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Hon. Bill Nelson
U.S. Senate Committee on Foreign Relations
Washington, D.C. 20510-6225

Re: Kineston five minute statement for hearing dated 9 APRIL 08, prepared with assistance of counsel.

TO BE READ BY MARY BETH KINESTON:

I open by thanking Senator Bill Nelson of Florida and his staff for inviting me to come to testify before this Honorable body to offer any assistance I can in helping the Foreign Relations Committee further its important legislative goals.

I hold a commercial truck driver's license and my husband John and I joined KBR on January 19, 2004 in order to go to Iraq and work for KBR at Camp Anaconda in what appeared to be an exciting and well paying truck driving job. I would earn compensation at the rate of about \$84,000.00 per year tax free when employed at KBR. When I was hired I expected that KBR would protect my physical safety while working as far as it was able and I did not expect any special treatment merely because I was a female. I am a hard worker and a loyal employee and can deal with my share of hardships as evidenced by the fact I voluntarily agreed to work for KBR at a forward

combat base in a war zone in Iraq as a condition of my employment. It is undisputed I was qualified for KBR employment as a truck driver at all times relevant. However, that being said, I was not expecting to trade my self respect or right to be free from sexual assault as a condition of continued KBR employment and I did not view myself as selling my human dignity as a female employee when I accepted KBR paychecks. I also expected that when I made a complaint about such activity, it would be thoroughly investigated in good faith, that is, with an intent to resolve the problem immediately, and that I would be protected from the perpetrator in the mean time. I also expected that if the laws were broken by KBR relative to gender discrimination or if I were a victim of a crime I would have an adequate legal remedy for the offense. I expected that given KBR had a sexual harassment policy and given KBR was obligated to abide by federal civil rights laws regarding gender discrimination it would protect me in the event I was a target of any sexual misconduct by co-workers.

I can assure this Committee that none of my expectations about KBR were fulfilled.

What I endured at KBR was sexual harassment by my co-workers including their openly asking me if I shaved my pubic hair or was having sex with my husband, to managers urinating in front of me when I needed restroom breaks on the job, or denying my fellow female drivers and I food and water in 120 degree heat while the men had these things and the females waited thirsty and hungry in convoy lines that were not moving for hours on end. Moreover, I was a victim of two sexual assaults, one by a third country national who raped me in the cab of my water tanker truck while I was waiting in

a refilling line, and another by a co-worker who decided it was funny if he put his hands down my pants, after he knew about my first sexual assault, when I was riding with him and another male employee at the base. This comes after hand drawn pornography was placed into the cab of my truck showing a woman with her legs spread and I made numerous complaints about that and the way I was being treated to higher KBR management at Anaconda and in Houston, Texas via the internet. My complaining about the way I was treated to to KBR male managers over ten times ultimately lead to my termination of employment by my supervisors for retaliatory and false reasons, after a secret meeting was had between a KBR human resources officer and over 20 KBR men in attendance, including a man who sexually assaulted me, and who incredibly complained that I was discriminating against the men because I and another female were given a pick up truck to transport ourselves around the base for our own safety, after the second sexual assault took place.

With respect to my attempts at criminal prosecution of my tormentors at KBR; after I was raped in the cab of my water tanker truck, I reported the matter to a U.S. Army Jag Corps officer at Anaconda and the Military Police. I asked for help and was politely told that the JAG does not support civilians on the base. Having nowhere else to turn, I sought help with KBR management, and as noted, I was either ignored or disciplined in retaliation and nothing was done to bring the perpetrators of any sexual assault to American justice. Indeed, the investigators at KBR agree in a written report I was sexually assaulted in my water tanker truck, but then did not release their investigation results to me until after I was terminated and brought a civil action against the company which I was forced to arbitrate rather than try to a jury in open Court. Although I

eventually won the arbitration claim with the assistance of my counsel; I was hardly made whole for my suffering and pain.

In my opinion based upon my experience, this result is no doubt the consequence of a policy that delegates protection of the safety of civilian KBR workers by Army soldiers to KBR criminal investigators. Yet any person looking at my case can see that delegating the job of making a criminal investigation to the supervisors of criminal suspects yields predictable results as one who sits in judgment of themselves rarely finds fault. Moreover, I am not aware of any KBR-U.S. Army contract provision that requires KBR to turn over the results of its employee investigations to the Army or the Department of Justice. I am also not aware of KBR employees who commit criminal acts being subject to public confrontation and prosecution and the record of their conduct being made open for review by any non-government civilian institution.

The net result is that when a civilian woman has been sexually assaulted at a U.S. Military base in Iraq, she has nowhere to turn for a meaningful remedy and her safety is therefore not assured. The perpetrators in my case have not spent a day of time in jail although they committed crimes on what amounts to in effect U.S. soil and committed acts that in this Country would never be tolerated. I did not sign on for this kind of treatment when I joined KBR. I did not waive my civil rights or surrender my dignity because I wanted a job. I trust this Committee has been convened to do something about the injustice people like me have experienced and I look forward to answering your questions.

This concludes my opening remarks. Thank you.