United States Senate

WASHINGTON, DC 20510

April 1, 2025

Linda McMahon
Secretary of Education
U.S. Department of Education
400 Maryland Ave SW
Washington, DC 20202

Dear Secretary McMahon:

We write regarding alarming reports that DOGE operatives have proposed replacing the Department of Education (ED or the Department)'s federal student aid call centers with a generative artificial intelligence (AI) chatbot.[1] These call centers "field over 15,000 questions per day" from parents, students, and borrowers.[2] While we are also deeply concerned about President Trump's March 2025 executive order directing you to abolish ED,[3] the Department currently remains open and is statutorily responsible for providing customer service to beneficiaries of federal student aid.[4] DOGE's proposal threatens to misinform borrowers and families, lead to data privacy breaches, and pose conflicts of interest arising from Elon Musk's financial stake in AI development.

DOGE's proposal could harm countless students and families by spreading misinformation in response to high-stakes questions on student aid. Generative AI systems, like the chatbot that DOGE reportedly plans to replace ED's call centers with, are known to frequently "hallucinate" by providing convincing but factually incorrect information.[5] This phenomenon is a commonplace problem even for generative AIs created by trillion-dollar tech companies.[6] Incorrect information from an AI chatbot could, for instance, lead borrowers to enroll in a student loan repayment plan that is inappropriate for their financial situation, mislead students about their Pell Grant eligibility, provide incorrect advice on how to interpret colleges' financial aid offers, or misinform families on how to fill out the FAFSA.[7]

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[1] New York Times, "Musk Staff Propose Bigger Role for A.I. in Education Department," Dana Goldstein and Zach Montague, February 13, 2025, https://www.nytimes.com/2025/02/13/us/doge-ai-education-department-students.html.
[2] *Id.*
[3] The White House, "Improving Education Outcomes by Empowering Parents, States, and Communities," March 20, 2025, https://www.whitehouse.gov/presidential-actions/2025/03/improving-education-outcomes-by-empowering-parents-states-and-communities/.
[4] Congressional Research Service, "The Office of Federal Student Aid as a Performance-Based Organization," Alexandra Hegji and Henry B. Hogue, December 30, 2019, https://www.crs.gov/Reports/R46143.
[5] CNET, "Hallucinations: Why AI Makes Stuff Up, and What's Being Done About It," Lisa Lacy, April 1, 2024, https://www.cnet.com/tech/hallucinations-why-ai-makes-stuff-up-and-whats-being-done-about-it/.
[6] *Id;* CompaniesMarketCap.com, "Largest Companies by Marketcap," https://companiesmarketcap.com/.
[7] New America, "FAFSA and Student Loan Help is No Place for AI," Edward Conroy, February 20, 2025, https://www.newamerica.org/education-policy/edcentral/fafsa-and-student-loan-help-is-no-place-for-ai/.

In addition, the DOGE proposal raises serious privacy concerns. Generative AIs used for customer service purposes are sometimes trained on customer interaction data,[8] which in this case would include past conversations facilitated by ED's call centers—during which borrowers, students, and families often need to divulge personal financial information. Similarly, users would sometimes need to provide the chatbot itself with personal information when asking it for assistance. Experts have described how generative AI poses unique privacy threats:

> One reason AI arguably poses a greater data privacy risk than earlier technological advancements is the sheer volume of information in play. Terabytes or petabytes of text, images or video are routinely included as training data, and inevitably some of that data is sensitive… With more sensitive data being collected, stored and transmitted than ever before, the odds are greater that at least some of it will be exposed or deployed in ways that infringe on privacy rights. … Controversy may ensue when data is procured for AI development without the express consent or knowledge of the people from whom it's being collected. … Even when data is collected with individuals' consent, privacy risks loom if the data is used for purposes beyond those initially disclosed.[9]

If not properly safeguarded, confidential information present in either the training data or in the chatbot's past conversations could be inadvertently leaked during its interactions with other users or even obtained maliciously by bad actors.[10] For example, generative AI chatbots are uniquely vulnerable to "prompt injection" attacks in which hackers provide a chatbot with a prompt written to "trick" it into producing an illicit output such as the disclosure of confidential information.[11]

Even if safeguards could theoretically mitigate concerns around AI "hallucinations" and privacy,[12] DOGE has repeatedly shown that it should not be trusted to utilize those safeguards, as it has already made egregious errors in disclosing confidential data and there is no indication that DOGE is acting in good faith to further ED's mission. DOGE has already posted sensitive information regarding U.S. intelligence agencies on its public website—in what "intelligence community sources" have described as "a significant breach"[13]—and has repeatedly violated

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[8] Harvard Business Review, "How Organizations Are Using Custom AI to Protect Data and Drive Efficiency," Bryan Catanzaro, June 13, 2024, https://hbr.org/sponsored/2024/06/how-organizations-are-using-custom-ai-to-protect-data-and-drive-efficiency.

