

## United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

April 27, 2025

### VIA EMAIL

Ms. Ashley Steinberg  
Head of Legal Affairs  
The Boring Company  
130 Walker Watson Road  
Bastrop, TX 78602

Dear Ms. Steinberg:

Elon Musk's unprecedented power grab has severely impaired America's capacity to protect its citizens' health and safety, and to take enforcement action against Mr. Musk's own potential lawbreaking. Its predominant purpose and effect are apparently to augment Mr. Musk's wealth and power, and impede scrutiny of his business interests.

Responding to widespread alarm, the Permanent Subcommittee on Investigations ("PSI" or "the Subcommittee") began a preliminary inquiry into the ramifications of his intrusion into federal agencies. After abjectly inadequate cooperation, PSI produced an initial memorandum showing the staggering scope and breadth of his potential liabilities from ongoing investigations and potential enforcement actions.

Mr. Musk and his team at the Department of Government Efficiency ("DOGE") have directed draconian cuts in resources and to the skilled workforce required to do thorough, prompt fact finding and identify statutory or regulatory violations that present harms to the American people. His demonstrated influence over senior leaders has enabled him to terminate or marginalize officials willing to challenge his authority. His threatened retaliation may intimidate many others. DOGE's nonstop pursuit of our nation's most sensitive data, coupled with its inability to articulate a clear purpose for doing so, fuels reasonable suspicions that Mr. Musk could use such data to bolster his position.<sup>1</sup> The net result is to dilute, damage, or even stop accountability.

PSI has conducted an analysis that aims to measure the liability that Mr. Musk and his companies potentially faced at the time of the transition in January 2025. The Subcommittee's research shows that Mr. Musk may stand to avoid at least \$2.3 billion in liability risk as a result

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<sup>1</sup> *DOGE Says It Needs to Know the Government's Most Sensitive Data, but Can't Say Why*, NPR (Mar. 26, 2025), <https://www.npr.org/2025/03/26/nx-s1-5339842/doge-data-access-privacy-act-social-security-treasury-opm-lawsuit>.

of the stranglehold he has placed over federal enforcement, including more than \$112,000 at The Boring Company alone.

At the outset of this inquiry, the Subcommittee sought information from The Boring Company and other companies that Mr. Musk founded or over which he continues to substantially control, including the involvement of current or former Boring Company employees in government agencies with regulatory authority over The Boring Company.<sup>2</sup> To date, The Boring Company has failed to provide satisfactory responses to PSI's inquiries, and many questions remain about the direct and indirect benefits it may be gaining from Mr. Musk's actions.<sup>3</sup>

Mr. Musk's extraordinary entanglement in government investigations and significant potential liability would typically disqualify someone from any responsibility in an administration concerned with conflicts of interest. Now, owing to his rampaging cuts in funding, freezes in hiring, and firing of key officials, there is clear reason to think that Mr. Musk and The Boring Company may escape accountability for reasons that have nothing to do with the merits of the cases. As explained in the attached memorandum, on or about January 20, 2025, The Boring Company was exposed to fines exceeding \$112,000 in contested violations from the Occupational Safety and Health Administration ("OSHA"). Former Assistant Secretary of Labor for OSHA, Dr. David Michaels, recently wrote that DOGE's cost-cutting decisions to close OSHA offices, aimed at saving money on leases, will lead to fewer workplace inspections, resulting in increased worker injuries, illnesses, and deaths.<sup>4</sup> According to Dr. Michaels, DOGE "will cause a tremendous amount of inefficiency, reduce the effectiveness of the agency, and cost the taxpayer far more" than the purported savings.<sup>5</sup>

By depleting and downsizing oversight bodies through widespread firings, funding cuts, and disruptive directives, DOGE may enable Mr. Musk's companies to avoid legal accountability. Cuts ostensibly intended to make government more efficient are in fact impairing critical oversight needed to ensure that workers' lives and health are given priority over operational expediency and cost-savings. All Americans—including The Boring Company's investors—will feel the impact of these degraded capabilities long after Mr. Musk's 130 days of legally permitted service as a special government employee conclude.<sup>6</sup>

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<sup>2</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Ashley Steinberg, Head of Legal Affairs, The Boring Company (Feb. 5, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-05-Letter-from-Blumenthal-to-The-Boring-Company.pdf>.

<sup>3</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Ashley Steinberg, Head of Legal Affairs, The Boring Company (Feb. 25, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-25-Letter-from-Blumenthal-to-The-Boring-Company.pdf>.

<sup>4</sup> *Former OSHA Chief Dr. David Michaels: Closing OSHA Offices Will Increase Worker Injuries, Illnesses, Deaths*, ISHN (Apr. 3, 2025), <https://www.ishn.com/articles/114675-former-osh-chief-dr-david-michaels-closing-osh-offices-will-increase-worker-injuries-illnesses-deaths>.

