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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

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

September 16, 2009

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

Dear Mr. Kennedy:

We are writing today about the extremely serious allegations of whistleblower retaliation that have been raised by contract guards working at the U.S. Embassy in Kabul, Afghanistan.

On June 10, 2009, the Subcommittee on Contracting Oversight held a hearing examining concerns related to the performance of ArmorGroup North America, Inc. (AGNA), now owned and controlled by G4S/Wackenhut Services, Inc., the contractor responsible for providing guard security services at the U.S. Embassy in Kabul. At the hearing, the Subcommittee found that significant problems with staffing and training had been identified as early as July 2007 by the State Department, and that these problems persisted as late as March 2009, when the contractor blamed "supervisory personnel negligence" for the absence of at least 18 guards from their posts at the Embassy.<sup>1</sup>

On September 1, 2009, the Project on Government Oversight sent a letter to the State Department detailing troubling allegations of hazing, alcohol abuse, sexual humiliation of individuals, and misuse of government property by AGNA employees in Kabul. That same day, Senator McCaskill wrote you a letter urging you to conduct a thorough review of these allegations and of the breakdown in management and oversight of the contract.

On September 8, 2009, Secretary of State Hillary Clinton advised Senator McCaskill that the State Department had taken immediate corrective actions and the State Department Inspector General had opened investigations into the allegations. Secretary Clinton stated that at least eight AGNA employees had been fired and that the entire senior in-country AGNA management team would be replaced. She also stated that Department officials would provide "24-hour on-site supervision" at the AGNA facility in Kabul.<sup>2</sup>

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<sup>1</sup> Senate Homeland Security and Governmental Affairs Committee, Subcommittee on Contracting Oversight, *Staff Analysis: New Information About the Guard Force Contract at the U.S. Embassy in Kabul* (June 10, 2009).

<sup>2</sup> Letter from Secretary of State Hillary Clinton to Chairman Claire McCaskill (Sept. 8, 2009).

The Subcommittee has now learned that many of the whistleblowers who brought the allegations to light appear to have faced retaliation from AGNA and its subcontractors. At least one employee may have been fired.<sup>3</sup> Others have faced harassment from their co-workers and supervisors.<sup>4</sup> The Subcommittee has also received correspondence from whistleblowers reporting that they have been targeted by supervisors and threatened with losing their jobs.

Despite the State Department's increased supervision and the replacement of the management team and some individuals in Kabul, the harassment and intimidation of whistleblowers appears to be ongoing. At the hearing of the Commission on Wartime Contracting held on September 14, 2009, Danielle Brian, the Executive Director of the Project on Government Oversight, stated:

In return for their bravery, [the whistleblowers] have been called rats by some of their colleagues, woken up to posters on their doors with threats to their jobs and families, all while working 14-hour shifts and literally having bombs explode outside the gates of their compound. ... As of today, not all the bad actors have been removed, and retaliation continues.<sup>5</sup>

We welcome the actions that the State Department has already taken to improve oversight of the AGNA contract. However, we are concerned that the allegations of ongoing retaliation may indicate that additional steps are warranted. We encourage you to continue your efforts to ensure that the Department does not employ under contract any individual who has engaged in conduct which does not meet the highest standards of integrity and professionalism—including threats, harassment, or other retaliatory behavior towards whistleblowers.

We also request that you include a comprehensive review of the retaliation allegations to your ongoing review of ArmorGroup's performance. Please include the status and any results of this review in the Subcommittee's upcoming briefing.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108<sup>th</sup> Congress); and Senate Resolution 73 (111<sup>th</sup> Congress).

Please contact Alan Kahn at (202) 224-3230 or Molly Wilkinson at (202) 228-3141 with the Subcommittee staff with any questions.

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<sup>3</sup> Project on Government Oversight, *Press Release: Whistleblower Allegedly Forced Out After Helping to Expose Guard Scandal at U.S. Embassy Kabul* (Sept. 3, 2009).

<sup>4</sup> Commission on Wartime Contracting, *Hearings on the Department of State and Security Contractor Misconduct* (Sept. 14, 2009).

<sup>5</sup> *Id.*

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Sincerely,



Senator Claire McCaskill  
Chairman  
Subcommittee on Contracting Oversight



Senator Susan Collins  
Ranking Member



Senator Robert Bennett  
Ranking Member  
Subcommittee on Contracting Oversight