

CARL LEVIN, MICHIGAN
DANIEL K. AKAKA, HAWAII
THOMAS R. CARPER, DELAWARE
MARK L. PRYOR, ARKANSAS
MARY L. LANDRIEU, LOUISIANA
CLAIRE McCASKILL, MISSOURI
JON TESTER, MONTANA
ROLAND W. BURRIS, ILLINOIS
EDWARD E. KAUFMAN, DELAWARE

SUSAN M. COLLINS, MAINE
TOM COBURN, OKLAHOMA
SCOTT BROWN, MASSACHUSETTS
JOHN MCCAIN, ARIZONA
GEORGE V. VOINOVICH, OHIO
JOHN ENSIGN, NEVADA
LINDSEY GRAHAM, SOUTH CAROLINA

United States Senate

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

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

March 19, 2010

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

Dear Mr. Kennedy:

I am writing to request additional information relating to contracts to provide guard services at the U.S. Embassy in Kabul, Afghanistan.

As you know, on June 10, 2009, the Subcommittee held a hearing examining concerns related to the performance of ArmorGroup North America, Inc. (AGNA), now owned and controlled by G4S/Wackenhut Services, Inc. On September 1, 2009, I wrote to you regarding new information about AGNA's performance of the contract, including troubling allegations regarding guard shortages, hazing, alcohol abuse, and misuse of government property by AGNA employees in Kabul. Both the hearing and these new allegations raised serious questions regarding the State Department's contract management and oversight.

On December 9, 2009, the Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia held a hearing entitled, "The Diplomat's Shield: Diplomatic Security in Today's World." At that hearing, I asked Ambassador Eric Boswell several questions for the record relating to the AGNA contract, including questions relating to the State Department's then-recent decision not to renew the AGNA contract when it expires in June 2010. I also asked Ambassador Boswell about how the Department planned to improve the oversight and management of the next security contract for the U.S. Embassy in Kabul.

On March 1, 2010, Ambassador Boswell provided written responses to my questions. A copy of these responses is enclosed for your convenience. Ambassador Boswell assured me that the State Department had taken "swift action" to investigate the allegations of misconduct by the AGNA guards. He continued:

The results of a senior-level Department review of the circumstances and investigative findings, combined with AGNA's history of contract compliance deficiencies, led [the Department] to conclude that it was in the best interest of the Government to compete a new contract.

Ambassador Boswell also stated that the State Department planned to "maintain a schedule of quarterly program management reviews, meet weekly with AGNA management in Kabul and in Washington, and carefully document and require corrective action for all contract compliance deficiencies." In addition, Ambassador Boswell reported that the Department planned to hire a contractor employee to reside full-time at Camp Sullivan, where the guards reside, to "further augment" the Department's oversight of the contract.

Patrick F. Kennedy

March 19, 2010

Page 2

I welcome the additional measures taken by the Department to improve the management of guard services at the Embassy. However, I am concerned that the steps taken by the Department may not go far enough to ensure that there is sufficient transparency, accountability, and oversight of the contract. In particular, I am troubled by the decision to employ a contractor to provide contract oversight for the Department.

To assist the Subcommittee to understand the Department's actions, I request that you provide the following information and documents:

1. The "senior-level Department review of the circumstances and investigative findings" surrounding the AGNA review of contract compliance deficiencies;
2. Communications relating to the conclusion "that it was in the best interest of the Government to compete a new contract";
3. All information referred to the Justice Department for investigation;
4. Communications relating to the decision to hire a personal services contractor to augment contract oversight, including any cost analyses performed; and
5. The number of personal services contractors currently assisting the State Department with oversight of guard services and other security contracts.

I request that you provide this information as soon as possible, but in no case later than **Friday, April 30, 2010**. 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.

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 with the Subcommittee staff at (202) 224-3230 with any questions.

Sincerely,



Claire McCaskill
Chairman
Subcommittee on Contracting Oversight

cc: Scott Brown
Ranking Member

Enclosure