<sup>5</sup> *Id.*

<sup>6</sup> 18 U.S.C. § 202(a); *The White House Says Elon Musk Is a "Special Government Employee." Here's What That Means*, CBS NEWS (Feb. 6, 2025), <https://www.cbsnews.com/news/elon-musk-special-government-employee-what-does-that-mean/>.

The troubling allegations against The Boring Company in the matters identified by the Subcommittee are merely a piece of the potential misconduct at issue. The cases never filed, investigations quietly neglected, and potential witnesses silenced will be harder if not impossible to detect until Congress is provided with the information it needs.

In light of the Subcommittee's recent analysis, and in recognition of the real possibility that many, if not all, of these actions may be impacted by Mr. Musk's enormous and conflicted influence, please provide the following information by May 11, 2025:

1. Please list all federal investigations, litigation, or other regulatory proceedings involving The Boring Company that were active on or about January 20, 2025, including the name of the agency, the date the investigation, litigation, or other proceeding was initiated, and the status as of the date of this letter.
2. Please provide a detailed explanation of any measures The Boring Company has taken to prevent Mr. Musk's simultaneous work with The Boring Company and the federal government from impacting or influencing any pending litigation, regulatory, or investigative proceedings against the company.
3. Please provide a detailed explanation of all non-public agency information concerning the matters identified in question 1 that has been given to Mr. Musk or The Boring Company representatives since January 20, 2025, including any information that Mr. Musk or The Boring Company had sought prior to that date and was subsequently provided.

In addition, please preserve the following records<sup>7</sup>:

1. All communications between the federal government and The Boring Company or its representatives regarding pending litigation, regulatory, or investigative proceedings against the company from January 2024 through present.
2. All materials provided to investors, acquisition targets, contractors, or potential project partners about federal regulatory or investigative proceedings against The Boring Company from January 2024 through present.

Additionally, please provide a complete response to the Subcommittee's February 5, 2025 letter, including confirming that The Boring Company has preserved all identified records.

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<sup>7</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (text messages, WhatsApp or Signal messages, emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

Ms. Ashley Steinberg  
April 27, 2025  
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Please contact the Subcommittee should you have any questions about responding to these requests. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, reading "Richard Blumenthal". The signature is fluid and cursive, with the first name "Richard" being more prominent and the last name "Blumenthal" following in a similar style.

Richard Blumenthal  
Ranking Member  
Permanent Subcommittee on Investigations

cc: The Honorable Ron Johnson  
Chairman

Enclosure

## United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

April 27, 2025

### VIA EMAIL

Mr. Philip Mao  
General Counsel  
Neuralink Corp.  
7400 Paseo Padre Parkway  
Fremont, CA 94555

Dear Mr. Mao:

Elon Musk's unprecedented power grab has severely impaired America's capacity to protect its citizens' health and safety, and to take enforcement action against Mr. Musk's own potential lawbreaking. Its predominant purpose and effect are apparently to augment Mr. Musk's wealth and power, and impede scrutiny of his business interests.

Responding to widespread alarm, the Permanent Subcommittee on Investigations ("PSI" or "the Subcommittee") began a preliminary inquiry into the ramifications of his intrusion into federal agencies. After abjectly inadequate cooperation, PSI produced an initial memorandum showing the staggering scope and breadth of his potential liabilities from ongoing investigations and potential enforcement actions.

Mr. Musk and his team at the Department of Government Efficiency ("DOGE") have directed draconian cuts in resources and to the skilled workforce required to do thorough, prompt fact finding and identify statutory or regulatory violations that present harms to the American people. His demonstrated influence over senior leaders has enabled him to terminate or marginalize officials willing to challenge his authority. His threatened retaliation may intimidate many others. DOGE's nonstop pursuit of our nation's most sensitive data, coupled with its inability to articulate a clear purpose for doing so, fuels reasonable suspicions that Mr. Musk could use such data to bolster his position.<sup>1</sup> The net result is to dilute, damage, or even stop accountability.

PSI has conducted an analysis that aims to measure the liability that Mr. Musk and his companies potentially faced at the time of the transition in January 2025. The Subcommittee's research shows that Mr. Musk may stand to avoid at least \$2.3 billion in liability risk as a result of the stranglehold he has placed over federal enforcement, including more than \$283 million at Neuralink Corp. ("Neuralink") alone.

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<sup>1</sup> *DOGE Says It Needs to Know the Government's Most Sensitive Data, but Can't Say Why*, NPR (Mar. 26, 2025), <https://www.npr.org/2025/03/26/nx-s1-5339842/doge-data-access-privacy-act-social-security-treasury-opm-lawsuit>.

