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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

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December 14, 2011

The Honorable John McHugh
Secretary of the Army
U.S. Department of Defense
1400 Defense Pentagon
Washington, D.C. 20301-1400

Dear Mr. Secretary:

I am writing to ask for information regarding the Army's use of the Automatic Neuropsychological Assessment Metric (ANAM) test. The ANAM test is intended to assist the Army to detect mild or medium traumatic brain injury (TBI).

As you are aware, I have previously raised concerns regarding the Defense Department's efforts to treat mild to medium TBI cases, which range from concussions to non-penetrative brain injuries. Due to the prevalence of improvised explosive devices in Iraq and Afghanistan, mild to medium TBI has become a signature wound of these two conflicts.¹

According to recent Army reports, the ANAM has not been proven to be effective at detecting cases of mild to medium TBI. There are also serious questions regarding the process used to select the test, which the Army Office of the Surgeon General called 'nepotistic.'²

I recently learned that the Army has spent millions through contracts to administer the ANAM test to members of the Armed Services.³ Despite the fact that military researchers initially developed the test, the Army has paid Vista Partners \$6 million in user fees for the

¹ Letter from Chairman Claire McCaskill to Secretary of Defense Robert Gates (Jan. 19, 2011).

² U.S. Army, *ANAM Program Review Information Paper No. MCL-HO-PTBI* (June 16, 2010); U.S. Army Office of Surgeon General, *The DoD ANAM Program: A Critical Review of Supporting Documentation* (Sept. 7, 2010).

³ *Testing Program Fails Soldiers, Leaving Brain Injuries Undetected*, ProPublica/NPR News (Nov. 28, 2011).

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ANAM over the last three years.⁴ Approximately \$6.8 million has apparently been paid to another contractor, Evolvent, to build an electronic system for collecting and distributing ANAM test results.⁵

In addition, according to the Federal Procurement Data System (FPDS), the Army has paid nearly \$19 million over the past three years to subsidiaries of the Eyak Corporation, an Alaska Native Corporation (ANC), to administer the ANAM test.⁶ Employees of a separate Eyak subsidiary were recently indicted on charges of conspiracy to defraud the Defense Department of approximately \$20 million.⁷

To assist the Subcommittee with its oversight of the Defense Department's contracts relating to the ANAM test, I request that you provide a briefing to Subcommittee staff on or before **January 20, 2012**. If you determine that you will be unable to meet this schedule, please contact Subcommittee staff to discuss possible modifications.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 73 (111th Congress).

I appreciate your assistance. Please contact Margaret Daum with the Subcommittee staff at (202) 224-4462 with any questions. Please send any official correspondence relating to this request to kelsey_stroud@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Chairman
Subcommittee on Contracting Oversight

cc: Rob Portman
Ranking Member
Subcommittee on Contracting Oversight

⁴ Federal Procurement Data System – Next Generation (online at https://www.fpds.gov/fpdsng_cms/) (accessed Dec. 7, 2011).

⁵ *Testing Program Fails Soldiers, Leaving Brain Injuries Undetected*, ProPublica/NPR News (Nov. 28, 2011).

⁶ Federal Procurement Data System – Next Generation (online at https://www.fpds.gov/fpdsng_cms/) (accessed Dec. 7, 2011).

⁷ Grand Jury Indictment, *U.S. v. Khan*, D.D.C (No. 1:11-cr-00276) (Sept. 16 2011).