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November 14, 2013

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STAFF DIRECTOR

The Honorable Katherine Archuleta
Director
U.S. Office of Personnel Management
1900 E Street, NW
Washington, DC 20415

Dear Ms. Archuleta:

On October 9, I wrote Acting Director Elaine Kaplan, requesting information and documents relating to the federal security clearance process.¹ OPM failed to produce any of the documents requested in the letter by the October 23 deadline. This failure to comply compelled me to write OPM last week, reiterating my request for these documents.² On November 12, your Acting General Counsel informed me that you would not be producing the documents to the Committee. Instead, due to the “confidential, sensitive, and privileged” nature of the documents, OPM would make the documents available for *in camera* review only.³

The Committee is entitled to receive the requested documents in order to fulfill its constitutionally-mandated oversight duties. In an attempt at accommodation, however, Committee staff went to OPM yesterday morning and collectively spent over a dozen man-hours at your offices conducting an initial document review. Despite your Acting General Counsel’s statement that the documents were “confidential, sensitive, and privileged,” staff did not find a single document labeled as confidential, sensitive, or privileged of the thousands of pages identified by OPM. Nor did the documents appear to contain confidential, sensitive, or privileged information.

The responsive documents shown to my staff yesterday morning at the *in camera* review were organized into folders on a laptop computer. Putting these documents onto a thumb drive and physically producing them to the Committee would take a matter of minutes. Therefore, please produce electronically all responsive documents as soon as possible, but by no later than

¹ Letter from Hon. Darrell Issa, Chairman, H. Comm. on Oversight & Gov’t Reform, to Ms. Elaine Kaplan, Acting Dir., U.S. Office of Personnel Management (OPM) (Oct. 9, 2013).

² Letter from Chairman Darrell Issa to Hon. Katherine Archuleta, Director, OPM (Nov. 5, 2013).

³ Letter from Ms. Sharon McGowan, General Counsel, OPM, to Chairman Darrell Issa (Nov. 12, 2013).

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tomorrow at 5:00 p.m. If the Committee does not receive the documents by then, I will have no alternative but to use compulsory process to obtain them.

Sincerely,



Darrell Issa
Chairman

cc: The Honorable Elijah E. Cummings, Ranking Minority Member