



**IRAQ AND AFGHANISTAN
VETERANS OF AMERICA**

Statement of

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**On "Management and Oversight of Contingency Contracting in
Hostile Zones"**

For the Senate Committee on Governmental Affairs

**Subcommittee on Financial Management, the Budget and
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Good afternoon Chairman Carper, Senator Coburn and members of the committee. It is an honor to appear before this committee to discuss some of what I saw in Iraq in 2003.

I am here today to testify on the effects of contingency contracting on the battlefield. I encountered them as the first sergeant for Headquarters Troop, 1st Squadron, 10th United States Cavalry in June 2000. I served in that role until I returned from Iraq to retire in October 2003. My troops' role was to staff, supply, treat, arm, and support Force Package I, the lead element of the 4th Infantry Division in Operation Iraqi Freedom I. In Iraq the squadron was task organized with 1st Battalion, 17th Field Artillery and elements of the 404th Support Battalion, specifically the forward logistics element or FLE. Numbers varied from day to day but my troop had about 400 Soldiers and supported between 1800 and 2000 Soldiers each day.

I retired from the Army in 2004 and am testifying today as a private citizen. Chief of Staff General Peter Schoomaker wants retirees to wear the new "Army Retired" lapel pin with thoughts of: "I was a soldier, I am a soldier and I always will be a soldier." Soldiers are expected to maintain the Professional Army Ethic, including the values of courage, candor, competence, and commitment. I think that it is important to highlight issues that bear on the welfare of Soldiers, including the great ones I served with, those I work with every day, and those that will follow in all of our footsteps. We owe them that commitment and sometimes that requires candor. I can tell you that I discussed my statements with Soldiers I served with, both my superiors and my subordinates and each of them encouraged me to speak out in the hopes of improving this kind of situation in the future.

I can discuss what happened to my unit and what steps we took to mitigate the effects of services not provided to us. I cannot discuss the exact terms of any single contract as neither I nor any member of my immediate chain of command were privy to the exact statements of work and contracts that bound these companies. Further, most orders, logs, and official documents accumulated by my unit command post at that time were stamped as secret and I am unsure of the disposition of them. I do not have to discuss secret information today and doubt that I could gain access to it at this point. Some dates I refer to may be off by a few days as I have had to use the date-time stamps of personal photos, emails, and letters to reconstruct some of my unit's actions and movements.

I would like to point out that I work as a contractor at Fort Hood in Texas now. I understand that some services can be delivered by contractors in an efficient and responsible manner, freeing Soldiers to train for war. The company I work for works hard to provide a quality service to the government and strives every day to make a positive difference for the nation. I have an understanding of the ethics process and contribute to deliverables which my employer is very careful to provide in accordance with our contract. I think that some specific and fatigue tasks are best done by contractors. But to paraphrase one of my commanders "we had enough stuff to kick in the door, but we couldn't stay in the room" without outside help.

While preparing for and moving through Iraq, my unit was constantly accompanied by and supported by a variety of contractors, primarily maintenance personnel who functioned as an integral part of our team. I found that they gave honorable service, and sometimes went above and beyond tasks assigned to them in that very austere environment. They generally functioned as part of our team, although rules for accountability and security were often unclear or nonexistent. But I am here to talk about some large scale support tasks that have been described as doctrinally provided by combat support or combat service support units that were supposed to be provided to our unit by different contractors, under the Logistics Civil Augmentation Program or LOGCAP, a process known as contingency contracting. While I was in Iraq these contractors failed to deliver and their failure impacted my Soldiers in a negative way.

While I was in Iraq, the task force that I was part of moved independently of our higher headquarters and support units, making us rely on contractors in various locations to provide bulk supplies and services to us. My Soldiers felt two kinds of effects when these contractors failed to complete their work. The first effect I will label as indirect and generally resulted in a lack of some critical item the contractor should have provided but did not. The second was direct and felt when a contractor requested or needed support from our units and we had to provide it to them, especially when they were supposed to provide that support.

We felt indirect effects when water, food, and repair parts were not delivered to my unit in a timely manner. There were many weeks in Iraq when my entire unit survived on one or two bottles of water per man per day. Now I know that the water for my unit was sitting in storage containers inside Iraq, but not moved forward. Regardless, the final mile of delivery, the hand off between a support element and mine, did not occur.