At the outset of this inquiry, the Subcommittee sought information from Neuralink and other companies that Mr. Musk founded or over which he continues to substantially control, including the involvement of current or former Neuralink employees in government agencies with regulatory authority over Neuralink.<sup>2</sup> To date, Neuralink has failed to provide satisfactory responses to PSI's inquiries, and many questions remain about the direct and indirect benefits it may be gaining from Mr. Musk's actions.<sup>3</sup>

As explained in the attached memorandum, on or about January 20, 2025, Neuralink was exposed to a variety of regulatory actions and enforcement proceedings, including \$281 million in potential liability from the Securities and Exchange Commission ("SEC") for Neuralink's alleged false or misleading statements about its product risks and up to \$1.59 million in civil and criminal penalties from the U.S. Department of Agriculture ("USDA") for Neuralink's alleged violations of the Animal Welfare Act while performing experiments on monkeys and pigs. This extraordinary entanglement in government investigations and significant potential liability would typically disqualify someone from any responsibility in an administration concerned with conflicts of interest. Now, owing to his rampaging cuts in funding, freezes in hiring, and firing of key officials, there is clear reason to think that Mr. Musk and Neuralink may escape accountability for reasons that have nothing to do with the merits of the cases.

Recent reporting, for example, shows that the USDA, the agency responsible for investigating Neuralink's alleged violation of the Animal Welfare Act, has experienced significant attrition and layoffs—including the firing of its Inspector General—and now faces office closures, program terminations, and even more staffing cuts to come.<sup>4</sup> Meanwhile, at the SEC, where Neuralink faces potentially hundreds of millions of dollars in potential liability related to its alleged false or misleading statement about product risks, DOGE agents have reportedly been granted access to confidential commission data.<sup>5</sup>

By depleting and downsizing oversight bodies through widespread firings, funding cuts, and disruptive directives, DOGE may enable Mr. Musk's companies to avoid legal accountability. Cuts ostensibly intended to make government more efficient are in fact impairing critical oversight needed to ensure research facilities and dealers handle animals humanely and that investors harmed

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<sup>2</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Philip Mao, Acting General Counsel, Neuralink (Feb. 5, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-05-Letter-from-Blumenthal-to-Neuralink.pdf>.

<sup>3</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Philip Mao, General Counsel, Neuralink (Feb. 25, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-25-Letter-from-Blumenthal-to-Neuralink.pdf>.

<sup>4</sup> *USDA probationary staff fired at three agencies, sources say*, REUTERS (Feb. 14, 2025), <https://www.reuters.com/world/us/usda-probationary-staff-fired-two-research-agencies-sources-say-2025-02-14/>; *Exclusive: USDA inspector general escorted out of her office after defying White House*, REUTERS (Jan. 29, 2025), <https://www.reuters.com/world/us/usda-inspector-general-escorted-out-her-office-after-defying-white-house-2025-01-29/>; *USDA to slash headquarters, other staff and relocate some to new 'hubs' around the country*, GOV. EXEC. (Apr. 7, 2025), <https://www.govexec.com/management/2025/04/white-house-pitches-layoffs-local-office-closures-and-program-eliminations-usda/404580/>.

<sup>5</sup> *DOGE Is Hunting for Cuts at the SEC*, BARRON'S (Apr. 2, 2025), <https://www.barrons.com/articles/doge-sec-cuts-1cbe7443>.

by false or misleading statements are made whole by the return of ill-gotten gains. All Americans—including Neuralink’s investors—will feel the impact of these degraded capabilities long after Mr. Musk’s 130 days of legally permitted service as a special government employee conclude.<sup>6</sup>

The troubling allegations against Neuralink in the matters identified by the Subcommittee are merely a piece of the potential misconduct at issue. The cases never filed, investigations quietly neglected, and potential witnesses silenced will be harder if not impossible to detect until Congress is provided with the information it needs.

In light of the Subcommittee’s recent analysis, and in recognition of the real possibility that many, if not all, of these actions may be impacted by Mr. Musk’s enormous and conflicted influence, please provide the following information by May 11, 2025:

1. Please list all federal investigations, litigation, or other regulatory proceedings involving Neuralink that were active on or about January 20, 2025, including the name of the agency, the date the investigation, litigation, or other proceeding was initiated, and the status as of the date of this letter.
2. Please provide a detailed explanation of any measures Neuralink has taken to prevent Mr. Musk’s simultaneous work with Neuralink and the federal government from impacting or influencing any pending litigation, regulatory, or investigative proceedings against the company.
3. Please provide a detailed explanation of all non-public agency information concerning the matters identified in question 1 that has been given to Mr. Musk or Neuralink representatives since January 20, 2025, including any information that Mr. Musk or Neuralink had sought prior to that date and was subsequently provided.

