AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

COMBATING TERRORISM: INDIVIDUAL PROTECTIVE EQUIPMENT FOR U.S. FORCES, INVENTORY AND QUALITY CONTROLS

HEARING

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS

OF THE

COMMITTEE ON GOVERNMENT REFORM

HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

JUNE 21, 2000

Serial No. 106–222

Printed for the use of the Committee on Government Reform

Available via the World Wide Web: http://www.gpo.gov/congress/house
http://www.house.gov/reform

U.S. GOVERNMENT PRINTING OFFICE

72–288 DTP WASHINGTON : 2001

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: (202) 512–1800 Fax: (202) 512–2250
Mail: Stop SSOP, Washington, DC 20402–0001

COMMITTEE ON GOVERNMENT REFORM

DAN BURTON, Indiana, *Chairman*

BENJAMIN A. GILMAN, New York
CONSTANCE A. MORELLA, Maryland
CHRISTOPHER SHAYS, Connecticut
ILEANA ROS-LEHTINEN, Florida
JOHN M. MCHUGH, New York
STEPHEN HORN, California
JOHN L. MICA, Florida
THOMAS M. DAVIS, Virginia
DAVID M. MCINTOSH, Indiana
MARK E. SOUDER, Indiana
JOE SCARBOROUGH, Florida
STEVEN C. LATOURETTE, Ohio
MARSHALL "MARK" SANFORD, South Carolina
BOB BARR, Georgia
DAN MILLER, Florida
ASA HUTCHINSON, Arkansas
LEE TERRY, Nebraska
JUDY BIGGERT, Illinois
GREG WALDEN, Oregon
DOUG OSE, California
PAUL RYAN, Wisconsin
HELEN CHENOWETH-HAGE, Idaho
DAVID VITTER, Louisiana

HENRY A. WAXMAN, California
TOM LANTOS, California
ROBERT E. WISE, JR., West Virginia
MAJOR R. OWENS, New York
EDOLPHUS TOWNS, New York
PAUL E. KANJORSKI, Pennsylvania
PATSY T. MINK, Hawaii
CAROLYN B. MALONEY, New York
ELEANOR HOLMES NORTON, Washington, DC
CHAKA FATTAH, Pennsylvania
ELIJAH E. CUMMINGS, Maryland
DENNIS J. KUCINICH, Ohio
ROD R. BLAGOJEVICH, Illinois
DANNY K. DAVIS, Illinois
JOHN F. TIERNEY, Massachusetts
JIM TURNER, Texas
THOMAS H. ALLEN, Maine
HAROLD E. FORD, JR., Tennessee
JANICE D. SCHAKOWSKY, Illinois

BERNARD SANDERS, Vermont (Independent)

KEVIN BINGER, *Staff Director*
DANIEL R. MOLL, *Deputy Staff Director*
DAVID A. KASS, *Deputy Counsel and Parliamentarian*
LISA SMITH ARAFUNE, *Chief Clerk*
PHIL SCHILIRO, *Minority Staff Director*

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS

CHRISTOPHER SHAYS, Connecticut, *Chairman*

MARK E. SOUDER, Indiana
ILEANA ROS-LEHTINEN, Florida
JOHN M. MCHUGH, New York
JOHN L. MICA, Florida
DAVID M. MCINTOSH, Indiana
MARSHALL "MARK" SANFORD, South Carolina
LEE TERRY, Nebraska
JUDY BIGGERT, Illinois
HELEN CHENOWETH-HAGE, Idaho

ROD R. BLAGOJEVICH, Illinois
TOM LANTOS, California
ROBERT E. WISE, JR., West Virginia
JOHN F. TIERNEY, Massachusetts
THOMAS H. ALLEN, Maine
EDOLPHUS TOWNS, New York
BERNARD SANDERS, Vermont (Independent)
JANICE D. SCHAKOWSKY, Illinois

EX OFFICIO

DAN BURTON, Indiana
HENRY A. WAXMAN, California

LAWRENCE J. HALLORAN, *Staff Director and Counsel*
R. NICHOLAS PALARINO, *Senior Policy Analyst*
JASON CHUNG, *Clerk*
DAVID RAPALLO, *Minority Counsel*

CONTENTS

	Page
Hearing held on June 21, 2000	1
Statement of:	
Johnson-Winegar, Anna, Deputy Assistant to the Secretary of Defense, Chemical-Biological Defense, Department of Defense; Major General John Sylvester, Deputy Chief of Staff for Training, U.S. Army Training and Doctrine Command, Department of Defense; Major General Earnest Robbins, the Civil Engineer, Headquarters U.S. Air Force, Department of Defense; Rear Admiral David M. Stone, Deputy Director, Surface Warfare Division, U.S. Navy, Department of Defense; and Major General Paul M. Lee, Jr., Commander, Marine Corps Materiel Command, Department of Defense	89
Mancuso, Donald, Deputy Inspector General, U.S. Department of Defense, accompanied by Robert Lieberman, Assistant Inspector General; Eleanor A. Wills, project manager; Carol L. Levy, Deputy Director; and Susan T. Lynn, resident agent in charge, New York Resident Agency, Defense Criminal Investigative Service	10
Mongeon, Brigadier General Daniel G., Commander, Defense Supply Center Philadelphia, accompanied by George Allen, Deputy Commander, Defense Supply Center Philadelphia; and Robert Kinney, Director, Individual Protection Directorate, Natick Soldier Center, U.S. Army Soldier and Biological Chemical Command	59
Letters, statements, etc., submitted for the record by:	
Biggert, Hon. Judy, a Representative in Congress from the State of Illinois, prepared statement of	6
Johnson-Winegar, Anna, Deputy Assistant to the Secretary of Defense, Chemical-Biological Defense, Department of Defense, prepared statement of	91
Kinney, Robert, Director, Individual Protection Directorate, Natick Soldier Center, U.S. Army Soldier and Biological Chemical Command, prepared statement of	72
Lee, Major General Paul M., Jr., Commander, Marine Corps Materiel Command, Department of Defense, prepared statement of	126
Mancuso, Donald, Deputy Inspector General, U.S. Department of Defense, prepared statement of	15
Mongeon, Brigadier General Daniel G., Commander, Defense Supply Center Philadelphia, prepared statement of	61
Robbins, Major General Earnest, the Civil Engineer, Headquarters U.S. Air Force, Department of Defense, prepared statement of	108
Shays, Hon. Christopher, a Representative in Congress from the State of Connecticut, prepared statement of	3
Stone, Rear Admiral David M., Deputy Director, Surface Warfare Division, U.S. Navy, Department of Defense, prepared statement of	119
Sylvester, Major General John, Deputy Chief of Staff for Training, U.S. Army Training and Doctrine Command, Department of Defense, prepared statement of	97

COMBATING TERRORISM: INDIVIDUAL PROTECTIVE EQUIPMENT FOR U.S. FORCES, INVENTORY AND QUALITY CONTROLS

WEDNESDAY, JUNE 21, 2000

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 10 a.m., in room 2247, Rayburn House Office Building, Hon. Christopher Shays (chairman of the subcommittee) presiding.

Present: Representatives Shays, Mica, Sanford, Biggert, and Schakowsky.

Staff present: Lawrence Halloran, staff director and counsel; Nicholas Palarino, senior policy adviser; Jason Chung, clerk; Robert Newman and Thomas Costa, professional staff members; David Rapallo, minority counsel; and Earley Green, minority assistant clerk.

Mr. SHAYS. I call this hearing to order. Welcome our witnesses, welcome our guests.

When deploying United States forces confronted the threat of chemical and biological weapons in the Persian gulf war, they did so with inadequate protective gear, insufficient training, unreliable detectors and the haphazard use of vaccines and other medical countermeasures.

In 1996, the General Accounting Office [GAO], concluded, that "equipment, training and medical problems persist" and were "likely to result in needless casualties and degradation of U.S. warfighting capability." GAO noted that despite, "increased emphasis on chemical and biological defense, it continued to receive a lower level of emphasis at all levels of command than other tasks," and many field commanders had accepted a level of chemical and biological unpreparedness as an operational and fiscal given.

So we continue our oversight of the chemical and biological defense program with these questions. Is the readiness of individual protective equipment a military priority today? Having placed top-level emphasis on the need for the anthrax vaccine, so-called "medical body armor," against one agent, has the Department of Defense [DOD], been as attentive to the need for reliable masks and suits that protect against all toxins and agents?

According to the DOD Inspector General, serious problems continue to plague the Pentagon approach to individual protective

equipment. In short, DOD may not be able to find enough protective clothing when it's needed on the battlefield, and too many protective masks may not work when they get there. Despite unequivocal findings and recommendations by the IG, these issues have been consigned to years of bureaucratic quibbling and buck-passing within DOD.

On November 2, 1994, the Inspector General recommended cyclic testing of all masks to address reported degradation of effectiveness over time in the field. Five years later, the joint service integration group found critical defects in more than half of 19,000 masks tested. But the DOD official in charge of the overall chemical and biological defense program says maintenance problems with field masks are the responsibility of the service branches. As of today, with the exception of the Marine Corps, the services have not undertaken the recommended mask surveillance and testing.

In 1996, the IG cited the Defense Logistics Agency [DLA], for weak inventory management controls over protective suits. A 1998 consolidation of depots storing protective suits only made matters worse. The practical impact of those weaknesses became all too clear when DLA tried to recall 700,000 suits supplied by a fraudulent vendor. Although long suspect, potentially defective suits have not been segregated from other inventory; it took DLA three times to find all the suits, some of which had been shipped, by then, to units in high-threat areas, contrary to previous DOD claims.

If the availability and reliability of individual protective equipment were a military priority, these problems would have been addressed as quickly and as effectively as DOD fixes a rifle that overheats or an ammunitions shortage. The persistence and extent of protective mask failures suggest the problem and the solution go beyond training and maintenance by individual service members. Had the services not spent 6 years in denial, a technological or materiel solution could have been programmed to reduce required mask maintenance and made it rugged enough for battle.

The threat of chemical and biological warfare is real and it is changing. U.S. forces must be protected to the maximum extent possible from a broad and growing list of toxins and agents. In terms of individual protection, only high-quality masks and suits will do that job. The current system of chemical and biological defense appears too willing to tolerate preventable equipment failures.

At this time, I'd be happy to call on my colleague from Illinois, Judy Biggert.

[The prepared statement of Hon. Christopher Shays follows:]

DAN BURTON, INDIANA,
CHAIRMAN
BENJAMIN A. GILMAN, NEW YORK
CONSTANCE A. MORELLA, MARYLAND
CHRISTOPHER SHAYS, CONNECTICUT
ILEANA ROS-LEHTINEN, FLORIDA
JOHN M. McHUGH, NEW YORK
STEPHEN HORN, CALIFORNIA
JOHN L. MICA, FLORIDA
THOMAS M. DAVIS III, VIRGINIA
DAVID M. McINTOSH, INDIANA
MARK E. SOUDER, INDIANA
JOE SCARBOROUGH, FLORIDA
STEVEN C. LaTOURETTE, OHIO
MARSHALL "MARK" SANFORD, SOUTH CAROLINA
BOB BARR, GEORGIA
DAN MILLER, FLORIDA
ASA HUTCHINSON, ARKANSAS
LEE TERRY, NEBRASKA
JUDY BIGGERT, ILLINOIS
GREG WALDEN, OREGON
DOUG OSE, CALIFORNIA
PAUL RYAN, WISCONSIN
HELEN CHENOWETH-HAGE, IDAHO
DAVID VITTER, LOUISIANA

ONE HUNDRED SIXTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515–6143

MAJORITY (202) 225–5074
MINORITY (202) 225–5051
TTY (202) 225–6852

RANKING MINORITY MEMBER
TOM LANTOS, CALIFORNIA
ROBERT E. WISE, JR., WEST VIRGINIA
MAJOR R. OWENS, NEW YORK
EDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
PATSY T. MINK, HAWAII
CAROLYN B. MALONEY, NEW YORK
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA
CHAKA FATTAH, PENNSYLVANIA
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
ROD R. BLAGOJEVICH, ILLINOIS
DANNY K. DAVIS, ILLINOIS
JOHN F. TIERNEY, MASSACHUSETTS
JIM TURNER, TEXAS
THOMAS H. ALLEN, MAINE
HAROLD E. FORD, JR., TENNESSEE
JANICE D. SCHAKOWSKY, ILLINOIS

BERNARD SANDERS, VERMONT,
INDEPENDENT

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS,
AND INTERNATIONAL RELATIONS
Christopher Shays, Connecticut
Chairman
Room B-372 Rayburn Building
Washington, D.C. 20515
Tel: 202 225-2548
Fax: 202 225-2382
GROC.NS@mail.house.gov
http://www.house.gov/reform/ns/

Statement of Rep. Christopher Shays
June 21, 2000

When deploying U.S. forces confronted the threat of chemical and biological weapons in the Persian Gulf War, they did so with inadequate protective equipment, insufficient training, unreliable detectors and the haphazard use of vaccines and other medical countermeasures.