I entered Iraq with the 4th Infantry Division's Force Package One, primarily the First Squadron, 10th United States Cavalry on April 14, 2003. When we

departed from Kuwait to attack into Iraq, we carried with us all the food, water, and other supplies we could. After moving from airfield to airfield over a period of weeks, we had exhausted those supplies and required regular re-supply but it did not come. Although the doctrine was to carry three day's food, fuel, and ammunition with the unit (a full Basic Load), in truth a unit rarely has that much carrying capacity. Thankfully, we were organized with the FLE from 404th Support Battalion so that we had an extra capability and were near to self-sufficient for a few days. But even with all of the plans and all of the Soldier's extra work to make them work, we felt our first supply shortage as we crossed the gate into Iraq and saw Iraqi children standing by the side of the road. It didn't take long to realize that they were begging for food and water. They held leaflets that United States forces had dropped promising food, water, and medicine. We had none.

By Army supply doctrine, our higher headquarters was supposed to 'push' these supplies to us - in other words - deliver what we needed. But, as the Army was relying on the LOGCAP contract to provide these supplies, other missions were assigned to the support, transportation, and logistics personnel that were supposed to get this done. My unit moved through Iraq, from Kuwait to Baghdad, to Tikrit, and finally out to the western border with Iran. As the main hostilities settled down, so did we, first in positions in the desert that we called "the Dustbowl" and later at the Kirkush Military Training Barracks, known as Camp Caldwell. While we were at the Dustbowl, water ran so short that even our scouts who stood on checkpoints in the 120 degree sun were restricted to one or two one liter bottles of water per day. When a laundry unit reported to us, I was forced to commandeer the water and use it to supply our Soldiers. All this happened while supplies designated for my unit by KBR sat elsewhere and went undelivered. Our Soldiers had to take on the mission of re-supply to their other ones just to survive. For example, the logistics officer from our support element organized convoys to go to Baghdad and other places looking for supplies. These were Soldiers whose time was already accounted for since KBR was supposed to make these deliveries.

The system was troubled too, by the absence of these normal supply runs. We were not able to evacuate prisoners and broken equipment to the rear area as we trained to do. Since there were no trucks coming forward, there was no back-haul capability either. Our unit attacked the Taji Military Compound north of Baghdad. By the evening of April 16 over 40 Iraqi prisoners were turned over to our headquarters troop element to secure. The doctrine for handling enemy prisoners of war is to speed them quickly to the rear. Our operations order said that military police would take the prisoners but they were not in country yet. As my unit continued to move north, the commander and I had to create plans for leapfrogging the

prisoners and our supplies and equipment. Even though this (moving prisoners) was not a contracted activity but a failure to execute the plan, it is illustrative of the good reasons for allowing the military to control its supplies and equipment. If we'd have had all the carrying capacity anticipated to support our needs this prisoner movement would have been a much less disruptive activity.

War is war and my unit expected and dealt with the harsh climate and austere conditions. In fact, I joked that I was willing to "trade comfort for rules" but by the 23d of April we were down to 2 meals a day and made a rule that water could only be used for drinking - no more washing. On the 5th of May, an order came down from 4th Infantry Division that we were to be "weaned off of bottled water." This was troubling because we had only two of our planned four water trailers, many more people than normal and no one was delivering supplies. On April 30th, I wrote:

"We are still hurting for water, have no hot food (although Brigade has one daily), no showers or bathrooms or amenities. In HHT, we are just making up as many excuses as we can think of for no mail, trying to beg borrow or steal water, oil and repair parts."

Now I know that the water for my unit was sitting in military shipping containers (CONEX) inside Iraq, but not moved forward. Regardless, the final mile of delivery, the hand off between a support element and mine had not been worked out.

By May we'd moved to a position we called the Dustbowl near the Iraq-Iran border to overwatch the Mujahadeen-e-Khalq (MEK). Conditions did not improve, but we had moved even farther from our support. CPT Cirella, from the FLE, began to organize routine supply runs we called the Red Ball Express. Almost all of the supplies we did get from that point on came from these runs. I wrote:

"14 May - "114+ today - Iraq heats up. Today was the day we were supposed to get some word on stop-loss, but nothing yet. Not even any new rumors about our return. We still have no parts to repair an ever-growing inventory of broken tanks, no bath & shower unit (although the Brigade Commander thinks we do), no cold water or ice, little mail and little current news.

