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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

December 13, 2011

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The Honorable Gene Dodaro  
Comptroller General of the United States  
United States Government Accountability Office  
441 G Street, NW  
Washington, DC 20548

Dear Mr. Dodaro:

I am writing to request that the Government Accountability Office review the procedures used by the State Department to respond to congressional requests for information.

As the chairman of a subcommittee that has government-wide oversight responsibilities for contracting, it is essential that I have access to information from federal agencies. However, I have concerns that the State Department subjects congressional requests to potentially unnecessary bureaucratic review that leads to delay or the complete disregard of the requests.

As part of the Subcommittee's ongoing oversight, I have periodically requested information from the State Department that I believe should be kept in the ordinary course of business which should not be inordinately burdensome for the Department to provide. However, the State Department has repeatedly failed to respond to these requests in a timely manner. When asked about the reason for these delays, Department officials have told my staff that they are simply a result of the procedures the Department has in place to respond to congressional inquiries.

As a particularly egregious example of delay, the Department has now failed to respond to a routine request for a single contract file for nearly six months. On June 24, 2011, I sent a letter to the Under Secretary for Management, Patrick F. Kennedy, requesting the contract file for a contract held by Pacific Architects and Engineers (PAE), Inc, under the Justice Sector Support Program (JSSP). The original deadline for this request was July 15, 2011. At the request of the State Department, the deadline for production was extended to August 31, 2011. In order to ensure that production was going according to schedule Subcommittee staff requested briefings on July 27, 2011, and August 2, 2011. These requests were ignored and the contract file was not provided according to the August 31 deadline. On September 16, 2011, I sent another letter to Under Secretary Kennedy requesting a briefing on the delay in production by September 30, 2011. On September 27, 2011, State Department legislative affairs staff responded that the Department was in the process of responding to my second letter. On September 28, 2011, the Department stated that it would complete half of the production in two weeks. As of the date of this letter, the Subcommittee has not received the documents requested, nor have I received any response from the State Department as to the cause of this delay.

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I therefore request that GAO assess the procedures that the State Department has in place for reviewing congressional inquiries, including whether the Department subjects these inquiries to Freedom of Information Act (FOIA) procedures, and how the Department prioritizes requests from members of Congress. I also request that GAO review the State Department's general rates of responsiveness. Finally, I request that GAO provide recommendations regarding how the Department can improve the timeliness of its responses to congressional requests.

Please have your staff contact Sarah Garcia with the Subcommittee staff at (202) 224-1014 with any questions. Please send any official correspondence related to this request to [Kelsey\\_Stroud@hsgac.senate.gov](mailto:Kelsey_Stroud@hsgac.senate.gov).

Sincerely,



Claire McCaskill  
Chairman  
Subcommittee on Contracting Oversight

cc: Rob Portman  
Ranking Member  
Subcommittee on Contracting Oversight

John F. Kerry  
Chairman  
Senate Foreign Relations Committee