In 1996, the General Accounting Office (GAO) concluded "that equipment, training, and medical problems persisted and were likely to result in needless casualties and a degradation of U.S. war-fighting capability." GAO noted that despite "increased emphasis on chemical and biological defense, it continued to receive a lower level of emphasis at all levels of command than other tasks" and many field commanders "had accepted a level of chemical and biological unpreparedness" as an operational and fiscal given.

So we continue our oversight of the chemical and biological defense program with these questions: Is the readiness of individual protective equipment a military priority today? Having placed top-level emphasis on the need for the anthrax vaccine, so-called "medical body armor" against one agent, has the Department of Defense (DOD) been as attentive to the need for reliable masks and suits that protect against all toxins and agents?

According to the DOD Inspector General, serious problems continue to plague the Pentagon approach to individual protective equipment. In short, DOD may not be able to find enough protective clothing when it's needed on the battlefield, and too many protective masks may not work when they get there. Despite unequivocal findings and recommendations by the IG, these issues have been consigned to years of bureaucratic quibbling and buck passing within DOD.

On November 2, 1994, the Inspector General recommended cyclic testing of all masks to address reported degradation of effectiveness over time in the field. Five years later, the Joint Service Integration Group found critical defects in more than half of 19,000 masks tested. But the DOD official in charge of the overall chemical and biological defense program says maintenance problems with fielded masks are the responsibility of the service branches. As of today, with the exception of the Marine Corps, the services have not undertaken the recommended mask surveillance and testing.

In 1996, the IG cited the Defense Logistics Agency (DLA) for weak inventory management controls over protective suits. A 1998 consolidation of depots storing protective suits only made matters worse. The practical impact of those weaknesses became all too clear when DLA tried to recall 700,000 suits supplied by a fraudulent vendor. Although long suspect, potentially defective suits had not been segregated from other inventory. It took DLA three tries to find all the suits, some of which had been shipped by then to units in high threat areas, contrary to previous DOD claims.

If the availability and reliability of individual protective equipment were a military priority, these problems would have been addressed as quickly and effectively as DOD fixes a rifle that overheats or an ammunition shortage. The persistence and extent of protective mask failures suggest the problem, and the solution, go beyond training and maintenance by individual service members. Had the services not spent six years in denial, a technological or materiel solution could have been programmed to reduce required mask maintenance and make it rugged enough for battle.

The threat of chemical and biological warfare is real, and it is changing. U.S. forces must be protected to the maximum extent possible from a broad and growing list of toxins and agents. In terms of individual protection, only high quality masks and suits will do that job. The current system of chem/bio defense appears too willing to tolerate preventable equipment failures. That has to change.

Mrs. BIGGERT. Thank you, Mr. Chairman, and I would like to welcome those of you in uniform and thank you for the service to our country.

Certainly, a strong national defense is essential. A strong national defense is the protector of freedom and the guarantor of our foreign policy. But if our country is to remain strong and relevant in the 21st century, we must ensure that America's armed services are never second best. To do that, we must ensure that our military personnel have the best, the safest and the most up-to-date equipment in the world.

Despite the best intentions of our military, various reports indicate that, in some instances, our soldiers in the field are receiving defective or outdated equipment, namely, chemical protective suits. In fact, the Army recently found thousands of those defective suits stockpiled in Europe and Korea.

Besides the defective suits, reports authored by the Department of Defense Inspector General show that the chemical protective masks also suffer major and critical defects. Should this equipment ever be used in defending against a chemical or biological attack our troops, would be at risk for illness, incapacitation or death.

Almost as troubling has been the DOD's response to this information. It has been slow to implement actions recommended by the IG to correct the problems relating to the management, distribution and use of protective equipment.

I'm not really here today to question the integrity or dedication of those who supply and train our military forces. In fact, I can say with much confidence that it's due to their efforts that the United States has had the best-equipped and best-primed military in the world. I'm also aware that the Department of Defense feels that U.S. forces are fully prepared to survive, fight and win a biological and chemical battle environment, and this is the reason we are gathered here today.

Today's hearing presents the DOD with a strong opportunity to address the concerns that have been raised. So I'm eager to hear from the witnesses, and I also want to know if the soldiers in the field are aware of potential problems with this equipment or have reported faulty gear to the commanders.

And finally, I trust that we will hear if the Department is following through with the IG's recommendations for improving inventory management, and I'm particularly anxious to know the extent to which the IG feels that fraud and abuse have permeated these permanent programs.

So again, Mr. Chairman, I thank you for calling this important oversight hearing and I look forward to working with you and the individuals testifying today, and my colleagues, to strengthen the military as well as to ensure its effectiveness in the post-cold war era. Thank you.

[The prepared statement of Hon. Judy Biggert follows:]

Opening Statement of Representative Judy Biggert (R-IL)
Government Reform Subcommittee on National Security, Veterans Affairs, and International Relations
Hearing on Force Protection: Current Individual Protective Equipment
June 21, 2000

Good Morning, Mr. Chairman. I welcome those of you in uniform and thank you for your service to our country.

A strong national defense is essential. A strong national defense is the protector of freedom and the guarantor of our foreign policy.

If our country is to remain strong and relevant in the 21st Century, we must ensure that America's armed services are never second best. To do that, we must ensure that our military personnel have the best, the safest, and the most up-to-date equipment in the world.

Despite the best intentions of our military, various reports indicate that, in some instances, our soldiers in the field are receiving defective or outdated equipment -- namely chemical protective suits. In fact, the Army recently found thousands of these defective suits stockpiled in Europe and Korea.

Besides the defective protective suits, reports authored by Department of Defense's Inspector General (IG) show that chemical protective masks also suffer major and critical defects. Should this equipment ever be used in defending against a biological or chemical attack, our troops would be at risk for illness, incapacitation or death.

Almost as troubling has been the DoD's response to this information. It has been slow to implement actions recommended by the IG to correct problems relating to the management, distribution, and use of such protective equipment.

DoD apparently has problems maintaining its inventory of chemical suits. In a report dated February 27, 1997, the IG found that the number of protective suits stored by the Department was "materially misstated" and, in turn, it outlined measures to correct such inventory inaccuracy.

Yet, in February of this year -- three years after its original report on the subject -- the IG found that the accuracy of the DoD chemical suit inventory had not been "corrected". What's more, the IG found that the Defense Depot in Albany, Georgia, had not separated potentially defective chemical protective suits from the active inventory. The IG also found that the Depot had failed to notify other entities to which the potentially defective suits had been issued that the suits should be inspected and returned or destroyed if necessary. This is extremely troubling.

I am not here today to question the integrity or dedication of those who supply and train our military forces. In fact, I can say with much confidence that it is due to their efforts that the United States has the best-equipped and best-primed military in the world.

I am also aware that the Department of Defense feels that US forces are fully prepared to survive, fight and win in a biological and chemical battle environment. And this is the reason we are gathered today.

Today's hearing presents the DoD with a strong opportunity to address the concerns that have been raised. I am eager to hear directly from Brigadier General Daniel Mongeon and Dr. Anna Johnson-Winegar regarding the DoD's plans and procedures to ensure combat readiness of protective equipment, especially in the area of chemical and biological weapons. I also want to know if soldiers in the field are aware of potential problems with this equipment or have reported faulty gear to their commanders.

Finally, I trust Mr. Mancuso will let us know if the Department is following through with the IG's recommendations for improving inventory management. I am particularly anxious to know the extent to which the IG feels that fraud and abuse have permeated these particular programs.

Again, Mr. Chairman, I thank you for calling this important oversight hearing. I look forward to working with you, the individuals testifying today, and my colleagues to strengthen our military, as well as to ensure its effectiveness in the post cold-war era.

Thank you.

Mr. SHAYS. I thank the lady.

Our first panel is Mr. Don Mancuso, who is Deputy Inspector General, Office of the Inspector General, Department of Defense, accompanied by Mr. Robert Lieberman, Assistant Inspector General, and Ms. Carol L. Levy, Deputy Director, Defense Criminal Investigative Service, also of the Office of the IG. And what we will do first, let me just get rid of some housekeeping.

I ask unanimous consent that all members of the subcommittee be permitted to place an opening statement in the record and that the record remain open for 3 days for that purpose. Without objection, so ordered.

I ask further unanimous consent that all witnesses be permitted to include their written statements in the record; and without objection, so ordered.

At this time, I would welcome the three of you. And let me ask you, Mr. Mancuso, is there anyone else that might be providing information who should stand and be sworn in, or is it just the three of you for this panel?

Mr. MANCUSO. We have two individuals that we may turn to.

Mr. SHAYS. So I'd ask them to stand and be sworn in, and then if they're asked to respond to any question, we don't have to give it again and then they can give their name to the transcriber.

So if you five would stand, please.

[Witnesses sworn.]

Mr. SHAYS. For the record, all responded in the affirmative. Thank you.

I just welcome Ms. Schakowsky from Illinois.

And, Mr. Mancuso, what I'm going to do is, I'm going to give you 5 minutes. Then we're going to roll it over for another 5 minutes and ask you to conclude in 10 if you can.

STATEMENTS OF DONALD MANCUSO, DEPUTY INSPECTOR GENERAL, U.S. DEPARTMENT OF DEFENSE, ACCOMPANIED BY ROBERT LIEBERMAN, ASSISTANT INSPECTOR GENERAL; ELEANOR A. WILLS, PROJECT MANAGER; CAROL L. LEVY, DEPUTY DIRECTOR; AND SUSAN T. LYNN, RESIDENT AGENT IN CHARGE, NEW YORK RESIDENT AGENCY, DEFENSE CRIMINAL INVESTIGATIVE SERVICE

Mr. MANCUSO. I will certainly try to do that, Mr. Chairman.

Mr. Chairman and members of the subcommittee, thank you for the opportunity to appear before your subcommittee today. The Inspector General's Office shares your concerns with respect to the Department's inventories, quality controls and serviceability of equipment intended to protect our military forces from chemical and biological attacks. As you requested, I'll briefly summarize our efforts with respect to five audit reports and a criminal investigation involving chemical warfare suits and masks. My written statement contains considerable detail on each of these items.

Let me begin by discussing our work on inventory management of chemical protective suits. In 1996, we conducted an audit of inventory records at the Defense Depot in Columbus, OH, and I would mention that on an annual basis as part of our financial statement audits we look at inventory, and it was during the

course of such an audit that we had occasion to look at the inventory in Columbus.

