

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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August 6, 2021

The Honorable Lloyd J. Austin III
Secretary
Department of Defense
1000 Defense Pentagon
Washington, D.C. 20301

Dear Secretary Austin:

On January 5, 2020, al-Shabaab terrorists attacked the U.S. military base at Manda Bay, Kenya, killing three American citizens: U.S. Army Specialist Henry J. Mayfield, Jr., and Department of Defense (DOD) contractors Bruce Triplett and Dustin Harrison. The attackers also damaged or destroyed millions of dollars in U.S. military equipment, including several aircraft, as well as portions of the Manda Bay Airfield.¹

In the wake of the attack, U.S. Africa Command (AFRICOM) Commander General Stephen J. Townsend acknowledged that “we were not as prepared there in Manda Bay as we needed to be,” and press reports described multiple security lapses at the airfield.²

On February 5, 2020, the Subcommittee on National Security wrote to DOD requesting a briefing on the attack. Seventeen months later—despite repeated requests to your office and AFRICOM—DOD has not provided any substantive information about the attack or the security lapses that contributed to it, citing ongoing investigations.³

¹ *Chaos as Militants Overran Airfield, Killing 3 Americans in Kenya*, New York Times (Jan. 22, 2020) (online at www.nytimes.com/2020/01/22/world/africa/shabab-kenya-terrorism.html).

² Senate Committee on Armed Services, *Hearing on United States Africa Command and United States Southern Command* (Jan. 30, 2020) (online at www.armed-services.senate.gov/hearings/20-01-30-united-states-africa-command-and-united-states-southern-command); *Chaos as Militants Overran Airfield, Killing 3 Americans in Kenya*, New York Times (Jan. 22, 2020) (online at www.nytimes.com/2020/01/22/world/africa/shabab-kenya-terrorism.html).

³ Letter from Chairman Stephen F. Lynch and Ranking Member Jody Hice, Subcommittee on National Security, to Secretary Mark T. Esper, Department of Defense, and Secretary Michael R. Pompeo, Department of State (Feb. 5, 2020); Letter from Chairman Stephen F. Lynch and Ranking Member Glenn Grothman, Subcommittee on National Security, to Secretary Lloyd J. Austin III, Department of Defense (Apr. 30, 2021); Letter from Acting Secretary John E. Whitley, Department of the Army, to Chairman Stephen F. Lynch, Subcommittee on National Security (May 13, 2021).

It is simply unacceptable for the Department to withhold information from Congress about a terrorist attack that killed three American citizens.

On February 10, 2020—five days after our initial request for information—AFRICOM launched an Army Regulation (AR) 15-6 investigation to ascertain the facts of the attack and examine the circumstances that contributed to the deadly security breach.⁴

On April 12, 2021, Pentagon Press Secretary John F. Kirby announced that AFRICOM had completed its investigation and that you had conducted an “initial review” of its findings. Mr. Kirby further announced that, at your direction, Acting Secretary of the Army John E. Whitley had appointed General Paul Funk, Commanding General of the U.S. Army Training and Doctrine Command, to lead an additional “independent review” of the AR 15-6 investigation.⁵

According to Mr. Kirby’s April 12 statement:

Until this review is completed, we will not make any public announcements about the findings of the USAFRICOM investigation and GEN Funk’s review. We will provide updates to the family members impacted by this tragic attack and will ensure that Congress is appropriately informed when the review is completed.⁶

On April 20, 2021, General Townsend testified before the Senate Committee on Armed Services that you had given the Army “a target date of 90 days to get the report out.”⁷ While we understand General Funk’s review is ongoing, we nevertheless expect DOD to fulfill its commitment to keep Congress informed.

Congress has a solemn constitutional duty to conduct oversight of U.S. military operations, including and especially when a terrorist attack claims the lives of American citizens overseas. To that end, it is our expectation that DOD will produce the AR 15-6 investigation report on the terrorist attack at Manda Bay to our Subcommittee by August 13, 2021, as well as the findings of General Funk’s independent review when it is completed.

We also reiterate our prior requests that your office, in coordination with AFRICOM, provide a briefing to Subcommittee Members by September 30, 2021, on the findings of the

⁴ U.S. Africa Command, *Press Release: U.S. Africa Command Investigation Update: Al-Shabaab Attack in Manda Bay, Kenya* (Feb. 10, 2020) (online at www.africom.mil/pressrelease/32559/us-africa-command-investigation-update-al-sha).

⁵ Department of Defense, *Press Release: Statement from Pentagon Press Secretary John F. Kirby on 4-Star Reviewer Appointment on Manda Bay Investigation* (Apr. 12, 2021) (online at www.defense.gov/Newsroom/Releases/Release/Article/2570030/statement-from-pentagon-press-secretary-john-f-kirby-on-4-star-reviewer-appoint/).

⁶ *Id.*

⁷ House Armed Services Committee, *Hearing on National Security Challenges and U.S. Military Activities in the Greater Middle East and Africa* (Apr. 20, 2020) (online at <https://armedservices.house.gov/hearings?ID=27955030-45AF-48D2-AC18-4944F2BB2F93>).

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initial AFRICOM report and the independent investigation, as well as any corrective actions that may have been taken to address the security lapses that contributed to this deadly attack.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. If you have any questions regarding this request, please contact Committee on Oversight and Reform staff at (202) 225-5051.

Sincerely,



Stephen F. Lynch
Chairman
Subcommittee on National Security



Glenn Grothman
Ranking Member
Subcommittee on National Security

cc: The Honorable Stephen J. Townsend, Commander
U.S. Africa Command