

Testimony of Captain Samuel Choe

Homelands Security and Governmental Affairs Committee (HSGAC)

Permanent Subcommittee on Investigations (PSI)

Hearing titled,

“Mistreatment of Military Families in Privatized Housing”

Tuesday, April 26th at 10:00 a.m.

Good morning Chairman Ossof, Ranking Member Johnson, and members of the Subcommittee. It is my professional and personal honor to participate in this proceeding, regarding the deficiencies in privatized housing provided to servicemembers and their families at Fort Gordon, GA by Balfour Beatty Communities LLC (BB), and the personal experience that my family and I have had while residing on-post in Balfour Beatty-managed housing.

My name is Samuel Choe, and I am an active duty United States Army Officer, currently serving at the rank of Captain at Camp Humphreys, South Korea. My military service spans over 12 years, as both an enlisted, and now, commissioned, Soldier. Prior to my current field as a communications Officer, a position in which I have served since 2015, I served as an intelligence analyst from 2010-2015. I have been stationed in the following locations in the specified capacities: Fort Campbell KY, 2010-2013, Camp Parks, Dublin CA, 2013-2015, Camp Walker South Korea, 2016-2018, Camp Humphreys South Korea, 2018-2019, Fort Gordon GA, 2019-2022.

Before joining the Army, I was employed as a banker for Wells Fargo and JP Morgan Chase. I am married to my wife Mijin and we share three children. My oldest child is Nathaniel, who is 14 years old, and aspires to become a neurologist. My second child is Cherylin, who is 10 years old, and aspires to become a Pixar film director. My third child is Luka, who is 11 months old, and aspires to share the snacks that I eat someday soon.

For the matter regarding the current state of Fort Gordon's military housing, it is imperative that all members of the Subcommittee, and all other parties present, understand the circumstances leading up to today's witness testimony. It is presently established that the Department of Defense's (DoD) commitment to privatized housing for uniformed servicemembers (SM), is overseen by the Office of the Assistant Secretary of Defense for Sustainment-Facilities Management, as part of the Military Housing Privatization Initiative (MHPI). Created in 1996, the MHPI stipulates that the conceptualization, acquisition, funding, development, and establishment of military housing for SMs adheres to the National Defense Authorization Act for Fiscal Year 1996, Public Law 104-106 (110, Stat 186, Section 2801). The contracts established between the different US military branches, and the private sector, are meant to enable uniformed personnel to rely upon being furnished homes that are suitable for residence.

The advent of privatized housing DoD-wide means that these for-profit companies are contractually obligated to satisfy the housing initiative established by the MPHI. This includes basing their business models on an expected occupancy rate, in exchange for the entire basic allowance for housing (BAH) stipend given to SMs. Considering this, BB is at the forefront of privatized military housing, managing 55 different military installations across the US, which exceeds 43,000 homes and counting.

Currently, Fort Gordon's on-post residences are operated, in whole, by BB. This organization, and its Fort Gordon office, has direct managerial oversight for the different units that are leased by enlisted, commissioned, and in certain cases, non-military tenants. BB requires that all tenants sign a lease prior to occupying a unit, which stipulates the terms and conditions that both lessor and lessee are to abide by for the duration of the contract. It is fair to consider that for all intents and purposes, these contracts are essentially the same as conventional tenant/landlord agreements that are part of the US civilian rental market.

My family's concerns and issues with BB relate to our first-hand experience and suffering in a BB-managed home, from August 2019-February 2021, and the systemic failures of BB, affiliates domiciled at Fort Gordon, and members of the Fort Gordon garrison to address our complaints of toxic conditions. The ramifications of living at our former on-post home are still felt keenly due to the adverse impact that it has had on my daughter, Cherylin. While residing there, she developed a potentially fatal mold allergy, which has become the focal point of our concerns with BB, and their inability to provide tenable conditions for SMs as a whole.

The condition that Cherylin has been permanently diagnosed with is severe atopic dermatitis. When less concentrated, this is more commonly known as eczema. She developed this allergic condition as a direct result of living at 149-A Cypress Circle, Fort Gordon, specifically through exposure to black mold and mildew. Prior to this, she had never exhibited any symptoms aside from testing positive for a mild allergy to cats, dogs, and eggs. As a military dependent, Cherylin has moved from California, to Fort Campbell KY, to California again (Camp Parks), to three different locations in South Korea, and to Fort Gordon GA. With absolute confidence, my family and I state that she never exhibited any allergy symptoms remotely close to what she now does on at least a weekly basis, which stems from her exposure to the black mold and mildew which was present at 149-A Cypress Circle.