We selected 44 different types of items from a universe of about 268,000 different types of items that are maintained in that location in order to determine whether the inventory records matched the actual count that we would have observed as part of our audit. The 44 items included six types of chemical protective suits. Although the depot listed more than 2.1 million such suits in our sample, the physical count identified major discrepancies; 400,000 fewer suits were on hand than reflected in the inventory records for locations listed as storing such suits. Conversely, we found nearly 700,000 additional suits not listed on the inventory records that were stored in undocumented locations.

Now I'll take a minute, Mr. Chairman, if you would, to explain that—a little bit because, to the layman, it doesn't appear to make much sense. The depots maintained by the Defense Logistics Agency—and there are approximately 20 of them—contain a huge amount of materiel, and for that reason, it's extraordinarily important that they know exactly what they have there and where it should be located. They are hundreds of thousands of actual locations that are supposed to be very specifically marked, so that when they look in the inventory and they say they have 50,000 suits in location whatever, in fact those suits are there.

And what we found is that many of the suits that were listed on inventories as belonging in a particular location did not exist in those locations; but after a more careful look around the depot, other suits were found that were in other undocumented locations.

Since suits are such a critical war reserve item and the supply community must be able to respond rapidly and efficiently to requests for protective suits, we were quite surprised at the discrepancies that we found. Because these suits have a specified shelf life and require periodic inspections we had expected much-better-than-average controls. Instead, we found a series of poor inventory management practices.

In response to our audit, the Defense Logistics Agency took action to regain inventory control for these suits. They advised us that all the suits had been located, inventoried and posted to inventory records by November 1997 and later transferred to the Defense Depot in Albany, GA. In 1999, however, we had occasion to conduct an audit, an inventory audit, at the Albany depot; and we discovered that instead of improving inventory management, the transfer to Albany had the opposite effect.

The records for the one type of suit we audited were materially inaccurate. We also determined that during the transfer to Albany, the quantity of each of the 20 different types of protective suits on hand was never verified. As a result, we requested that the DLA conduct a wall-to-wall suit inventory. The DLA has notified us that that inventory is complete, and they'll be reporting out with a final report very shortly.

During the audit, the auditors also determined that DLA had failed to alert all DOD users and had failed to segregate suits under contract from a company, called Isratex, where the contractor was under criminal investigation and we had found defects in these suits. That particular case was begun in 1993 by our inves-

tigative staff, the Defense Criminal Investigative Service. They initiated an investigation of this company, Isratex, and a facility the company had in Puerto Rico for the company's production of coveralls and coats for the Department of Defense; and what the investigation uncovered is that the company was routinely substituting poor and inferior-quality items for those that had been previously presented to the quality inspectors for their review.

In 1994, late 1994, the investigators also began to look at another Isratex facility in West Virginia, and that facility was producing chemical warfare suits; and in short order, we found the same types of deficiencies, because the same scheme—relatively the same scheme—was being perpetrated by Isratex at the West Virginia location, and it involved chemical warfare suits. To put it in perspective, Isratex at that time had two contracts to produce nearly 800,000 suits for the Department of Defense at a cost of approximately $50 million.

I'd also point out—and I'm a career criminal investigator—I have seen this scheme all too often, especially in the Department of Defense, although it certainly occurs anywhere in government where large volumes of materiel are purchased. In this case, the company repeatedly presented high-quality, good items to the government inspector who accepted those items and, therefore, accepted the lot for shipment. The company then apparently removed those items, held them back—in this case, we call them special lots—and intentionally shipped off inferior quality goods with many, many serious defects.

This type of scheme, as I said, occurs fairly frequently, and frankly over the last 15 years, we've probably prosecuted a few hundred contractors involved in this same type of scheme. In this case, though, the investigators, with the cooperation of the DLA quality inspectors, went into the company—this is—again, I'm talking about the Puerto Rico end of it right now—and marked some of these goods that were being presented for inspection. They surreptitiously marked them, so that they could be traced through the inventory chain, and sure enough, we found that the good items did not make it through the inventory chain, and again the low-quality items were being substituted. This, together with other evidence and witness testimony, resulted in the indictment and subsequent conviction of the company, its principal officers and several of its employees.

Beginning in 1995, relating to this matter, we began a series of discussions and correspondence with DLA relative to the defects that we uncovered with the chemical warfare suits. Nonetheless, the suits remained in inventory. We were able, after some negotiation, to have DLA remove the suits under the second contract—the 1992 contract, which was the smaller contract—from inventory, and those items were actually segregated in approximately July 1995.

DLA was reluctant to segregate the 1989 contract items. They weren't the specific target of our investigation nor were they eventually the specific items used to support the indictment. The DLA cited cost and other factors such as readiness factors, as reasons for not removing those suits from inventory. We also asked that

they make proper notification to the units to whom defective suit potentially have been issued.

Nonetheless, the 1989 suits remained in inventory. This is particularly troubling due to the serious nature of the defects, which included holes and open seams. DLA eventually made full notification to all users, involving all the suits, earlier this year and advised us, as of last month, that the 1989 contract suits have been fully segregated.

I'd add that much can and has been said as to the failure to take prompt and aggressive action in this case. Issues such as the cost of segregation, testing, perceived seriousness of the defects and the obvious impact on readiness have all been discussed and debated within the Department. I'd be remiss, however, if I didn't put it in some perspective for you. Again, having investigated and supervised this type of investigation over the years, I have worked extensively with DLA and have had occasion to turn to them frequently for help in segregating items or in conducting testing; and although this is an egregious situation as far as I'm concerned in the system, I would note that in the vast majority of instances, right up through today, DLA is quick to give assistance, is quick to support us with testing, is quick to segregate the items that we need for evidence. So I'm hopeful that we'll continue to be able to work with them to preclude a situation like this from reoccurring.

Let me now turn to the topic of chemical masks and specifically to our 1994 and 1998 audit reports. Our 1994 work was completed in response to defense hotline allegations that related to the design, production serviceability and integrity of chemical protective masks. Inasmuch——

Mr. SHAYS. You have another 5 minutes.

Mr. MANCUSO. I can finish in that amount of time, sir.

Inasmuch as the 1994 reports are classified secret, they were classified by the Department, I'll be limited in the detail that I include in this open hearing.

Mr. SHAYS. This is on the 1994 report?

Mr. MANCUSO. 1994 reports. We randomly selected as part of that review, M–17 and M–40 protective masks and had them tested by the Marine Corps Test and Evaluation Unit, using Army-authorized equipment and test criteria. These were Army masks we were testing. The masks were tested for leaks and fit on a variety of mask testers. A visual inspection was also performed on all the masks to identify defects and missing parts.

The problems indicated by our testing and other data collection were significant. We found deficiencies in mask design, production issues, acceptance testing, maintenance and also the lack of periodic testing of the fielded masks. While military equipment is what we call "ruggedized," it would stand wear and tear and be able to function in difficult conditions, it is very difficult to design masks impervious to all environmental and operational forces. For this reason, it is a major challenge, but it's a necessary challenge, to address the area of preventive maintenance.

We found that soldiers were simply not following prescribed procedures when performing maintenance nor were they reporting the requirements as required. As part of our audit, we asked soldiers to perform maintenance before they submitted their masks to us

for inspection and testing. But even after this instruction, we found, through visual review, that many masks were reassembled improperly or were unserviceable.

We believe that the adequacy of maintenance can best be determined by an aggressive program of periodic surveillance testing, whether the masks are in the hands of troops or in supply. At the time of our audit, only the Marines had such a testing program.

As a result of our audits, a Joint Service Mask Technical Working Group was established in 1995 to conduct a full study. The study results, published in November of last year, included the testing of nearly 20,000 masks of which more than half were found to have critical defects.

I believe actually a quarter of the masks passed, a quarter of the masks had major and minor defects, and half failed with critical problems. Although this study validated concerns raised in our 1994 audits, the Department rejected the study's recommendation for a centralized testing program. As a result, despite general agreement in the Department and the services as to the need for consistent testing procedures and criteria, the job of correcting the problem remains with the individual services.

All services now acknowledge the need for continued mask surveillance and are taking appropriate implementation measures. Frankly, Congressman, we hear that all the time and I guess we will be back in a year or two to audit what actually occurs.

Last, the subcommittee requested that I comment on an audit report that we issued in December 1998 relative to the M–41 protective assessment test system capabilities. The report examined whether a combination of field level maintenance in a mask verified by the M–41 system was sufficient to assure mask readiness. Our review determined that the M–41 reliability as a combat readiness test is questionable. It does not test masks under realistic battlefield conditions. We also found problems with respect to operator training, equipment calibration and inconsistent testing criteria.

In response to this report the Department has tasked the Army to provide input needed to develop new testing criteria. The Army has indicated as recently as this month that the services have agreed to new "fit factor" criteria, which is one of the testing criteria. However, we're still awaiting comments from the Department in this regard and we remain concerned about the lack of consistent serviceability testing and test criteria.

In closing, I note that chemical and biological defense has long been a primary focus of IG readiness audits, and given the importance of fully addressing the management challenges in this area, we have attempted to maintain continuous coverage despite severe resource constraints.

Thank you for considering the views of my office on these important matters, and that concludes my statement.

[The prepared statement of Mr. Mancuso follows:]

Hold for Release
Until Delivery
Expected 10:00 a.m.
June 21, 2000

Statement by

Donald Mancuso
Deputy Inspector General
Department of Defense

before the

Subcommittee on National Security, Veterans Affairs and International Relations House Committee on Government Reform

on

Combating Terrorism: Individual Protective Equipment for U.S. Forces, Inventory and Quality Controls

June 21, 2000

Mr. Chairman and Members of the Subcommittee:

Thank you for the opportunity to appear before your Committee today to address your questions regarding the status of individual equipment intended to protect our military forces from chemical and biological attacks. I share your concerns with respect to the Department's inventories, quality controls, and serviceability of equipment.

The threat of chemical and biological weapons is clearly increasing in range and frequency in the world today. There are over twenty countries with known or suspected chemical and biological weapons programs, and these weapons constitute one of the greatest threats to the United States and to our military forces. Because the countries which are of greatest concern to the United States are also in regions in which we have well defined national security interests, we must demonstrate our resolve to protect our forces with the best available individual equipment to protect our military forces from chemical and biological attacks. However, despite this critical force protection requirement, the business of protecting our forces from chemical and biological attacks is expensive and vulnerable to fraud, waste, and mismanagement.

My office has made efforts, through audits and criminal investigations, to address the potential for fraud, waste, and abuse in individual protective equipment. We have conducted many audits since the establishment of the Office of Inspector General in 1982 concerning such equipment, to include the five audits your invitation letter specifically requested me to discuss. A criminal investigation that my office recently completed also concerned contractor fraud in the manufacture of protective suits. I will start with a discussion on the two reports addressing inventory management of chemical protective suits and the related criminal investigation.

Chemical Protective Suit Inventory Accuracy

Report No. 97-102, Inventory Accuracy at the Defense Depot, Columbus, Ohio, February 27, 1997

As part of the annual audits required by the Chief Financial Officers Act of 1990 and related legislation, during mid-1996 we audited the accuracy of inventory records for materiel stored at the Defense Depot in Columbus, Ohio. Depot inventory records, which are maintained in the automated Defense Logistics Agency Distribution Standard System, are used for both item management purposes and for compiling financial statements. The Defense Logistics Agency reported the value of materiel stored at the

Depot during that timeframe as $756 million. About 268,400 types of materiel were stored in over 700,000 warehouse locations on the Depot's premises.

For the audit, we selected 44 items listed on the inventory records to determine whether those records matched physical counts taken by Depot personnel. The sampled items included six types of chemical protective suits (hereinafter referred to as protective suits), for which another Defense Logistics Agency component, the Defense Supply Center, Philadelphia, Pennsylvania is the purchasing activity. In accordance with standard procedures for this type of audit, we observed the counts as the Depot personnel performed them.

