

RE: Urge Lower Costs for Consumers, Pollution Reduction, and Safeguards for Restricted
Department of Energy Data

Dear Secretary Wright:

We write to express deep concern with the illegal shutdown of certain operations of the Department of Energy (DOE) and the unauthorized incursions of Elon Musk and his associates into sensitive information at DOE.

This week, a federal district court ordered the Administration, including DOE, to “immediately end any federal funding pause” and noted that the broad categorical and sweeping freeze of federal funds is “likely unconstitutional and has caused and continues to cause irreparable harm to a vast portion of this country.” The court explicitly directed the Administration to continue funding disbursement of grants, loans and other partnership assistance to states, local communities and nonprofit agencies initiatives under the landmark *Inflation Reduction Act* and *Infrastructure Investment and Jobs Act*. Just this week, you said that you must “follow the law and manage what I’ve inherited”.¹ Despite your own words, and the rulings of several federal judges that this spending cannot be halted, reporting indicates that funding is still unlawfully blocked for projects across the country.²

Many of the IRA and Infrastructure Law initiatives are key to putting money back into the pockets of hardworking Americans such as energy efficiency and weatherization of homes. Many other grants and loans are big cost savers as well for consumer electric bills. Plus, a whole host of grants and loans are intended to reduce pollution at a critical time when many communities are suffering the higher costs of extreme weather events, insurance and electric bills

¹ Bloomberg Talks, *US Energy Secretary Chris Wright Talks Energy Sector* (Feb. 11, 2025) (www.youtube.com/watch?v=G7J5PJGpWp0).

² The New York Times, *Trump Is Freezing Money for Clean Energy. Red States Have the Most to Lose*. (Feb. 12, 2025) (www.nytimes.com/2025/02/10/climate/trump-clean-energy-republican-states.html).

due to the climate crisis. Thankfully the IRA and the Infrastructure Law are working to lower the cost of energy, reduce pollution and spur new factories, jobs and progress. Over the past four years, nearly 1,000 new or expanded clean energy factories have been announced along with 800,000 new manufacturing jobs and \$422 billion in private sector investments. New battery plants, clean vehicle factories, and solar and wind manufacturing centers are breathing new life into communities, local economies and small businesses.

That is why the early actions of the Trump Administration are cause for concern, including the firing of the DOE Inspector General who is responsible for rooting out waste, fraud and abuse. Nothing in the early Trump executive orders is designed to lower energy prices and help hardworking Americans. Instead, across the board the actions are a gift to Big Oil companies designed to boost their profits at the expense of working families.

The letter sent to you previously from Congressman Hoyer and over 150 members of Congress explains in great detail the harm and higher costs that the shutdown of grants, loans and resources is doing to America businesses, workers and communities. Any change in the law must happen through Congress and cannot be invoked arbitrarily by DOE. Therefore, we respectfully request that you provide immediate assurance that all grants, loans and resources are being disbursed accordingly.

We also are extremely concerned that Elon Musk and his assistants may have access to DOE classified and proprietary information, financial management systems, personnel files, and information on federal grants and loans. Such incursion by individuals who do not hold security clearances is a risk to America's national security, the operation of America's energy systems and the essential operation of the nuclear enterprise.

Musk assistants like Luke Farritor, a 23-year-old former SpaceX intern, have been granted access even over objections from the Department of Energy's general counsel and chief information offices.³ This follows attempts by billionaire Musk to access Treasury Department records that contain sensitive personal data in violation of federal law, attempts that were recently blocked by a federal court.⁴

The unprecedented access to the Department of Energy is particularly concerning as it appears that Musk and his team are working at other agencies to transfer federal data to commercial servers that have not been properly vetted, in violation of Federal law.⁵ Their

³ CNN, *Trump energy secretary allowed 23-year-old DOGE rep to access IT systems over objections from general counsel* (Feb. 7, 2025) (www.cnn.com/2025/02/06/climate/doge-energy-department-trump/index.html).

⁴ AP News, *Federal judge blocks Elon Musk's DOGE from accessing sensitive US Treasury Department material* (Feb. 8, 2025) (www.apnews.com/article/elon-musk-doge-lawsuit-attorneys-general-5733f8985e4cf7ad5b233fddefef4d01).

⁵ Musk Watch, *Musk associates given unfettered access to private data of government employees* (Feb. 3, 2025) (www.muskwatch.com/p/musk-associates-given-unfettered).

activities risk exposing highly sensitive and classified information at the DOE to our foreign adversaries and competitors.

DOE houses the National Nuclear Security Administration (NNSA), an agency tasked with securing dangerous nuclear material and the proliferation of weapons of mass destruction. Musk and associates should not be granted access to NNSA or be allowed to operate with the same recklessness they have shown at other agencies. The Administration simply cannot risk making nuclear material less safe. Even inadvertent inquiries into how the NNSA spends money abroad could compromise sensitive information about cooperation between the United States and other governments to keep highly enriched uranium secure.⁶

Granting Elon Musk unfettered access to government data also poses significant conflict-of-interest concerns, which the White House has chosen to ignore.⁷ In recent years, the Department of Energy has issued awards lending tens of billions of dollars to companies that directly compete with Musk's companies, like Tesla, in sectors such as electric vehicles or critical minerals. Should Musk's interference aim to stop or otherwise impact these awards, such as the recent \$6.57 billion loan to Rivian to support its EV manufacturing facility in Georgia,⁸ it would ultimately stifle competition in the EV sector and boost China's efforts to dominate the EV market. Even granting DOGE access to view this sensitive data, which companies have trusted to the federal government as part of their grant and loan applications, presents a serious conflict of interest.

