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United States Senate

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

May 19, 2009

Patrick F. Kennedy
Under Secretary for Management
United States Department of State
2201 C Street NW
Washington, DC 20520

Dear Mr. Kennedy:

The Subcommittee on Contracting Oversight has scheduled a hearing on June 4, 2009, on allegations of waste, fraud, and abuse in the award and management of contracts to provide security services at the U.S. Embassy in Kabul, Afghanistan. The hearing will examine the performance, billing, and labor practices of government contractors as well as the record of oversight by the United States Government.

To assist the Subcommittee in preparing for this hearing, please provide the following documents and information relating to Contract No. S-AQMPD-07-C0054:

1. The final contract and all amendments, modifications, or renewals;
2. All cure notices and responses to such cure notices;
3. All evaluations or audits of the contractor's performance conducted by government officials, the contractor, or third parties;
4. Communications relating to any contractor action or inaction that may have jeopardized the security of or increased the security risk to the U.S. Embassy in Kabul;
5. All waivers and/or denial of waivers for security clearance requirements of key contractor personnel;
6. Communications relating to questionable financial transactions;
7. Communications relating to the contractor's ability to provide COR/RSO approved, fully trained, and qualified relief personnel;
8. Communications relating to the contractor's ability to meet the contract requirements relating to number, deployment, training, security clearance, and language proficiency of guards and personnel;
9. Communications relating to the contractor's ability to meet contract requirements relating to armored vehicles, including requirements relating to import tax and registration;

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10. Communications relating to the contractor's ability to meet contract requirements relating to clothing, ammunition, arms, and equipment, including requirements relating to import tax and registration;
11. Communications relating to the contractor's purchase of counterfeit goods;
12. Communications relating to the expiration of the contractor's ITAR license;
13. Communications relating to the contractor's performance of contract requirements that occurred while the contractor lacked the ITAR or any other required license;
14. Communications relating to violation of human trafficking laws, including procurement of commercial sex acts; and
15. Communications relating to contractor actions or inactions that indicate a lack of integrity or business ethics.

We request that you provide this information as soon as possible, but in no case later than **Tuesday, May 26, 2009**. If you determine that you will be unable to make a complete production by this date, please contact Subcommittee staff to discuss possible modifications to this schedule.

We also ask that you provide a briefing for Subcommittee staff on or before **Wednesday, May 27, 2009**. In addition to the issues detailed above, we ask that the briefing include information regarding: (1) incidents and escalations of force; (2) the contractor's compliance with U.S. Government requirements for effective insulation from foreign ownership, control or influence ("FOCI") and proxy agreements; and (3) ongoing deficiencies or noncompliance.

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 73 (111th Congress). An attachment to this letter provides additional information on how to respond to the Subcommittee's request.

Please contact Alan Kahn at (202) 224-3230 or Molly Wilkinson at (202) 228- 3141 with any questions and to schedule the requested briefing.

Sincerely,



Senator Claire McCaskill
Chairman
Subcommittee on Contracting Oversight



Senator Susan Collins
Acting Ranking Member
Subcommittee on Contracting Oversight

Enclosure