

# FEDERAL WORKERS ALLIANCE

COLLECTIVELY REPRESENTING OVER 550,000 FEDERAL AND POSTAL WORKERS

February 7, 2025

Hon. Richard Durbin, Ranking Member  
Judiciary Committee  
United States Senate  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

Hon. Gary Peters, Ranking Member  
Homeland Security & Gov't. Affairs Cmte.  
United States Senate  
442 Dirksen Senate Office Building  
Washington, D.C. 20510

Hon. Jamie Raskin, Ranking Member  
Judiciary Committee  
U.S. House of Representatives  
3128 Rayburn House Office Building  
Washington, D.C. 20515

Hon. Gerry Connolly, Ranking Member  
Oversight and Accountability Committee  
U.S. House of Representatives  
2157 Rayburn House Office Building  
Washington, D.C. 20515

Dear Ranking Member Durbin, Ranking Member Peters, Ranking Member Raskin, and Ranking Member Connolly:

The undersigned Unions of the Federal Workers Alliance (FWA), representing over 550,000 federal workers across thirty labor organizations, are writing regarding the takeover of the Department of Treasury, the Office of Personnel Management (OPM), and other agencies by unelected ideologues whose apparent goal is to dismantle the federal government as we know it. The individuals, led by billionaire Elon Musk, have not been elected to any office, not been nominated to lead any government agency, and have not been adequately vetted through background checks. Yet, they have essentially been given the keys to the United States Treasury controlling trillions of dollars and the Personally Identifiable Information (PII) of our nation's more than 2 million civilian workers, and likely the PII of federal government contractors, federally supported non-profits, Social Security recipients, and veterans. This is alarming, illegal, and unprecedented, and it is imperative for everyone in Congress – regardless of political party – to step in immediately to rid the Treasury, OPM, and all other agencies of these unvetted individuals.

As you likely are aware, government officials must comply with Federal statutory and policy requirements to protect the PII and other sensitive financial information pursuant to the Privacy Act (5 U.S.C. § 552a, et seq) and other statutory authorities and policies (See, e.g., 5 U.S.C. § 552a(e)(3); OMB Circular A-130; 44 U.S.C. Chapter 25, Subchapter II). For your reference, here is a link to [the December 2023 CRS report](#) on the Privacy Act and a [more legal explanation from the DOJ](#) on the Privacy Act. Plenty of relevant Privacy Act case law can be provided to your committees upon request.

Regarding other statutes that cover access to information, Federal Tax Information is protected by 26 U.S.C. § 6103; the Fair Credit Reporting Act protects consumer report information, 15 U.S.C. § 1681 et seq.; financial information is protected under the Right to Financial Privacy Act, 12 U.S.C. Chapter 35; drug and alcohol records are protected by 42 U.S.C. § 290dd-2; and information that agencies obtain under third party agreements or contracts are contractually subject to limitations on use and disclosure.

What is occurring at OPM, Treasury and the United States Agency for International Development (USAID), and other agencies is illegal and in conflict with the above-noted statutory provisions and guidance, if not others. For example, a [February 3<sup>rd</sup> GovExec article](#) reports that “associates of Elon Musk, who have taken leadership positions at the federal government’s human resources agency, ‘have locked career civil servants out of computer systems that contain the personal data of millions of federal employees.’” They have also, as stipulated, taken control of the national treasury. This action likely constitutes the most significant data breach of the United States government ever.

As a coalition, the Unions of the FWA are currently determining our best course of action on the legal front. In the meantime, we are urging Congress to exercise its tremendous oversight power to protect the PII of our nation’s federal workers from Elon Musk and his associates. As the Ranking Senators and Representatives on Judiciary, having jurisdiction over Privacy Act matters, and Oversight and Government Reform and HSGAC, having oversight of federal employee issues, we implore you all to work with your colleagues on your respective committees to move bipartisan legislation, including but not limited to exercising the Holman Rule and working with appropriators to defund the ability of these individuals to access the PII of federal workers.

Thank you for your consideration. Should you have any questions, please contact the FWA legislative committee Co-Chairs Steve Lenkart ([slenkart@nffe.org](mailto:slenkart@nffe.org)) and Faraz Khan ([fkhan@ifpte.org](mailto:fkhan@ifpte.org)).

Sincerely,

Federal Firefighters Joint Council - IAFF  
International Association of Machinists and Aerospace Workers (IAMAW)  
International Federation of Professional & Technical Engineers (IFPTE)  
International Plate Printers, Die Stampers, Plate Makers & Engravers Unions of North America  
National Association of Agricultural Employees (NAAE)  
National Federation of Federal Employees (NFFE)  
National Nurses United (NNU)  
National Weather Service Employees Organization (NWSEO)  
Service Employees International Union (SEIU)  
Professional Aviation Safety Specialists (PASS)  
Patent Office Professional Association (POPA)  
United Auto Workers (UAW)