

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

STATE OF NEW YORK, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE
TREASURY, *et al.*,

Defendants.

Civil Action No. 25-1144 (JAV)

DECLARATION OF MICHAEL J. WENZLER

Pursuant to 28 U.S.C. § 1746, I hereby declare as follows:

I, Michael J. Wenzler, declare the following to be a true and correct statement of facts:

1. I am the Associate Chief Human Capital Officer for Executive and Human Capital Services at the Departmental Offices (DO) of the Department of the Treasury (Treasury). In this capacity, I am responsible for leading and overseeing the development and delivery of the full range of human resources services to managers, supervisors, and employees of Treasury's DO. This includes, but is not limited to, appointing, onboarding, and providing executive resources support to DO senior executives, senior level executives, non-career executives, Temporary Transition Schedule C (Schedule C) appointees, and Presidential appointees. I have held this position since January 28, 2024. Prior to this role, I served at the U.S. Mint, and I have been employed at Treasury since April 2020.
2. Schedule C positions are appointments that may be made for a period not to exceed 120 days with one extension of an additional 120 days. *See* 5 C.F.R. § 213.3302; [U.S. Office of](#)

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Personnel Management Memorandum for Heads of Executive Departments, Independent Agencies, Inspectors General and the Council of the Inspectors General on Integrity and Efficiency dated January 8, 2025.

3. A Special Government Employee (SGE) is an officer or employee who is retained, designated, appointed, or employed to perform temporary duties either on a full-time or intermittent basis, with or without compensation, for not more than 130 days during any period of 365 consecutive days. *See* 18 U.S.C. § 202.
4. A consultant may be appointed to Treasury under 31 U.S.C. § 332(1). The relevant appropriation is Section 113 of Division B of Pub. L. No. 118-47. Consultants appointed under § 3109 are Federal civil service employees under 5 U.S.C. § 2105 and may be employed without pay. *See* 5 C.F.R. §§ 304.101, 102(h).
5. The purpose of this declaration is to (i) set forth the legal authority pursuant to which each former and current member of the Department of Government Efficiency (DOGE) team established at Treasury (Treasury DOGE Team) was or is employed by, or detailed to, Treasury and (ii) provide information about trainings that are required of new employees of Treasury's DO and trainings that have been completed by Treasury DOGE Team members.
6. The statements made herein are based on my personal knowledge and review of documents and information furnished to me in the course of my official duties.

Hiring Authority and Reporting Structure of Treasury DOGE Team

Thomas Krause

7. On January 23, 2025, Thomas H. Krause, Jr., (Krause) was appointed under 5 U.S.C. § 3109 as a consultant for Treasury (DO, Office of the Chief of Staff) with the title of Senior

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Advisor for Technology and Modernization. Krause was also designated as an SGE.

8. Krause waived compensation in writing and was serving as an unpaid consultant until February 13, 2025.
9. Effective February 13, 2025, Krause was appointed to a Schedule C position and was no longer employed as a consultant under 5 U.S.C. § 3109. As a Schedule C employee, Krause retains his ethics designation as an SGE and receives compensation. In this position, Krause is responsible for working closely with the Chief of Staff, the Under Secretary for Domestic Finance, and the Office of Fiscal Assistant Secretary and Fiscal Service to lead the development, execution, and management of the information technology and technological modernization efforts and programs for the Department the Treasury and the internal management of the Department and its bureaus – including the Bureau of Fiscal Service – as it relates to technology.

Gavin Kliger

10. According to documentation I received and reviewed in the course of my duties, on February 19, 2025, Treasury's Acting Assistant Secretary for Management entered into a Memorandum of Understanding (MOU) with the Acting Director of the Office of Personnel Management (OPM) for the temporary detail of Gavin Kliger (Kliger) from OPM to the IRS. The detail was effective on February 19, 2025, for a period not to exceed 120 days, but could be extended for up to 120 additional days, subject to the availability of appropriations.
11. On April 17, 2025, the MOU was terminated, and Kliger is no longer a detailee to the IRS or affiliated with Treasury.

