

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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February 12, 2024

The Honorable Lina M. Khan
Chairwoman
Federal Trade Commission
600 Pennsylvania Avenue NW
Washington, D.C. 20580

Dear Chairwoman Khan:

The Committee on Oversight and Accountability is continuing to investigate the Federal Trade Commission (FTC or Commission) regarding concerns the Commission is abusing its power, disregarding the rule of law, undermining due process, and ignoring federal ethics laws. The Committee wrote to you on June 1, 2023, and on occasions thereafter seeking documents and information related to our concerns.¹ The Commission has produced documents on a rolling basis in response to some of these requests, but it has refused to provide documents in response to others and the documents the FTC has provided do not fully address the Committee's concerns. As such, we are requesting that you make staff available for transcribed interviews.

Under your leadership, the FTC has removed procedural and other constraints on the FTC's power to make new rules, initiate investigations, and take enforcement actions against American businesses. The Committee is also concerned about the policies and guidance that the FTC has used, which appears intended to undermine the decades-old consumer welfare standard. The Commission should be working to ensure what is best for consumers is achieved, not intervening on behalf of favored competitors or pursuing ideological goals. The FTC has tilted the merger review process against businesses through unnecessarily burdensome processes, and the agency continues to collude with foreign jurisdictions to prevent lawful transactions between American companies. We are concerned this is undermining consumers' and others' confidence in the Commission's ability to ensure the integrity of the American marketplace.

¹ Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, to Hon. Lisa Khan, et al., Federal Trade Commission (June 1, 2023); *see also* Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, to Hon. Lisa Khan, et al., Federal Trade Commission (August 21, 2023); Comm. on Oversight and Accountability, to Hon. Lisa Khan, Federal Trade Commission (August 22, 2023); Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, Federal Trade Commission (October 22, 2023); Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, Federal Trade Commission (November 16, 2023); Letter from James Comer, Chairman, H. Comm. on Oversight and Accountability, Federal Trade Commission (November 20, 2023).

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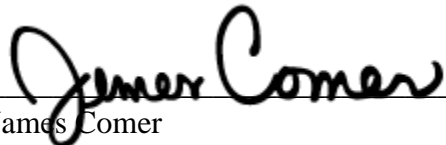
Through our ongoing investigation, we have determined the following five individuals have important information that is critical to better understanding the FTC's policies, procedures and activities related to the Committee's concerns.

1. Aviv Nevo
Director, Bureau of Economics
2. Henry Liu
Director, Bureau of Competition
3. Jon Nathan
Deputy Director, Office of International Affairs
4. Samuel Levine
Director, Bureau of Consumer Protection
5. David Robbins
Executive Director

Accordingly, the Committee requests the FTC make the above-mentioned individuals available for transcribed interviews with Committee staff. Please contact Committee staff no later than February 19, 2024, to schedule the interviews. To schedule the interviews or ask any related follow-up questions, please contact Committee on Oversight and Accountability staff at (202) 225-5074.

The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate, "any matter" at "any time" under House Rule X. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is written in a cursive style and is positioned above a horizontal line.

James Comer

Chairman

Committee on Oversight and Accountability

Cc: The Honorable Jamie B. Raskin, Ranking Member
Committee on Oversight and Accountability