

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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June 1, 2022

Mr. Andy Jassy
President and Chief Executive Officer
Amazon.com, Inc.
410 Terry Avenue North
Seattle, WA 98109

Dear Mr. Jassy:

We are writing to demand that Amazon comply with the Committee's March 31, 2022, request for documents and information related to Amazon's labor practices during severe weather events. The Committee launched this investigation following the deaths of six Amazon workers during a December 2021 tornado in Edwardsville, Illinois.¹ The Committee's investigation is focused on whether Amazon executives and managers engaged in coercive conduct that contributed to the high death toll in Edwardsville, and whether the company's labor practices have put other Amazon workers at risk during severe weather events. Unfortunately, Amazon has failed to meaningfully comply with the Committee's requests, obstructing the Committee's investigation.

The Committee's letter, sent more than two months ago, sought documents related to the Edwardsville tragedy, including communications among Amazon's employees and managers at the Edwardsville facility; Amazon's policies related to emergency preparedness; and the company's internal reviews or investigations related to the tragedy. The Committee also sought information on injuries and deaths suffered by Amazon employees and contractors during other severe weather events. These documents were due on April 14, 2022. To assist the company in complying with the request, Committee staff identified limited categories of key documents to prioritize.

Nearly seven weeks have passed since the April 2022 deadline, yet Amazon still has not produced *any* of the key categories of documents identified by Committee staff, let alone the full set of materials the Committee requested in March. For example, Amazon has failed to produce *any* internal communications related to the December 2021 tornado that affected Amazon's Edwardsville facility.

¹ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, et al. to Mr. Andy Jassy, Chief Executive Officer, Amazon.com, Inc. (Mar. 31, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022-03-31.CBM%20AOC%20Bush%20to%20Jassy-Amazon%20re%20Document%20Request.pdf>).

Amazon has also refused to produce any documents related to internal investigations and reviews of the Edwardsville incident, which are central to the Committee’s inquiry. On May 17, 2022, counsel to Amazon claimed that Amazon is withholding these documents based on work-product and attorney-client privileges. As Committee staff previously informed your counsel, the Committee, under chairs of both parties, does not recognize common-law privileges as valid reasons to withhold documents from Congress.²

Over the course of nearly seven weeks, Amazon produced only an incomplete set of policies and procedures. Amazon’s inability to produce even this limited set of materials in a timely manner is troubling, given that the company represented to Members of Congress more than four months ago that it was “conducting a thorough internal investigation” into the Edwardsville events, and “cooperating” with an inquiry by the Occupational Safety and Health Administration (OSHA).³ In light of this, relevant policy and procedure documents—as well as many other documents the company is withholding—should have been ready for immediate production.

The Committee’s investigation is of crucial importance to the American people. Employers like Amazon must prioritize worker safety over the corporate bottom line. Our investigation into Amazon’s response to the events in Edwardsville and other extreme weather events seeks to determine whether Amazon’s corporate practices put employee safety first, or whether your company, which now employs nearly one million people in the United States, is merely paying lip service to this principle. As we noted back in March, “This investigation will inform legislative efforts to curb unfair labor practices, strengthen protections for workers, and address the effects of climate change on worker safety.”⁴

Since sending our March 31, 2022, request, the Committee’s concerns about Amazon’s safety and labor practices have only increased. On April 26, OSHA revealed that an inspection of the Edwardsville facility “raised concerns about the potential risk to employees during severe weather emergencies,” and recommended that Amazon “voluntarily take the necessary steps to eliminate or materially reduce your employees’ exposure” to the risk factors OSHA identified.⁵

² See, e.g., Congressional Research Service, *Congressional Oversight Manual* (Mar. 21, 2021) (online at <https://crsreports.congress.gov/product/pdf/RL/RL30240>) (explaining that “it has generally been the congressional view that investigative committees are not bound by court-created common-law privileges”); H. Rep. No. 116-125 at Page 31 (2019) (concluding that “common law privileges ... are not valid reasons to withhold documents subject to a valid subpoena from Congress, which derives its investigative authority from the Constitution”); H. Rep. No. 105-792 at Page 11 (1998) (“The historic position of the House of Representatives is that committees of Congress are not bound to recognize any non-Constitutional privilege, such as the attorney-client privilege.”).

³ Letter from Brian Huseman; Vice President, Public Policy; Amazon.com, Inc.; to Senator Elizabeth Warren et al. (Jan. 3, 2022) (online at www.warren.senate.gov/imo/media/doc/Amazon%20Response%20Edwardsville%201.3.2022.pdf).

⁴ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, et al. to Mr. Andy Jassy, Chief Executive Officer, Amazon.com, Inc. (Mar. 31, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022-03-31.CBM%20AOC%20Bush%20to%20Jassy-Amazon%20re%20Document%20Request.pdf>).

⁵ Letter from Aaron Priddy, Area Director, Department of Labor, to Mical Davis, Amazon.com Services LLC (Apr. 26, 2022) (online at

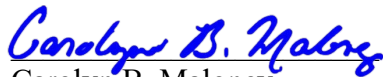
Mr. Andy Jassy

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Yet on May 25, 2022, Amazon shareholders—following the company’s recommendation—defeated a proposal for an independent audit of working conditions at the company’s warehouses.⁶ This vote came on the same day that shareholders approved a compensation package for you worth more than \$212 million.⁷

Amazon’s failure to provide key documents has obstructed the Committee’s investigation. As an additional accommodation, the Committee will grant an extension until June 8, 2022, for Amazon to complete its document production. If Amazon fails to do so, the Committee will have no choice but to consider alternative measures to obtain full compliance.

Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Alexandria Ocasio-Cortez
Member of Congress



Cori Bush
Member of Congress

cc: The Honorable James Comer, Ranking Member
Committee on Oversight and Reform

www.dol.gov/sites/dolgov/files/OPA/newsreleases/OSHA22599Amazon%20HAL%20-%205a1%20Letter%204.26.22.pdf

⁶ *Amazon Shareholders Nix Warehouse Working Conditions Audit*, U.S. News (May 25, 2022) (online at www.usnews.com/news/business/articles/2022-05-25/amazon-shareholders-nix-warehouse-working-conditions-audit).

⁷ *Amazon Shareholders Approve \$212M Payout to CEO Jassy, Reject Worker Safety, Climate Initiatives*, Seattle Times (May 25, 2022) (online at www.seattletimes.com/business/amazon-shareholders-approve-200m-payout-to-ceo-jassy-reject-worker-safety-climate-initiatives/).