

Opening Statement
Senator Byron L. Dorgan
Chairman, Democratic Policy Committee

**“The Exposure at Qarmat Ali: Did the Army Fail to Protect
U.S. Soldiers Serving in Iraq?”**

Monday, August 3, 2009
628 Dirksen Senate Office Building

This is the twentieth in a series of oversight hearings to examine contracting fraud, waste, and abuse in Iraq.

A recurring theme in our past hearings has been the Defense Department’s failure to respond to contracting abuses. All too often, the Defense Department has given nothing more than a mild slap on the wrist to contractors who performed shoddy electrical work, delivered unsafe food or water to our troops, and overcharged the taxpayers by billions of dollars.

It’s especially outrageous when the Defense Department fails to act aggressively when presented with evidence that contractor abuse has endangered our troops’ health.

On June 20 of last year, we held a hearing that revealed how Kellogg, Brown and Root (KBR), had exposed U.S. troops and its own workers -- among others -- to sodium dichromate, a highly toxic, cancer-causing chemical. This exposure took place in the spring and summer of 2003, at a water injection facility in Qarmat Ali, Iraq.

In my judgment, the Army’s response to this incident and to the findings of our hearing has been tragically inadequate. In fact, as I will describe in a moment, the Defense Department failed to protect our troops against sodium dichromate exposure in a number of ways, and I believe that they are downplaying this problem in part because it is an embarrassment to them.

Sodium dichromate is a deadly poison. According to an expert who testified at our hearing last year, a grain of sand worth of chromium dichromate per cubic meter could lead to serious long-term health problems, including cancer.

This was the same toxic chemical that was the subject of the case profiled in the movie Erin Brockovich. In that case, the unsuspecting people of Hinkley, California, were exposed to dangerous levels of this chemical in their drinking water, as a result of actions by the Pacific Gas and Electric Company.

In our previous hearing, we heard from a KBR whistleblower who was exposed to sodium dichromate at Qarmat Ali and described developing high levels of chromium in his blood and severe lung injuries. Another KBR whistleblower who was similarly exposed reported damage to his endocrine system, including a failing thyroid, as well as kidney damage.

The fact that a lot of people, including our troops, were exposed to this deadly chemical at Qarmat Ali is beyond dispute. At our previous hearing, we took into evidence an internal KBR memo from August 2003, which included the following statements from KBR's own employees about exposure to sodium dichromate:

- *“Serious health problem at water treatment plant with a chemical called Sodium Dichromate”*
- *“The problem seems worse than initially considered.”*
- *“People are potentially exposed to something that may be very dangerous.”*
- *“Almost 60 percent of the people now exhibit symptoms.”*
- *“The chemical has been on the ground since day one.”*
- *“Sodium Dichromate could have been dumped on the ground for quite a long time. We do not know how deep it is but it looks like it is greater than 4 feet.”*
- *“Wind is blowing the product that's lying on the ground.”*

Months after hundreds of soldiers had been exposed, the Army tested a relatively small subset of the troops who were exposed. After the testing, the Army very quickly declared that there were no expected health effects from troops' exposure to sodium dichromate. The Army said that the symptoms that were being reported could have been caused by sand or other irritants in Iraq.

But as we will hear at today's hearing, the tests given by the Army were inadequate, and there is a lot of evidence to suggest that exposure to sodium dichromate is leading to some very serious health problems for our troops.

Perhaps the Defense Department has been eager to downplay concerns about this problem because it knows that it was itself partly responsible for causing it.

Before the war, it was widely expected that Saddam Hussein would sabotage Iraqi oil fields and facilities like Qarmat Ali. Yet the Army failed to provide proper oversight over KBR contract provisions that called for the contractor to identify, prevent and mitigate environmental hazards so as to protect the health and safety of workers and U.S. troops.

The Army failed to notice that the Qarmat Ali site was contaminated with sodium dichromate, despite the fact that hundreds of bags of sodium dichromate had been ripped open, a distinctive orange powder covered most of the site, and soldiers had symptoms consistent with sodium dichromate exposure within days of their arrival.

When KBR belatedly told the Army that sodium dichromate was present at the site in July 2003, more than four months after KBR performed its initial environmental site assessment, the Army did not direct testing to be started through its medical center until October. And unbelievably, the Defense Department paid bonuses or fee awards to KBR for its work at Qarmat Ali, despite the fact that the company caused as many as 500 soldiers to be unnecessarily exposed to sodium dichromate over a month 4 to 5 month period.

It is perhaps not surprising, then, that the Army continues to downplay the possibility of serious illnesses as a result of the sodium dichromate problem at the Qarmat Ali water treatment plant, saying that there is no definitive evidence of a link between the sodium dichromate exposure and the reports of severe illness.

Well, today we will hear from four U.S. soldiers who were exposed to sodium dichromate in Iraq, and have been suffering serious health problems as a result.

Russell Kimberling was an Indiana National Guard company commander at Qarmat Ali, and was exposed to sodium dichromate while serving at the site from April to August 2003.

Rocky Bixby was a staff sergeant with the Oregon National Guard and former U.S. Marine, and was exposed to sodium dichromate while serving at Qarmat Ali from April to June 2003.

Russell Powell, a former medic with the West Virginia National Guard, served at Qarmat Ali from April 2003 through June 2003.

Glenn Bootay was a Combat Engineer for the 3rd Infantry, U.S. Army, and was exposed to sodium dichromate at Qarmat Ali in April 2003.

We will also hear from Dr. Herman Gibb, who worked at the Environmental Protection Agency for almost 30 years, where he served as Senior Science Advisor and Associate Director for Health, and wrote a definitive, award-winning study on the health risks associated with exposure to sodium dichromate. Among other things, Dr. Gibb will help us understand whether the Army's response to this situation has been adequate, and whether the serious health problems being reported are consistent with exposure to sodium dichromate.

Let me describe someone who will not be testifying today.

Sergeant First Class David Moore, a platoon leader and a 20-year veteran of the Indiana National Guard, was exposed to sodium dichromate at Qarmat Ali. He died in 2008 from lung disease after returning from Iraq. He was wheezing, unable to breathe, constantly coughing, yet doctors were mystified by the cause of his disease. Here is a picture of Sergeant Moore with his ten-year-old daughter, before his passing.



I hope that this hearing will help cause the Defense Department, without further delay, to do right by our troops who were exposed to sodium dichromate.