For this reason, we request that you respond to the following questions no later than February 21, 2025:

1. Confirm that all grants, loans and disbursement under the IRA and Infrastructure Law are proceeding and are operational. If not, provide a list of grants, loans, and disbursement being held back.
2. Has the Musk team, or any individuals or entities operating under the guise of or direction of the so-called Department of Government Efficiency (DOGE) (including any individuals who may have been onboarded to the Agency and received an Agency or Departmental email address), requested or received access to any NNSA system?
 - a. If so, who granted such access, and for what specific purposes? Please provide the names of individuals who have been given access to such systems.

⁶ The Atlantic, *If DOGE Goes Nuclear* (Feb. 5, 2025) (www.theatlantic.com/technology/archive/2025/02/elon-musk-doge-nuclear-weapons/681581)

⁷ MSNBC, *On Musk's potential conflicts, White House eyes untenable solution* (Feb. 6, 2025) (www.msnbc.com/rachel-maddow-show/maddowblog/musks-potential-conflicts-white-house-eyes-untenable-solution-rcna190973).

⁸ DOE Loan Programs Office, *DOE Announces \$6.57 Billion Loan to Rivian to Support the Construction of EV Manufacturing Facility in Georgia* (Jan. 16, 2025) (www.energy.gov/lpo/articles/doe-announces-657-billion-loan-rivian-support-construction-ev-manufacturing-facility).

- b. Under what legal authority did DOE grant such access? Please provide a detailed description of this authority and copies of all communication between individuals associated with DOGE and DOE relating to the granting of this access.
 - c. For each individual who has been given access to DOE and NNSA data systems since January 20, 2025, please provide information on:
 - i. The agency to which each such individual has been onboarded (or working as a contractor for) and whether an individual who may have been onboarded to a different agency has been given an email address for DOE or NNSA;
 - ii. Which federal forms each such individual completed relating to background checks (i.e., SF-85, SF-85P, SF-85P-S, SF-86);
 - iii. Whether the Federal Bureau of Investigation (FBI) completed a background check for each such individual;
 - iv. Whether such individuals have used their data access privileges consistent with any restrictions based on their respective security clearance levels;
 - v. What trainings on security, information privacy, cybersecurity, financial, fraud, or other trainings required of DOE or their contractors these individuals have undertaken and when.
 - d. Please provide a list of queries run on each such system by each user, since January 20, 2025, including dates and usernames.
 - e. Please provide a thorough accounting of the information each individual accessed, reviewed, modified, deleted, created, or otherwise edited, exported, or otherwise shared under such system.
 - f. For any information that has been created, modified, edited, or deleted, please provide an accounting of the variables, entries, and the exact changes made, as well as for what purpose.
 - g. Please provide details on any information from any such systems that were downloaded, copied, transferred, or otherwise exported or removed from the Department or Agency. Please specify which data, by what means they were downloaded or transferred, and to whom or what entity.
3. Has DOGE, or any individuals or entities operating under the guise of or direction of DOGE (including any individuals who may have been onboarded to the Agency and received an Agency or Departmental email address), requested or received access to any system containing the data of companies seeking government funding or support?
- a. If so, who granted such access, and for what specific purposes? Please provide the names of individuals who have been given access to such systems.

- b. Under what legal authority did DOE grant such access? Please provide a detailed description of this authority and copies of all communication between individuals associated with DOGE and DOE relating to the granting of this access.
4. Have any private or commercial servers been connected or integrated into DOE or NNSA data systems to access, review, create, modify, delete, move, or otherwise change data?
 - a. If so, please explain the origin of such servers and provide documentation related to testing and validating controls to ensure no new vulnerabilities were introduced into DOE or NNSA data systems upon use.
 - b. For any data that were moved to a private or commercial server, please show how that system has been reviewed and is abiding by the National Institute of Standards and Technology (NIST) special publication 800-171, Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations.⁹
 - c. For any data that were moved to a private or commercial server, please provide detailed information about whether any safe storage standards are being employed.
5. Efforts to suspend federal payments have been reportedly attempted by individuals or entities operating under the direction of DOGE.¹⁰ We are deeply concerned that DOGE may stop lawful and contractually obligated payments from the Department of Energy to states, companies, and other organizations.
 - a. What steps have been taken to ensure that the data of DOE funding recipients are protected from unlawful payment suspensions or data leaks?
 - b. What specific steps have been taken to ensure compliance with current laws, guidances, and regulations to ensure that data held on DOE systems is not being utilized for politically motivated purposes?

Thank you for your attention to this urgent matter. We look forward to your prompt response.

⁹ National Institute of Standards and Technology, *Protecting Controlled Unclassified Information in Nonfederal Systems and Organizations* (May 2024) (800-171).

¹⁰ The New York Times, *Treasury Sought to Freeze Foreign Aid Payments, Emails Show* (Feb. 6, 2025) (www.nytimes.com/2025/02/06/us/politics/trump-musk-usaid.html).

Sincerely,

Kathy Castor

Kathy Castor
United States Representative
Florida – District 14