In addition, please preserve the following records<sup>7</sup>:

1. All communications between the federal government and Neuralink or its representatives regarding pending litigation, regulatory, or investigative proceedings against the company from January 2024 through present.
2. All materials provided to investors, acquisition targets, contractors, or potential project partners about federal regulatory or investigative proceedings against Neuralink from January 2024 through present.

Additionally, please provide a complete response to the Subcommittee’s February 5, 2025 letter, including confirming that Neuralink has preserved all identified records.

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<sup>6</sup> 18 U.S.C. § 202(a); *The White House Says Elon Musk Is a “Special Government Employee.” Here’s What That Means*, CBS NEWS (Feb. 6, 2025), <https://www.cbsnews.com/news/elon-musk-special-government-employee-what-does-that-mean/>.

<sup>7</sup> “Records” include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (text messages, WhatsApp or Signal messages, emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

Mr. Philip Mao  
April 27, 2025  
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Please contact the Subcommittee should you have any questions about responding to these requests. Thank you for your attention to this matter.

Sincerely,

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Richard Blumenthal  
Ranking Member  
Permanent Subcommittee on Investigations

cc: The Honorable Ron Johnson  
Chairman

Enclosure



## United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

April 27, 2025

### VIA EMAIL

Mr. David Harris  
Acting General Counsel  
Space Exportation Technologies  
52448 Boca Chica Blvd  
Brownsville, TX 78521  
Dear Mr. Harris:

Elon Musk's unprecedented power grab has severely impaired America's capacity to protect its citizens' health and safety, and to take enforcement action against Mr. Musk's own potential lawbreaking. Its predominant purpose and effect are apparently to augment Mr. Musk's wealth and power, and impede scrutiny of his business interests.

Responding to widespread alarm, the Permanent Subcommittee on Investigations ("PSI" or "the Subcommittee") began a preliminary inquiry into the ramifications of his intrusion into federal agencies. After abjectly inadequate cooperation, PSI produced an initial memorandum showing the staggering scope and breadth of his potential liabilities from ongoing investigations and potential enforcement actions.

Mr. Musk and his team at the Department of Government Efficiency ("DOGE") have directed draconian cuts in resources and to the skilled workforce required to do thorough, prompt fact finding and identify statutory or regulatory violations that present harms to the American people. His demonstrated influence over senior leaders has enabled him to terminate or marginalize officials willing to challenge his authority. His threatened retaliation may intimidate many others. DOGE's nonstop pursuit of our nation's most sensitive data, coupled with its inability to articulate a clear purpose for doing so, fuels reasonable suspicions that Mr. Musk could use such data to bolster his position.<sup>1</sup> The net result is to dilute, damage, or even stop accountability.

PSI has conducted an analysis that aims to measure the liability that Mr. Musk and his companies potentially faced at the time of the transition in January 2025. The Subcommittee's research shows that Mr. Musk may stand to avoid at least \$2.3 billion in liability risk as a result of the stranglehold he has placed over federal enforcement, including more than \$46,000,000 at Space Exploration Technologies ("SpaceX") alone.

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<sup>1</sup> *DOGE Says It Needs to Know the Government's Most Sensitive Data, but Can't Say Why*, NPR (Mar. 26, 2025), <https://www.npr.org/2025/03/26/nx-s1-5339842/doge-data-access-privacy-act-social-security-treasury-opm-lawsuit>.

At the outset of this inquiry, the Subcommittee sought information from SpaceX and other companies that Mr. Musk founded or over which he continues to substantially control, including the involvement of current or former SpaceX employees in government agencies with regulatory authority over SpaceX.<sup>2</sup> To date, SpaceX has failed to provide satisfactory responses to PSI's inquiries, and many questions remain about the direct and indirect benefits it may be gaining from Mr. Musk's actions.<sup>3</sup>

As explained in the attached memorandum, on or about January 20, 2025, SpaceX was exposed to a variety of regulatory actions and enforcement proceedings, including millions in potential penalties from the Department of Justice related to allegations of discriminatory hiring practices, and more than \$630,000 in fines from the Federal Aviation Administration related to SpaceX's alleged violations of its licensing requirements in two 2023 rocket launches. This extraordinary entanglement in government investigations and significant potential liability would typically disqualify someone from any responsibility in an administration concerned with conflicts of interest. Now, owing to his rampaging cuts in funding, freezes in hiring, and firing of key officials, there is clear reason to think that Mr. Musk and SpaceX may escape accountability for reasons that have nothing to do with the merits of the cases.