The Distribution Standard System records indicated that the Depot had 2,178,583 suits of the six types in our sample at 1,043 warehouse locations. The physical counts at those locations, however, identified major discrepancies. The actual inventory for four types of protective suits was so much lower than reflected that a $46.4 million adjustment for losses was required. Conversely, records for two other types of protective suits required $24.6 million of adjustments for gains, indicating protective suits on-hand that were not on the records. On a net basis, there were 423,062 fewer protective

suits actually on-hand than in the records for those locations. At 728 other locations that were not identified as containing protective suits, we found an additional 696,380 protective suits, worth $51 million, that were not on the inventory records. This was such a poor result that, instead of merely incorporating the matter into the annual financial statement audit report, we issued a separate report specifically on this issue.

Protective suits are a critical war reserve item and the supply community must be able to respond rapidly and efficiently to requests for protective suits from units that are either deploying or on standby to deploy. Protective suits have specified shelf lives and samples are periodically inspected in a quality surveillance program. For this reason, the general lack of adequate inventory control over protective suits was very surprising. If anything, one would have expected more emphasis than usual on these items. Instead, the auditors found a series of poor inventory management practices. For example, some storage locations for protective suits were improperly marked and therefore none of their contents were listed in the records. Organizational realignment at the Depot and staffing reductions contributed to these poor practices. Significantly,

the Depot's Inventory Integrity Branch had been reduced by 74 percent.

We made four recommendations to regain inventory control for the chemical protective suits. Managers implemented each recommendation or took an acceptable alternative action. The Defense Logistics Agency subsequently advised us that all protective suits had been located, inventoried and posted to inventory records by the Defense Depot, Columbus, as of November 24, 1997. Shortly thereafter, as part of the effort to consolidate overall supply depot operations, the protective suits were transferred to the Defense Depot, Albany, Georgia.

Followup Audit on Chemical Protective Suits

Report No. D-2000-086, Assuring Condition and Inventory Accountability of Chemical Protective Suits, February 25, 2000

During late FY 1999, again as part of our annual financial statement audits, we observed the physical inventory count for 158 items stored at Defense Depot, Albany. We later discovered that, instead of improving inventory management, the transfer of the protective suits to Defense Depot, Albany, had the opposite effect. The inventory records for one of those items, a type of chemical protective suit, were materially inaccurate. Although

the records indicated 225,202 protective suits on hand, the physical count was 31,277 less. Depot personnel attributed the problem to the large volume of protective suits transferred from Columbus in a short period of time. Due to a lack of staffing, the quantity of each of the 20 types of protective suits transferred to Albany was never verified. According to the inventory records, however, there were another 1.14 million protective suits of 19 other types in stock at the Depot. We recommended a wall-to-wall inventory of all protective suits, research to determine the causes of inaccuracy in the records and correction of those records. The Defense Logistics Agency concurred.

The wall-to-wall inventory was completed in January 2000. Of the 31,277 protective suits, 23,488 were found misplaced in other storage areas. The remaining discrepancy of 7,789 protective suits was caused, according to the Defense Logistics Agency, by an incorrect count when the material was received.

During the audit, we also observed that the Defense Logistics Agency had failed to separate potentially defective protective suits from the active inventory. The potential defects were the focus of an on-going criminal investigation, which I will discuss next. The auditors recommended that efforts to identify

and separate protective suits purchased under two suspect contracts be completed and those protective suits be removed from active inventory. We also recommended that the Defense Logistics Agency alert all DoD activities to whom protective suits from those contracts had been issued. The Defense Logistics Agency agreed with those recommendations and has advised us that segregation of the potentially defective protective suits was completed. Final disposition instructions were provided in May 2000.

Isratex Case

The aforementioned criminal investigation was initiated in May 1993 as a result of a Defense Logistics Agency fraud referral regarding a company called Isratex, Incorporated. The referral was directed to the Defense Criminal Investigative Service, the criminal investigative arm of our office, and alleged that a Puerto Rico based subsidiary of Isratex (Isratex-PR) was providing defective and non-conforming coveralls and coats to the Department of Defense. During the Government inspection process, employees of Isratex-PR allegedly provided items of clothing that were manufactured to contract specifications to the Government Quality Assurance Representative for acceptance inspection. Once the acceptance inspection was completed, however, Isratex-PR employees actually shipped other items of

clothing that were knowingly made with non-conforming materials and assembled in a substandard manner.

Our investigation, which included subsequent testing of Isratex-PR manufactured coveralls and coats stored in Defense depots, established there were significant defects in workmanship and the material used to manufacture these items. The investigation determined that managers of Isratex-PR, as well as corporate officers of the parent company in New York, were implicated in the scheme to provide defective clothing to the Military Services and Federal Prison Industries.

In November 1994, the focus of our investigative efforts shifted from non-conforming coats and coveralls to the manufacture of protective suits called Battle Dress Overalls (BDOs) by an Isratex facility in West Virginia. BDOs are a type of protective suit designed to be worn over a soldier's uniform to seal out biological and chemical agents. Isratex was awarded two contracts to produce BDOs, one in 1989 and the other in 1992. The contractor produced 605,854 BDOs valued at $35 million under its 1989 contract and 173,070 BDOs valued at $12.9 million under its 1992 contract.

In January 1996, a quality inspection of the BDOs manufactured under the 1992 contract was conducted by the Defense Logistics Agency, at our request. The inspection found significant defects, such as open seams, which by contract specification

called for the entire lot of BDOs to be withheld from distribution to the field. The Defense Logistics Agency initially segregated the BDOs that had been delivered under the 1992 contract, preventing operational distribution. However, three months later, they concluded that the BDOs were serviceable and returned them to regular stock, leading to the audit finding that I discussed previously.

On October 2, 1998, a 12 count Grand Jury indictment was unsealed against Isratex, its subsidiaries, two principal officers, and several of its employees charging conspiracy to submit false claims, false claims, and major fraud. In addition, a previously sealed information and the guilty pleas of three Isratex-PR officials for false claims and arson were unsealed. The October 1998 indictment was superseded on May 10, 1999, by a 23 count indictment with additional charges against company officials.

The corporation, its subsidiary in Puerto Rico, two principal officers and nine employees later pleaded guilty to various charges including making false or fraudulent claims, obstruction of justice, arson, and making false statements. Sentencing took place in April and May 2000. The corporation and its subsidiaries were fined $266,825 and $96,669, respectively. The principal officers and several employees received fines ranging from $3,000 to $40,000 and were ordered to pay $195,000 in restitution. Eleven individuals were sentenced to

incarceration for terms ranging up to six months and one day or periods of probation of up to two years.

These protective suits were inspected again, at our request, in August 1999 by the U.S. Army Soldier Systems Center, Natick, Massachusetts and critical defects were found in addition to the defects already noted by the previous inspection. A quality inspection in May 2000, conducted by both the Army and the Defense Logistics Agency, of the BDOs manufactured under the 1989 Isratex contract found several critical defects similar to those in BDOs manufactured under the 1992 contract. On May 19, 2000, the Defense Logistics Agency issued a worldwide "Chemical Clothing Alert" regarding protective suits from both the 1989 and 1992 Isratex contracts. The alert advised the Military Services that these BDOs "must be designated for training only."

Chemical Protective Masks

Report No. 94-154, Reliability of M-17 Series and M-40 Chemical Protective Masks, June 30, 1994 (Secret)

Report No. 95-021, Defense Hotline Allegations Regarding DoD Fielding of Chemical Protective Masks, November 2, 1994 (Secret)

Report No. 99-061. M41 Protective Assessment Test System Capabilities, December 24, 1998

Let me now turn to the three reports on chemical protective masks (hereinafter referred to as protective masks). Those

reports were issued in June 1994, November 1994, and December 1998.

In July 1993, the Defense Hotline received allegations concerning problems with the serviceability and integrity of the chemical protective masks that were then in use. In addition, concerns were expressed about the design and production of new replacement protective masks. Our audit reports in response to the Hotline complaints were issued in June 1994 and November 1994. Because both reports were classified by the Department as Secret, we are constrained in terms of including certain details in this open hearing.

To assess the Hotline allegations, we selected and tested a random sample of Army M17 series and M40 protective masks. The Army provided funding for the testing, which was performed by the Marine Corps Test and Evaluation Unit. Both the M17 series and M40 protective masks were tested using Army-authorized chemical test equipment and production test criteria. These criteria were the same criteria used by the Army in determining requirements for its $280 million program during the 1980's for testing and rebuilding M17 series protective masks, in an effort known as Operation Rock Ready. The test operators for our tests were certified on the test equipment by the Defensive Chemical Test Equipment Division, Pine Bluff, Arsenal. An Army representative from the Chemical and Biological Defense Command

and members of the audit team were present for oversight and verification at all test sites.

For the initial sample, we selected and tested 753 (376 M17 series and 377 M40) protective masks on the M14 Mask Leakage, the M4A1 Outlet Valve Leakage, and the Q204 Air Leak, Dry Bubble serviceability testers. The M14 tests the overall mask for leaks; the M4A1 tests the outlet valve for leaks; and the Q204 tests the drink tube quick-disconnect for leaks. A visual inspection test was also performed on all protective masks to identify defects and missing parts. In addition, from the initial sample of 753 masks, we selected 147 M17 series masks for further testing on the M41 Mask Fit Validation System, which in November 1994 was renamed the Protection Assessment Test System. The M41 is a portable instrument that measures the fit of a specific mask to a soldier. At the Army's request, we selected a second sample of another 154 M40 masks for testing on all four testers.

A variety of testing is performed throughout the life cycle of protective masks. First, there is quality assurance and acceptance testing at the factory. Mask condition is also tested periodically during its service life, in what would be termed surveillance or serviceability testing. When a mask has been issued to an individual, it needs to be checked for proper fit and serviceability.

Our June 1994 report was essentially a preliminary report on significant problems indicated by our testing and other data collection, which generally substantiated the Hotline allegations.

Our November 1994 report included four findings on mask design and production issues, acceptance testing, maintenance and periodic testing of fielded masks.

Design and Production Issues

Report No. 95-021, Defense Hotline Allegations Regarding DoD Fielding of Chemical Protective Masks, November 2, 1994 (Secret)

Our next report was the result of a review of Hotline allegations that specifically referred to design and manufacturing problems involving the M40 and M42 protective masks. The M42 is the combat vehicle crew version of the M40. These protective masks had troubled acquisition histories, with a wide variety of problems including significant schedule slippage; multiple contractor bid protests and termination disputes; and design and production defects. Although the Army, in response to our November 1994 report, stated that the program had been intensively managed and that repeated testing had corrected any design deficiencies, we identified several remaining problems. While classification issues preclude further discussion, we recommended that the Army develop and

implement an action plan to correct the outstanding deficiencies. The Army took responsive action.

Acceptance Testing

The Army did not ensure adequate acceptance testing of M40 and M42 masks at one contractor location. Those concerns became moot when that contractor was not selected for further M40 and M42 masks production.

Maintenance and Cyclic Testing

Much military equipment is "ruggedized" to withstand wear and tear and to function in difficult operating conditions. It is very difficult, however, to design protective masks that are impervious to environmental and operational factors, including heavy physical exertion, inadequate maintenance, or misuse by the wearer. For this reason, a major challenge exists in the area of Preventative Maintenance Checks and Services (PMCS), especially in units such as infantry.

We found strong indications that soldiers were not following prescribed procedures when performing PMCS on chemical protective masks or reporting maintenance problems as required by the Operator's Manual for Chemical-Biological Masks. The soldiers with the M40 masks selected as part of our test sample were instructed to perform PMCS before submitting their masks

for testing. In spite of PMCS allegedly being performed before testing, we found through visual inspection that many masks were not reassembled correctly. In addition, a visual inspection of the sampled masks identified conditions, such as cracked eye lenses and missing parts, that would not have existed if PMCS had been done properly.