[9] IBM, "Exploring privacy issues in the age of AI," Alice Gomstyn and Alexandra Jonker, September 30, 2024, https://www.ibm.com/think/insights/ai-privacy.

[10] Id.

[11] IBM, "What is a prompt injection attack?," Matthew Kosinski and Amber Forrest, March 26, 2024, https://www.ibm.com/think/topics/prompt-injection.

[12] IBM, "What are AI hallucinations?," September 1, 2023, https://www.ibm.com/think/topics/ai-hallucinations; AWS Security Blog, "Securing generative AI: data, compliance, and privacy considerations," Mark Keating and Samuel Waymouth, March 27, 2024, https://aws.amazon.com/blogs/security/securing-generative-ai-data-compliance-and-privacy-considerations/; AWS Security Blog, "Safeguard your generative AI workloads from prompt injections," Anna McAbee, January 21, 2025, https://aws.amazon.com/blogs/security/safeguard-your-generative-ai-workloads-from-prompt-injections/.

[13] ABC News, "DOGE data release criticized by intel community; Trump admin says it's public data," Will Steakin, Lucien Bruggeman, and Cindy Smith, February 16, 2025, https://abcnews.go.com/US/agency-data-shared-doge-online-sparks-concern-intelligence/story?id=118858837.

federal cybersecurity and data privacy standards, leading to multiple lawsuits.[14] And DOGE has displayed outright hostility to ED's mission; for example, it has already terminated nearly $900 million of ED's contracts and grants, much of which had been allocated to research the effectiveness of educational interventions by collecting data on students' academic performance.[15] Given DOGE's record of prioritizing chaos over competence, there is little reason to believe that DOGE's AI chatbot would genuinely serve the needs of borrowers and families.

We are also concerned that DOGE's scheme could potentially be used to corruptly enrich Mr. Musk and his own generative AI company, xAI. With Mr. Musk at the helm, DOGE or ED could contract with xAI to create the AI chatbot, directly lining the pockets of Mr. Musk. Alternatively, the chatbot's interactions with families and borrowers would create yet another stream of government data that Mr. Musk could use to gain a competitive advantage for xAI.[16]

Given our concerns regarding DOGE's scheme to replace ED's call centers with an AI chatbot, we request responses to the following questions by April 15, 2025:

1) Is DOGE—with or without assistance from ED—currently working to replace the Department's call centers with an AI chatbot? If so:
   a) When does ED expect the project to be completed?
   b) Which individuals employed by DOGE and ED are implementing the project, and what are their credentials related to AI and federal student aid policy?
   c) What steps have been taken to address the chatbot's potential to deliver misinformation to families, students, and borrowers?
   d) What steps have been taken to address the chatbot's potential to injure borrower privacy?
   e) What steps have been taken to address the potential conflicts of interest posed by the chatbot given Mr. Musk's role in DOGE?
   f) Will the chatbot be developed by xAI or any individuals affiliated with xAI?
   g) Will xAI employees or individuals affiliated with xAI be barred from accessing, exporting, or using any data created by or used to train the AI chatbot?
2) If DOGE is not currently replacing ED's call centers with an AI chatbot, have DOGE and ED fully ruled out implementing this project in the future?
3) Please send us all documents circulated within ED, or sent between ED and DOGE, pertaining to any plans to replace student aid call centers with AI—regardless of whether those plans were ultimately implemented.
4) Has DOGE proposed to automate any other functions of ED using AI?

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[14] Letter from Senator Elizabeth Warren to Elon Musk, February 27, 2025, https://www.warren.senate.gov/imo/media/doc/letter_to_elon_musk_re_dogegovsecurityfailures.pdf; UMBC Magazine, "Is DOGE a cybersecurity threat? A security expert explains the dangers of violating protocols and regulations that protect government computer systems," Richard Forno, February 10, 2025, https://umbc.edu/stories/is-doge-a-cybersecurity-threat-a-security-expert-explains-the-dangers-of-violating-protocols-and-regulations-that-protect-government-computer-systems/.

[15] AP, "DOGE cuts $900 million from agency that tracks American students' academic progress," Collin Binkley and Bianca Vazquez Toness, February 11, 2025, https://apnews.com/article/ies-musk-doge-education-cuts-4461d7bdbe9d55c5a411d8465999b011.

[16] The Conversation, "DOGE threat: How government data would give an AI company extraordinary power," Allison Stanger, March 6, 2025, https://theconversation.com/doge-threat-how-government-data-would-give-an-ai-company-extraordinary-power-250907.

a) If so, please describe these proposals, when they were made, and which individuals authored them.
b) Is either ED or DOGE implementing any of these proposals or planning to do so in the future?

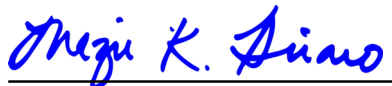Thank you for your attention to this important matter.

Sincerely,

Elizabeth Warren
United States Senator

Charles E. Schumer
United States Senator

Mazie K. Hirono
United States Senator