



# **State Dept. Whistleblower Sued in Retaliation by John Kerry — and the Case Could Reveal Sordid Accusations of Department Misconduct**

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Richard “Rick” Higbie has spent more than a month under a barrage of financial attacks by the Northern District of Texas U.S. attorney’s office under the direction of the State Department. The attacks are an attempt to silence the government agent and they originate from the very people he has sworn an oath to protect.

Higbie is a distinguished 16-year veteran of the Diplomatic Security Services, the arm of the State Department that investigates crimes and provides protection to diplomats overseas.

But he has been battling his employers almost his entire career, starting when his then-infant daughter was diagnosed with a rare genetic disorder and his supervisors suggested he quit his job.

Higbie said his government employers claimed that his child’s illness created a situation where he could not work overseas as a foreign service officer. When he fought back with a discrimination lawsuit, he began to feel the full force of the State Department coming down on him. The message: Don’t cross us.

Higbie first filed suit in 2001. He and the State Department finally reached a settlement four years later in 2005; Higbie currently is the lead criminal investigator within the Bureau of Diplomatic Security’s Dallas field office.

Everything seemed fine until 2008, when the harassment began again under a returning old guard that has continued to this day, Higbie's attorneys told TheBlaze TV's [For the Record](#) in the season premiere episode "Honor Fight: The Battle Inside the State Department."

What started as a civil discrimination suit has evolved into a much larger crisis for the State Department, threatening to expose corruption, diplomatic cover-ups, sexual misconduct within the U.S. diplomatic corps and the failure by department brass to take action. After he helped a fellow whistleblower bring some of those allegations to light, four years' of Higbie's emails were [deleted from his personal email account](#) and several computers were stolen in a break-in at his attorney's office in Dallas.

### **'Discriminatory, Adverse Actions'**

Logan Higbie was born in 1998. Diagnosed with tuberous sclerosis, a rare genetic disorder that causes noncancerous growths on the brain, skin and other vital organs. Her parents spent much of the next three years sitting beside their young daughter in the intensive care units at various children's hospitals as she fought to stay alive.

Higbie said during that time, he was constantly harassed by his supervisors.

He followed all of his agency's requirements, filing complaints about what he described as a degrading work environment. But when all those avenues failed, he told TheBlaze, he had no choice but to initiate his first lawsuit.

It was 2001, and Higbie filed suit against his supervisors in Dallas, alleging he had suffered "discriminatory, adverse actions" at the hands of Tim Haley, the special agent in charge in the Houston field office, which oversaw the Dallas office, court records state.

At the time, Higbie charged that Haley wanted him to quit because his daughter's illness interfered with his work. Higbie said Haley's actions violated the Americans with Disabilities Act and the Rehabilitation Act of 1973 and filed his suit in federal court, which settled in 2005.

But a few years later in 2008, Higbie filed a grievance against his new supervisors, saying the harassment at work had been reignited by old enemies and new ones. The situation led Higbie to file a discrimination lawsuit in October 2011 against the State Department, then under the leadership of Hillary Clinton.

Higbie is appealing his case to the 5th U.S. Circuit Court of Appeals in New Orleans.

Over the past month, the State Department, now led by Secretary John Kerry, has had a \$13,000 lien placed on Higbie's home to collect legal fees the government says it has incurred on the case currently under appeal. The department also placed a lien on the Florida home of Higbie's father — also named Richard Higbie — though with the younger Higbie's birthdate and Social Security number on the document.

Why take such substantial action against Higbie? It's "what was discovered during the course of his lawsuit that has senior government officials on edge," said Damon Mathias, Higbie's attorney who is representing him in his post-judgment collection for the \$13,000.

"Basically it's systematic bullying," Mathias said of the State Department's actions. Mathias said his client is a target of a government that wants to silence him, and the barrage of attacks is meant to exhaust him into dropping his lawsuit.

