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During my tenure as FTC Chair, I and my leadership team have actively and extensively cooperated with you and your Committee staff in dozens of requests for documents, briefings, and testimony. We have done so because we take seriously the responsibility of Congress to provide effective oversight over federal agencies on behalf of the American people. We also take seriously our mandate from Congress to police illegal mergers, prevent unlawful monopolization, and protect the American public from a broad range of unfair or deceptive acts and practices – efforts that I was grateful for the opportunity to discuss with your Committee in a lengthy hearing on July 13, 2023.

It has come to my attention that over the last month, your staff has begun a campaign to

Not only has your Committee demanded FTC career staff participate in these interviews on a date unilaterally dictated by the Committee, but in an extremely unusual step, the Committee sought them without providing the agency any details about the specific purpose of these interrogations. As the Committee knows, a necessary foundation for any transcribed interview is establishing the need for information from any particular individual. The Committee has refused to identify this need and lay the proper foundation for these unprecedented requests.

In response to your extraordinary demands, FTC Office of General Counsel sought details in a good faith effort to continue to provide information as part of our commitment to congressional oversight. Our agency follows rules intended to protect ongoing and future law enforcement matters that could be jeopardized if non-public information is released in the public domain. This is a concern we have expressed repeatedly to you given your prior release of confidential information concerning law enforcement matters.

Nonetheless, beginning on Monday, July 24, your Committee staff decided to initiate a targeted campaign of intimidation by directly contacting career employees who they knew to be our without the benefit of existing legal counsel. This conduct violated D.C. Rules of Professional Conduct Rule 4.2, which makes clear that represented parties must be contacted through their counsel.

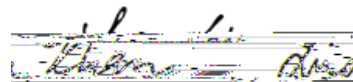
To be clear, these employees are aware of the Committee's requests and know@0.0000092 0 612 79 reW\*

it difficult to conclude that these efforts are intended to ensure that the agency fulfills its Congressional mandate to check unfair methods of competition and protect the American people from unfair or deceptive practices

Our work has benefited from effective partnerships across the political spectrum, from continuing to litigate the antitrust case against Facebook brought under the Trump Administration, to working with a bipartisan group of state Attorneys General to prevent Corteva and Chinese-owned Syngenta from harming American farmers, to scrutinizing how pharmacy benefit managers may be raising drug prices and muscling independent pharmacies out of businesses, to suing data. I believe we have much we could cooperate on, from concerns about technology companies control over communications platforms to protecting honest American manufacturers from losing business to firms who falsely claim their products are made in the

I, my leadership team, and the agency as a whole stand ready to respond to legitimate activities. But efforts to intimidate or harass career civil servants as a response to policy disagreements with senior leadership raises grave concerns. We remain committed to faithfully discharging our statutory obligations and enforcing the law without fear or favor.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lina M. Khan", is written over a horizontal line.

Lina M. Khan  
Chair, Federal Trade Commission