

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6143

MAJORITY (202) 225–5074
MINORITY (202) 225–5051

<https://oversight.house.gov>

May 1, 2025

Mr. Damien Lehfelddt
C/O Eric R. Nitz, Esq.
Partner
MoloLamken LLP
600 New Hampshire Ave., NW
Washington, D.C. 20037

Dear Mr. Lehfelddt:

On April 14, 2025, the Subcommittee on Delivering on Government Efficiency invited Mr. Damien Lehfelddt, Chairman of the Board of the U.S. Fencing Association (USFA), to appear for a hearing on May 7, 2025, to examine the participation of transgender women in biologically women’s sports.¹ To advance the Subcommittee’s oversight and legislative responsibilities and interests, Mr. Lehfelddt’s testimony is critical. Despite the Subcommittee’s efforts to negotiate with and accommodate Mr. Lehfelddt, he refused to testify voluntarily. Accordingly, please see the attached subpoena.

USFA is the National Governing Body (NGB) of fencing in the United States, under the purview of the U.S. Olympic and Paralympic Committee (USOPC), as codified by the Ted Stevens Act.² As the NGB, USFA is responsible for policies, leadership, resources, and other necessary categories for fencing tournaments in the United States. Under the Ted Stevens Act, an NGB—such as USFA—is required to provide equal opportunities to athletes regardless of sex when engaged in developing interest and participation in the sport it governs throughout the United States. The Subcommittee is concerned that the policies of USFA may not uphold these obligations and that the underlying law is not accomplishing its intended purpose. Therefore, the Subcommittee is investigating whether additional legislation regarding requirements of NGBs of amateur sports, like USFA, is necessary to address these issues.

As Chairman of the Board of the USFA, Mr. Lehfelddt has important knowledge regarding the governance and policies—especially those involving transgender participation—of USFA.³

¹ Letter from Hon. Marjorie Taylor Greene, Chairwoman, Subcomm. on Delivering on Gov’t Efficiency, H. Comm. on Oversight & Government Reform, to Mr. Damien Lehfelddt, Chairman of the Board, U.S. Fencing Ass’n (Apr. 14, 2025), <https://oversight.house.gov/wp-content/uploads/2025/04/05.15.2025-Hearing-Lehfelddt-Witness-Invite.pdf>.

² 36 U.S.C. 220501 *et seq.*

³ See USA Fencing, Transgender and Non-Binary Policy (Nov. 7, 2022), <https://www.usafencing.org/transgender-and-nonbinary-policy>; see also USA Fencing, *Bylaws: United States Fencing Association Amended and Restated* (Effective On and As Amended by the Board of Directors on Sept. 15, 2024) [hereinafter USA Fencing Bylaws], https://assets.contentstack.io/v3/assets/blteb7d012fc7ebef7f/blt59041e51fe367869/675a179a8ccea8961e3733b3/US_A_Fencing_Bylaws_-_Adopted_9-15-24.pdf.

Further, the Board of Directors is responsible for “shaping a clear direction for the nonprofit through its mission, strategy, and key policies.”⁴ Additionally, the powers of the Board include, “set[ting] policy, provid[ing] guidance and strategic direction to management on significant issues,” “monitor[ing] USFA’s compliance with laws and regulations,” and “ensur[ing] that USFA adopts and maintains athlete safety rules ... that comply with the authorized requirements of the USOPC and U.S. Center for SafeSport.”⁵ As Chairman, Mr. Lehfeldt is therefore paramount to our hearing as a witness.

On April 16, 2025, in response to the invitation to Mr. Lehfeldt to testify, Mr. Phil Andrews, Chief Executive Officer of USFA, claimed that Mr. Lehfeldt was unavailable to testify—with no reason provided.⁶ The Subcommittee attempted to negotiate with Mr. Andrews, but on April 17, Mr. Andrews stated, “Mr. Lehfeldt made his position clear, he sadly is not able to attend.”⁷ No rationale was provided for his refusal to testify.

On April 17, 2025, the Subcommittee requested that Mr. Lehfeldt provide a rationale regarding his refusal to testify, and asked if he would be willing to appear on a different date.⁸ The Subcommittee also conveyed its intent to consider all available options, including the use of compulsory process, to secure his attendance at a hearing.⁹ Mr. Andrews requested an extension to seek counsel, and it was granted.

On April 27, 2025, the Subcommittee again requested an explanation for Mr. Lehfeldt’s refusal to testify.¹⁰ Counsel for USFA stated they would confer with their client and follow up with the Subcommittee.

On April 28, 2025, the Subcommittee requested another call with counsel for USFA.¹¹ On this call, counsel for USFA asked if the Subcommittee would consider alternate witnesses. The Subcommittee stated that it would consider them if USFA made one available on May 7. Counsel for USFA stated they needed to confer with their client. Again, no reason was provided for Mr. Lehfeldt’s refusal to testify.

⁴ USA Fencing, *Board Members: FAQ*, at 1 (Apr. 29, 2025), <https://www.usafencing.org/board-members>.

⁵ USA Fencing Bylaws at 11–12.

⁶ Letter from Phil Andrews, Chief Executive Officer USA Fencing, to Marjorie Taylor Greene, Chairwoman, Subcomm. on Delivering on Gov’t Efficiency, H. Comm. on Oversight & Government Reform (Apr. 16, 2025) (on file with Committee).

