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May 11, 2015

The Honorable Ash Carter
Secretary of Defense
1300 Defense Pentagon
Washington, DC 20301

General Frank J. Grass
Chief, National Guard Bureau
111 S. George Mason Drive
Arlington, VA 22204

Dear Secretary Carter and General Grass,

A recent investigation by my office has uncovered a number of marketing, advertising, and promotion contracts between branches of the Department of Defense and professional sports teams in the National Football League, Major League Baseball, National Basketball Association, National Hockey League, Major League Soccer, a NASCAR speedway, and National Collegiate Athletic Association athletic departments. It is troubling to learn that taxpayer funds are being used to compensate these teams for honoring and recognizing U.S. military service members.

One well-detailed instance of this practice involves a contract between the New Jersey Army National Guard (NJARNG) and the NFL's New York Jets.

According to public documents, between 2011 and 2014, the Department of Defense and the NJARNG paid a total of \$377,000 to the New York Jets through federal contracts for patriotic salutes, charity events, and other marketing activities. In Fiscal Year (FY) 2012, NJARNG paid the New York Jets \$97,500 and in FY 2013 the Jets received an additional \$115,000. In FY 2014, the Jets again received \$115,000 from the NJARNG. The stated purpose of these contracts was for "advertising and promotion." According to the FY 2012 and FY 2013 statements of work, these payments to the New York Jets were for activities that included:

- *"A videoboard feature – Hometown Hero. For each of their 8 home game [sic], the Jets will recognize 1-2 NJARNG Soldiers as Home Town Heroes. Their picture will be displayed on the videoboard, their name will be announced over the loud speaker, and they will be allowed to watch the game, along with 3 friends or family members, from the Coaches Club."*
- *"Allow 10 NJARNG Soldiers to attend their Annual Kickoff Lunch in New York City. At the luncheon, the Soldiers will have the opportunity to meet and take pictures with various members of the Jets organization for promotional use for recruiting and retention purposes for the NJ Army National Guard."*
- *"Allow NJARNG to participate in the Jets Hometown Huddle charity event in which Jets players and coaches will work side by side with the Soldiers to build or refurbish a community asset. i.e., build a new playground, rehab an existing park, etc for promotional use for recruiting and retention purposes for the NJ Army National Guard."*

To date, the NJARNG has not provided a statement of work for FY 2014 contract with the New York Jets.

While it may be appropriate for the National Guard or other service branches to spend taxpayer funds on activities directly related to recruiting, giving taxpayer funds to professional sports teams for activities that are portrayed to the public as paying homage to U.S. military personnel would seem inappropriate. Such promotions conjure up feelings of patriotism and pride for most sports fans, and the revelation that these are in fact paid arrangements is disappointing.

I ask the Department of Defense for the following information:

- The total amount the Department of Defense spent on paid interactions with service members at professional and collegiate sporting events and how much has the Department of Defense paid professional sporting teams for such activities since FY 2009, including a breakdown of how much each service branch has paid.
- The statements of work for all contracts with professional sporting teams or their associations for each financial year since FY 2009. If the statement of work offers vague descriptions of how federal dollars were actually spent, please provide a detailed description of each activity on which money was expended. Please provide contract numbers and bids related to such interactions with professional sports teams. Documentation - including but not limited to statements of work, contracts, and marketing plans – detailing the overall cost and the specific activities and services purchased under each individual marketing contract between the Department of Defense and professional or collegiate sports team or organization since FY 2009.
- Complete details on the number of paid salutes for honoring members of the Armed Services, the amount spent on such salutes, and the teams.
- Any available data and conclusions from formal programmatic reviews or evaluations by federal officials that indicates the effectiveness in recruitment efforts of service member recognition events with sporting organizations for which the sporting organizations are paid by service branches.

Thank you for attention and prompt response to my request, in strict compliance with all ethical rules, regulations, and guidelines.

Sincerely,



JEFF FLAKE
U.S. Senator