Just one month after President Trump created DOGE, the Department of Justice dropped its case against SpaceX.<sup>4</sup> In addition, after the FAA assessed fines against SpaceX in September 2024, Mr. Musk attacked then-Administrator Michael Whitaker and demanded his resignation.<sup>5</sup> Although there were four years left in his term, Mr. Whitaker resigned on the first day of the Trump Administration. Since then, rather than hold SpaceX accountable, the FAA has explored paying the company's Starlink division millions of dollars.<sup>6</sup> A lawyer who previously represented SpaceX is now heading the Office of Federal Contract Compliance Programs, where she has vowed to slash staff "consistent with the administration-wide DOGE agenda."<sup>7</sup>

By depleting and downsizing oversight bodies through widespread firings, funding cuts, and disruptive directives, DOGE may enable Mr. Musk's companies to avoid legal accountability. Cuts ostensibly intended to make government more efficient are in fact impairing critical oversight needed to ensure satellites provide reliable communications, or to prevent fiery rocket debris from

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<sup>2</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to David Harris, Acting General Counsel, Space Exploration Technologies (Feb. 5, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-05-Letter-from-Blumenthal-to-Space-Exploration-Technologies.pdf>.

<sup>3</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to David Harris, Acting General Counsel, Space Exploration Technologies (Feb. 25, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-25-Letter-from-Blumenthal-to-SpaceX.pdf>.

<sup>4</sup> Order Confirming Dismissal, *United States v. Space Expl. Techs. Corp.*, 18 OCAHO no. 1499b (Feb. 24, 2025).

<sup>5</sup> *FAA Administrator Quit on Jan. 20 After Elon Musk Told Him to Resign*, THE DAILY BEAST (Jan. 30, 2025), <https://www.thedailybeast.com/faa-chief-michael-whitaker-quit-on-jan-20-after-elon-musk-told-him-to-resign/>.

<sup>6</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Secretary Tom Duffy, Department of Transportation (Feb. 27, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-2-27-Letter-from-Sen.-Richard-Blumenthal-to-DOT-Secretary-Duffy-1.pdf>.

<sup>7</sup> *A Lawyer Who Represented SpaceX Looks to Downsize Federal Contracting Watchdog*, NPR (Mar. 27, 2025), <https://www.npr.org/2025/03/27/nx-s1-5341559/lawyer-represented-musk-spacex-downsize-federal-contractors-watchdog>.

crashing to the earth. All Americans—including SpaceX’s investors—will feel the impact of these degraded capabilities long after Mr. Musk’s 130 days of legally permitted service as a special government employee conclude.<sup>8</sup>

The troubling allegations against SpaceX in the matters identified by the Subcommittee are merely a piece of the potential misconduct at issue. The cases never filed, investigations quietly neglected, and potential witnesses silenced will be harder if not impossible to detect until Congress is provided with the information it needs.

In light of the Subcommittee’s recent analysis, and in recognition of the real possibility that many, if not all, of these actions may be impacted by Mr. Musk’s enormous and conflicted influence, please provide the following information by May 11, 2025:

1. Please list all federal investigations, litigation, or other regulatory proceedings involving SpaceX that were active on or about January 20, 2025, including the name of the agency, the date the investigation, litigation, or other proceeding was initiated, and the status as of the date of this letter.
2. Please provide a detailed explanation of any measures SpaceX has taken to prevent Mr. Musk’s simultaneous work with SpaceX and the federal government from impacting or influencing any pending litigation, regulatory, or investigative proceedings against the company.
3. Please provide a detailed explanation of all non-public agency information concerning the matters identified in question 1 that has been given to Mr. Musk or SpaceX representatives since January 20, 2025, including any information that Mr. Musk or SpaceX had sought prior to that date and was subsequently provided.

In addition, please preserve the following records<sup>9</sup>:

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<sup>8</sup> 18 U.S.C. § 202(a); *The White House Says Elon Musk Is a “Special Government Employee.” Here’s What That Means*, CBS NEWS (Feb. 6, 2025), <https://www.cbsnews.com/news/elon-musk-special-government-employee-what-does-that-mean/>.

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Mr. David Harris  
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Sincerely,

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Richard Blumenthal  
Ranking Member  
Permanent Subcommittee on Investigations

cc: The Honorable Ron Johnson  
Chairman

Enclosure

# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

April 27, 2025

## VIA EMAIL

Mr. Brandon Ehrhart  
General Counsel and Corporate Secretary  
Tesla, Inc.  
1 Tesla Road  
Austin, TX 78725

Dear Mr. Ehrhart:

Elon Musk's unprecedented power grab has severely impaired America's capacity to protect its citizens' health and safety, and to take enforcement action against Mr. Musk's own potential lawbreaking. Its predominant purpose and effect are apparently to augment Mr. Musk's wealth and power, and impede scrutiny of his business interests.

