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June 29, 2026

The Honorable Crystal S. Carey
General Counsel
National Labor Relations Board
1015 Half Street, SE
Washington, DC 20570

Dear General Counsel Carey:

Following your recent appearance before the Committee on Education and Workforce (Committee), we write to request information regarding your obligation to avoid actual or perceived conflicts of interest and your office's communications with employers and their counsel in relation to pending cases before the National Labor Relations Board (NLRB).

During your confirmation hearing in July 2025, you publicly committed to Senator Josh Hawley of Missouri—without equivocation—that you will “recuse yourself from any enforcement decisions or actions involving [Amazon, Apple, and Activision].”¹ Yet, during your appearance before the Committee on June 4, 2026, you acknowledged the commitment was no longer valid:

Ms. Carey: During my confirmation hearing, Senator Hawley asked me at that moment if I would be recused from Amazon and the answer in July of last year was yes.

Ms. Omar: And so what changed?

¹ *Nominations of Crystal Carey to be General Counsel of the National Labor Relations Board, Brian Christine to be Assistant Secretary for Health, Department of Health and Human Services, and Brittany Panuccio to be a Member of the Equal Employment Opportunity Commission: Hearing Before the S. Comm. on Health, Educ., Lab., and Pensions, 119th Cong. (2025) (timestamps: 1:32:55 to 1:33:12) (Ms. Carey responded “Yes, Senator” when questioned by Senator Hawley that “you’ll recuse yourself from any enforcement decisions or actions involving any of these people I assume?”).*

Ms. Carey: Pursuant to my ethics agreement that was approved by the Office of Government Ethics, my recusal to Amazon fell off in December, prior to me being sworn in as General Counsel.²

We found this response deeply concerning, as it gives the impression that your commitment to avoiding actual or perceived conflicts of interest is not durable. Additionally, recent news reports about your office taking actions that appear to advantage the clients of your former law firm—Morgan Lewis & Bockius LLP—as well as allies of President Trump, are alarming and threaten the integrity of the agency. For instance, in April 2026, *Bloomberg Businessweek* reported that your office offered a unilateral settlement to Amazon that terminates a yearslong case out of Palmdale, California, that alleged the company was a joint employer of delivery drivers and that it was required to recognize and bargain with the drivers' union.³ The settlement—which was negotiated over the objection of both the union and the other employer—includes a non-admission clause that allows Amazon to continue to evade joint employer liability.⁴ Last week, another news report revealed your office—a day prior to your appearance before the Committee—approved another settlement of a case that alleged Amazon was a joint employer of delivery drivers.⁵ These settlements heighten our concerns not only because of the abrupt change in the NLRB's prosecutorial posture, but also due to their ethically dubious appearance given that you represented Amazon as recently as the end of 2024.⁶

The combination of advantageous enforcement actions for certain companies and your reversal on recusals after being sworn in as General Counsel raises additional concerns about the potential for improper influence in the prosecution of NLRB cases. During the Committee's hearing, you testified that employers often contact you and your office about pending cases.⁷ While such contact is wholly permissible, any attempt by you or your office to ease enforcement actions against an employer alleged to have violated workers' rights in response to communications by such employer and their representatives is unacceptable and violates the statutory purpose of the *National Labor Relations Act* (NLRA).⁸ As the General Counsel of the NLRB, you are the only avenue for workers to enforce their rights under the NLRA as there is no

² *Examining the Policies and Priorities of the NLRB: Hearing Before the Subcomm. on Health, Employ., Lab., Pensions of the H. Comm. on Educ. and Wrkf.*, 119th Cong. (2026) (timestamps: 1:24:50 to 1:25:07).

³ Josh Eidelson, *Trump Labor Board Pushes to Settle Major Amazon Contractor Case*, BLOOMBERG (Apr. 13, 2026), <https://www.bloomberg.com/news/articles/2026-04-13/trump-labor-board-pushes-to-settle-major-amazon-contractor-case>.