We originally received military orders to move from South Korea in the spring of 2019, where I was stationed at Camp Humphreys as a communications engineer for 1st Signal

Brigade. The orders detailed that I attend a military course located at Fort Gordon, due to my recent promotion from Lieutenant to Captain. My family and I conducted our move in August 2019, and moved into the BB-managed home of 149-A Cypress Circle. Shortly after our move, Cherylin began to experience a series of harsh rashes and skin irritation, primarily on her arms and legs. These epidermal aberrations would prove to be long-lasting and harmful, from both a physical and psychological standpoint. The following is a timeline of the events which led to our move from 149-A Cypress Circle, to our off-post residence at that time.

-October 2019: Cherylin is seen at Dwight D. Eisenhower Army Medical Center (DDEAMC), prescribed medication. Symptoms exhibited include rashes, hives, darkened skin, and skin irritation.

-November 2019: Cherylin is seen at DDEAMC by Dr. Victor Dewyea (allergy/immunologist)

-December 2019: Cherylin is seen at DDEAMC for continued symptoms, and an allergy test is conducted to determine cause of symptoms. She is found to be highly allergic to mold and mildew.

-January 2020: Cherylin is seen at DDEAMC, and subsequently placed into the Army Exceptional Family Member Program (EFMP). This program is to provide specialized care and attention for military dependents who endure medical conditions or educational challenges.

-February 2020: The Choe family is notified that Cherylin's condition is potentially fatal, and a test needs to be conducted at 149-A Cypress Circle to determine if it is the cause. A work order is submitted through the BB online resident portal for a mold test to be conducted.

-February 2020: Representatives from BB, Fort Gordon Housing, Fort Gordon Army Community Services (ACS), EFMP, and an independent contractor employed by Fort Gordon Housing, arrive at 149-A. A moisture test is conducted in the home, to include the walls, attic, and HVAC system. The moisture reading reflects the home to be at a normal state of moisture for the season. Samantha Daher, the BB manager, along with David Cross, the BB maintenance/facilities manager, inform CPT Choe that going forward, if there are any additional concerns regarding mold, moisture, or mildew, to

contact her office directly via email, in-person notification, or by informing the workers who conduct the work orders. She hands CPT Choe her card and states that the results of the moisture test will be reviewed.

-March 2020: Cherylin continues to experience periodic flare-ups and rashes, and receives at-home treatment via her prescribed medication.

-April 2020: Cherylin's condition persists. In addition to the physical aspect of her condition, Cherylin begins to exhibit psychological effects, stemming from the negative she receives from her peers at school.

-May 2020: Cherylin's condition persists.

-June 2020: A follow-up appointment is scheduled with Dr. Dewyea, who suspects that the home is the main cause of Cherylin's condition. Additional medication with a stronger steroidal potency is prescribed, and a memorandum is written stating the physician's concern regarding the residence. Of note, Dr. Dewyea has made this determination based upon all other possible factors being ruled out or eliminated (such as zero exposure to cats and dogs, the testing conducted by BB, and regular application of the medicine prescribed to combat Cherylin's symptoms).

-July 2020: Cherylin's condition persists.

-August 2020: Cherylin's condition deteriorates, a follow-up appointment is scheduled. Cherylin begins to scratch at night, causing the rough skin to break and bleed onto her bed.

-September 2020: Cherylin's condition persists, a follow-up appointment is scheduled, and a second memorandum encouraging an off-post move is provided.

-October 2020: Fort Gordon Housing personnel are notified of a request to move off-post, and to have the move funded by BB due to the circumstances. Norma Puryear receives the request and forwards the information to her leadership.

-October 2020: The Fort Gordon Housing team is contacted via phone, regarding the move request status. CPT Choe is notified that the request is being reviewed by the Fort Gordon garrison team. After two weeks of no update, CPT Choe emailed the Housing team again, to which he is informed that the garrison team is still reviewing the request.