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PSI has conducted an analysis that aims to measure the liability that Mr. Musk and his companies potentially faced at the time of the transition in January 2025. The Subcommittee's research shows that Mr. Musk may stand to avoid at least \$2.3 billion in liability risk as a result of the stranglehold he has placed over federal enforcement, including more than \$1.8 billion at Tesla, Inc. ("Tesla") alone.

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<sup>1</sup> *DOGE Says It Needs to Know the Government's Most Sensitive Data, but Can't Say Why*, NPR (Mar. 26, 2025), <https://www.npr.org/2025/03/26/nx-s1-5339842/doge-data-access-privacy-act-social-security-treasury-opm-lawsuit>.

At the outset of this inquiry, the Subcommittee sought information from Tesla and other companies that Mr. Musk founded or over which he continues to substantially control, including the involvement of current or former Tesla employees in government agencies with regulatory authority over Tesla.<sup>2</sup> To date, Tesla has failed to provide satisfactory responses to PSI's inquiries, and many questions remain about the direct and indirect benefits it may be gaining from Mr. Musk's actions.<sup>3</sup>

As explained in the attached memorandum, on or about January 20, 2025, Tesla was exposed to a variety of regulatory actions and enforcement proceedings, including more than \$1.1 billion in potential penalties from the Department of Justice related to Tesla's alleged false statements about its autonomous driving features, and more than \$460 million in potential penalties from the Equal Employment Opportunity Commission (EEOC) related to allegations of severe or pervasive racial harassment of Black employees at Tesla's Fremont factory. This extraordinary entanglement in government investigations and significant potential liability would typically disqualify someone from any responsibility in an administration concerned with conflicts of interest. Now, owing to his rampaging cuts in funding, freezes in hiring, and firing of key officials, there is clear reason to think that Mr. Musk and Tesla may escape accountability for reasons that have nothing to do with the merits of the cases.

Recent reporting, for example, indicates that DOGE fired 30 employees at the National Highway Traffic Safety Administration (NHTSA), with many of them coming from the division responsible for evaluating the safety of autonomous driving systems—the same systems that are currently the subject of NHTSA investigations of Tesla, and which could become the subject of a costly recall for the company.<sup>4</sup> At the EEOC, DOGE has announced plans to cut as many as eight field offices, spurring concerns about compromised enforcement.<sup>5</sup> At the Securities and Exchange Commission, where Tesla faces potentially hundreds of millions of dollars in potential liability related to its failure to disclose fire risks in its solar panel systems, DOGE agents have reportedly been granted access to confidential commission data.<sup>6</sup>

By depleting and downsizing oversight bodies through widespread firings, funding cuts, and disruptive directives, DOGE may enable Mr. Musk's companies to avoid legal accountability. Cuts ostensibly intended to make government more efficient are in fact impairing critical oversight needed to ensure cars do not veer off the road, or that solar panels do not suddenly catch fire. All Americans—including Tesla's investors—will feel the impact of these degraded capabilities long

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<sup>2</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Brandon Ehrhart, General Counsel and Corporate Secretary, Tesla (Feb. 5, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-05-Letter-from-Blumenthal-to-Tesla.pdf>.

<sup>3</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Brandon Ehrhart, General Counsel and Corporate Secretary, Tesla (Feb. 25, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-25-Letter-from-Blumenthal-to-Tesla.pdf>.

<sup>4</sup> *Musk's Doge fired self-drive car safety experts at agency that regulates Tesla*, FINANCIAL TIMES (Apr. 10, 2025), <https://www.ft.com/content/ede5b41d-4b97-494f-b8ce-4f13b11f9ad1>.

<sup>5</sup> *House Democrats Press EEOC Over Field Office Lease Exits (I)*, BLOOMBURG LAW (Mar. 27, 2025), <https://news.bloomberglaw.com/daily-labor-report/house-democrats-press-eeoc-over-field-office-lease-terminations>.

<sup>6</sup> *DOGE Is Hunting for Cuts at the SEC*, BARRON'S (Apr. 2, 2025), <https://www.barrons.com/articles/doge-sec-cuts-1cbe7443>.

after Mr. Musk's 130 days of legally permitted service as a special government employee conclude.<sup>7</sup>

The troubling allegations against Tesla in the matters identified by the Subcommittee are merely a piece of the potential misconduct at issue. The cases never filed, investigations quietly neglected, and potential witnesses silenced will be harder if not impossible to detect until Congress is provided with the information it needs.

