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United States Senate

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

MICHAEL L. ALEXANDER, STAFF DIRECTOR
BRANDON L. MILHORN, MINORITY STAFF DIRECTOR AND CHIEF COUNSEL

July 21, 2010

Mr. John C. Metzler


Dear Mr. Metzler:

We are writing to advise you that the Subcommittee is considering issuing a subpoena to compel your attendance at the Subcommittee's July 29, 2010 hearing entitled, "Mismanagement of Contracts at Arlington National Cemetery."

On June 25, 2010, we wrote to Army Secretary John McHugh requesting that he make you available for an interview with Subcommittee staff on or before July 9, 2010. Subcommittee staff spoke with Army officials and were assured that the Army would respond to our request.

On July 2, 2010, your final day as an employee of the Army, you spoke briefly by telephone with Subcommittee staff regarding budgetary and related matters surrounding your tenure at Arlington National Cemetery. At that time, you provided a forwarding address, but no telephone or e-mail information for future communications from the Subcommittee, as requested by Subcommittee staff.

On July 14, 2010, Ranking Member Scott Brown and I sent you a letter announcing that the Subcommittee would be holding a hearing on Mismanagement of Contracts at Arlington National Cemetery on July 29, 2010. In that letter, we requested that you testify about your responsibility for the award, management, and oversight of contracts at Arlington National Cemetery, including the Army Inspector General's findings in its June 2010 report on Arlington National Cemetery and related matters. Subcommittee staff also left a voicemail message at the number listed for your residence to advise you of the Subcommittee's invitation.

On July 19, 2010, Subcommittee staff again called the number listed for your residence to ensure that you had received the invitation. At that time, you advised Subcommittee staff that you were declining the Subcommittee's invitation to testify.

Your refusal to assist the Subcommittee is adversely affecting the Subcommittee's ability to conduct oversight. As a result, we are forced to consider issuing a subpoena for your attendance at the Subcommittee's hearing. We would like to avoid the need to use this compulsory process. However, if you do not voluntarily agree to assist the Subcommittee with its investigation by **3:00 P.M. on July 22, 2010**, we will issue a subpoena for your attendance at the Subcommittee's July 29, 2010 hearing.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 50 (109th Congress).

Please contact me or ask your staff to contact Margaret Daum at (202) 224-8316 with any questions regarding this request.

Mr. John C. Metzler
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Sincerely,



Claire McCaskill
Chairman
Subcommittee on Contracting Oversight



Scott Brown
Ranking Member
Subcommittee on Contracting Oversight