



# State Department's Kennedy blocks security investigations

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A State Department official at the center of the Benghazi controversy may also have called off a controversial inspector general probe.

Patrick Kennedy, the State Department's undersecretary for management, allegedly blocked diplomatic security investigations that may have cast the bureau in a negative light.

According to an internal memo prepared by the inspector general in October 2013 and obtained by the *Washington Examiner*, Kennedy personally called off an investigation into the ambassador to Belgium after allegations surfaced that the ambassador had solicited "sexual favors from both prostitutes and minor children."

A former official with the State Department's office of inspector general said the obstruction of oversight went even further, noting that Kennedy was "good friends" with the acting inspector general, Harold Geisel. The former official requested anonymity to speak candidly about Kennedy's potential interference with inspector general probes.

Richard Higbie, a senior criminal investigator at the bureau of diplomatic security, said Kennedy's control of the bureau has been driven by a "political agenda."

Higbie said the fact that Kennedy has remained in his post despite years of whistleblower testimony against him has "stripped many State Department employees of hope that Kennedy's example will not become acceptable practice and that real cultural change will take place."

Kennedy has served as the undersecretary for management since 2007.

That position gives him oversight

(<http://www.state.gov/r/pa/ei/biog/95199.htm>) of the State Department's record-keeping efforts.

Kennedy has been linked to the security failures that led to the 2011 terror attack on the U.S. consulate in Benghazi, the controversy involving Hillary Clinton's private emails and State Department projects that involved Clinton Foundation donors.

But Kennedy's links to potential scandals didn't end when Clinton left the State Department.

The undersecretary testified during the sentencing phase of the Wikileaks case that put Chelsea Manning behind bars for life for leaking an extensive trove of classified information to the website.

Kennedy reportedly oversaw the agency's investigation into the Manning leak.

When defense attorneys pressed him in August 2013 about the incident involving the Belgian ambassador, Kennedy dismissed the allegations as "entirely false." Manning's defense brought up the allegations that Kennedy had stymied the investigation as evidence that Kennedy might "have a vested interest in making the State Department look good."

New documents, memos and information provided by whistleblowers about the Belgian ambassador raise questions about Kennedy's denial in the Manning case.

An October 2014 inspector general report concluded the Belgian ambassador had been summoned to Washington for a meeting with Kennedy, where the undersecretary permitted him to return to his post after he denied the prostitution charges.

Kennedy told the inspector general he didn't open a criminal investigation because "solicitation of a prostitute ... was not a crime (<http://www.washingtonexaminer.com/article/2566009>) in the host country," according to the report.

Manning's defense attorneys also played clips of other senior national security officials that cast doubt on Kennedy's claim that the Manning leak would have dangerous consequences for national security. Manning was nonetheless sentenced to life in prison.

The veracity of Kennedy's testimony has been called into question before.

In September 2013, Sens. Claire McCaskill, D-Mo., and Ron Johnson, R-Wis., sent a letter to Kennedy demanding clarification on "inconsistencies (<http://www.hsgac.senate.gov/subcommittees/fco/media/chairman-mccaskill-and-ranking-member-johnson-letter-to-patrick-kennedy-state-department-undersecretary-for-management>)" in his testimony at a July congressional hearing on wartime contracting.

The inconsistencies were noted by the transparency group Project on Government Oversight (<http://www.pogo.org/blog/2013/09/20130920-state-dept-corrects-testimony-pogo-exposed-as-misleading.html?referrer=https://www.google.com/>).

Kennedy responded in September 2013 with a letter that admitted his testimony "contained misstatements," which he said were "inadvertent."

The undersecretary continues to play a role in the State Department's stonewalling of Freedom of Information Act requests.

Several transparency advocates, including Judicial Watch and Cause of Action, have received responses regarding their requests for Clinton's private emails directly from Kennedy.

Tom Fitton, president of Judicial Watch, said the fact that the official who allowed Clinton to conduct her government affairs on a private server — violating a policy (<http://www.washingtonexaminer.com/article/2563806>) he himself promoted last year — is involved in fielding records requests is "problematic."