It is our position that the adequacy of PMCS can best be determined by an aggressive program of periodic surveillance testing of masks whether in the hands of users or in war reserves. At the time of our audit, only the Marine Corps had a cyclic surveillance testing program. Throughout the ensuing six years, our primary goal has been for the Services to ensure that battlefield risk is minimized by verifying mask reliability often and rigorously. To assure testing rigor, it is clearly important that the performance criteria for the masks be standard, explicit, and demonstrably based on updated threat assessments.

Response to Our Audit Finding

During the audit, the Army took immediate action on one of our concerns by changing the standard for the first depot surveillance inspection of masks from 60 months to 24 months from the date of manufacture and packing. In our November 1994 report, we recommended ten additional actions, including the establishment of a standardized DoD-wide cyclic testing program

and the development of specific criteria for testing fielded masks.

In general, the Deputy for Chemical/Biological Matters, Office of the Assistant Secretary of Defense (Atomic Energy) and the Services agreed that maintenance practices and training needed improvement. The Deputy for Chemical/Biological Matters also agreed that valid concerns about the need for surveillance testing and what test standards were appropriate needed to be addressed, but the Army comments and actions on the testing issues were nonresponsive. To resolve the outstanding issues, in June 1995 the Department agreed to initiate a Pilot Retail Chemical Mask Surveillance Study. A Joint Service Mask Technical Working Group was established to conduct the study, under the auspices of the Joint Services Material Group. The IG, DoD, worked closely with the Working Group to formulate the sampling plans for the study and we also had a representative on the Working Group.

The results of the study were presented in the Final Mask Surveillance Pilot Program Report of November 15, 1999. In brief, results of this study released in November 1999 validated the concerns that we had reported in 1994. Of 19,218 masks that were tested, 10,322 had critical defects. However, the Deputy Assistant for Chemical/Biological Defense informed us in March 2000 that "there is no indication of extensive mask degradation over time or through field usage other than through wear and

tear which is exacerbated by a lack of field/fleet maintenance." Furthermore, on those grounds, the Deputy Assistant rejected the Working Group's recommendation for a centralized mask surveillance testing program. As a result of these decisions, mask defects continue to be viewed as a "logistics sustainment" issue, thereby relying on the individual Services to improve maintenance practices. The study also failed to produce agreed-upon test criteria, which I will address further in the context of our December 1998 report.

We were frankly disappointed that the Deputy Assistant was unable to provide us the details of what the Services were doing to address the alarming test failure rates and had taken the position that her office's responsibilities extended only to new equipment acquisition, not readiness oversight. We requested the Services provide details of their actions and plans and are generally satisfied with the responses. All Services now acknowledge the need for continued mask surveillance testing and are taking appropriate implementation measures. We intend to audit the effectiveness of these efforts after they have been implemented for a year or two. Depending on the results, it may be appropriate to revisit the issue of Office of the Secretary of Defense or Joint Staff level oversight in the future.

M41 Protection Assessment Test System Capabilities

Report No. 99-061, M41 Protective Assessment Test System Capabilities, December 24, 1998

Let me now turn to our December 1998 report on the M41 Protective Assessment Test System Capabilities. In November 1995, the Joint Service Mask Technical Working Group issued a report, "Mask Criteria Analysis and Test Requirements," stating that the M41 was appropriate for testing the combat readiness of negative pressure masks, such as the M17 series, M40, and M42 protective masks. According to that report, the combination of Preventative Maintenance Checks and Services and a mask fit verified with the M41 would be sufficient to assure mask readiness. This had been the Army position for several years. Based on what we had learned about the limitations of the M41 system during the 1994 audit and in Working Group discussions, we decided that a separate Inspector General, DoD, assessment of this testing device's capabilities would be useful.

Our review included obtaining input from 188 M41 operators at four Army bases and the Army Chemical School. The audit confirmed that the suitability of the M41 as a combat readiness tester was questionable because it was designed primarily as a mask fit tester in other than realistic battlefield conditions. We also reported that the Joint Service Materiel Group had not finalized fit factor criteria for the M41, testers were not being returned for calibration in a timely manner, and M41

operators were not sufficiently trained and making full use of the available testing equipment.

The issue of the lack of agreed-upon criteria for the testing of fielded masks has proven difficult for the Department to resolve. The Army criticized the more stringent production test criteria used by the Marine Corps for surveillance tests and for our 1994 tests, but offered no substitute criteria for testing fielded masks except an interim fit factor based on a outdated 1986 requirements analysis. The fit factor is the ratio between ambient air particles in the air outside the mask to particles in the air inside the mask. Our December 1998 report also pointed out vast differences between and within the services for programming the M41 system:

- The Army was using an outdated interim fit factor pass or fail criterion of 1,667 for fielded masks for all units except chemical surety sites and the Chemical Defense Training Facility, which used a fit factor of 3,000.

- The Marine Corps used the criterion of 6,667 for fielded masks until 1998, but changed to 3,000 to be consistent with the chemical surety sites and Chemical Defense Training Facility.

- The Air Force used a fit factor of 2,000 during a Pacific Air Force pilot program in 1998, but was not committed to extensive use of the M41.

- The Navy had not decided on a fit factor and also was considering alternatives to the M41.

In response to the December 1998 audit report, the Assistant to the Secretary of Defense for Nuclear and Chemical and Biological Defense directed in March 1999 that the M41 be referred to by its original nomenclature, a Protective Mask Fit Validation System, not a combat readiness tester. The Assistant tasked the Army to provide input so that the Joint Nuclear, Chemical and Biological Defense Board could try again to update the mask fit-factor criteria. The Army indicated in early June 2000 that the Services had agreed to a new fit factor based on updated threat data.

Most of the actions taken in reaction to our December 1998 report have been responsive, assuming the fit factor question is actually resolved. However, we remain concerned about the lack of consistent serviceability testing and the criteria used in that testing. It is also important to note the ongoing introduction into service of the TDA-99M Joint Service Mask Leakage Tester, a portable tester that has the combined capability of the entire family of previous test equipment for protective masks. This small "suitcase" tester may enable the type of aggressive readiness testing in the field, for both fit and condition, that would help the troops gain maximum confidence in their masks. Ironically, we have seen no

indication to date that the Army intends to acquire this equipment.

Other Chemical and Biological Defense Issues

In closing, it would be appropriate to note that chemical and biological defense has been a primary focus of Inspector General, DoD, readiness audits over the past few years. I have attached a list of these reports to this testimony. Given the importance of fully addressing the management challenges in this difficult area, we have attempted to maintain continuous coverage despite severe resource constraints and other requirements. Currently, we are auditing the National Guard Weapon of Mass Destruction Civil Support Detachments and will assess the chemical and biological defense readiness of the Reserves later this year. As previously mentioned, we will plan a follow-up audit on mask maintenance and surveillance testing. We will also initiate audits this summer discussing DoD efforts to acquire the next generation of protective masks and the Joint Biological Point Detection System as well as continue periodic reviews of Defense Logistics Agency inventory accuracy.

Thank you for considering the views of my office on these important matters. This concludes my statement.

Inspector General, DoD
Reports on Chemical and Biological Defense

Report No. 94-154, Reliability of M-17 Series and M-40 Chemical Protective Masks, June 30, 1994 (Secret)

Report No. 95-021, Defense Hotline Allegations Regarding DoD Fielding of Chemical Protective Masks, November 2, 1994 (Secret)

Report No. 95-224, Army Chemical Protective Mask Requirements, June 8, 1995

Report No. 97-018, The Patriot Advanced Capability-3 Program, November 4, 1996

Report No. 97-102, Inventory Accuracy at the Defense Depot, Columbus, Ohio, February 27, 1997

Report No. 97-217, Chemical and Biological Defense Readiness, September 19, 1997 (Secret)

Report No. 98-174, Unit Chemical and Biological Defense Readiness Training, July 17, 1998

Report No. 99-045, Chemical and Biological Warfare Defense Resources in the U.S. Pacific Command, December 3, 1998 (Secret)

Report No. 99-061, M41 Protective Assessment Test System Capabilities, December 24, 1998

Report No. 99-102, Chemical and Biological Defense Resources in the U.S. European Command, March 4, 1999 (Secret)

IG Semiannual Report to Congress for the Period Ending March 31, 1999, Focus Area on Chemical and Biological Defense

Report No. D-2000-086, Assuring Condition and Inventory Accountability of Chemical Protective Suits, February 25, 2000

Report No. D-2000-105, Contracting for Anthrax Vaccine, March 22, 2000 (For Official Use Only)

All reports listed above that are not
Classified or For Official Use Only
are available on the Internet at www.dodig.osd.mil.

Mr. SHAYS. Thank you very much. I note for the record that we are joined by Mr. Sanford and welcome him.

I am going to read my summation of what I think your testimony is, and I want to ask if you would agree with—whether you agree with whether my summation is an accurate summation of what you think you have said.

Despite the growing threat, the business of protecting our forces from chemical and biological attacks have not been managed effectively and is vulnerable to fraud, waste and abuse. You basically find there is a lack of inventory control over chemical protective suits at the Defense Logistics Agency. This is a problem because protective chemical suits are a critical war reserve item.

The managers of the company, Isratex, Inc., conspired to provide defective chemical protective suits to the Department of Defense. Although DLA knew of problems with the company, it took several years before agreeing to stop shipping potentially defective suits to our military forces. In 1994, your office uncovered problems with the serviceability and integrity of chemical protective masks already in use. To some extent the problems are attributable to design and production problems, while other aspects of the problems are attributed to training and field maintenance checks. Despite your recommendations for corrective action, these problems persist today.

Those problems persist in part because the services have resisted some of your recommendations and no single DOD office has exercised sufficient oversight authority to make the changes you recommended.

Now, that is what we have taken from your oral and written testimony. Is that essentially your testimony?

Mr. MANCUSO. It is essentially correct. I would add, I really don't know what the current status is on the inventory of chemical warfare suits. I have not seen their most recent inventory. Theoretically they had an all-encompassing inventory in Albany and have accounted for the missing suits and determined the location of all suits. So that may in fact have been corrected. I defer to DLA to comment on that during their testimony.

Mr. SHAYS. Basically you are not disagreeing with anything that I summarized other than that?

Mr. MANCUSO. No, I'm not, Mr. Chairman.

Mr. SHAYS. And the only additional—that is your only additional add-on to what I have said?

Mr. MANCUSO. That is correct.

Mr. SHAYS. Based on your audits, are the problems with protective clothing inventories a matter of dollars or management?

Mr. MANCUSO. Problems as far as the inventory? Is that what you are saying?

Mr. SHAYS. Yes.

Mr. MANCUSO. It is both. They are management problems. Some of them are complicated by a lack of money, I'm sure. What we found during our audits, for instance, in 1999—excuse me, in 1997, as well as again in 1999—is that cutbacks in the number of employees at the depot, changes in the system, and other logistics improvements that were being pushed through the system, all contributed in some way to the lack of good inventory management.

Nonetheless, there is very little that is as important to the Department of Defense as good inventory management. It is directly tied to readiness. It is directly tied to waste and abuse. Poor inventory management can lead to, for instance, the needless acquisition of items that you may have sitting right under your nose in another part of the warehouse.

So although I believe that there is some money in the issue, management is very important, and I think DLA is attempting to get it under control but this is a problem that goes well beyond DLA. Inventory as a whole is a major problem for the Department of Defense and one they are wrestling with and one that in fact remains as an impediment to the Department producing clear, clean financial statements.

