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ONE HUNDRED TENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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July 18, 2008

The Honorable Robert M. Gates  
Secretary  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Mr. Secretary:

This morning the *New York Times* reported that deficient electrical systems have caused a series of electrical fires throughout Iraq, resulting in the deaths of at least two soldiers and the destruction of several facilities. According to the *New York Times*, “shoddy electrical work by private contractors on United States military bases in Iraq is widespread and dangerous.” The article describes multiple recent hazards, including soldiers being shocked in the shower in February, troops living in a house that was “electrically charged” and “unlivable” in March, and ten buildings being destroyed by an electrical fire in Fallujah in June.<sup>1</sup>

The *New York Times* report cites a February 2007 survey and other documents, many of which the Committee has also obtained. These documents confirm that there is a serious and widespread safety hazard due to faulty electrical fixtures across Iraq. I am writing to request additional information about these dangers to our troops.

According to the February 2007 “Iraq Safety Assessment” prepared by the Defense Contract Management Agency (DCMA), there were 283 electrical fires at facilities maintained by KBR in a five-month period from August 2006 through January 2007. One of these electrical fires killed two people at Forward Operating Base Speicher, while another destroyed the largest dining facility in Iraq at Camp Al Asad. The DCMA report described the widespread electrical problems at KBR facilities in Iraq as a “major challenge” and the “primary safety threat, theater wide.” The report asserted that “the three primary causes of these fires” are “[i]mproper insulation, substandard equipment purchases (such as light fixtures), and heavy usage.”

Although this report was issued over a year ago, its findings appear to have been ignored until recently. In a May 5, 2008, e-mail, a DCMA official who worked on the report wrote that

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<sup>1</sup> *Electrical Risks Worse Than Said at Bases in Iraq*, New York Times (July 18, 2008).

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“lack of action ... results in direct liability issues for our Agency.” When this e-mail reached the attention of the Deputy Commander of DCMA in Iraq, his response was “What report?”

### The 2007 DCMA Report

On October 31, 2006, an electrical fire at Forward Operating Base Speicher in Iraq caused two deaths. In response to the fire, Colonel Jacques Azemar, the Commander of the Iraq office of the DCMA, requested a review of the safety procedures of KBR, the contractor responsible for the operations and maintenance of these facilities. According to Colonel Azemar, the fire at Forward Operating Base Speicher revealed “a big gap in our operation – safety.”<sup>2</sup> Colonel Azemar requested the independent assessment because “absent a government presence, we will have no choice but to accept, at face value, KBR’s finding.”<sup>3</sup>

Pursuant to Colonel Azemar’s request, DCMA investigators inspected 14 forward operating bases and camps in Iraq in November and December 2006.

On February 18, 2007, DCMA issued a report of its findings. DCMA’s report found that there had been 283 fires at facilities maintained by KBR from August 2006 through January 2007.<sup>4</sup> One of these fires, an electrical fire at Camp Al Asad, destroyed the largest dining facility in Iraq. Another fire, the electrical fire at Forward Operating Base Speicher, resulted in two deaths.<sup>5</sup> It is unknown how many additional injuries and deaths were caused by fires at other facilities.

The report concluded that widespread deficiencies with the electrical systems were a “major challenge” at KBR facilities in Iraq.<sup>6</sup> The report stated:

Primary safety threat, theater-wide, is fire due to the inferior 220 [volt] electrical fixtures found throughout Iraq. Improper installation, substandard equipment purchases (such as light fixtures), and heavy usage appear to be the three primary causes of these fires.<sup>7</sup>

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<sup>2</sup> E-mail from Col. Jacques Azemar, Commander, DCMA-Iraq, to Capt. Walter Melton (Nov. 2, 2006).

