

HENRY A. WAXMAN, CALIFORNIA,
CHAIRMAN

EDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
CAROLYN B. MALONEY, NEW YORK
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
DANNY K. DAVIS, ILLINOIS
JOHN F. TIERNEY, MASSACHUSETTS
WM. LACY CLAY, MISSOURI
DIANE E. WATSON, CALIFORNIA
STEPHEN F. LYNCH, MASSACHUSETTS
BRIAN HIGGINS, NEW YORK
JOHN A. YARMUTH, KENTUCKY
BRUCE L. BRALEY, IOWA
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA
BETTY McCOLLUM, MINNESOTA
JIM COOPER, TENNESSEE
CHRIS VAN HOLLEN, MARYLAND
PAUL W. HODES, NEW HAMPSHIRE
CHRISTOPHER S. MURPHY, CONNECTICUT
JOHN P. SARBANES, MARYLAND
PETER WELCH, VERMONT
JACKIE SPEIER, CALIFORNIA

ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
FACSIMILE (202) 225-4784
MINORITY (202) 225-5074

www.oversight.house.gov

TOM DAVIS, VIRGINIA,
RANKING MINORITY MEMBER

DAN BURTON, INDIANA
CHRISTOPHER SHAYS, CONNECTICUT
JOHN M. McHUGH, NEW YORK
JOHN L. MICA, FLORIDA
MARK E. SOUDER, INDIANA
TODD RUSSELL PLATTIS, PENNSYLVANIA
CHRIS CANNON, UTAH
JOHN J. DUNCAN, JR., TENNESSEE
MICHAEL R. TURNER, OHIO
DARRELL E. ISSA, CALIFORNIA
KENNY MARCHANT, TEXAS
LYNN A. WESTMORELAND, GEORGIA
PATRICK T. McHENRY, NORTH CAROLINA
VIRGINIA FOXX, NORTH CAROLINA
BRIAN P. BILBRAY, CALIFORNIA
BILL SALI, IDAHO
JIM JORDAN, OHIO

Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Oversight and Government Reform Deficient Electrical Systems at U.S. Facilities in Iraq July 30, 2008

Our soldiers and their families make enormous sacrifices for our country. And they make these sacrifices understanding the deadly risks they may face. Since the Iraq war began over five years ago, over 4,000 servicemen and women have been killed and over 30,000 injured.

But no soldier should die while relaxing in a swimming pool, or washing a vehicle, or taking a shower.

Yet that is exactly what has happened in Iraq. As a result of widespread electrical deficiencies throughout U.S. military facilities, our soldiers have been shocked and killed needlessly.

The purpose of today's hearing is to examine why this happened and to determine whether the actions taken by the Defense Department and its largest contractor in Iraq, KBR, are sufficient to prevent these senseless deaths.

There was no shortage of warnings about the electrical dangers in Iraq — just a shortage of will to do right by our troops.

In 2004, the U.S. Army Safety Center issued a report warning about widespread electrical hazards throughout Iraq. The report explained that five U.S. soldiers were electrocuted in Iraq that year alone. According to the report, one of these soldiers “was found dead, lying on a shower room floor with burn marks on his body.” The report attributed his death to “electricity that traveled from the water heater through the metal pipes to the showerhead.”

The 2004 report warned commanders that they “must require contractors to properly ground electrical systems.” But despite these warnings, few actions were taken by Pentagon leadership or KBR officials.

In February 2007, the Defense Contract Management Agency (DCMA) reported that there had been 283 fires at facilities maintained by KBR in a five-month period from August

2006 through January 2007. These fires burned down the largest dining facility in Iraq. And they killed at least two soldiers.

The DCMA report described the widespread electrical deficiencies as a “major challenge” and the “primary safety threat, theater wide.” It also warned that “some contractors connected to KBR were not following basic safety principles.”

But Defense Department officials again took no action. In a May 2008 e-mail, a DCMA official warned his superiors that the “lack of action with regard to any corrective action, or increased surveillance, results in direct liability for our Agency.”

In his testimony today, Jeffrey Parsons, the executive director of the Army Contracting Command, says that the Defense Department now recognizes that “neither LOGCAP nor DCMA have sufficient skill sets or expertise to perform adequate oversight of electrical work being performed by KBR.”

That is a remarkable admission. We will ask why it took the Defense Department four years to realize that it lacks the skill and expertise to oversee KBR. In total, 19 U.S. military and contractor personnel may have been killed as a result of electrocution or faulty wiring in Iraq. These young heroes might still be alive today if the Department had done the proper oversight.

One of the individuals who died by electrocution is Staff Sergeant Ryan Maseth, a decorated Army Ranger and Green Beret who was electrocuted in his shower on January 2, 2008. Army investigators concluded that he was killed when his water pump overheated, “thereby causing the failure of the breaker switch, capacitor, and internal fuse.”

A preliminary report by the Defense Department Inspector General on Sergeant Maseth’s death was provided to the Committee on Monday and leaked to the press yesterday. This IG report absolves the military and KBR of responsibility in the death and asserts that there was “no credible evidence” that they knew of electrical problems with Staff Sergeant Maseth’s shower.

As part of the Oversight Committee’s investigation, we obtained many new documents about Staff Sergeant Maseth’s death. When we described these documents to the Inspector General’s staff yesterday, they said they believed they did not have this new information.

We do not know whether the Inspector General failed to ask for the right documents, which would be a stain on the Inspector General’s work, or whether the documents were withheld from the Inspector General, which would call into question the motives of the Department and KBR. But we do know that these documents appear to contradict the Inspector General’s findings.

My staff has prepared an analysis of the new information about Staff Sergeant Maseth’s case. I ask that this staff analysis and the documents it cites be made part of today’s hearing record.

The documents obtained by the Committee include work orders from the facility where Staff Sergeant Maseth was electrocuted. These work orders appear to show that Sergeant Justin Hummer, who occupied Staff Sergeant Maseth's quarters until October 2007, repeatedly warned KBR and the military about electrical shocks in the shower.

According to Sergeant Hummer, he was shocked "4 or 5 times in the shower" between June and October 2007. On at least one occasion, he "had to use a wooden handle to turn off the shower nozzle because the electrical current was so strong."

If these work orders are accurate, they show that in July 2007, six months before Staff Sergeant Maseth was electrocuted, KBR may have installed the water pump that ultimately malfunctioned, resulting in his death.

The electrical problems that led to Staff Sergeant Maseth's death were not new problems. In February 2007, KBR conducted an assessment of the facility where he worked. The KBR assessment found major electrical problems, including with the building's main circuit panel.

These problems were confirmed in a second KBR assessment prepared after Staff Sergeant Maseth's death. This report found that the majority of electrical panels in the complex "are in disrepair and require replacement" and that a majority of electrical systems are "in complete disarray."

The serious electrical hazards are finally getting some attention. KBR recommended in March that troops immediately evacuate at least six buildings at the compound where Staff Sergeant Maseth was killed because the "electrical conditions in all buildings make them uninhabitable for safety and health reasons."

Today we will ask why it took so long for KBR and the Defense Department to protect our troops from these dangerous conditions. We are going to ask our witnesses tough questions about the documents we have obtained, and we will try to understand both the specific cases and the broad systemic problems at issue.

I know that one of our witnesses recently retired and did not have to appear today. I know that others flew in from Iraq for this hearing. I want to thank all of you for your cooperation with the Committee's investigation.