⁴ Josh Eidelson, *What Trump Delivered for Amazon*, BLOOMBERG (June 2, 2026), <https://www.bloomberg.com/news/features/2026-06-02/amazon-trump-settlement-win-showed-just-how-tough-delivery-drivers-have-it>.

⁵ Josh Eidelson, *Trump Labor Board Backs Off Another Amazon 'Who's the Boss' Case*, BLOOMBERG (Jun. 25, 2026), <https://www.bloomberg.com/news/articles/2026-06-25/trump-administration-backs-off-another-amazon-who-s-the-boss-case>.

⁶ See Eidelson, *supra* note 4.

⁷ See *Examining the Policies and Priorities of the NLRB*, *supra* note 2 at 54:20 to 54:43.

⁸ See 29 U.S.C. § 151 (Section 1 declares that it is the “the policy of the United States” to “encourage[e] the practice and procedure of collective bargaining” and to “protect[] the exercise by workers of full freedom of association, self-organization, and designation of representatives of their own choosing, for the purpose of negotiating the terms and conditions of their employment, or other mutual aid or protection.”).

private right of action. If you or your office intervenes to benefit a company, workers are without any recourse.

For the above-stated reasons, and in keeping with the Committee's oversight responsibilities, we request your responses by no later than July 13, 2026, to the following:

1. Provide a list of all cases you have participated in or were consulted on since January 7, 2026, whose parties were covered under your ethics agreement, including the case number.
2. Provide the current list of all cases you have recused yourself from since January 7, 2026, including the case number and the reason for your recusal.
3. Provide a list of all cases you consulted about with the NLRB's Designated Agency Ethics Official (DAEO) regarding your participation since January 7, 2026, including the case number.
 - a. Provide a list of all cases for which you were asked to recuse and/or consulted the DAEO regarding your participation, but determined *not* to recuse yourself, including the basis for such determination and any written correspondence with and/or opinion provided by the DAEO.
4. Since January 7, 2026, have you been contacted either by phone or email about a pending NLRB case by counsel of an affected employer or the affected employer themselves?
 - a. If contacted by phone, did you record notes from the conversations?
 - b. If you have been contacted, have you entered these communications in each case's respective log? If not, why?
 - c. Have any of these communications discussed the NLRB's enforcement actions?
 - i. If so, provide copies of the communications.
 - d. Have you requested, directed, or provided approval for any regional staff to alter their approach, action, or decision in a specific case after receiving the communication?
 - i. If so, provide a description of each such request, direction, and/or approval described above, including all documents related to the request, direction, and/or approval.
5. Since January 7, 2026, have Acting Deputy General Counsel Lynisa Michalski, Acting Associate to the General Counsel Laural Wagner, and/or Acting Associate General Counsel William Cowen relayed communications to you from counsel of an affected employer or the affected employer themselves about a pending NLRB case?
 - a. If contacted by phone, did you or the aforementioned individuals in the Office of the General Counsel record notes from the conversation?
 - b. If so, have you or the aforementioned individuals in the Office of the General Counsel entered these communications in each case's respective log? If not, why?
 - c. Have any of these communications discussed the NLRB's enforcement actions?
 - i. If so, provide copies of the communications.
 - d. Have you or the aforementioned individuals in the Office of the General Counsel requested, directed, or provided approval for any regional staff to alter their

The Honorable Crystal S. Carey

June 29, 2026

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approach, action, or decision in a specific case after receiving the communication?

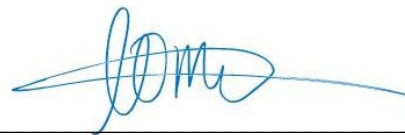
- i. If so, provide a description of each such request, direction, and/or approval described above, including all documents related to the request, direction, and/or approval.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact the Committee's Democratic Labor Policy Staff at EWDoversight@mail.house.gov. We look forward to your response.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member



ILHAN OMAR
Member of Congress



LUCY McBATH
Member of Congress