⁷ Email from Phil Andrews, Chief Executive Officer, USA Fencing, to Comm. Staff, H. Comm. on Oversight & Government Reform (Apr. 17, 2025) (on file with Committee).

⁸ Email from Comm. Staff, H. Comm. on Oversight & Government Reform, to Phil Andrews, Chief Executive Officer, USA Fencing (Apr. 17, 2025) (on file with Committee).

⁹ *Id.*

¹⁰ Email from Comm. Staff, H. Comm. on Oversight & Government Reform, to Eric Nitz, Counsel for USA Fencing (Apr. 27, 2025) (on file with Committee).

¹¹ Email from Eric Nitz, Counsel for USA Fencing, to Comm. Staff, H. Comm. on Oversight & Government Reform (Apr. 28, 2025) (on file with Committee).

On April 29, 2025, counsel for USFA stated that Mr. Andrews would be available to testify on May 9.¹² However, this date is not the one the Subcommittee requested and may have been a disingenuous offer as Congress is out of session that day.

Based on public Reddit postings, it appears that Mr. Lehfeltdt, himself, was prepared to attend the hearing. On April 17—the same day Mr. Andrews conveyed that Mr. Lehfeltdt was refusing to testify—on a Reddit page entitled, “DOGE Subcommittee is holding a hearing with USA Fencing (Lehfeltdt) and Stephanie Turner,” a user asked: “Damien, let us know how we can help you! This is BS and you’re doing hero work for taking it on.”¹³ A Reddit user named “1-Tempo” responded, “Spread love. I know it sounds cheesy to say that, but our LGBTQIA+ family is in a lot of pain right now. Remind them they’re seen and remind them they matter. *And if you’re in DC, come to the hearing.*”¹⁴ About four months earlier, the user 1-Tempo did an “Ask Me Anything” that started by stating, “*I’m Damien Lehfeltdt, Chair of USA Fencing.*”¹⁵ It appears this user is Mr. Lehfeltdt and that he was evidently planning to attend the hearing, which undermines his representatives’ statements that he was unavailable.

On April 30, 2025, Mr. Lehfeltdt officially declined to testify and insisted on a subpoena.¹⁶ While counsel for USFA did explain why they believed Mr. Andrews would be better suited to appear on behalf of the organization, their rationale for why Mr. Lehfeltdt would not be a helpful witness was unpersuasive.¹⁷ To date, neither Mr. Lehfeltdt nor anyone speaking on his behalf has provided any legitimate rationale for his refusal to testify.

* * *

Mr. Lehfeltdt is best positioned to discuss the current, past, and future policies of USFA—especially those policies related to transgender women competing in women’s sports. Information about the policies, strategic plan, and mission of USFA is necessary to advance the Subcommittee’s oversight and legislative purposes. While the Subcommittee has repeatedly attempted to negotiate with Mr. Lehfeltdt, he continues to refuse to testify voluntarily. Considering these facts, the attached subpoena is now necessary.

¹² Email from Eric Nitz, Counsel for USA Fencing, to Comm. Staff, H. Comm. on Oversight & Government Reform (Apr. 29, 2025) (on file with Committee).

¹³ InigoMontool, *DOGE Subcommittee is holding a hearing with USA Fencing (Lehfeltdt) and Stephanie Turner*, REDDIT (last visited Apr. 29, 2025) (comment left by Damien Lehfeltdt’s Reddit profile (@1-Tempo) on the post about the Subcommittee hearing by user InigoMontool) (screenshot on file with the Committee).

¹⁴ *Id.* (emphasis added).

¹⁵ 1-Tempo, *I’m Damien Lehfeltdt, Chair of USA Fencing. It’s the start of the new year so thought it would be a good time to check in with the community. AMA. Let’s have a good convo!*, REDDIT (last visited Apr. 29, 2025) (emphasis added) (screenshot on file with the Committee).

¹⁶ Letter from Justin Shur, Counsel for USA Fencing, to Marjorie Taylor Greene, Chairwoman, Subcomm. on Delivering on Gov’t Efficiency, H. Comm. on Oversight & Government Reform (Apr. 30, 2025) (on file with the Committee).

¹⁷ *Id.* (indicating that unlike Mr. Andrews, Mr. Lehfeltdt is not an employee of USFA, his role as Chairman is a volunteer position, he is not responsible for USFA’s day-to-day operations, and suggesting he can only offer his “personal views” regarding those operations).

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The Committee on Oversight and Government Reform 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.¹⁸ Pursuant to Committee Rule 6(a)(2), I have referred specific responsibility for this matter to the Subcommittee on Delivering on Government Efficiency.¹⁹ Further, House Rule XI clause 2(m)(1)(B) grants Committees of the House of Representatives the authority “to require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents as it considers necessary.”²⁰ If you have any questions regarding this subpoena, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074.

Thank you for your prompt attention to this important investigation.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is fluid and cursive, with the first name "James" and last name "Comer" clearly distinguishable.

James Comer
Chairman

cc: The Honorable Gerald Connolly, Ranking Member
Committee on Oversight and Government Reform

¹⁸ Rule X, cl. 4(c)(2), Rules of the U.S. House of Representatives, 119th Cong. (Jan. 16, 2025), <https://perma.cc/345P-HY4F>.

¹⁹ Rule 6, cl. (a)(2), Rules of the Committee on Oversight & Gov’t Reform, 119th Cong. (Jan. 14, 2025).

²⁰ *Id.* Rule XI, cl. 2(m)(1)(b).