... Our next mission, if it starts will be in this same general AO, but will have us spreading out even farther! ... We tried to go to

the town close to here today but someone had bought the ice before us and the CO got a flat and so we returned empty-handed.

We are still on 2 & 2s, while BDE is eating 3 hot meals a day. I think it's not right to keep these soldiers (and me) this way."

and a few days later:

"We are seeing FRAGOs about MWR tents and cyber-cafes in the rear, while we still need food & water, but, Yay!, the Bath & Shower unit showed up yesterday. I took all of their water and put it in trailers to drink and then put the operators on guard. They are shitting bricks. The Div CSM has visited us once, to one troop, since leaving the states, he was scared and aghast at how we lived, then ran away fast.

In one case, they took a convoy all the way back to Kuwait City to find FRH, a hydraulic oil used by our tanks.

In late May we moved to Camp Caldwell, the Kirkush Military Training Barracks and continued the same Red Ball Express Procedure, but had more storage room and was assigned a Reverse Osmosis Purification Unit (ROPU) to make drinking water. For all intents and purposes we'd become self-sufficient on military personnel and equipment alone. A problem was that someone had gotten money to provide these things to us. Another problem was that our convoys began to be attacked and there was a need for increased security at Camp Caldwell, which meant more guard duty, more driving and less sleep or rest for all the Soldiers involved.

We felt the direct effects when contractors such as Vinnel personnel and their sub-contractors did not provide required deliverables to the government and my unit either had to provide those or accomplish tasks that these companies had been paid to do.

In late July the contract force for Vinnel / MPRI - trainers for the New Iraqi Army - reported to our forward operating base. Instead of relieving us from non-mission-essential tasks, they added to them. We had to provide food and water to them. There was pressure to provide hot meals to these contractors even when we could not deliver them to all of our Soldiers. Once again, we had to restrict the amounts of water provided to American Soldiers to two bottles a day so that we could provide the Iraqi Army trainees four bottles a day. We had a rough time dealing with the Vinnel personnel. We

had to cover gaps in contractor security and training. On the first day, about 20 of them arrived, either got off and right back on, or stayed on the bus and refused to debark. They were taken back to Baghdad and I guess quit right there. Instead of providing interior security and contracting out their meals, they immediately turned to us for that support. Their workers had access to the PX goods we brought in and would buy it all up before my Soldiers could. They were unable to account for the weapons to be issued and we had to have Soldiers do it for our own safety. We had to provide extra guards and eventually a permanent quick reaction force because they never got control of their charges. Meanwhile our other military missions continued and in some cases multiplied.

There were other issues and at the same time, many people working very hard and eventually to good effect to correct problems. But that in itself is a problem. During the invasion - during the critical tactical phases where units contend for position or numbers - is a bad time for people to be "figuring it out." That needs to be done ahead of time and then trained to as near perfection as possible, because the plans will go wrong when executed if not. That is the nature of war. If you have a good plan you have a good basis for change. Hoping that your "beans bullets and band-aids" show up magically, on time, and in the right place is not any kind of a plan. It is only a recipe for disaster. It is better to train with your support and to have a relationship with who will provide it. Even such a small thing as a metal banded crate of ammunition delivered to a tank without the means to open it can spell disaster during a fight and these things need to be worked out ahead of time.

To respond to some of the concerns in your invitation I would like to point out that contract oversight personnel are assigned to high levels of leadership and not generally to tactical units. While I was in Iraq the only person in our squadron who was authorized to sign and pay for a contract was our S4 Officer - Captain Christopher Crawford. He was easily the most traveled person in our squadron, excepting maybe the commander, and never was able to rest. We were certainly not set up to monitor the terms and conditions of most contracts and received services or were supposed to that we had no idea of the scope of work, the conditions or terms we were responsible for, and we did not have a "1-800-CONTRACT" number that we could call and find out about contracting. I understand that the Army is creating a new type of contracting non-commissioned officer to help monitor contracts but they are not deployed where the rubber meets the road, at least not yet. Worse - it seems a self-defeating proposition. If contracting is supposed to reduce dependency on Soldier resources, why does it need more Soldiers? Just have them do the job the contractor is doing. The best way to prepare for tactical logistics is to allow commanders to plan them with their own, proper, resources.

