

OPENING STATEMENT OF SENATOR ROBERT P. CASEY, JR.

Chairman Waxman, Ranking Member Davis, and Members of the Oversight and Government Reform Committee, I am honored to appear this morning before your Committee as you investigate the disturbing pattern of electrocution deaths and electrical fires in Iraq. Mr. Chairman, I commend your commitment to this matter and for allowing me the privilege of giving testimony at this hearing.

Mr. Chairman, I am sitting here before you today due to the courage and dedication of one woman. In January of this year, Cheryl Harris was forced to go through every parent's worst nightmare – learning of the death of her child. Ryan Maseth, a native of Shaler, Pennsylvania, and a decorated Army Ranger and Green Beret, was killed in Baghdad. But he did not die of enemy fire, but rather was electrocuted as he was taking a shower. Cheryl was first told by Army officials that Ryan died because he took an electrical appliance into the shower. Only after further digging did Cheryl learn that Ryan died because an improperly grounded water pump produced an electrical current in Ryan's shower.

It is because of Cheryl Harris's passion and her drive to find the truth that the Congress has been alerted to the disturbing pattern of electrocutions and electrical fires that have plagued U.S. military facilities in Iraq since we arrived in 2003. Cheryl wants what every parent of a fallen hero deserves: an honest explanation of what led to the death of her child and accountability for those whose actions may have contributed to an unnecessary death.

We are at the beginning stages of what should be a comprehensive inquiry. We have many more questions than answers. Multiple actors, including the Defense Department, private contractors, and others, may bear varying levels of responsibility and we should not leap to presume guilt by anyone. But it is important that we pursue this matter wherever it may lead. As I wrote in my initial letter to Secretary Gates last month, we need to know “what steps the Department of Defense has taken to ensure that no more American men and women serving in Iraq suffer needless deaths by electrocution due to faulty wiring or negligent maintenance”.

Mr. Chairman, it is useful, however, to lay out what we do know:

- In October 2004, only 18 months after the United States entered Iraq, the Army published a safety bulletin describing electrocutions as a “killer of soldiers.” Frank Trent, a safety specialist with the Army Corps of Engineers, was quoted in the report, “We've had several shocks in showers and near misses here in Baghdad, as well as in other parts of the country. As we install temporary and permanent power on our projects, we must ensure we require our contracts to properly ground electrical systems.”

- Between June and October 2007, Sgt 1st Class Justin Hummer resided at the room at the Radwaniyah (RAD-WAN-IYAA) Palace Complex, or RPC, where Ryan Maseth will later live. During this time period, Hummer reports being shocked in the shower four times and submits a work order each time for an appropriate repair to be made;
- On January 2nd, 2008, Ryan Maseth steps into this shower and is electrocuted; his body, burnt and smoldering, is discovered by a fellow soldier who himself then is severely shocked due to a lingering current;
- We were initially told that twelve Americans had died due to electrocution deaths in Iraq. On July 8th, General David Petraeus, in a response to a Question for the Record I submitted to him, stated that in fact thirteen Americans – eleven soldiers and two contractor employees – died by electrocutions. When I met with William Utt, the President and CEO of KBR last Friday, he told me that KBR believes fifteen Americans have died by electrocutions. Finally, today, the DoD Inspector General is reporting sixteen non-combat electrocutions in Iraq since 2003. This record undermines any confidence that the Department has a handle on the magnitude of this problem. For that reason, I sent a letter to Secretary Gates yesterday asking for the names of every American who has been electrocuted in Iraq and thus ensure we understand what has happened to date;

Mr. Chairman, when I met with the KBR CEO on Friday, he told me that KBR does not bear responsibility for Ryan Maseth's death because KBR was operating at the RPC complex in Baghdad under a so-called "Level B" contract engagement. Under this type of contract, Mr. Utt asserted that KBR technicians were responsible for servicing problems brought to their attention by the Army, and not given the broader task of preventive maintenance and proactively identifying problems, as a "Level A" contract would have required.

That may be the case, and I have sent follow up letters to both Mr. Utt and the Pentagon to ascertain the facts. But it does not explain why, even after four separate work orders were filed in a matter of months on the same shower, why that shower was never fixed and why Ryan Maseth was electrocuted in the same shower. It is my hope today that this hearing will begin to shed further light. I look forward to reviewing what the DoD Inspector General has to say.

Mr. Chairman, I was disappointed that the Pentagon's chief spokesman, at his daily briefing yesterday, made an unprompted statement questioning the rationale for the hearing this morning and implying that partisan politics are involved. The United States Congress should not apologize for carrying out one of its core functions, as envisioned by the framers of our Constitution: oversight of the Executive Branch. While they died under differing circumstances, we know that at least sixteen Americans, possibly more, have died of electrocutions in Iraq. Sixteen deaths do not make for isolated incidents or random occurrences; they constitute a pattern and are a genuine danger to our men and women serving in Iraq.

And this danger continues to this very day. My office has heard from several active-duty soldiers, who report that, as recently as three weeks ago, soldiers in Iraq continue to receive electrical shocks on a regular basis as they carry out their daily activities, including taking showers. Electric shocks are not the only danger produced by faulty wiring. There have been hundreds and hundreds of electrical fires at U.S. military facilities throughout Iraq since 2003. The Defense Department itself has acknowledged almost 300 electrical fires in one five month period in 2006 and 2007. On June 25th, a faulty light fixture sparked a blaze that destroyed ten buildings in a U.S. encampment outside Fallujah. Thank God, there were no casualties, but the members of the Lima Company 3rd Battalion 6th Marine Regiment lost their entire possessions. They have been forced to write home asking for donations to replace personal items.

I am not here to point fingers, but to demand the truth. I am not here to prejudge the culpability of KBR, the Defense Contract Management Agency, the U.S. Army, or any other entity. The Congress must proceed with an open and transparent investigation. But Cheryl Harris, and the loved ones of at least 15 other Americans, deserves answers. They need to know why faulty wiring in Iraq has been highlighted, time and time again, as a major safety hazard going back to early 2004, but little or no action was taken.

The American people and these families have a right to know the truth. We arrive at the truth by asking tough questions and demanding complete answers. Our system of justice is adversarial. We know that truth does not fall like clear raindrops from the sky. It must be elicited from individuals or unearthed in documents or other evidence. The only way to bring about justice is to get the truth.

Mr. Chairman, thank you for the privilege of appearing before this Committee for such an important hearing.