-November 2020: CPT Choe attends the retirement ceremony of Chaplain LTC Ko, the Fort Gordon garrison deputy chaplain. Also in attendance is the Fort Gordon garrison team. CPT Choe is notified by the garrison team that his request is still under consideration.

-November 2020: The Choe family are notified that the off-post move is not approved, and that BB will not fund a move.

-December 2020: Cherylin is seen off-post at Augusta University (AU) medical college, dermatology specialty clinic. This begins a series of visits with both DDEAMC and AU.

-December 2020: CPT Choe is notified by the Housing team that the garrison team requests additional medical records and tests before a decision is made for the Fort Gordon garrison to fund an off-post move.

-December 2020: CPT Choe submits an Interactive Customer Evaluation comment (ICE). BB resident supervisor Teddy Tripp notifies the Choe family that there are currently no other homes available for potential relocation on-post, and that there were additional tests that should've been conducted at 149-A, to include air and allergen testing separate from moisture. Mr. Tripp also states that David Cross was to have conducted further testing, but had left the organization prior to doing so. Tom Rodriguez, the incoming maintenance/facilities manager, was to have followed up on this matter.

-December 2020: CPT Choe contacts the Housing team, who informs him that one member of the garrison team is waiting for the opportunity to brief the other member regarding the funded off-post move request.

-January 2021: Cherylin is seen at by Dr. Dewyea again at DDEAMC due to her condition.

-January 2021: A meeting is facilitated by COL Pick, which included the following personnel: Samantha Daher, Tom Rodriguez, Jenna Holman, Dan Paradis, COL Michael Adamski, LTC Cory McCoy, and CSM Smith. During this, Daher and Rodriguez leveled accusations that the Choe family had turned away BB employees to treat the mold in the home, and that the mold concerns were not brought to their attention prior to the meeting. Furthermore, Daher did not disclose that the BB regional manager located in Atlanta was currently listening in on the meeting through laptop. The Choe family sought to resolve this matter in its entirety by requesting two things: to end the lease immediately, and to have an off-post move funded by either BB or Fort Gordon garrison. Both requests were immediately denied. It is after COL Pick intervened, and requested that BB agree to termination of the tenancy, BB agreed to terminate the lease without penalty, and to have the pro-rated portion of the BAH that was already garnished, to be returned.

-February 2021: The Choe family move off-post.

- February 2021: CPT Choe schedules a move-out inspection with BB. The inspector informs CPT Choe that there are no damages or monies required, and that the Choe family is free of any unresolved issues pertaining to the home's present state.

-February 2021: CPT Choe emails Cook regarding the circumstances involving 149-A and Cherylin. This begins a series of email correspondence between the Choe family and Cook, to include additional members of BB VPs (Leslie Cohn, Billy Lawson, Steve Curtis) and Daher. Cook is provided the moving company's costs associated with the non-funded move.

-March 2021: The Choe family receive a collections letter from BB, which states that if the charges notated are not paid, then CPT Choe's account will be submitted to a collections agency for further action. CPT Choe addresses this with Cook, which she states that it was an internal notice only, meant for BB staff. Cook states that she would like to seek a resolution to the Choe family's grievance regarding Cherylin's condition.

-March 2021-June 2021: CPT Choe and BB representatives, specifically Cook, continue to correspond via email and phone conversation. Cook repeatedly states BB's desire to resolve the grievances experienced by Cherylin, but are only willing to pay for the moving company rate provided earlier, and the pro-rated BAH that was garnished

for the month of February. After several months of seeking an amicable solution, CPT Choe retains legal counsel and BB is notified.

-June 2021-February 2022: Cherylin begins receiving specialized medical treatment, in the form of Dupixent. Dupixent is a potent antibody blocking prescription drug that is tailored to specifically target atopic dermatitis, asthma, and related skin conditions. Retail price averages approximately \$3,000-\$4,000 per injection. Cherylin receives dosage every two weeks, beginning in June 2021.

With the timeline detailed above, I seek to establish a few key facts that would put the entirety of this situation in a more transparent context. My family and I made the decision to provide testimony, and cooperate with PSI, due to the lack of support that we received from BB and the Fort Gordon garrison team. Cherylin's condition is a deeply personal and profound one, which is shaping her perception of who she is, and how she compares to her peers. Given her age, she is formulating her sense of self, but one that is now adversely affected by matters outside of her control. Considering the physical and psychological toll that this has had on her, it is with sadness, anger, frustration, and a feeling of helplessness, that our family felt that PSI could afford us at least some measure of balance through the testimony provided today.