<sup>3</sup> *Id.*

<sup>4</sup> Memorandum for Commander DCMA-Iraq: DCMA Iraq Safety Assessment (Feb. 18, 2007).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

The report found that most of the fires identified by DCMA — 139 — occurred at facilities operated by KBR under contract with the military at “Level B.”<sup>8</sup> Under “Level B” contracts, KBR generally is required to perform repairs only if specifically requested by the military. The DCMA report found several deficiencies with KBR’s safety approach. The report stated:

- “The KBR safety posture is large but reactive. KBR excels in crisis management and an attitude of ‘getting it done’ and then moving to the next problem without verifying the completing of all corrective actions.”
- “For safety initiatives by KBR, the solution or identified fixes must be scheduled and completed by the Operations Division. At this point it appears safety cannot monitor a given situation except by requesting a status report from Operations. Some of the values in having a contractor assume former military structures and duties are lost. It is further exacerbated by the tendency of many in KBR to refer to their function as ‘staying in their lane’.”
- “KBR manning seems to run about a 10%+ vacancy level and 30% annual turnover in the safety manager/coordinator organization area. Since the beginning of this audit, two KBR safety managers were released and two others resigned. It was undetermined if this created a significant work shortfall.”
- “Site visit observations indicate that some contractors connected to KBR were not following basic safety principles.”<sup>9</sup>

The report also found continued problems with KBR’s oversight of subcontractors and a lack of coordination between site managers and KBR in implementing safety improvements.<sup>10</sup> The report stated:

Site visit operations indicate that some contractors connected to KBR were not following basic safety principals [sic]. KBR safety influence is somewhat limited by the separate camp safety managers reporting to the camp managers. ... [T]he impact of analysis is inhibited by corrective actions being passed to KBR Operations for implementation without a requirement to report back completion to safety. There is no closed loop system in place.<sup>11</sup>

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

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The DCMA report made several recommendations. For example, it proposed that two full-time officials be located in Iraq to provide safety support and training to bases throughout Iraq. It also recommended that DCMA quality assurance officials receive safety education courses, including a specific focus on electrical safety. The DCMA report was addressed to the Commander of DCMA in Iraq. The International Contract Safety Division of DCMA International and the Contract Safety Center also received copies.<sup>12</sup>

### The Defense Department Response

On March 19, 2008, I wrote you to seek information about the deaths of 12 service members in Iraq from accidental electrocutions.<sup>13</sup> On May 4, 2008, the *New York Times* reported on the problem of faulty wiring and electrocutions of soldiers.<sup>14</sup> The day after the *New York Times* story was published, a DCMA official who had worked on the 2007 report sent an e-mail copy of the DCMA report to Rebecca Davies, Executive Director of Contract Operations and Customer Relations. The e-mail highlighted some of the findings of the 2007 DCMA report:

[DCMA] reported that they were using substandard electrical equipment (purchased from other countries where UL or similar ratings are not used) and that people were overloading the electrical systems as well as causing fires.<sup>15</sup>

The e-mail then warned that DCMA could be liable for these deaths because it failed to act on the report's recommendations:

I am concerned that electrical issues were identified; lack of action with regard to any corrective action, or increased surveillance, results in direct liability issues for our Agency as well as individuals who were briefed regarding this finding, to include the Army and KBR.<sup>16</sup>

This e-mail was quickly sent up the chain of command. Less than one hour later, Ms. Davies forwarded the e-mail to Captain David Graff, the Commander of DCMA

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<sup>12</sup> *Id.*; E-mail from James O'Kane, DCMA Contract Safety Specialists Center, to Rebecca Davies, DCMA Executive Director of Contract Operations and Customer Relations (May 5, 2008).

<sup>13</sup> Letter from Chairman Henry A. Waxman to Defense Department Secretary Robert M. Gates (Mar. 19, 2008).

<sup>14</sup> *Despite Alert, Flawed Wiring Still Kills G.I.'s*, *New York Times* (May 4, 2008).

<sup>15</sup> E-mail from James O'Kane, DCMA Contract Safety Specialists Center, to Rebecca Davies, DCMA Executive Director of Contract Operations and Customer Relations (May 5, 2008).

