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United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

April 09, 2018

The Honorable John Sullivan
Acting Secretary of State
U.S. Department of State
2201 C St, NW
Washington, DC 20520

Heather Nauert
Acting Undersecretary for Public Affairs
U.S. Department of State
2201 C St, NW
Washington, DC 20520

Dear Acting Secretary Sullivan and Acting Undersecretary Nauert:

I am seeking information regarding SCL Group and its subsidiaries (collectively, SCL), and their work with the State Department. As you may be aware, recent reports indicate that Cambridge Analytica and its parent company, SCL, illegitimately obtained and used the data of up to 87 million Facebook users without their permission, prompting inquiries into the company's operations. Outside the United States, SCL allegedly paid a contractor to offer a politician a \$1.4 million bribe during a 2010 election in St. Kitts and Nevis, and its elections work in several other foreign countries raises serious ethical and legal questions. Cambridge Analytica and SCL are reportedly now under investigation by multiple entities, including government regulators and law enforcement in the United Kingdom and the United States.

In the United States, the State Department greenlighted a contract in late November of last year (later signed in February 2017) to SCL for nearly a half million dollars to perform "target audience research." The award was a sole source contract, not open for competition to any other companies. At the time the contract was approved, Michael Flynn, who was on President Trump's transition team, was serving as an advisor for SCL, reportedly to help it expand its government contracting work.

While SCL's contract with the State Department expired in February, recent revelations about the company's business practices warrant a thorough examination of how this contract was awarded, what work was performed, why it was awarded to SCL, and SCL's status as a future potential contractor for the State Department.

So that we can assess the circumstances that led to this contract award, please provide a detailed explanation of how and why SCL was chosen for this work and the nature of the work conducted. In addition, I request that you provide the following documents by April 16, 2018:

- A description of all previous work SCL has done for the State Department;
- All contract files (as defined in FAR 4.8) for the contract (Award ID SAQMMA17C0115) between SCL Group Limited (DUNS No. 347100443) and the Department of State, as well as any other relevant documents related to the contract;
- The written justification and approvals (as described in FAR 6.303 and 6.304) for the national security circumstances (as described in FAR 6.302-6) permitting other than full and open competition for the award of this contract;
- All communications between any Department of State personnel – including but not limited to the Office of Acquisitions Management, the Bureau of International Information, and the Global Engagement Center – and any personnel working on behalf of or supporting SCL in any capacity (including Nigel Oakes, Michael Flynn, Kirsten Fontenrose, Josh Weerasinghe, and all others) regarding the solicitation, bidding, awarding, or implementation of the contract;
- All communications regarding SCL between any Department of State personnel and Trump transition officials or any current or former White House personnel.

Thank you for your prompt attention to this matter. Please do not hesitate to contact my office if you have any questions or require clarification regarding this request.

Sincerely,



Robert Menendez
Ranking Member