

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, *et al.*,

Plaintiffs,
vs.

SOCIAL SECURITY ADMINISTRATION,
et al.,

Defendants.

Civil Action No. 1:25-cv-00596

DECLARATION OF LELAND DUDEK

I, Leland Dudek, hereby declare upon penalty of perjury:

1. I am the Acting Commissioner at the Social Security Administration (SSA), in Woodlawn, Maryland, and I have served in this role since February 16, 2025.
2. In my role as Acting Commissioner, I am responsible for the exercise of all powers and the discharge of all duties of the agency and have authority and control over all personnel and activities thereof. This includes assigning duties and authority to act to officers and employees of the agency, including information and systems access by SSA's DOGE Team.
3. I provide this declaration to explain the operational burden on the agency to continue to comply with the Court's March 20, 2025 Temporary Restraining Order (Order). These statements are made with my personal knowledge, discussion with SSA staff, and review of documents and information furnished to me in the course of my official duties.

4. The SSA DOGE team partners with SSA's anti-fraud offices to address fraud costing taxpayers and Social Security beneficiaries up to \$521 billion annually.¹ Essential to these efforts is the ability of the SSA DOGE team to work and partner with other SSA employees in order to carry out the President's Executive Order 14158, which tasks the DOGE teams with modernizing federal technology and software to maximize governmental efficiency and productivity to work with Agency heads to promote inter-operability, ensure data integrity, and facilitate responsible data collection and synchronization.
5. The SSA DOGE team provides world-class professionals such as highly-skilled engineers who have extensive private sector experience dealing with complex fraud and automation issues. These highly specialized DOGE Team detailees and special government employees are appointed to work and consult with SSA on a time limited basis. SSA has a strong business need to ensure these time limited employees can continue key agency efforts without interruption to receive the full benefit of their expertise and appointments at SSA.
6. The SSA DOGE team is focusing on key efforts that would adversely impact the agency and public if not timely pursued, which include:
 - a. Direct Deposit Fraud: Fraudsters alter direct deposit information for retirement, disability, or SSI benefits, diverting payments from recipients.
 - b. Wage Reporting Fraud: Fake W-3s are filed to launder illicit income or claim inflated tax returns from the Internal Revenue Service, for which SSA partners in its combined annual wage reporting process.

¹ See <https://www.gao.gov/fraud-improper-payments>.

- c. Improved Fraud Detection: The agency lacks certain security features that could improve fraud detection and automation. These efforts are targeting systemic vulnerabilities to protect funds and beneficiaries.
- d. Extreme Age Records: The agency has certain records in its master files that reflect extreme age of the individual but for which SSA does not have a date of death in our system, which results in individuals showing as living when they may be deceased.

7. Every day that SSA must stop work on the above key projects risks increased and continued fraud, waste, or abuse in government programs that could have been addressed. For instance, SSA's Fiscal Year 2024 Financial Report² estimates \$10.4 billion of improper payments annually (including fraud, waste, and abuse), which equates to approximately \$28.5 million per day in potential improper payments while existing systems and processes remain in place.

8. SSA's most senior leadership, including myself, have and continue to spend a substantial amount of time on ensuring compliance with and response to the Court's Order. This time has significantly impacted SSA's ability to complete work necessary to otherwise manage the agency and complete our mission work.

I declare the foregoing to be true and correct, upon penalty of perjury.

Date: 3/26/2025

Signed: /s/ Leland Dudek

Leland Dudek
Acting Commissioner

² See pages 192 and 198 of this Report, available at
<https://www.ssa.gov/finance/2024/Full%20FY%202024%20AFR.pdf>

Social Security Administration