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Linda Whitridge

12. On February 25, 2025, Treasury appointed Linda Whitridge (Whitridge) as a Special Advisor in the Office of the Chief of Staff under Treasury's authority to establish Schedule C positions. *See* 5 C.F.R. § 213.3302.

13. Whitridge is a Schedule C employee and reports to Katz. Whitridge is not currently designated as an SGE.

Samuel Corcos

14. On February 28, 2025, Samuel Corcos (Corcos) was appointed under 5 U.S.C. § 3109 as a Consultant for Treasury (Departmental Offices, Office of the Chief of Staff) with the title of Senior Advisor for Technology and Modernization. He is also an SGE. Corcos waived compensation in writing and served as an unpaid consultant for Treasury.

Todd Newnam

15. Effective March 6, 2025, Todd Newnam (Newnam) was appointed as a Special Advisor in the Office of the Chief of Staff under Treasury's authority to establish Schedule C positions. *See* 5 C.F.R. § 213.3302.

16. Newnam is a Schedule C employee and reports to Katz.

Trainings

17. All newly appointed employees of Treasury are required to complete the following trainings (collectively, New Employee Trainings):

- a. Annual Privacy Awareness Training, which covers various aspects of privacy including providing definitions of key terms, discussing employee responsibilities to safeguard personally identifiable information (PII), highlighting individual expectations of privacy and identifying the laws

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that govern individual privacy rights. Educate and inform employees of their responsibility to safeguard personally identifiable information (PII) when collecting, maintaining and disseminating PII in the normal course of performing their assigned duties;

- b. Annual Cybersecurity Awareness Training, which covers employee roles and responsibilities in protecting Treasury-wide systems from cybersecurity risks and threats, highlighting policies and practices related to business email, identity, incident response, insider threats, multi-factor authentication, phishing, public WiFi, remote work, social engineering, social media, and passwords;
- c. Sexual Harassment Prevention in the Workplace, which reviews Treasury policy regarding sexual harassment and employee responsibilities for preventing sexual harassment in the workplace;
- d. Treasury No FEAR Training (New Hire), reviews the requirements of the No FEAR Act and agency accountability for violations of antidiscrimination and whistleblower protection laws;
- e. New Employee Ethics Training, which focuses on government ethics laws and regulations, including an overview of the 14 General Principles of Ethical Conduct and ethics scenarios on Impartiality and Covered Relationships; Financial Conflicts of Interest; Outside Activities and Representation; Gifts; Misuse of Position; Seeking and Post Employment; and Political Activities;
- f. Fundamentals of Record Management, covering basic responsibilities for

managing Federal records, including the laws, policies and procedures that govern Federal records management; and

- g. Treasury Insider Threat Awareness, covering employee roles and responsibilities in protecting the Department of the Treasury from insider threats to Treasury assets.

18. These trainings generally are made available through the Integrated Talent Management system (ITM), and completion of trainings is recorded in the system. However, in certain instances, trainings may be completed outside of ITM (*e.g.* via a paper training, or in-person training).

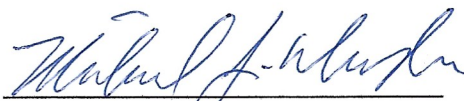
19. Krause completed the New Employee Ethics Training outside of ITM. He completed the remaining New Employee Trainings and two required Bureau of the Fiscal Service (BFS) trainings: 2025 Safeguarding Federal Tax Information and the BFS Rules of Behavior (collectively BFS Trainings) through ITM.

20. Whitridge and Newnam have completed the New Employee Trainings and BFS Trainings through ITM.

21. Corcos completed the New Employee Trainings outside of ITM and completed the BFS Trainings through ITM.

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

Dated: April 22, 2025



Michael J. Wenzler
Associate Chief Human Capital Officer
for Executive and Human Capital Services
Departmental Offices of the Department of the
Treasury