In light of the Subcommittee's recent analysis, and in recognition of the real possibility that many, if not all, of these actions may be impacted by Mr. Musk's enormous and conflicted influence, please provide the following information by May 11, 2025:

1. Please list all federal investigations, litigation, or other regulatory proceedings involving Tesla that were active on or about January 20, 2025, including the name of the agency, the date the investigation, litigation, or other proceeding was initiated, and the status as of the date of this letter.
2. Please provide a detailed explanation of any measures Tesla has taken to prevent Mr. Musk's simultaneous work with Tesla and the federal government from impacting or influencing any pending litigation, regulatory, or investigative proceedings against the company.
3. Please provide a detailed explanation of all non-public agency information concerning the matters identified in question 1 that has been given to Mr. Musk or Tesla representatives since January 20, 2025, including any information that Mr. Musk or Tesla had sought prior to that date and was subsequently provided.

In addition, please preserve the following records<sup>8</sup>:

1. All communications between the federal government and Tesla or its representatives regarding pending litigation, regulatory, or investigative proceedings against the company from January 2024 through present.
2. All materials provided to investors, acquisition targets, contractors, or potential project partners about federal regulatory or investigative proceedings against the company from January 2024 through present.

Additionally, please provide a complete response to the Subcommittee's February 5, 2025 letter, including confirming that Tesla has preserved all identified records.

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<sup>7</sup> 18 U.S.C. § 202(a); *The White House Says Elon Musk Is a "Special Government Employee." Here's What That Means*, CBS NEWS (Feb. 6, 2025), <https://www.cbsnews.com/news/elon-musk-special-government-employee-what-does-that-mean/>.

<sup>8</sup> "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (text messages, WhatsApp or Signal messages, emails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

Mr. Brandon Ehrhart  
April 27, 2025  
Page 4

Please contact the Subcommittee should you have any questions about responding to these requests. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in blue ink, reading "Richard Blumenthal". The signature is fluid and cursive, with the first name "Richard" and last name "Blumenthal" clearly legible.

Richard Blumenthal  
Ranking Member  
Permanent Subcommittee on Investigations

cc: The Honorable Ron Johnson  
Chairman  
Permanent Subcommittee on Investigations

Enclosure



# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
WASHINGTON, DC 20510-6250

April 27, 2025

## VIA EMAIL

Mr. Robert Keele  
General Counsel  
x.AI Corp.  
1450 Page Mill Road  
Palo Alto, CA 94304

Dear Mr. Keele:

Elon Musk's unprecedented power grab has severely impaired America's capacity to protect its citizens' health and safety, and to take enforcement action against Mr. Musk's own potential lawbreaking. Its predominant purpose and effect are apparently to augment Mr. Musk's wealth and power, and impede scrutiny of his business interests.

Responding to widespread alarm, the Permanent Subcommittee on Investigations ("PSI" or "the Subcommittee") began a preliminary inquiry into the ramifications of his intrusion into federal agencies. After abjectly inadequate cooperation, PSI produced an initial memorandum showing the staggering scope and breadth of his potential liabilities from ongoing investigations and potential enforcement actions.

Mr. Musk and his team at the Department of Government Efficiency ("DOGE") have directed draconian cuts in resources and to the skilled workforce required to do thorough, prompt fact finding and identify statutory or regulatory violations that present harms to the American people. His demonstrated influence over senior leaders has enabled him to terminate or marginalize officials willing to challenge his authority. His threatened retaliation may intimidate many others. DOGE's nonstop pursuit of our nation's most sensitive data, coupled with its inability to articulate a clear purpose for doing so, fuels reasonable suspicions that Mr. Musk could use such data to bolster his position.<sup>1</sup> The net result is to dilute, damage, or even stop accountability.

PSI has conducted an analysis that aims to measure the liability that Mr. Musk and his companies potentially faced at the time of the transition in January 2025. The Subcommittee's research shows that Mr. Musk may stand to avoid at least \$2.3 billion in liability risk as a result of the stranglehold he has placed over federal enforcement, including at least \$5,000 at X, the Musk-owned social media platform that x.AI Corp. ("xAI") acquired on March 28, and over \$150 million

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<sup>1</sup> *DOGE Says It Needs to Know the Government's Most Sensitive Data, but Can't Say Why*, NPR (Mar. 26, 2025), <https://www.npr.org/2025/03/26/nx-s1-5339842/doge-data-access-privacy-act-social-security-treasury-opm-lawsuit>.

for Mr. Musk's alleged violations of the Securities Exchange Act of 1934 tied to his acquisition of X's predecessor, Twitter Inc.<sup>2</sup>