Mr. SHAYS. We thought that one of the things our committee would do is just focus on our storage of equipment, our maintenance of equipment, and we determined that our committee would be spending all of our time doing that, it is so massive. But it is something that we're very tempted to get into in a very big and real way. I want you to tell me what systematic flaws or weaknesses allowed DLA to issue potentially defective equipment to U.S. warfighters.

Mr. MANCUSO. In the case about defective equipment, that we are talking about here, there is very little, I think, that DLA could have done to avoid fraud by a group of individuals that were intent on subverting the system, whatever the system might be. One of the points I did not make and I probably should have made in my oral testimony was that it was in fact DLA, back in 1993, that referred the allegations of potential fraud by this company to the Defense Criminal Investigative Service, having to do with the coats and overalls that the quality people suspected that this company was somehow subverting their efforts.

Mr. SHAYS. That's a plus that they did that. It is a minus that they knew it.

Mr. MANCUSO. I'm certainly not making excuses for them. But you asked what they could do about stopping items from getting into the system. If you are talking about the acquisition end, it is difficult when you have a company intent on defrauding you. If you are talking about just stopping lower quality that may not be an intentional fraud, you need the most intense inspection effort that you can have, and that becomes a money issue. Once the items are in the system, however, then I believe very strongly that it's the people who control the inventory who bear a great responsibility for ensuring that good decisions are made as to what to do with defective items. If you are going to make a decision to allow something to stay in inventory or perhaps go out to the troops, at a minimum the warfighters need to be a participant in the discussions as to what exactly are you allowing to go out.

Mr. SHAYS. I'm a little troubled here. I'm getting the feeling more that you are describing to me that the problem happened. I'm uncertain as to what systematic problems occurred that allowed our soldiers to basically get equipment that, if they had been exposed to chemicals, they would have died and we wouldn't have been able to carry out our mission. And my question to you was what systematic flaws? I gather there is just total carelessness. I mean, are you

basically reporting that this happened, or are you making recommendations on how to avoid it in the future?

Mr. MANCUSO. I think I'm having trouble answering your question because I'm not sure if you want me to focus on what happened in the case of Isratex and suits or if you are talking much more broadly about the acquisition of materiel.

Mr. SHAYS. What bothers me is a lot. This is not a happy day for me. Mr. Lieberman and I go back a ways. We go back to the 1994 study, and I was a member of this committee and we weren't seeing action taken and so one of the staff said I should read this report. And then I sat down with Mr. Lieberman, sat down with the people who did it, and then I sat down with the Army, who basically said this report was not done well. So we are going to get into that.

I am not suggesting that I am in a particularly good mood. But what I am trying to wrestle with is that we knew that we had defective suits. We cannot deny that we did not know it, because we prosecuted people and some people were sent to jail. I almost view it as treasonous because I view as giving defective equipment that you produce to our military personnel means they are dead men. If they are exposed to chemicals and it means our mission cannot be carried out and then it means that other people who are not exposed to chemicals may be exposed to other—their life is threatened because our mission isn't being able to be carried out successfully. When we have part of the mission not being able to be carried out right, it endangers the rest of the mission.

What I am wrestling with is how in God's name is it possible for military personnel to give bad equipment to other military personnel? I just don't know how it can happen.

So I want to know—I know we purchased it. I know we prosecuted. I want to know was it just carelessness, recklessness, or was it just simply they did not care? Did they care but there was a systematic flaw that made this happen? And to what extent you can answer that question, I'd appreciate it. And if someone else can answer it, I would appreciate it.

Mr. MANCUSO. I suspect DLA will eventually have to answer that question.

Mr. SHAYS. Let me ask you this in fairness to you. Have you—are you basically, is your report before us today just documenting it happened but not documenting why it happened and documenting—and making recommendations on how to prevent it in the future? And so I just want to know what you are prepared to say.

Mr. MANCUSO. We are prepared to testify clearly that it happened and that it happened despite our discussions with DLA, both oral discussions and correspondence that was exchanged. And it is my understanding from talking to our people that the rationale that was eventually given was that it was a business decision, it was a decision made by the logistics people after they weighed what they viewed as the seriousness or lack of seriousness of the defects, the readiness needs, the availability of other suits, etc. They determined that they would keep those things in inventory. I certainly question that decision.

Mr. SHAYS. It sounds to me like, you know, you have one bullet in the chamber and you just keep pulling it and eventually you get

killed. Some of those suits—am I misunderstanding the problem? Were some of the suits defective to the extent that they would not protect against a chemical or biological exposure?

Mr. MANCUSO. Certainly the charge that we included in our indictment was that they were providing suits that were dangerously deficient. And the testing that was done, independent testing we had done by Natick, showed that there was a significant number of suits that were tested in the samples that had critical defects and could, therefore, endanger troops.

Mr. SHAYS. Defects like holes.

Mr. MANCUSO. Open seams.

Mr. SHAYS. Open seams. Defects like using different material than met the specs. Holes, seams that were open and material that wasn't—inferior material, material that did not meet the specs that they were supposed to meet, that this equipment did not work.

And we prosecuted them for that. Isn't that correct?

Mr. MANCUSO. That's correct.

Mr. SHAYS. And isn't it correct that the prosecution was successful?

Mr. MANCUSO. Oh, yes, that's correct.

Mr. SHAYS. And so we cannot deny. Otherwise, you have got to let them out of jail or we better, you know, not hold the company accountable.

So that's happened and that's not what I'm getting into. I'm trying to understand how military personnel can allow other military personnel to have defective equipment. You're not in a position to tell us how it happened right now. You're just able to say it happened. I don't want to suggest just that your research did more than it did if it did not. So the extent of the research is that it happened. You don't quite know and you haven't come up with specific recommendations on how to prevent it in the future; is that correct?

Mr. MANCUSO. That's correct.

Mr. SHAYS. Well, let me do this. I want to give—Mr. Lieberman, you and I will have a little dialog about masks, but Ms. Schakowsky, you have the floor.

Ms. SCHAKOWSKY. Thank you, Mr. Chairman. Mr. Mancuso, I'm new to this terrain, so if I am asking questions that you have already testified to or repeating what the chairman has said, please forgive me because I am struggling to understand how all of this happened as well.

So we have two batches of suits made by the manufacturer in 1989 and 1992, the larger batch being the 1989; right? About 606,000 suits and 173,000 in 1992.

Mr. MANCUSO. Correct.

Ms. SCHAKOWSKY. Let me focus first on the 1992 batch.

The DLA originally placed a freeze on the suits made in 1992 because of concerns with the manufacturer on a completely separate contract; is that right?

Mr. MANCUSO. Correct.

Ms. SCHAKOWSKY. Related to cold weather parkas or something?

Mr. MANCUSO. Correct.

Ms. SCHAKOWSKY. In 1995, you requested a quality inspection of the suits in question here. Why did you make that request?

Mr. MANCUSO. Because the investigators during the course of their review of the situation involving Isratex found that it seemed to be a normal business practice for them to attempt to circumvent the system and to supply inferior, defective and less costly types of material. They had reason to believe and this is based on witness testimony as well—that this included chemical warfare suits. For that reason beginning in January 1995, we notified DLA that we suspected that, in fact, there were problems with the suits and we suggested to them that a quality audit be done and some segregation of the 1989 and 1992 lots of warfare suits.

Ms. SCHAKOWSKY. The defects that we are talking about are the ones that you just went over, open seams, that kind of thing?

Mr. MANCUSO. Correct, although at that point I suspect we were not as confident as to precisely what the defects were. We were working on witness testimony. There hadn't been the testing from the professional test lab.

Ms. SCHAKOWSKY. You called them significant defects at the time, although it is reported elsewhere that these were not critical defects. But you felt at that point that the entire lot should be withheld, right?

Mr. MANCUSO. We suggested that the first thing that should happen is that they should do a quality check of these items and it may be appropriate to segregate items; in other words, put them aside.

Ms. SCHAKOWSKY. OK. Again, correct me if I am wrong, but the DLA concluded the suits were servable anyway; is that correct?

Mr. MANCUSO. DLA eventually concluded that, although they found defects, they did not feel that those defects rose to the level that would justify segregation of all of the suits. Yes.

Ms. SCHAKOWSKY. And at that time did you disagree that the suits were servable?

Mr. MANCUSO. We disagreed and we continued to investigate. And then eventually we obtained other independent testing that showed far more critical defects.

Ms. SCHAKOWSKY. In 1999 you requested that the suits be tested again; right? Why did you make that second request?

Mr. MANCUSO. It was primarily in support of the criminal investigation and evidence that would be needed to ensure the successful prosecution.

Mr. SHAYS. Put the mic in front of you a little bit more. It is kind of on the angle there. Thank you.

Ms. SCHAKOWSKY. And during this check, the inspectors found critical flaws in the suits; correct?

Mr. MANCUSO. Yes, many, both through testing and even through visual inspection. They found things such as open seams.

Ms. SCHAKOWSKY. So why would the inspections in 1996 and 1999 have different outcomes? They were probably different inspectors, but was there a different standard?

Mr. MANCUSO. I would defer to Ms. Levy on that as to whether or not there was a different standard.

Ms. LEVY. There were no critical defects found on the first inspection. On the second inspection when Natick did the inspection they found seven critical defects. Natick used the appropriate version of the specs to test the items. When the items were first tested

by DSCP, they used an earlier version of the specs to test the product. Natick used the version that was appropriate to the 1992 contract to conduct the tests. They found seven critical defects. But DSCP did agree that at least one of the critical defects found by Natick was indeed a critical defect.

Ms. SCHAKOWSKY. If we are talking about open seams, you used the word you could visually observe them. It is hard for me to understand why—and that sounds pretty critical to me, why that wouldn't have been discovered in the earlier inspection. I mean, I understand what you are saying about the different and more appropriate standards. But they seem pretty blatant, even if what was finally found——

Mr. MANCUSO. I don't think there is any way to positively ascertain why that difference occurred. One simple reason may be we weren't looking at the precise same suits. I don't believe that Natick, when they were looking in 1999, were looking at the precise same suits that had been looked at by DLA. They were looking at a representative sampling drawn from different lots. But because these are such critical items, a very limited number of defects would, in fact, have caused a rejection of the entire lot while they were still at the contractor. They would not have been accepted by the inspector. That's what the contract would have required, that the entire lot be rejected because the representative sampling——

Ms. SCHAKOWSKY. Exactly, which is why I am trying to figure out why that did not happen.

Mr. MANCUSO. There is no way—I don't think there is any concrete way—to determine why the two testings came up with different results.

Ms. LEVY. There is some explanation as to why they came up with different results with regard to the critical defects because some of the critical defects that were identified as critical during the second testing were classified as major under the specs that were used for the initial test. They were not considered critical defects. Then Natick updates their specs, now some of those items that were first classified as major are now considered critical.

Ms. SCHAKOWSKY. Well, in the end though we did find that the activity on the part of the manufacturer was intentional and they have been, as we pointed out, they have now been prosecuted and convicted; right?

Mr. MANCUSO. That's correct.

Ms. SCHAKOWSKY. Let me ask about the 1989 suits. So there was not, then, a DLA freeze put on any suits? Or were they—was there a DLA freeze put on 1992 suits?

Mr. MANCUSO. The 1992 suits I believe were segregated in 1995.

Ms. SCHAKOWSKY. Do we mean the same thing when I say freeze and you say segregated?

Mr. MANCUSO. We are talking about segregated, moved, taken out of active inventory—identified not for normal distribution. For the 1992 suits. The 1989 suits were never segregated until about a month ago.

Ms. SCHAKOWSKY. Right. That's what I want to get at. So when the United States was entering Bosnia, for instance, the 1989 suits were in circulation?

Mr. MANCUSO. That's correct.

Ms. SCHAKOWSKY. And when the suits were tested in 1996, were tests conducted on all the suits or just the 1992?

