

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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April 21, 2022

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairwoman Maloney:

As you are well aware, the primary mission of the House Oversight and Reform Committee is to root out waste, fraud, abuse, and mismanagement in the federal government. Unfortunately, your so-called “investigation” into the Washington Commanders (the Team) lacks even any foundation for exercising congressional oversight authority. Instead, your “investigation” appears to be a quest to distract the American public from the Biden Administration’s failed policies that have led to the highest level of inflation in over 40 years, skyrocketing energy costs, and a near catastrophic border crisis. You are using the Committee’s resources to publicly attack a private company with no connection to the federal government. Even worse, you are relying on one-sided, unsupported claims from a disgruntled ex-employee who had limited access to the Team’s finances, was fired for violating team policies, and has his own history of creating a toxic workplace.¹

At every point in this “investigation,” you have taken a one-sided approach to uncovering the truth. For the first transcribed interview, your staff interviewed a former Team employee, Jason Friedman. Mr. Friedman alleged that the Team engaged in financial improprieties. Instead of reaching out to the Team or the National Football League (NFL) for further information about these claims, you took the claims at face value and told the *Washington Post* and then the Federal Trade Commission (FTC), recommending an investigation.²

The facts, as laid out in the Team’s letter to the FTC, show that Mr. Friedman is not a reliable witness and there is ample contrary evidence—evidence you have not sought.³ As the Team noted in their response letter to the FTC, Mr. Friedman did not work in the Team’s

¹ Letter from Jordan W. Siev, Counsel, Washington Commanders, to Lina M. Khan, *et.al.*, Chair, Fed. Trade Commission (Apr. 18, 2022).

² Liz Clarke, Paul Kane & Mark Maske, *Congress investigating allegations of financial impropriety by Commanders*, THE WASH. POST (Mar. 31, 2022); Letter from Carolyn B. Maloney, *et.al.*, Chairwoman, to Lina M. Khan, *et.al.*, Chair, Fed. Trade Commission (Apr. 12, 2022).

³ Letter from Jordan W. Siev, Counsel, Washington Commanders, to Lina M. Khan, *et.al.*, Chair, Fed. Trade Commission (Apr. 18, 2022).

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accounting department and would not have had access to the financial books.⁴ The Team's letter also included declarations from four former executives countering Mr. Friedman's claims—general counsel David Donovan, chief operating officer Mitch Gershman, director of finance Paul Szczenski, and senior vice president Michael Dillow—all individuals who would have an understanding and access to the Team's financials.⁵ The Team provided the FTC with documentation to dispute Mr. Friedman's claims—all documents and declarations you could have sought prior to sending Mr. Friedman's allegations to the *Washington Post* and the FTC.⁶

The information contained in the Team's letter to the FTC raises serious concerns about Mr. Friedman's statements. Rather than vet his claims, you publicly repeated them. As you are aware, under 18 U.S.C. 1001, it is a crime to knowingly and willfully make any materially false, fictitious, or fraudulent statement or representation to Congress, including congressional staff. In light of the counter story provided in the Team's FTC letter, we request that you evaluate whether Mr. Friedman should be: 1) offered the opportunity to amend his prior statement or 2) referred to the Department of Justice for investigation into the veracity of his statements to Congress.

Your reckless, ends-oriented investigation is an embarrassment to our Committee and a misuse of congressional oversight authority. It is yet another example of Democrats exceeding the bounds of what is permissible for Congress to investigate.⁷ As I stated during the roundtable in February 2022, the House Oversight and Reform Committee is not the proper forum for this investigation. Even if this investigation was conducted with balanced and proper fact finding, which it has not been, there is no recourse in the Oversight Committee for any of the allegedly aggrieved parties. This investigation is wasting valuable taxpayer resources—especially at a time when the American people are struggling with increasing inflation.

As you know Chairwoman, we have an important role in overseeing the activity of the federal government. Billions of COVID relief dollars have been stolen, our southern border is broken, fentanyl is killing teens, inflation is at an all-time high, the Afghanistan withdrawal was a debacle, and Ukraine is at war, yet you and your colleagues are investigating a private company—the Washington Commanders. I urge you to end this sham investigation and get back to working for the American people during these chaotic and trying times.

Sincerely,



James Comer
Ranking Member

⁴ *Id.*

⁵ *Id.*

⁶ *Id.*

⁷ *Trump v. Mazars USA, LLP*, 591 U.S. ____ (2020) (articulating a new test for the validity of a congressional subpoena and raising concerns about the bases for Chair Waters' subpoenas).