"The amount of this judgment is peanuts for the government and basically being a whistleblower – what was discovered as a result of his lawsuit – has made him a number of enemies," Mathias said. "They are giving his case special attention because they are threatened."

State Department officials told TheBlaze they could not comment because of the ongoing litigation.

### **The Lien**

Higbie's attorneys could see a pattern of harassment building, and it culminated with the State Department putting liens on Higbie's home and that of his father for the \$13,000 his employer said he owed in legal fees.

Richard M. Higbie, a "full-bird" retired Air Force colonel and Rick Higbie's father, is recovering from cancer treatment and has spent the past month trying to get the State Department to remove the lien from his home, Mathias said.

If the judgement is not paid, the courts have in effect given the State Department discretion to collect the debt. Since the State Department has already issued liens on Higbie's and his father's homes they could collect the debt through those methods or they could decide to garnish Higbie's wages, Mathias said.

Housing records obtained by *For The Record* show that Rick Higbie's name does not appear anywhere on his father's Florida home.

Higbie's father "is in no way responsible for his son in this matter," Mathias said. Even if the lien was issued at first believing it to belong to Higbie, the State Department has yet to retract it and "surely doubled down on the inappropriateness of their actions."

U.S. Attorney Sarah Saldana, who represents the State Department, asserted that no one other than Higbie is on the lien.

Ilya Shapiro, a senior fellow in constitutional studies at the Cato Institute and editor-in-chief of the Cato Supreme Court Review, told TheBlaze it seems the government is overreaching in going after Higbie's father as well, unless it's been a case of mistaken identity.

"Costs are assigned when the final judgment comes in the trial court," Shapiro noted. "Should the [plaintiff] prevail on appeal, he won't have to pay those costs."

If Higbie wins his appeal to the Fifth Circuit to be retried at the lower court and if then wins that case, the government would be liable for all his legal fees , Mathias said.

For now, the courts have “informally sanctioned the government’s litigation by denying Higbie’s motion against the enforcement of the judgment and issued a detailed cost assessment of Higbie’s finances,” he said. When the judge denied Higbie’s relief, he indirectly sanctioned the government to take the property and garnish his wages within 60 days unless they win the appeal, Mathias said.

## **A Pattern?**

Higbie wasn’t the only employee being harassed.

During the course of Higbie’s litigation, numerous other employees came forward with similar complaints against supervisors in the Diplomatic Security Service and the State Department.

But one person, Aurelia Fedenisn, changed everything.

Fedenisn is a former senior Diplomatic Security agent who was a senior inspector within the State Department inspector general’s office. She said she was involved in investigations in which serious allegations of criminal misconduct by senior diplomats were swept under the rug.

She had interviews with witnesses who accused senior diplomats of inappropriate sexual misconduct with underage prostitutes, pedophilia and other criminal behavior.

The evidence suggested that the State Department’s acting inspector general, then Harold Geisel, had intentionally eliminated evidence from draft reports to lessen the blow or to completely eliminate accusations of wrongdoing against senior diplomats, according to reports obtained by TheBlaze.

As Higbie and his attorneys prepared to take on senior U.S. officials in his discrimination lawsuit, evidence soon emerged that would shatter the image of the State Department and reveal an underworld that left even Higbie baffled.

Higbie’s attorneys subpoenaed Fedenisn’s documents, which revealed the gravity of the accusations against some in the State Department. Evidence revealed possible cover-ups by then-Inspector General Geisel who was charged with oversight for the State Department. Geisel appeared to ignore allegations that major Democratic Party donor and U.S. Ambassador to Belgium Howard Gutman had sought underage prostitutes while at his post in Brussels, according to evidence collected by Fedenisn.

Additionally, Geisel had enough information to indicate that Hillary Clinton’s own private security detail was engaging with prostitutes overseas.

Higbie was no longer fighting for his own future but the integrity of the State Department when he stumbled onto possible serious violations of law. These officials were now being exposed by a

desperate father, who had serendipitously stumbled on evidence of corruption and was no longer willing to keep quiet.