

# Federal Judge Delays Ruling on Restraining Order Against DOGE and Musk

The 14 states, led by New Mexico, say letting DOGE access federal data endangers the public.

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Elon Musk (L) speaks as President Donald Trump looks on in the Oval Office of the White House on Feb. 11, 2025. Jim Watson/AFP via Getty Images



By Matthew Vadum  
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U.S. District Judge Tanya Chutkan on Feb. 14 delayed ruling on 14 states' request that the Department of Government Efficiency (DOGE)

be barred from accessing government information systems.

At a hearing in the case of *New Mexico v. Musk*, the Washington-based judge seemed skeptical of the states' motion for a temporary restraining order against DOGE and its leader, tech entrepreneur Elon Musk.

Chutkan, who previously oversaw the now-dismissed election interference case against President Donald Trump, directed the plaintiff states to file proposed wording for the temporary restraining order they are seeking with the court by 5 p.m. on Feb. 15. She has not indicated when she will rule on the motion.

The judge acknowledged that the security of government information systems is important.

“Once financial or other confidential data is made public you can't un-ring that bell, you can't get it back,” the judge said.

President Donald Trump implemented DOGE, an advisory body that audits federal agencies and recommends cost-cutting actions, on Jan. 20 by [issuing](#) Executive Order 14158, which directs DOGE to modernize federal technology to improve governmental productivity and efficiency.

DOGE is not a new office. The executive order reorganized the U.S. Digital Service—which President Barack Obama created in 2014 within the Executive Office of the President—as the U.S. DOGE Service, according to a Congressional Research Service [report](#). The Obama administration used the office to improve digital services after the Healthcare.gov website was unveiled.

Trump also [signed](#) Executive Order 14210 on Feb. 11, which directs all agency heads to work with DOGE to reduce staffing and limit hiring.

The White House has [referred](#) to Musk as a special government employee, which allows for the potential to avoid disclosure rules regarding possible conflicts of interest and finances that generally apply to other government workers.

New Mexico, Michigan, California, Massachusetts, and 10 other states [argued](#) in a legal complaint filed on Feb. 13 that Musk, “with President Donald J. Trump's approval, has roamed through the federal government unraveling agencies, accessing sensitive data, and causing mass chaos and confusion for state and local governments, federal employees, and the American people.”

Although the U.S. Constitution was “designed to prevent the abuses of an 18th century monarch, the instruments of unchecked power are no

less dangerous in the hands of a 21st century tech baron,” the complaint said.

By delegating “virtually unchecked authority to Mr. Musk without proper legal authorization from Congress and without meaningful supervision of his activities,” the president “has transformed a minor position that was formerly responsible for managing government websites into a designated agent of chaos without limitation and in violation of the separation of powers.”

The Epoch Times reached out to the U.S. Department of Justice, which represents DOGE, for comment. No reply was received by publication time.

According to Just Security’s litigation-tracking [webpage](#), 68 lawsuits have been filed in federal district courts against the second Trump administration. Ten of the 68 lawsuits challenge DOGE’s access to government information systems.

The courts have yet to take action in most of the 10 access lawsuits.

In one case brought by 19 state attorneys general, U.S. District Judge Paul Engelmayer [granted](#) a temporary restraining order on Feb. 8 blocking DOGE access to Treasury Department systems.

In one lawsuit filed by the University of California Student Association, the parties [agreed](#) on Feb. 11 that DOGE employees would temporarily be denied access to student loan data at the Education Department.

Another lawsuit brought by three labor unions and a think tank was [dismissed](#). The court found on Feb. 7 that the plaintiffs lacked standing, meaning they failed to show a strong enough connection to the facts of the case to justify their participation in the lawsuit.

*Reuters and The Associated Press contributed to this report.*

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