"He's the last person who should be involved in any enforcement of the law," Fitton said.

Kennedy's May 14 letter (<http://www.judicialwatch.org/wp-content/uploads/2015/05/Response-Letter-from-State.pdf>) to Judicial Watch prompted the group to file a lawsuit against Secretary of State John Kerry for failing to enforce records laws.

"As the top official for records-keeping in the agency, he would have known what was going on," Fitton said. "He allowed this to go on. He knew that FOIA requests were being subverted."

In addition to his heavy involvement in the Benghazi controversies and the obstruction of the inspector general, Kennedy is also a major player in the Clinton email scandal, Fitton noted.

"Kennedy is at the center of that storm," he said. "To the degree the Clinton campaign has a friend in the State Department, it's Kennedy."

Kennedy and Clinton appear to have been close while the presidential candidate ran the State Department.

At a January 2013 event, Clinton quipped that she "got a briefing, as I often do" from Kennedy about opening a diplomacy center at the State Department. Fourteen of the 23 top funders (<http://www.state.gov/r/pa/prs/ps/2013/01/203010.htm>) of the agency project had also donated to the Clinton Foundation.

She fondly joked about Kennedy's fear of flying at a flag ceremony that same month.

Kennedy's name appears on many of the Benghazi-related emails the State Department released last month.

Lee Lohman, executive director of the bureau of Near Eastern affairs, told the House Oversight Committee in 2013 that "Kennedy was highly involved (<http://www.gop.gov/resources/library/documents/benghazi/ogr-benghazi-majority-staff-report.pdf>) with security decisions that affected Benghazi."

Gregory Hicks, the State Department's charge d'affaires in Libya, told the committee he felt that "given the decision-making that Under Secretary Pat Kennedy was making with respect to Embassy Tripoli and Consulate Benghazi operations, he has to bear some responsibility" for the Benghazi terror attack.

Kennedy hand-picked (<http://www.state.gov/documents/organization/202446.pdf>) the members of the internal Accountability Review Board that failed in December 2012 to find him at fault for any wrongdoing in the run-up to Benghazi.

In a May 2013 congressional hearing, Rep. Jason Chaffetz, R-Utah, produced an email sent by a member of Kennedy's staff around 10 p.m. the night of the Benghazi attack.

The email records suggested Kennedy had dismissed the need (<http://www.gpo.gov/fdsys/pkg/CHRG-113hhrg81563/html/CHRG-113hhrg81563.htm>) to send the embattled Libyan ambassador a Foreign Emergency Services team, (<http://www.state.gov/j/ct/programs/index.htm#FEST>) an inter-agency rapid response unit, as the attack worsened.

"I am told that Pat Kennedy participated in a very senior conference call with the White House and discouraged the F.E.S.T option," wrote Kathleen Austin-Ferguson, reportedly Kennedy's deputy. "To remind, F.E.S.T. has dedicated aircraft able to respond in 4 hours, is Department of State-led...When FBI was contacted, they responded that this situation would be better addressed via a F.E.S.T. response. Thus, there are others who are thinking the same way."

Kennedy was also involved in pushing plans (<http://www.washingtonexaminer.com/article/2565215>) for a new \$177.9 million embassy in Norway in 2011 over the apparent objections of diplomatic officials in Oslo.

Norway's government has donated between \$10 million and \$25 million to the Clinton Foundation, donor records show.

A leaked diplomatic cable ([https://wikileaks.org/plusd/cables/09OSLO434\\_a.html](https://wikileaks.org/plusd/cables/09OSLO434_a.html)) sent to Clinton in July 2009 indicates the plans for the embassy project, which predated Clinton's time at the agency, had been delayed from 2011 to 2020 to free up funding for embassies in key countries.

"We understand the arguments for first building NEC's [new embassy complexes] where terrorist threats are higher," the cable said of the Norwegian project.

The cable, leaked by Manning, counts "Pat Kennedy" among the State Department officials who had helped to further the project despite the need to allocate that money elsewhere.