<sup>16</sup> *Id.*

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International, and Colonel Jeffrey Brand, the DCMA Chief of Staff.<sup>17</sup> Later that day, Captain Graff forwarded the e-mail to Colonel Kirk Vollmecke and Lieutenant Colonel David Kaczmarski, the Commander and Deputy Commander of DCMA in Iraq, respectively. Captain Graff asked them to take a “hard look” at the DCMA report, asking:

Did we receive warning about deficient matl use? Need my basic what where when how why etc.<sup>18</sup>

In response, Lieutenant Colonel Kaczmarski asked Colonel Vollmecke: “What report?”<sup>19</sup>

My letter on March 19, 2008, requested “[a]ll reports and communications regarding improper electrical grounding in facilities in Iraq used by U.S. military or contractor personnel.”<sup>20</sup> The Department’s response to this request is not yet complete. However, the Department has produced over 7,500 pages of documents to the Committee. There is no indication in any of these documents that the problems identified by DCMA in February 2007 have been addressed and resolved.

### **Request for Additional Information**

The information the Committee has received raises serious questions about electrical safety in Iraq. It appears that there are significant deficiencies in electrical systems throughout Iraq, that these deficiencies present an ongoing threat to our troops, and that despite hundreds of electrical fires, the Department and KBR have done little to address the widespread safety risk.

In order to assist the Committee in further investigating these issues, I renew my request that you provide the Committee the documents requested in my March 19, 2008, letter, including the final investigative report related to the death of Staff Sergeant Maseth and all relevant

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<sup>17</sup> E-mail from Rebecca Davies, Executive Director of Contract Operations and Customer Relations, DCMA to Captain David Graff (USN), Commander, DCMA-International and Colonel Jeffrey Brand, Chief of Staff, DCMA (May 5, 2008).

<sup>18</sup> E-mail from Captain David Graff (USN), Commander, DCMA-International, to Colonel Kirk Vollmecke, Commander, DCMA-Iraq/Afghanistan, Lieutenant Colonel David Kaczmarski, Deputy Commander, DCMA-Iraq/Afghanistan, and Lieutenant Colonel George Holland (May 5, 2008).

<sup>19</sup> E-mail from Lieutenant Colonel David Kaczmarski, Deputy Commander, DCMA Iraq/Afghanistan, to Colonel Kirk Vollmecke, Commander, DCMA-Iraq/Afghanistan (May 5, 2008).

<sup>20</sup> Letter from Chairman Henry A. Waxman to Defense Department Secretary Robert M. Gates (Mar. 19, 2008).

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documents and information from the Marine Corps. I also request that you provide the following information:

1. The DCMA memorandum dated May 26, 2008, stating that "there is no direct or causal connection" between the widespread safety hazards depicted in the report and the electrical deficiencies at the compound where Staff Sergeant Maseth died;
2. The name, rank, current or last known address, date of injury, and severity of injury for all U.S. military or contractor personnel injured or killed as a result of fires caused by deficient electrical systems in facilities in Iraq; and
3. Any documents relating to incidents in which U.S. military or contractor personnel were injured or killed as a result of fires caused by deficient electrical systems in facilities in Iraq.

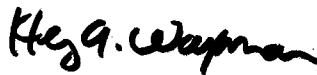
I also ask that the Department provide a briefing to Committee staff regarding the fires at Camp Al Asad, Forward Operating Base Speicher, and Fallujah, the incidence of electrical fires in Iraq, and what steps DCMA has taken to implement the recommendations outlined in the February 2007 Safety Assessment. I also request that the Committee make available Paul Dickinson and Ingrid Harrison, both DCMA officials, for transcribed interviews with Committee staff.

I ask that you provide these documents and the briefing by July 25, 2008.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. An attachment to this letter provides additional information on how to respond to the Committee's request.

If you have any questions, please contact me or ask your staff to contact Margaret Daum or Theodore Chuang of the Committee staff at (202) 225-5420.

Sincerely,



Henry A. Waxman  
Chairman

Enclosure

cc: Tom Davis  
Ranking Minority Member