

Federal Contracting
Sept. 30, 2024, 11:43 AM EDT

ManTech Whistleblowers to Proceed With Human Trafficking Claim

By Daniel Seiden

Documents

 [Opinion](#)

 [Docket](#)

-
- ManTech's extraterritoriality argument rejected by D.C. court
 - Law's objective is reaching conduct both "home and abroad"

Whistleblowers alleging that ManTech International Corp. defrauded the US Army under a mine-resistant vehicles contract can still allege that the company's treatment of employees violated the Trafficking Victims Protection Reauthorization Act.

The whistleblowers—former ManTech employees—say the company's conduct performing the \$3 billion contract violated the False Claims Act. In June 2023, the US District Court for the District of Columbia said they adequately alleged that ManTech violated the TVPRA by confiscating the employees' passports in Kuwait, forcing them to work in hazardous conditions, imposing penalties for quitting, and making them afraid of arrest by local officials.

ManTech—now owned by The Carlyle Group—asked the court to revisit that decision, arguing that the TVPRA shouldn't apply to overseas conduct.

But the TVPRA's objective is to "reach certain types of conduct and the resulting harm both at home and abroad," Judge Amy Berman Jackson, of the US District Court for the District of Columbia, said in a Sept. 27 order denying ManTech's motion to dismiss the TVPRA claim.

"Congress included provisions with extraterritorial reach in the statute from the start," and found that trafficking continued to victimize people in the US and abroad when it amended the TVPRA in 2003 to add the civil remedy, Jackson said. This provided that anything constituting a crime under the statute could also serve as the basis for a civil claim, she said.

"So there is no basis to conclude that when other extraterritorial provisions were added to the statute, that somehow they could not support a civil action as well," the court said.

Jackson reached the same conclusion Sept. 27 in a separate but “nearly identical” suit, *Abernathy v. Caryle Grp. Inc.* Plaintiffs in this suit, filed in 2022, allege that ManTech created a coercive mechanism to keep them working on the Army contract.

Jackson, in the *Hawkins* order, also denied the whistleblowers’ request to reconsider the court’s rejection of their claim that ManTech violated the Racketeer Influenced and Corrupt Organizations Act.

The court in June 2023 said the whistleblowers failed to allege a domestic injury under RICO. Jackson said here that the whistleblowers’ complaint describes the alleged misconduct of certain managers, but it doesn’t allege that they were located in the US.

Law Office of Joseph Hennessey LLC represents the employees. Wiley Rein LLP represents ManTech.

The case is United States ex rel. *Hawkins v. ManTech Int’l Corp.*, D.D.C., No. 15-cv-2105, 9/27/24.

To contact the reporter on this story: Daniel Seiden in Washington at dseiden@bloombergindustry.com

To contact the editor responsible for this story: Martina Stewart at mstewart@bloombergindustry.com

© 2024 Bloomberg Industry Group, Inc. All Rights Reserved