



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary

VIA EMAIL

May 25, 2023

State Senator Eric Wimberger
Co-chair, Joint Legislative Audit Committee
104 South, State Capitol
P.O. Box 7882
Madison, WI 53707-7882

State Representative Robert Wittke
Co-chair, Joint Legislative Audit Committee
18 West, State Capitol
P.O. Box 8953
Madison, Wisconsin 53708-8953

RE: Response to Sen. LeMahieu's Open Records Request

Dear Co-Chairpersons Wimberger and Wittke:

As I committed to you in my March 22, 2023 letter, I am providing you with the Department of Administration's (DOA) response to Senator Devin LeMahieu's open records request seeking documents relating to the decision-making on the state's allocation of State and Local Fiscal Recovery Funds.

Senator LeMahieu's public records request was broader and more comprehensive in scope than the Legislative Audit Bureau's requests for records and information while preparing Report 22-23 on Supplemental Federal Funds, insofar as his request sought specific records for the nine programs reviewed in LAB's Report 22-23, including emails. DOA did not interpret the previous LAB/JLAC requests for information or Report 22-23's recommendation to document specific elements of how decisions were made as requesting or requiring comprehensive email searches (an endeavor that takes significant time and resources to complete), as is required by the public records law, see Wis. Stat. § 19.32(2).

Rather, DOA responded to LAB's earlier requests for information and documentation by (1) providing documentation that resulted from the decision-making process, which evidenced the policy underpinnings for those decisions, including press releases and other programmatic documentation and (2) documenting how decisions had been made to use discretionary funds for the programs, including the following specifically requested information: the proposed use of the funds, including whether the funds will support a new or an existing program; an explanation of why the funds are needed for the program; the amount that will be used for the program; relevant information and data that were used to arrive at the funding decision and amount; the anticipated benefits of using the funds to support the program; the state agency that manages the program; and the anticipated date the funding decision will be reassessed and the factors that will be used to reassess it, such as the extent to which the funds are spent.

Accordingly, DOA believes it provided information and records previously sought from LAB and complied with its recommendation in Report 22-23. Due to the clarification of interest you provided in your March 9, 2023 letter, which mirrors the broader and more comprehensive scope of Senator LeMahieu's public records request, I am providing you with additional records, some of which may have been identified as responsive to LAB's earlier requests for information and records, had DOA instituted a comprehensive email search.

I hope you find this information helpful. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Kathy Blumenfeld". The signature is written in a cursive, flowing style.

Kathy Blumenfeld
Secretary-designee

Attachments

CC: Legislative Audit Bureau
Senator Devin LeMahieu