At the outset of this inquiry, the Subcommittee sought information from X, xAI and other companies that Mr. Musk founded or over which he continues to substantially control, including the involvement of current or former X or xAI employees in government agencies with regulatory authority over these companies.<sup>3</sup> To date, X and xAI have failed to provide satisfactory responses to PSI's inquiries, and many questions remain about the direct and indirect benefits they may be gaining from Mr. Musk's actions.<sup>4</sup>

As explained in the attached memorandum, on or about January 20, 2025, X and xAI were exposed to a variety of regulatory actions and enforcement proceedings, including potential fines from the Federal Election Commission related to an allegedly unlawful in-kind contribution in the form of a virtual campaign rally Mr. Musk held for Mr. Trump on X Spaces in August 2024. This extraordinary entanglement in government investigations and significant potential liability would typically disqualify someone from any responsibility in an administration concerned with conflicts of interest. Now, owing to his rampaging cuts in funding, freezes in hiring, and firing of key officials, there is clear reason to think that Mr. Musk and xAI may escape accountability for reasons that have nothing to do with the merits of the cases.

After DOGE sought to fire as many as 500 employees at the National Institute of Standards and Technology (NIST), including most of the staff at the AI Safety Institute, NIST issued standards that shed key AI safeguards, which one researcher compared to removing "safety, fairness, misinformation, and responsibility as things it values for AI."<sup>5</sup> Two weeks after Mr. Musk announced plans for a new peer-to-peer payment system to be hosted on X, he reportedly accessed the headquarters and computer systems of the Consumer Financial Projection Bureau, an agency with clear authority to regulate such a platform.<sup>6</sup> DOGE agents have also reportedly accessed

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<sup>2</sup> *Elon Musk says xAI has acquired X in deal that values social media site at \$33 billion*, CNBC (March 28, 2025), <https://www.cnbc.com/2025/03/28/elon-musk-says-xai-has-acquired-x-in-deal-that-values-social-media-site-at-33-billion.html>. As a result of this acquisition, this letter addresses matters referring to both xAI and X.

<sup>3</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Robert Keele, General Counsel, xAI (Feb. 5, 2025-), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-05-Letter-from-Blumenthal-to-xAI.pdf>; Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Linda Yaccarino, Chief Executive Officer, X (Feb. 5, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-05-Letter-from-Blumenthal-to-X.pdf>.

<sup>4</sup> Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Robert Keele, General Counsel, xAI (Feb. 25, 2025), <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-25-Letter-from-Blumenthal-to-xAI.pdf>; Letter from Ranking Member Richard Blumenthal, Permanent Subcommittee on Investigations, to Linda Yaccarino, Chief Executive Officer, X (Feb. 25, 2025); <https://www.hsgac.senate.gov/wp-content/uploads/2025-02-25-Letter-from-Blumenthal-to-X.pdf>.

<sup>5</sup> *How AI Safety is Dying in Government*, AXIOS (Feb. 20, 2025), <https://www.axios.com/pro/tech-policy/2025/02/20/how-ai-safety-is-dying-in-government>; *AI safety advocates slam Trump administration's reported targeting of standards agency*, FORTUNE (Feb. 20, 2025), <https://fortune.com/2025/02/20/trump-doge-layoffs-nist-ai-safety-concerns/>; *Under Trump, AI Scientists Are Told to Remove 'Ideological Bias' From Powerful Models*, WIRED (Mar. 14, 2025), <https://www.wired.com/story/ai-safety-institute-new-directive-america-first/>.

<sup>6</sup> *National Treasury Employees Union v. Vought*, No. 1:25-cv-381 (D.D.C.) (Amended Complaint filed Feb. 13, 2025).

confidential data at the Securities and Exchange Commission, which has the pending complaint against Mr. Musk.<sup>7</sup>

By depleting and downsizing oversight bodies through widespread firings, funding cuts, and disruptive directives, DOGE may enable Mr. Musk's companies to avoid legal accountability. Cuts ostensibly intended to make government more efficient are in fact impairing critical oversight needed to ensure AI systems do not harm consumers, and that payment platforms are free from fraud. All Americans—including xAI's investors—will feel the impact of these degraded capabilities long after Mr. Musk's 130 days of legally permitted service as a special government employee conclude.<sup>8</sup>

The troubling allegations against X and xAI in the matters identified by the Subcommittee are merely a piece of the potential misconduct at issue. The cases never filed, investigations quietly neglected, and potential witnesses silenced will be harder if not impossible to detect until Congress is provided with the information it needs.

In light of the Subcommittee's recent analysis, and in recognition of the real possibility that many, if not all, of these actions may be impacted by Mr. Musk's enormous and conflicted influence, please provide the following information by May 11, 2025:

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Sincerely,



Richard Blumenthal  
Ranking Member  
Permanent Subcommittee on Investigations

cc: The Honorable Ron Johnson  
Chairman

Enclosure