

ONE HUNDRED ELEVENTH CONGRESS
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) 225-5051
Minority (202) 225-5074

May 28, 2010

The Honorable Robert M. Gates
Secretary of Defense
U.S. Department of Defense
100 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Gates:

On March 3, 2010, the Committee on Oversight and Government Reform requested documentation related to the decision to award a \$2.8 billion task order to KBR, Inc., a military contractor with a documented history of poor performance, ranging from shoddy wiring to improper billing.

In a letter dated, March 16, 2010, the Department of Defense (DoD) stated that these documents would be provided to the Committee by mid-May. Then, on May 14, 2010, DoD sent another letter to the Committee, with an extremely limited document production, that was partially responsive to only one part of the Committee's request. Additionally, the letter stated that the document production was delayed and would not be completed until late June 2010.

Unfortunately, this is not the first time DoD has failed to respond to a records request in a timely manner.

Prior records requests from this Committee relating to military contractors have either been provided incomplete, late, or not at all. For example, in a letter dated February 2, 2010, we requested documentation concerning alleged conflicts of interest in a contract awarded to Science Applications International Corporation (SAIC). We are still waiting to receive all of the documents requested.

Similarly, in a letter dated December 1, 2009, we requested documentation related to an ongoing investigation of the Combined Security Transition Command-Afghanistan (CSTC-A). Only after three separate written requests over a three-month period did we receive any information.

For an issue of this magnitude, it is imperative that the Committee expeditiously receive the requested documentation to facilitate our investigation. Quite simply, the American people deserve a timely, thorough examination of contracting decisions that not only expend billions of dollars, but also impact the health and safety of our troops abroad.

For this reason, unreasonable delays or apparent disregard of our requests are unacceptable. We would prefer that the Defense Department provide the information on a voluntary basis, within a reasonable period of time. However, we will not hesitate to use all of the means at our disposal to compel a meaningful response, if necessary.

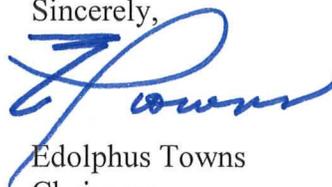
I am hereby renewing my earlier request for information and records. In addition, please provide the following additional information:

1. A list of all records that have been gathered in response to the March 3, 2010 KBR records request and the February 2, 2010 SAIC records request, but which have not yet been delivered to the Committee.
2. If the records referred to in Item 1 are undergoing review at DoD, please identify each individual and office in charge of such review, along with the dates that review began and the deadline for completion.
3. Please provide complete copies of all DoD internal directives, orders, or similar instructions (sometimes referred to as "taskers") issued to DoD offices, personnel, and contractors requesting a search for, and production of, information and records in response to the March 3, 2010 KBR records request and the February 2, 2010 SAIC records request.
4. What is DoD's plan of action for providing the requested records to the Committee, including a specific timeline for delivery?
5. Please provide a detailed explanation of why DoD has not provided the requested records in a timely manner.

Please deliver your response to this request, along with the remainder of the records requested earlier, to the Committee on Oversight and Government Reform, room 2157 Rayburn House Office Building no later than 4:00 p.m. on June 4, 2010. To facilitate delivery and review, we prefer that the records be delivered in electronic format.

Should you have any questions about this request, please contact Neema Guliani, Craig Fischer, or Steve Rangel of the Committee staff at (202) 225-5051.

Sincerely,

A handwritten signature in blue ink, appearing to read "Edolphus Towns".

Edolphus Towns
Chairman