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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

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May 12, 2014

Molly Corbett Broad
President
American Council on Education
One Dupont Circle NW
Washington, DC 20036

Dear Ms. Broad:

As you are aware, I recently sent letters to 450 institutions of higher education requesting that they participate in a survey to assess how colleges and universities are responding to and addressing sexual violence and sexual harassment. This survey, the first Congressional inquiry of its kind, was sent as part of my ongoing effort to combat sexual violence on college campuses, including information requests to the Departments of Justice and Education and a series of public roundtables designed to ensure that I and other members of the Senate have sufficient information to craft an informed and effective legislative response.

I learned this week that the American Council on Education retained a private law firm to hold a webinar for its members titled "Briefing on Congressional Investigations and the McCaskill Survey." I have now received reports from several representatives of educational institutions that the webinar cautioned institutions regarding whether and how they would respond to the survey. I have also heard reports that this webinar has had a chilling effect on institutions' participation in the survey.

As the recipients of the letters know, I have made a commitment to them that neither a school's response nor its participation in the survey will be shared outside of my office. I made this commitment to encourage the selected institutions to participate in the survey and to ensure that I would receive honest answers. Given these efforts, I am extremely troubled by the fact that the American Council on Education provided counsel to its member institutions which may have had the opposite effect.

In order for me to assess the damage to the survey that may have been done by the actions of the American Council on Education, I request that your office provide copies of the webinar and any written materials that were presented during the webinar, including but not limited to any PowerPoint presentations and electronic handouts. In addition, to ensure that the Subcommittee can provide accurate information to any institution which may have received inaccurate information regarding the survey from the webinar, I request that you provide a list of the institutions that participated in the webinar. I request that you provide the requested documents and information as soon as possible, but by **no later than May 16, 2014**.

Molly Corbett Broad
May 12, 2014
Page 2

The jurisdiction of the Subcommittee on Financial and Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 64 (113th Congress).

Please contact Cathy Yu with the Subcommittee at (202) 224-9383 with any questions. Please send any official correspondence relating to this request to Kelsey_Stroud@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Chairman
Subcommittee on Financial and Contracting
Oversight

cc: Ron Johnson
Ranking Member
Subcommittee on Financial and Contracting Oversight