Mr. MANCUSO. Just the 1992 suits.

Ms. SCHAKOWSKY. OK. And the 1999 inspection, that focused on the 1992 suits only too?

Mr. MANCUSO. No, that focused on, I believe, both sets of suits.

Ms. LEVY. No. May 2000.

Mr. MANCUSO. It's the most recent ones, the final testing in the last few months included the 1989 suits and also resulted in the full segregation of the 1989 suits.

Ms. SCHAKOWSKY. Wasn't there a 1999? There were three opportunities for the DLA to focus also on the 1989 suits and it did not. Isn't that true?

Ms. LEVY. Natick conducted a test of the 1992 suits in September 1999 and that is when they identified the critical defects.

Ms. SCHAKOWSKY. And not the 1989 suits.

Ms. LEVY. That's correct.

Ms. SCHAKOWSKY. So now we are up to 1989 and the 1989 suits three times in a row were not inspected.

Ms. LEVY. That's correct.

Ms. SCHAKOWSKY. And they were made by the same manufacturer with the same now conviction and suspicion—well, anyway; right?

Ms. LEVY. Indeed it was a continuous production, yes.

Mr. MANCUSO. It would be useful, I think, to mention that when we talk in the Department of Defense about a 1989 contract, conceivably they could be manufacturing today under a 1989 contract. Sometimes they overlap with other contracts. So throughout a period of time they were producing under the 1989 contracts, then producing extensively under the 1992 contract. So it goes on. The reason——

Ms. SCHAKOWSKY. OK. Let me, let me go on. What I'm trying to understand is it would have made just as much sense to segregate, it seems to me, the 1989 suits too under the same rationale, just to be safe, from a questionable manufacturer.

Mr. MANCUSO. That was certainly our position.

Ms. LEVY. Could I just correct something? You said there were three tests where the 1989s could have been tested. There were two tests and on the third test the 1989 suits were tested. May 2000.

Ms. SCHAKOWSKY. That was 2000?

Ms. LEVY. Yes.

Ms. SCHAKOWSKY. OK. OK. That was in May. So it turns out though that the 1989 suits were just as flawed as the 1992 suits; is that right?

Ms. LEVY. There were defects identified, two of which were critical when they were tested in May 2000.

Ms. SCHAKOWSKY. And yet there were three our four times as many suits produced and in circulation. So I'm having trouble figuring out why the 1989 suits were excluded from consideration or scrutiny when they had the same manufacturer, same quality problems, when there were many more of them. When you requested

the inspections in 1995, did you explicitly request that inspections be done of the 1989 suits as well?

Mr. MANCUSO. Yes, we did, and that resulted in a series of discussions and negotiations with DLA as to having this accomplished.

DLA cited a figure that I believe was about a quarter of a million dollars that it would cost them to do the appropriate sampling and testing for what we were looking for under both of those contracts and noted that they frankly could not afford to do that. And we actually negotiated for one contract and it cost them about $70,000 to conduct the testing.

Ms. SCHAKOWSKY. But beyond that, and I'm curious how you felt about it when General Glisson had a press conference, a DLA official, said quote: The 1989 lot has never been questioned. They never had a single quality control problem identified on the 1989 lot. That was not correct; right?

Mr. MANCUSO. That was not correct.

Mr. SHAYS. Let me thank the gentlewoman for her questions and go to Mrs. Biggert.

Mrs. BIGGERT. Thank you, Mr. Chairman.

Mr. Mancuso, in your testimony you talk about—I'm switching now to the protective masks—that out of the 19,218 masks that were tested there were found to be 10,322 that had critical defects. And in your statement, you talk about the Deputy Assistant for Chemical Biological Defense, Dr. Anna Johnson-Winegar, informed the IG that it was not her job to construct readiness oversight. Do you see a problem with that and who is in charge for oversight of these?

Mr. MANCUSO. We had hoped that her office would take the initiative and attempt to take control of the situation, recognizing this is not an easy thing to do in the Department of Defense with the various military services. But we have seen success in other areas. We had hoped in this area that that office would have again taken the initiative to get that done. She apparently felt that this was not something that needed to be done by her office.

Mrs. BIGGERT. Well, you talked, I note, at the last hearing this subcommittee had on chemical and biological defense, again nobody wanted to be in charge. And today you mentioned about centralized testing. We still don't even have centralized testing between the services, do we?

Mr. MANCUSO. No, we do not. And, in fact, just to be fair, the area that we are primarily concerned about is standardized maintenance testing. Her office is certainly involved in trying to get some consensus with the services on criteria and things like that. They are certainly involved. But they fell short of what we would have liked to have seen coming out of the Office of Secretary of Defense, which would be a strong leadership and control in ensuring that there was uniform testing across the board with the services.

Mrs. BIGGERT. Well, if—has this been a recommendation that you have made to the Department of Defense to have centralized testing and to have somebody in charge?

Mr. MANCUSO. We've supported that concept—we were involved in the joint study and we supported that recommendation and it

is out there and our representative was one of the teams that formulated it.

Mrs. BIGGERT. Have any of the service branches been responsive and been willing to have somebody that will have oversight in that?

Mr. MANCUSO. Mr. Lieberman has been directly involved in that. I will let him answer.

Mr. LIEBERMAN. We made the recommendation for a centralized test program in our 1994 reports. The Department nonconcurred and we have been negotiating ever since.

Centralization is not as important as standardization. What we've been after now for 6 years is to make sure that adequate testing is going on. Whether it is done all in one place by one organization or not is really not the key factor. That is one way to make it happen. Otherwise, you're fighting four different sets of priorities in four different military services. So that's why we initially went to the idea of a centralized program.

It is conceivable that four different test programs can fulfill the same objective, as long as there is coordination and oversight of what is going on and someone is able to identify any of the services that is not really stepping up to the challenge. So if it's going to be a decentralized testing operation, we would say that strong oversight is absolutely necessary to make that work.

Mrs. BIGGERT. Well, if there is four different services that are doing this testing, and maybe they find very similar problems, and yet there is no one that says, oh, maybe there is really something inherently wrong with those masks because it is not brought back together for a centralized report.

Mr. LIEBERMAN. Yes, we do see a lack in terms of a way, as you say, of bringing these things back together. The Army is the executive agent in the Department for individual protective equipment. And that's fine because the Army has a lot of technical expertise in chemical matters.

But there is sort of a conflict of interest if you are talking about one of the services in essence oversighting itself here. And we really think there is a crying need for strong leadership from both OSD and the Joint Staff in this area.

Mrs. BIGGERT. So you could only recommend that and then it's up to the Department of Defense to make that decision?

Mr. LIEBERMAN. Yes, ma'am.

Mrs. BIGGERT. Do you think that the Department of Defense is unresponsive to this—to the request? Or to the recommendation?

Mr. LIEBERMAN. I think the response from the Department candidly has been disappointing. We made those recommendations in 1994 and it's only within the last year that the services have started the types of mask surveillance testing programs that we have been recommending since 1994.

Mrs. BIGGERT. In looking at these protective masks and the critical defects, were most of these defects because of poor maintenance by the servicemen and women or were there inherent defects when they were purchased or delivered?

Mr. LIEBERMAN. There were some production problems, but by and large, the bulk of the problem here is a maintenance problem. The designs of the masks today are good. It is good equipment, but

it is not soldier-proof by any means. And apparently the masks really suffer once they're in the hands of the users. The maintenance routine is either too difficult or not well enough understood by the troops and you have got to have proper maintenance for this equipment to work.

Mrs. BIGGERT. If they don't receive the training or if it's not—they don't care for them properly, is that again because there is no standardized training or standardized maintenance that is given to the four services to train their personnel on how to maintain those masks?

Mr. LIEBERMAN. It is a leadership problem reaching all the way down to the smallest-sized units of the services. You are not going to have exact standardized training because there are some differences in the models of mask that the different services are using. And there are real environmental differences between shipboard use of masks by the Navy and masks that an infantry unit has out in the field some place, for example.

But this is essentially a leadership problem. It is a command problem. It's no different from the soldier's weapon not being able to fire because it's not properly maintained. So we have to find a way to get every single user of a mask, which is down to the lowliest PFC in Army terms, to maintain these masks properly.

The only way to know whether that is happening or not is to bring in technical experts with equipment to test the masks to find out whether they are still serviceable or not.

Mrs. BIGGERT. Is that what you talked about your carry-on or testing equipment, or I forget what you called it, but something that is mobile?

Mr. LIEBERMAN. Yes. Nowadays the good news is that there is better test equipment on the market. Much better test equipment. There's a new device that basically takes a semi-trailer's worth of equipment and puts it in a suitcase and you don't lose any capability. So obviously this should make it much easier logistically to take the equipment to where the users are and do onsite testing.

Mrs. BIGGERT. And with leadership that would be accomplished. Just one quick thing, could you just define what "critical defects" are?

Mr. LIEBERMAN. Critical defects are defects that have potential life-threatening consequences.

Mrs. BIGGERT. And an example would be?

Mr. LIEBERMAN. An open seam that allows leakage through the seam.

Mrs. BIGGERT. Or broken eyeglass or whatever?

Mr. LIEBERMAN. Yes.

Mrs. BIGGERT. Thank you very much. Thank you, Mr. Chairman.

Mr. SHAYS. I thank the gentlewoman. And the gentleman from North Carolina.

Mr. SANFORD. South Carolina. Come on, be nice.

Mr. SHAYS. Is that a critical mistake?

Mr. SANFORD. It's huge. Huge.

Mr. SHAYS. Huge. I love your basketball teams.

Mr. SANFORD. Exactly. I've just got one quick question, and that is when I look at inventory accuracy, as I read through the pages of your testimony, I mean it just struck me as an incredibly odd

story. And that is you begin with the defense depot in Columbus, OH, supposedly there are around 2 million suits. The audit finds—I guess this is the 1997 audit finds that there are major discrepancies, was your wording.

They adjust for $46 million worth of basically lost equipment, and they find that basically there are a half million fewer protective suits than they thought were the case. Then it turns out in 728 other locations, they basically find another almost 700,000 suits that they did not know were over there worth about $51 million. The audit says, quote, a series of poor inventory management practices. It is believed that this can be cleared up by moving this stuff to the defense depot in Albany, GA. The stuff is moved down to Georgia, but in fact there is the opposite effect in terms of inventory problem and of the 225,000 protective suits that are supposed to be there, it turns out there are 31,000 suits not there. And at this point, people are not even worried about quality. It says quality was never verified, but they begin a wall-to-wall inventory. It is completed January 2000 and it turns out 23,000 of the missing suits were found in like completely different storage areas. And, essentially, as I read this, the other 7,000 protective suits were basically written off.

Is that normal?

Mr. MANCUSO. I would add that was one type of suit, when you gave those last few numbers. We're not certain about the other 19 types of suits. We're waiting for the inventory.

Is that normal? We have seen this type of problem before involving other types of commodities, to the extent where, as I mentioned earlier, it has a significant impact on the overall DOD financial statement. There is a huge amount of money involved and the records are simply not right and not reliable.

It is a problem. And there are many ongoing initiatives in the Department to help correct that problem. Part of the issue is the tying in of inventory with financial records, trying to have some joint accountability there.

Mr. SANFORD. But it kind of strikes me as odd that you can get on the Internet now and call up a place called Amazon.com and you can order some book from some strange inventory that they've got in another State and somehow the book ends up in your house 2 days later. And I am not saying that DOD should ever be tied to that level of technology, but in other words clearly structurally there is something wrong if you are looking at that kind of misplacement of assets owned by the taxpayer.