Prior to moving into 149-A Cypress Circle, Cherylin was a healthy, exuberant little girl with a ready smile and steady confidence. She was, and still is, a social person, willing to express her emotions without cause for concern. Aside from a mild cat and dog allergy which made my wife and I question if we should purchase a puppy for her, there were no other health issues, preexisting or otherwise, that prevented her from enjoying the quality of life that she deserved. When my wife and I became aware of the seriousness of her atopic dermatitis, we were saddened and disoriented at how swiftly it impacted Cherylin. As the images presented show, her skin has been devastated by the severity of the rashes that ail her. Cherylin's arms, legs, torso, neck, and face have all exhibited the lengths that her condition has impacted her. Despite frequent medical attention, from both the Army, and outside care, her condition remains the same. In the concentrated areas which pain her the most, Cherylin's skin has become darkened and reptilian. At its worst, my vibrant and exuberant daughter resembles a burn victim. Members of the Subcommittee, I testify before you that Cherylin's quality of life has been profoundly changed by her condition. Words, deeds, nor my testimony will never be able to fully convey the physiological, psychological, and emotional anguish that she has had to endure, and may endure for the rest of her life. It is expected that she will have to weather her atopic dermatitis well into her adult years. If not for my military

service, I would most likely find myself unable to pay for her treatment, to include the Dupixent that she has received.

With all of this, my family and I believe that this could have been, and should have been, circumvented, with little cost involved, if BB and the Fort Gordon garrison team would have supported us in their respective capacities. Once the results of Cherylin's allergy tests were received, my wife and I brought up the possibility that 149-A Cypress Circle was the cause. Cherylin had not been exposed to mold at our previous duty stations, and we did not notice mold upon our initial move-in. It is only after Dr. Dewyea and the EFMP staff informed us of the severity of Cherylin's condition, that if exposed to prolonged periods of black mold that she could become seriously ill or die, did BB expend efforts to address this. Upon seeing the effects of the mold on our daughter, my wife and I made every attempt, and followed all guidelines provided by the medical staff to mitigate her condition. Unfortunately, the same level of dedication was not present through the BB staff or Fort Gordon garrison staff. Knowing that the home we resided in was the root cause of Cherylin's atopic dermatitis, we sought all available avenues to treat her, and remove her from the environment she was in. While seeking both military and civilian healthcare, we attempted to rely upon the BB/Fort Gordon staff for support. Recalling that Daher had encouraged us to contact her directly, we shifted our focus from trying to clean the home via filter replacements and steam cleaning, to requesting support from the BB management team of Daher and Rodriguez.

Despite receiving assurances that she and her staff would resolve any mold concerns, Daher and the BB team at Fort Gordon did the opposite. At the time I felt that being encouraged to contact BB through in-person, phone call, or email was a welcome change to submitting a work order through an online application. After several phone calls, office visits seeking Daher or someone else in a managerial position, and email correspondence, it became apparent that our situation was of scant importance. Throughout our tenancy, my wife and I submitted minor work orders, both before, and after the home was tested for moisture. I have personally informed the different repairmen that black mold is visibly present, that our family is worried that it is impacting Cherylin's health still, and that we would like this to be mitigated accordingly.

Each and every time, we were given assurances that the management was cognizant of the situation, and that there were efforts in place to fix them. In the spring, my wife noticed mold growing in the bathroom and both of my children's rooms. Although she tried to clean it, the mold would grow back. I called Daher's office number, but was unable to get through to her. I visited the office three times asking for her or Cross, but was informed that they were not available, and that a resident specialist would call me

