



ACQUISITION,  
TECHNOLOGY  
AND LOGISTICS

## THE UNDER SECRETARY OF DEFENSE

3010 DEFENSE PENTAGON  
WASHINGTON, DC 20301-3010

FEB 19 2009

The Honorable Byron L. Dorgan  
United States Senate  
Washington, DC 20510

Dear Senator Dorgan:

Thank you for your January 27 letter to the Secretary of Defense requesting further discussion of the investigation into the cause of death of Staff Sergeant Ryan Maseth and the actions of the Department to ensure accountability of its contractors.

As you recognized in your letter, the investigation continues with no final determination as to manner of death, and it would be inappropriate to meet to discuss this further at this time. However, I would like to update you on the additional actions that have been taken relating to theater safety and KBR, Inc. (KBR), the Logistics Civil Augmentation Program (LOGCAP) III contractor.

In late September 2008, the Task Force Safety Action for Fire and Electricity (TF SAFE), in coordination with the U.S. Army Corps of Engineers, contracted for the services of 70 certified Master Electricians and 35 Fire Protection Specialists to provide additional quality assurance oversight for operations and maintenance service contractors in Iraq. These individuals were deployed in teams across Iraq by the beginning of November 2008. These teams are conducting detailed electrical and fire safety assessments, with particular emphasis on correcting Life, Health and Safety issues, and identifying grounding/bonding electrical deficiencies.

With respect the LOGCAP III contract, the payment of award fees has been suspended since January 1, 2008. Further, on September 11, 2008, the Defense Contract Management Agency (DCMA) issued a Corrective Action Request (CAR) to KBR. The CAR found the KBR inspection system to be contractually noncompliant and brought it to the attention of KBR senior management. The CAR pointed out what DCMA considered as widespread problems manifested primarily in service deficiencies associated with facility electrical grounding and bonding in Iraq. The CAR was issued after reviewing KBR performance data and the results of facility inspections conducted by technical experts from the U.S. Army and TF SAFE.

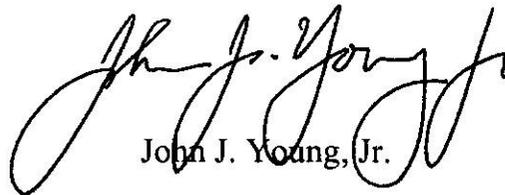


KBR submitted a Corrective Action Plan (CAP) to DCMA on September 22, 2008, followed by additional information and clarification on October 10 and November 7, 2008, and January 7, 2009. DCMA received the latest, and likely final, CAP submission on February 9, 2009. DCMA is reviewing the CAP and will provide its assessment to the Army Sustainment Command, the procuring contracting organization, for appropriate action.

DCMA continues to perform contract oversight of KBR's performance. We are committed to ensuring that KBR provides logistical support services in accordance with contractual requirements while protecting the safety of our deployed personnel. As with any contractor issue, we employ a case-by-case approach to ensure accountability, applying the full range of contractual, administrative, civil and criminal remedies, as appropriate. I have indeed asked DCMA to review the full range of remedies and evaluate application to the KBR contract in light of their deficient performance.

A similar letter is being sent to Senator Casey. Your concern for our men and women in uniform is appreciated.

Sincerely,



John J. Young, Jr.

cc:  
Secretary of the Army



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The Honorable Robert P. Casey  
United States Senate  
Washington, DC 20510

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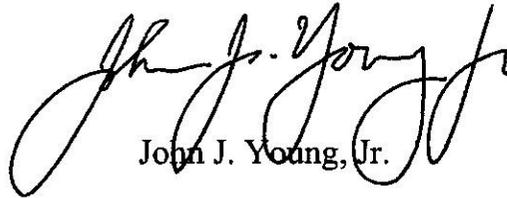


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A similar letter is being sent to Senator Dorgan. Your concern for our men and women in uniform is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "John J. Young, Jr.", written in a cursive style. The signature is positioned above the printed name "John J. Young, Jr.".

John J. Young, Jr.

cc:  
Secretary of the Army