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# United States Senate

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

RICHARD J. KESSLER, STAFF DIRECTOR  
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November 21, 2013

## Via Electronic Transmission

The Honorable Robert R. Beers  
Acting Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Avenue, NW  
Washington, DC 20528

Dear Acting Secretary Beers:

We write to you today regarding the current employment status of Ayo Kimathi, an employee of the Department of Homeland Security (DHS or Department). According to reports, Mr. Kimathi, who works specifically for Immigration and Customs Enforcement (ICE), was placed on administrative leave in August 2013, with pay, by the Department for allegedly making racially insensitive remarks and threats on a webpage he authored.<sup>1</sup> It is concerning to learn that the Department allegedly began receiving complaints about this employee nearly two years before any action was taken.<sup>2</sup>

Mr. Kimathi's inflammatory statements became public in August 2013, when reports surfaced about his remarks on a webpage. These remarks were extremely alarming and too inflammatory to repeat. According to some reports, his co-workers grew so concerned that they flooded DHS with complaints about him. Further, a former supervisor said, "everybody in the office is afraid of him" and believed Kimathi would "come in with a gun someday and go postal."<sup>3</sup> The Department must remain ever-vigilant and act swiftly when these types of situations arise in order to avert tragic outcomes of employee rage, such as those that took place at the Fort Hood Military post in Texas and the Washington Navy Yard.

<sup>1</sup> Alex Seitz-Wald. "DHS Still Hasn't Fired Black Supremacist Who Called for Mass Murder of Whites." *National Journal*. November 29, 2013. Accessed at: <http://www.nationaljournal.com/politics/dhs-still-hasn-t-fired-black-supremacist-who-called-for-mass-murder-of-whites-20131119>

<sup>2</sup> Charles S. Clark. "DHS Got Complaints of Racist Website Two Years Ago." *Government Executive*. September 3, 2013. Accessed at: <http://www.govexec.com/management/2013/09/dhs-got-complaints-racist-website-two-years-ago/69878/?oref=river>

<sup>3</sup> Don Terry. "DHS Employee Promotes Race War in Spare Time, Advocates Mass Murder of Whites." Southern Poverty Law Center. August 21, 2013. Accessed at: <http://www.splcenter.org/blog/2013/08/21/dhs-employee-promotes-race-war-in-spare-time-advocates-mass-murder-of-whites/#.UhUrdElWfjY.twitter>

Mr. Kimathi has been employed at the Department since 2009 and reportedly earned a salary of over \$115,000 in 2012.<sup>4</sup> We remain concerned that the Department did not take appropriate actions earlier to deal with this situation and many Americans wonder why he is still earning a paycheck from the Department.

We understand that this matter is currently under departmental review, but in an effort to better understand how the Department handled this situation, we request you provide responses to the following questions by no later than December 6, 2013:

- 1) Please explain Ayo Kimathi's responsibilities at ICE. Do these responsibilities include being authorized to carry a Department-issued firearm or utilizing a government owned vehicle?
- 2) It has been reported that the Department began receiving complaints about Ayo Kimathi two years ago. If true, what were these complaints?
- 3) Provide the date on which the Department first received allegations about Ayo Kimathi.
- 4) Provide documentation detailing what action(s) the Department undertook to sufficiently address these first allegations.
- 5) Why did the Department place Ayo Kimathi on administrative leave, with pay, in August 2013? When did the Department receive the information that led it to place him on paid administrative leave?
- 6) Does Ayo Kimathi possess a government security clearance? If so, has the Department suspended this security clearance? If so, when and for what stated reason(s) did the Department suspend his security clearance?
- 7) Is the Department aware of any instances in which Mr. Kimathi utilized government time and resources to access or modify his webpage?

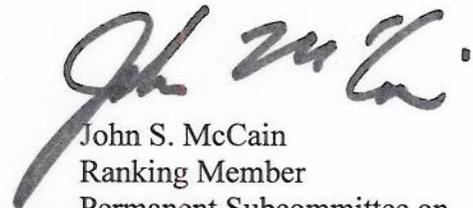
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<sup>4</sup> Alex Seitz-Wald. "DHS Still Hasn't Fired Black Supremacist Who Called for Mass Murder of Whites." *National Journal*. November 29, 2013. Accessed at: <http://www.nationaljournal.com/politics/dhs-still-hasn-t-fired-black-supremacist-who-called-for-mass-murder-of-whites-20131119>

If you have any questions regarding this letter, please contact Brian Downey of Senator Coburn's Committee staff at (202) 224-4751 or [Brian\\_Downey@hsgac.senate.gov](mailto:Brian_Downey@hsgac.senate.gov) and Henry Kerner of Senator McCain's Committee staff at (202) 224-3721 or [Henry\\_Kerner@hsgac.senate.gov](mailto:Henry_Kerner@hsgac.senate.gov).

Sincerely,

Tom A. Coburn  
Ranking Member  
Committee on Homeland Security  
and Governmental Affairs



John S. McCain  
Ranking Member  
Permanent Subcommittee on  
Investigations

cc: The Honorable Charles K. Edwards, Deputy Inspector General  
U.S. Department of Homeland Security