when available. I never received any response back. When we had to replace light bulbs in the stairway during the summer, we informed the repairman of mold that continued to grow on the second floor. The repairman responded by saying BB is transitioning between facilities managers (Cross and Rodriguez), but that someone will take care of the issue. When we experienced a leaky kitchen faucet in the fall, my wife and I informed the repairman of the mold upstairs, and if he could take a moment to make a record of it. The repairman stated that he could not, and that this was specifically being handled by the facilities manager, Tom Rodriguez. The day prior to moving out, I showed the repairman where mold had continued to proliferate, and where paint had peeled and flaked off of in our bathroom. The repairman stated that his manager, Tom Rodriguez, would fix these issues. During the move-out inspection, the chipped paint with mold growing on the walls, the vinyl shower lining that was dark with mildew, and the mold spots on the ceiling, were shown to Lauren Knight, the BB representative conducting this. She echoed the same sentiment as the repairman from the previous day, that Tom Rodriguez would address this. Tom Rodriguez, the same individual identified as the facilities manager to whom everyone deferred to, was the same individual who lied in saying that my wife and I had turned away his team from cleaning the black mold. Rodriguez was the same individual who stated in front of both my command team, and the garrison command team, that I had lied about the extent of the mold, and that he had been prepared to remove it from the home if allowed.

My wife and I placed trust and faith in the BB staff, but were ignored, disappointed, or disregarded at every juncture. All of our endeavors to mitigate the mold visibly growing in the home, through our own efforts to clean, or by having a BB representative file a record of it being present, were all for naught. Throughout this all, Cherylin's health continued to wane. Cherylin requested to speak to someone about her emotions, and the bullying she experienced at school stemming from her appearance. I made several phone calls to the Military and Family Life Counseling program (MFLC) on Fort Gordon, but was unable to reach a live person. Eventually, I asked my colleague who is a military chaplain at my unit, if he would be willing to provide support for Cherylin. My daughter eventually had three sessions with him, where she detailed days where she was frightened to wear summer attire, or anything that would expose her arms and legs to the public. She stated that she was grateful that COVID-19 forced everyone to wear masks, which gave her a reason to hide her face that was being afflicted by her dermatitis. Cherylin felt relief when my wife and I assured her that one way or another, whether we receive approval or not, that we would move off-post. It was rather clear that seeking support outside of our own family was a fruitless endeavor. My wife, who was 7 months pregnant at the time, spent the weekdays moving our belongings to our new off-post residence, while I worked the final details of vacating the 149-A Cypress Circle home.

After having BB disapprove the off-post move, both from a contractual and funding standpoint, COL Pick facilitated the meeting between all vested parties. As notated on the timeline above, it was only at the behest of COL Pick and COL Adamski, my Brigade commander, that BB relented in allowing us to move without penalty. Up until this point, Daher and her staff refused to fund or approve our family relocating. After several months of asking for either relocating to a different home on-post that BB managed, which we were denied, or covering the costs involved to transition, did BB and Fort Gordon staff enable my family and I to do so. I would like to clearly state that, at no point in time, did any representative of BB express any type of apology, or take anything beyond a mildly conciliatory tone for what transpired. In addition to this, the garrison team made an effort in trying to convince me that the home was not the cause of Cherylin's atopic dermatitis, and that perhaps it was a moderate allergy that was ailing her.

Chairman Ossoff, Ranking Member Johnson, Subcommittee members, and other vested parties, my family and I have provided to you the most comprehensive account of our tenancy while at Fort Gordon. The terms by which we abided, the guidelines to which we adhered, the stipulations which we met, only proved that willful misconduct or gross negligence, as well as indifference and lack of responsibility undercut our efforts to protect our children from harm. My uniform, my service, my oath to country, was of little account to BB and its supporters as was shown by their lack of attention to, and disdain for, my family. This level of mistreatment is indicative of the business practice that BB has consistently shown, to which other military families at Fort Bliss, Lackland Air Force Base, and Sheppard Air Force Base can attest to. The ramifications of this testimony do not concern me, in terms of career impact. My current organization at 1st Signal Brigade has been supportive of my personal involvement with the PSI, and have been exhaustive in their efforts to accommodate my family, despite our recently having joined them. It is with great disappointment that the same cannot be said of the BB staff and the Fort Gordon garrison team. It also concerns me that there are other families who are either unwilling to come forward due to a fear of retaliation, or who have moved on already, having experienced substandard conditions but are unaware of their rights as set forth by MHPI. It is my sincere hope that this testimony, as well as the testimony of others represented today, resonate with the Subcommittee. We cannot affect a change. But it stands to reason that the Chairman, Subcommittee members, and other individuals who are privy to this hearing, can. It has been an honor, and a privilege, to be here today. I am proud of the resiliency that my daughter has shown, and I have endeavored to represent her plight to the utmost of my ability as her father. Thank you for any and all considerations. I look forward to answering any queries from the Subcommittee.