Judge suggests temporary order blocking DOGE from Treasury records



Further, Humphreys explained that DOGE—which functions as part of the executive office—does not have access, to the DOJ's knowledge. As he explained it, DOGE sets the high-level priorities that these special government employees carry out, seemingly trusting the employees to identify waste and protect taxpayer dollars without ever providing any detailed reporting on the records that supposedly are evidence of mismanagement.

To Kollar-Kotelly, the facts on the record seem to suggest that no one outside the Treasury is currently accessing sensitive data. But when she pressed Humphreys on whether DOGE had future plans to access the data, Humphreys declined to comment, calling it irrelevant to the complaint.

Humphreys suggested that the government's defense in this case

would focus on the complaint that outsiders are currently accessing Treasury data, seemingly dismissing any need to discuss DOGE's future plans. But the judge pushed back, telling Humphreys she was not trying to "nail" him "to the wall," but there's too little information on the relationship between DOGE and the Treasury Department as it stands. How these entities work together makes a difference, the judge suggested, in terms of safeguarding sensitive Treasury data.

According to Kollar-Kotelly, granting a temporary restraining order in part would allow DOGE to "preserve the status quo" of its current work in the Treasury Department while ensuring no new outsiders get access to Americans' sensitive information. Such an order would give both sides time to better understand the current government workflows to best argue their cases, the judge suggested.

A lawyer for groups representing millions of retirees and government workers pushing for a temporary injunction, Nandan Joshi, suggested that the compromise would work for plaintiffs. But Humphreys said he wasn't authorized to agree to anything at the hearing and would have to run it by his clients.

The parties reconvened later in the day but could not agree on the terms of the temporary restraining order.

Kollar-Kotelly urged the parties to reach an agreement Wednesday evening, but it seems likely that instead, the DOJ will file a response to the temporary restraining order motion tomorrow by noon. After that, plaintiffs will have four hours to file their reply ahead of a hearing Friday at 3:30pm, where the judge said she will officially rule on the motion.

https://arstechnica.com/tech-policy/2025/02/judge-suggests-temporary-order-blocking-doge-from-treasury-records/