In my opinion, the Department of Defense should reduce its dependence on contractors and build a self-sustaining logistics capability into its units. The Army should never find itself in a position where it can only accomplish the mission with the permission of a civilian company, unless the administration is prepared to immediately nationalize these companies in a time of war. To this end, while the civilian leadership should provide the resources that the Armed Forces need to do their jobs, the military leadership must also be smart and honest and build unit structures that can complete their assigned tasks, accomplish their mission, and sustain themselves. Nearly every unit I know of or was assigned to since the 1980s was lacking in key personnel. Unit rolls are constructed for a perfect scenario and do not take into account attrition, security, or administrative requirements. Despite the rules against it every headquarters at the brigade level and above on Fort Hood when I deployed to Iraq was staffed at more than 105%. These people are pulled from subordinate units, leaving them unable to perform all their missions, much less stand the casualty rates and operational tempo in Iraq without creating *ad hoc* structures, risky fixes, or simply not complying with some directives. While in Iraq, I rarely had enough qualified drivers to move all of my vehicles. We had to 'leap frog' convoys and run single operator crews even when there were rules against it just to keep moving.

What I am really talking about is delivery. Trucks, security, the people to move supplies - all this must be under military control from the combatant commander on down, at least until security is established and the kinetic part of the fight has ended.

I would also like you to consider three things.

First, When a contractor performs their job, even successfully, they do so in support of their company and for profit. To do otherwise would be a form of shorting, or stealing, from the employer or its constituents. A contractor's first loyalty is not to the nation or to Soldiers around them, but to a company. Monies that are paid to companies benefit them and their constituents, not the nation. A lot of the money earned in war zones and foreign countries is tax free to the United States. Therefore, it is money that flows from the taxpayer through the government and out - out of the country - out of the hands that supplied it - and so, out of reach of the government that could use it. A contractor can always say "no" - Soldiers say "yes" with every breath they draw.

Second, The idea that there must be a cost savings to using contractors is false. Actually, it is either false or else something much worse. Companies that provide competent services to American forces have basically two ways to look for labor to provide these services. First, they can look to personnel

who were trained in our Armed Forces - either completing their obligations, by retirement, or by expulsion for health or behavior reasons. In this case, America has already picked up the tab for the training. The other place that contractors can look to is foreign nationals. Many services are provided by foreign nationals or third country nationals in Iraq. But unless the companies practically enslave their workers, the it is expensive and the workers must then be augmented by American forces guarding, supervising, and leading them. When a contractor is injured in support of our conflict, the Defense Base Act and the Longshoreman and Harbor Worker's Compensation Act requires that the government still pay for his treatment. Even if the contractor is captured certain benefits accrue to them and their family. Since 2003, the Department of Defense has prescribed the inclusion of the Defense Base Act Clause and the Workers' Compensation and War Hazard Insurance Overseas clause in contracts written for overseas performance. In the end, there may be some small immediate monetary benefit to contracting battlefield services but I think that if you actually run the numbers and figure in all the payouts for contractors you will find that they are not much if any cheaper on a man-to-man basis and that they are much more expensive in the totality of after-profit dollars, the loss of tax dollars, etc.

And last, if the contractors are American and suffer a brain injury, either Traumatic Brain Injury (TBI) or Post Traumatic Stress Disorder (PTSD), they will initially be treated in one of our military and Veteran facilities, if eligible. Further care may be provided there, especially if they are a retiree or Veteran, even though it may be for in injury sustained with a contract. Otherwise, and possibly for the worse, they will land untreated in our communities and on our streets. Veterans form a large part of the homeless now. While some will become leaders or captains of industry, how many former contractors from OIF / OEF will become part of the next generation of homelessness and who will pick up the tab for these people?

Thank you for the opportunity to appear before you. I would be pleased to answer any questions you have.

