

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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March 20, 2025

Acting General Counsel John K. Guenther  
U.S. Department of Commerce  
1401 Constitution Ave NW  
Washington, DC 20230

Dear Mr. Guenther,

I write regarding Commerce Secretary Howard Lutnick's March 19, 2025, appearance on Fox News. During this interview, Secretary Lutnick unlawfully encouraged viewers to "buy Tesla."<sup>1</sup> As I noted in a March 12, 2025 letter following President Trump's use of taxpayer resources to endorse Tesla vehicles on the White House lawn, federal law expressly prohibits federal employees' "use of their Government position or title or any authority associated with their public office to endorse any product, service, or enterprise."<sup>2</sup> Yet in Mr. Lutnick's March Fox News appearance, while on screen with a chiron clearly identifying him as "Commerce Secretary," he recommended that the public purchase Tesla stock and emphasized that it "will never be this cheap again." During the course of the interview, he went on to ask, "who wouldn't invest in Elon Musk?"<sup>3</sup> To understand the evolving nature by which President Trump, Elon Musk, and Trump Administration officials are misusing the federal government for personal enrichment instead of the public good, I ask that you provide the information and documents requested and cease any activities by Department officials that endorse a specific product or company.

This is just the latest example of the Trump Administration using taxpayer resources to enrich the President's inner circle. In 2017, Counselor to the President Kellyanne Conway told Americans to "go buy Ivanka's stuff." She continued to declare, "I'm going to give a free commercial here... Go buy it today, everybody. You can find it online."<sup>4</sup> Following a letter from the Republican leadership of this Committee, the Office of Government Ethics (OGE) determined that "there is strong reason to believe that Ms. Conway has violated the Standards of

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<sup>1</sup> *'Buy Tesla' Stock, Howard Lutnick Tells Fox Viewers*, Wall Street Journal (Mar. 20, 2025) (online at [www.wsj.com/livecoverage/stock-market-today-dow-nasdaq-sp500-03-20-2025/card/-buy-tesla-stock-howard-lutnick-tells-fox-viewers-QLDbzUeKldwXsZabVVUF](https://www.wsj.com/livecoverage/stock-market-today-dow-nasdaq-sp500-03-20-2025/card/-buy-tesla-stock-howard-lutnick-tells-fox-viewers-QLDbzUeKldwXsZabVVUF)); Acyn (@Acyn), X (Mar. 19, 2025) (online at <https://x.com/Acyn/status/1902518050353770527>).

<sup>2</sup> *Id.*; 5 C.F.R. § 2635.702 (2025).

<sup>3</sup> Acyn (@Acyn), X (Mar. 19, 2025) (online at <https://x.com/Acyn/status/1902518050353770527>).

<sup>4</sup> *Kellyanne Conway Under Fire for Promoting Ivanka's Brand*, Politico (Feb. 9, 2017) (online at [www.politico.com/story/2017/02/kellyanne-conway-ivanka-nordstrom-234838](https://www.politico.com/story/2017/02/kellyanne-conway-ivanka-nordstrom-234838));

Conduct [prohibiting employees from misusing their official positions] and that disciplinary action is warranted.”<sup>5</sup>

Secretary Lutnick’s actions bear striking similarities to Ms. Conway’s. The present circumstances differ in that Tesla is owned by an individual who has been given license by the President to slash and burn his way through the federal government, indiscriminately and lawlessly terminating federal workers and eliminating the services they provide to the American people, while lining his own pockets with billions of taxpayer dollars. These ongoing violations of law require a response befitting of the level abuse to deter further lawlessness and to ensure the American people that members of this Administration seek to serve all people rather than to enrich a select few.

To understand the ongoing pattern and practice of ethical violations, please provide the following information by April 3, 2025:

1. A copy of all electronic communications, including but not limited to email correspondence and calendar invitations, between the White House and the Commerce Department in preparation for the Secretary’s March 19 Fox appearance.
2. The financial disclosures (OGE form 278) of all political appointees, including the Secretary and Deputy Secretary, in the Commerce Department.
3. All correspondence between the White House Counsel, Office of Government Ethics, or Office of the Special Counsel and the Department of Commerce prior to this interview.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. The Committee also has legislative jurisdiction over federal personnel. If you have any questions regarding this request, please contact Committee Democratic staff at (202) 225-5051. Thank you for your prompt attention to this matter.

Sincerely,



Gerald E. Connolly  
Ranking Member

cc: The Honorable James Comer, Chairman

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<sup>5</sup> Letter from Walter M. Shaub, Director, Office of Government Ethics, Chairman Jason Chaffetz and Ranking Member Elijah Cummings, Committee on Oversight and Government Reform (Feb. 13, 2017) (online at <https://app.box.com/s/46c4uggxa2osxj9znpfw6deizggh1ijx>).