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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

June 25, 2013

RICHARD J. KESSLER, STAFF DIRECTOR
KEITH B. ASHDOWN, MINORITY STAFF DIRECTOR

Patrick Kennedy
Under Secretary for Management
United States Department of State
2201 C Street NW
Washington, DC 20520

Dear Mr. Kennedy:

We are writing to request that you testify before the Subcommittee on Financial and Contracting Oversight at a hearing entitled, "Implementation of Wartime Contracting Reforms." The hearing will be held on Tuesday, July 16, 2013, at 10:30 A.M. in Room SD-342 of the Dirksen Senate Office Building.

The hearing will focus on the implementation of the wartime contracting reforms passed into law in the Fiscal Year 2013 National Defense Authorization Act (NDAA). To assist the Subcommittee in preparing for this hearing, we request that you provide information about all steps that the Department of State will have taken to comply with the following NDAA requirements as of the hearing date:

- (1) Sec. 802, Review and Justification of Pass-Through Contracts;
- (2) Sec. 844, Data Collection on Contract Support for Future Contingency Operations;
- (3) Sec. 846, Requirements for Risk Assessments Related to Contractor Performance;
- (4) Sec. 847, Extension of Reports on Contracting in Iraq and Afghanistan;
- (5) Sec. 848, Responsibilities of Inspectors General for Overseas Contingency Operations;
- (6) Sec. 849, CAO Responsibilities for Contract Oversight in Contingency Operations;
- (7) Sec. 850, Reports on Responsibility within Department of State and the USAID;
- (8) Sec. 852, Information on Corporate Contractor Performance through FAPIIS;
- (9) Sec. 853, Inclusion of Data on Contractor Performance in Past Performance Databases;
- (10) Sec. 861, Requirements and limitations for Suspension and Debarment of Officials of the Defense Department, State Department, and USAID;

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- (11) Sec. 862, Uniform Contract Writing System Requirements; and
- (12) Sec. 1273, Sustainability Requirements for Capital Projects in Contingency operations.

We request that you provide this information to the Subcommittee as soon as possible, but in no case later than **Friday, July 5, 2013**. If you determine that you will be unable to make a complete production by this date, please contact Subcommittee staff to discuss possible modifications to this schedule.

We also ask that you provide a briefing for Subcommittee staff on or before **Tuesday, July 9, 2013**. In addition to information regarding the Department's implementation of the reforms outlined above, we request that you provide detailed information regarding contracts for security at the U.S. Embassy in Kabul at the briefing. This information should include the current task order and any modifications to the contract, the current contract(s) that govern equipment used under the contract for security services, information and documents sufficient to show any internal and external complaints regarding the performance of these contracts, and cure notices (if any).

We request that you summarize your testimony in 5 minutes, although a longer written statement may be submitted for the official record. This will allow adequate time for you to engage in questions and answers with members of the Subcommittee. **Subcommittee rules require that your testimony be submitted by no later than 10:30 A.M. on Friday, July 12, 2013.** Please send official correspondence relating to this invitation, including an electronic copy of your written statement and a brief one page biography, to Subcommittee Clerk Kelsey Stroud at Kelsey_Stroud@hsgac.senate.gov.

The jurisdiction of the Subcommittee on Financial and Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 64 (113th Congress). An attachment to this letter provides additional information about how to respond to the Subcommittee's request.

We appreciate your assistance with this request. Please contact Cathy Yu at (202) 224-9383 or Jackson Eaton at (202) 224-6579 with Senator McCaskill's Subcommittee staff or Teague Lyons with Senator Johnson's Subcommittee staff at (202) 224-9453 with any questions. Please send any official correspondence relating to this request to Kelsey_Stroud@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Chairman
Subcommittee on Financial
and Contracting Oversight



Ron Johnson
Ranking Member
Subcommittee on Financial
and Contracting Oversight

Enclosures