

STATEMENT BY  
Julia Frifield  
Department of State  
Assistant Secretary for Legislative Affairs

BEFORE THE HOUSE OVERSIGHT AND GOVERNMENT REFORM  
COMMITTEE  
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Mr. Chairman, Ranking Member Cummings, and members of the Committee, I appreciate this opportunity to testify on the State Department's response to Congressional requests for documents.

The State Department is committed to working with Congress on Congressional investigations. Secretary Kerry spent nearly thirty years in Congress. He believes strongly in the importance of Congressional oversight and led investigations when he was in the Senate. Since he arrived at the State Department, his clear instruction has been for the entire Department to be responsive to Congressional investigations and requests. I share his commitment. Before joining the Department, I spent my entire career as a Capitol Hill staffer, I have great respect for the Congressional role in conducting oversight.

Today's hearing focuses on requests for documents, which I will address at length. However, it is important to underscore that our commitment to working with Congress is not limited to requests for documents. In 2015, the State Department's Legislative Affairs office provided over 2,500 briefings for the Hill on foreign policy issues. We worked with Consular Affairs to respond to over 5,000 constituent cases for members of Congress – everything from lost passports to missing constituents overseas to helping with visas for constituents' family members. We arranged 536 Congressional Member and staff delegation trips abroad. Department officials appeared at 168 hearings, and we responded to over 1,700 Congressional letters. With crises occurring around the world and Congress

intently focused on foreign policy, we are working hard to meet all of our responsibilities – and we recognize that cooperating with Congressional investigations is one of them.

Yet frankly, we at the State Department have struggled to keep pace with the increasing demands of Congressional document requests, which have expanded in number, scope, and complexity. We are now responding to dozens of investigations by nine different committees, involving hundreds of specific requests for hundreds of thousands of pages of documents. This is approximately twice as many as we had in 2014. While some of these investigations are relatively focused, others are broad and complex, involving many different bureaus within the Department, as well as other agencies.

But let me be clear: we know it is our responsibility to answer these requests, and we are working to improve both the way we respond – to make it more useful for Congress – and the pace of our response.

Historically, when responding to Congressional requests we have followed a process similar to responding to FOIA requests, relying primarily on the same Department infrastructure and technology. As both FOIA and Congressional requests increased, we found that both types of requests were competing for the same resources. To compensate, at times we have pulled together ad hoc teams from functional and regional bureaus to respond to Congressional requests, i.e., pulling people from the work of diplomacy to respond to Congress. Clearly, this system was not sustainable. We realized we needed to institutionalize the way we process documents to speed up the pace of delivery. We knew we had to upgrade our technology.

This past year, we have transformed the way we respond to Congressional requests. I worked with my colleagues at State to create a Congressional

Document Production branch, which involved adding additional personnel and acquiring new software to facilitate document reviews and productions. We are grateful that Congress enabled us to shift funding to establish this new entity. We now have 21 people dedicated to processing documents with support from new legal and information technology personnel. As a result, we have been able to process more quickly requests from this Committee, from the Select Committee on Benghazi, and from multiple other committees. While not every committee may be completely satisfied, I can state with confidence that our new unit is enabling us to respond to more committees simultaneously than ever before. Because the Congressional Document Production branch is only a few months old, its impact may not be fully apparent yet. Going forward, this Committee should see the results of these enhanced resources as we work on your requests.

Additionally, we have made tangible improvements to the way we produce documents to Congress. We heard from Congressional staff, including yours, who had concerns that we were providing documents in a way that was not as “user-friendly” as they would like. We used to provide documents to Congress on paper, without coding that enabled you to find and organize information. We would literally hand over boxes of documents. After meeting with your staff, and the staff of other committees who told us how hard it was to use documents in this format, we completely changed the way we give you documents. We now provide these documents electronically with easily searchable Bates numbers. We also can now provide documents organized by date or custodian, and the ability to review email documents is vastly expanded. The Department’s move to electronic document processing has dramatically improved our ability to review and provide documents quickly and in volume, and it makes it easier for you to review them.

With respect to this Committee, I would like to summarize where we are and where we hope to be in the near future. Currently, we are working on 9 investigations with your Committee. To date, we have provided over 160,000 pages to the Committee for its investigation of embassy construction, and participated in four hearings in 2015 and many meetings and briefings. We have

been collecting documents for the five requests that you have outlined in the December 18 letter and we are committed to producing thousands of pages of documents to your committee along with providing requested briefings on the matters described in that letter.

Specifically,

- On August 13, 2015, we provided a briefing on the New Embassy Compound in Jakarta. We have produced three tranches of documents, starting in August. To date, we have provided nearly 6,000 pages on the Jakarta New Embassy Compound, and we continue to review documents for future productions to the Committee.
- We have begun our document production on Zimbabwe, Mozambique, and the Kingdom of Saudi Arabia and we continue to review documents for future productions to the Committee.
- We have provided a briefing to your staff on the Art in Embassies Program on January 4 and began to produce documents to the committee.
- The Congressional Notifications, 2,137 pages, on overseas construction were sent to the Committee on December 30.
- We testified to the changes in Danger Pay in September and provided an in-depth briefing to your staff on September 30.

In closing, while we have implemented significant improvements to respond to Congressional investigations, we are striving to do better. The obstacle to responding is not one of commitment. Fundamentally, it is a question of balancing resources in response to multiple large scale Congressional requests from a number of different committees. We are trying to find innovative ways to respond better and faster. I look forward to working with you and your staff to ensure that the State Department and the Congress work together to provide the transparency that should be a hallmark of our government.