If you were to look at structure, what is wrong with structure that allows something like that to happen? I mean, I think there was an allegation, well, that too many inventory type folks have been cut from the budget and therefore that was the root. Is that the root problem? Or, no, they've just got really faulty inventory practices and not at all concurrent with what you would see in business today? I mean, what is it? If you look at root causes for how something like that happens, what's the root cause from your perspective?

Mr. LIEBERMAN. Sir, there are a number of causes. One is inaccurate data in computerized data bases. These records are all automated. Since we are talking about each depot trying to manage

hundreds of thousands of different types of items, they are heavily dependent on the accuracy of computer records. Unfortunately, in the Department of Defense——

Mr. SANFORD. If I go down that logic essentially I think that many of the people doing data entry at Amazon.com are paid less than people are paid in the military. And yet I mean last time I checked, when I had ordered one of those books I mean it doesn't go to North Carolina. Shays would like to send me to North Carolina. But in other words, it comes to South Carolina. So I don't understand.

Mr. LIEBERMAN. Well, my point is the inventory management systems just are not good enough. They are full of bad data. This is one of the reasons why the GAO has designated DOD inventory management as a high-risk area, going back to the original list of Federal Government management high-risk areas. And there is really no prospect of it coming off that list any time soon because we need to field a whole generation of systems that are more capable of cleaning out bad data.

Once you get a data base that is full of inaccurate information, it is really hard to ever recover. It is particularly frustrating in the DLA situation because DLA is using a reasonably new, reasonably modern system, the distribution standard system for its basic inventory recordkeeping. So we are not talking about some ancient system that you could say is just plain outmoded. But still it is chronically inaccurate. The inventory counts that are done by the depots are not up to snuff either and this is one thing the auditors have observed as we assess their inventory methods.

GAO issued a report last winter saying that DLA had the poorest inventory accuracy record of any of the components that store large quantities of supplies in the Department. It was down in the low 80's, which for logisticians is really terrible. So they know they have that problem.

In the annual financial statement audits, as Mr. Mancuso mentioned, one of the reasons why we have declared the DOD financial records unauditable every year now since the Chief Financial Officers Act was passed is the inability to demonstrate that we have accurate inventory.

So it is a real problem. A lot of effort is being made to correct it. But, unfortunately, there are a lot of stories like the chemical suits out there.

Mr. SANFORD. If you were to pick two things that would be most helpful in fixing that problem, what would they be?

Mr. LIEBERMAN. Better automated systems, and an objective look at the staffing requirements at these depots rather than just cutting the work force arbitrarily.

Mr. SANFORD. Say that again. I was interrupted. The second sentence again was what?

Mr. LIEBERMAN. An objective look at the staffing requirements at the depots rather than just reducing their rolls arbitrarily to meet work force reduction goals.

Mr. SANFORD. Mr. Chairman, I will ask one other question. Can I ask one other question, Mr. Chairman?

Mr. SHAYS. You have the floor.

Mr. SANFORD. And this is not directly related but it is related to defense logistics, and that is the current, quote, surplus program. Give me your take on that just for a few minutes. In other words, the numbers I have seen suggest that out of the back-door of DOD goes somewhere between $350 million and $3.5 billion worth of stuff every year that is given to other Federal agencies, State or local government.

Are there these kinds of inequities or inaccuracies possible in that program as well? Because I for one believe that that stuff ought to go on a market basis, sold at auction if you will on a market basis to those other agencies, State or local government, as opposed to being given, which I think would prop DOD up to the tune of $3.5 billion that could be used in other functions of defense.

Are the same kind of inefficiencies existing there that I see here?

Mr. MANCUSO. It is certainly related. And in fact the better your inventory system is, the less surplus should be pushed out the door. One of the things that we were concerned about but I don't believe we found in the case of the chemical warfare suits, for instance, is did the fact that there were all of these suits that they did not even know they had, cause them to go out and buy even more suits that they did not need? And if that were the case, eventually somebody is going to have to dispose of them. Because these have a shelf life, eventually they go out in surplus. It did not happen in this case, but we see it in other cases.

Poor inventory controls result in wasteful acquisitions and frequently result in an excess of items being pushed out into the surplus chain.

As far as giving things away to charities or whatever, we have seen gross inequities in some of those cases. We have seen individuals conspire. In one case involving a local fire department in some small State, received 27 fire trucks in a few-year period. In another instance, somebody who held themselves out as a Native American received literally hundreds of thousands of blankets and then opened a blanket business. These things happen and there are issues—they are not necessarily the fault of the people in the surplus chain but there are inventory issues. Things can only have a useful life for so long.

You also have the problem that the more you store, the more it costs you to store it. So things end up going out in surplus on that end as well. They are certainly tied together.

Mr. SANFORD. I thank the gentleman, and I thank the chairman.

Mr. SHAYS. I thank the gentleman and thank Mr. Mica for his patience. You have the floor.

Mr. MICA. Thank you, Mr. Chairman. Who would be the most familiar with this Isratex case? Mr. Mancuso, would you be familiar with the case?

Mr. MANCUSO. Yes. Yes, I would be.

Mr. MICA. I noticed in the testimony here that the criminal investigation was initiated in May 1993. It appears though, that action really wasn't taken against them until just recently. Some of the—looks like October 1998 indictment was superseded in 1999 by a 23-count indictment.

Mr. MANCUSO. Uh-huh.

Mr. MICA. What took so long in going after these folks?

Mr. MANCUSO. The case was a fairly complex case. It moved from an investigation of a facility in Puerto Rico having to do with coveralls and coats in the 1993 and 1994 timeframe to eventually——

Mr. MICA. Into fraud in another area, supplying other fraudulent goods——

Mr. MANCUSO. And then moved this into the protective suits in 1995. But that's not a terribly long time for a complex fraud case. Typically, from the time that the case is initiated and to a conviction it would not at all be unusual——

Mr. MICA. This company looks like it had several operations, one in West Virginia, one in Puerto Rico, and also cited a headquarters or some offices in New York.

Mr. MANCUSO. Correct.

Mr. MICA. Do they still do business with us?

Mr. MANCUSO. No, they are in bankruptcy and they have been suspended and debarred by the Defense Logistics Agency.

Mr. MICA. And I guess we won't recover anything. It seems almost like a minuscule fine of $266,000 and $96,000, and we did $47 million worth of business on those two contracts.

Mr. MANCUSO. I asked that same question, Congressman. In cases where the fraud is so dramatic one might expect heavier penalties. However, in this case virtually the entire corporate leadership structure, as well as the company, were penalized. I mean this guaranteed we put them out of business. Putting them out of business eliminates, as far as the Justice Department is concerned, much of a possibility of a successful civil suit. These criminal fines were actually quite significant.

Mr. MICA. Are we able to go after them and recover money? Because I would imagine some of these guys have some deep pockets probably as a result of pass-through money from these contracts.

Mr. MANCUSO. That's a consideration for the Justice Department, and usually that would be occurring——

Mr. MICA. They don't seem to be shy to go after legitimate businesses.

Has this been referred to them?

Mr. MANCUSO. Most certainly.

Mr. MICA. And have they done anything?

Mr. MANCUSO. They have completed the criminal prosecution and they have made some preliminary decisions——

Mr. MICA. Versus civil recovery?

Mr. MANCUSO. They have made some preliminary decisions that they will not pursue civil recovery based on the lack of apparent wealth that's available.

Mr. MICA. We might look into that in my subcommittee. I oversee Department of Justice and we have some questions about some of the things that they're doing. It seems astounding to me, too, that you can also have—I'm skipping now to masks—19,218 masks that were tested and 10,322 had critical defects. And this is just in one batch?

Mr. MANCUSO. It is not a batch. That was a sampling, a very broad sampling across the services of masks.

Mr. MICA. OK. So it was a sampling of the larger——

Mr. MANCUSO. Right.

Mr. MICA. And I guess you have maybe three phases to your testing these masks or making certain that there's quality involved. One would be sort of a prepurchase, and then I guess on delivery there must be some inspection and then shelf life. Would those be the three major checks?

Mr. MANCUSO. And the individual soldier and maintenance check in the field as well.

Mr. MICA. And do you feel we have adequate—they have now instituted adequate procedures to make certain that we catch defects in all of these stages?

Mr. MANCUSO. No, no, I wouldn't agree with that. We certainly feel that there's need to be more standardized as far as how testing is completed and the criteria that's used. We don't have any reason to question——

Mr. MICA. Is this a problem of lack of funds to accomplish this, is this something the Congress hasn't provided, military short on resources, or is this a problem of not having proper administrative procedures and controls in place?

Mr. MANCUSO. To my knowledge there is no monetary issue here. We are really talking about leadership within the services and a recognition as to the importance of this problem and a follow-through with the maintenance reviews. The Marine Corps has shown it can be done.

Mr. MICA. There was a working group that put in recommendations for a centralized mask surveillance testing program. It says the Deputy Assistant rejected the working group's recommendation. Who was that Deputy Assistant?

Mr. MANCUSO. I believe that's Dr. Winegar.

Mr. MICA. Is he still around?

Mr. MANCUSO. She.

Mr. MICA. She.

Mr. MANCUSO. I believe she is with us here today and will be testifying today.

Mr. MICA. But then it goes on, I guess that was at some step in the process that she rejected that, and now I think they have recanted; is that correct or no? Has she changed her opinion?

Mr. MANCUSO. No, not to my knowledge.

Mr. MICA. And you are still of the strong belief that the working group's recommendations should be instituted?

Mr. MANCUSO. At least this area of the recommendation involving strong oversight by OSD to ensure standardization.

Mr. MICA. All right. I think that answers my questions, Mr. Chairman. Thank you.

Mr. SHAYS. I thank the gentleman. In your statement on page 9, Mr. Mancuso, you say the Defense Logistic Agency initially segregated the BDOs, that's the battle dress outfits that had been delivered under the 1992 contract preventing operational distribution. However, 3 months later, they concluded that the BDOs were serviceable and returned them to regular stock, leading to the audit finding that I discussed previously. Do you know why they felt comfortable? I mean, basically, the reason is they felt they were serviceable? Do you know under what basis they felt they were serviceable?

Mr. MANCUSO. They conducted their own review. I am not sure——

Mr. SHAYS. DLA did their own review?

Mr. MANCUSO. The DLA inspection staff conducted their own review at that time. I am not sure what criteria they used, but they made that decision unilaterally.

Mr. SHAYS. On page 16 as it relates to—Mr. Lieberman, we go back a ways I think, correct?

Mr. LIEBERMAN. Yes, we do, sir.

Mr. SHAYS. This is a report, quick reaction report, reliability of the M 17 series and M 40 chemical protective masks. It's report 94–154, June 30th, 1994. It's secret, but there's a redacted version in the gulf war register under gulf link, and so what's in the redacted is everything that is not considered a secret. And there's also the November 2nd, 1994 report, Defense hotline allegations regarding fielding of chemical protective masks. This is also secret, except that there's a redacted version under gulf link.

Now, these two reports were brought to me sometime, I guess, in 1995 by staff of this committee, which I was a member but not chairman, in the minority, I believe—actually, it was before 1995. I was actually in the minority. And I found what I read in these so alarming that I went to Mr. Regal on the Senate side, who I know had been involved because I didn't know who I should speak to about information that became secret about the condition of our masks, and I am asking you this question: Is there, in your judgment, is there a logical reason why 6 years later, these should be secret and why the information in its entirety shouldn't be made public? Can you think of any reason why it shouldn't be?

Mr. LIEBERMAN. I would have to go through the report line by line and discuss with whoever thought it was classified what their rationale was. I believe at the time the main thrust of the thinking—and as you know, it was the Department of the Army that did the classification, not my office—but I believe the main concern related to details of readiness deficiencies.

Mr. SHAYS. This is about the Department of the Army's performance as it related to the masks, correct?

Mr. LIEBERMAN. Largely, yes. Although, the other services were involved, also.

Mr. SHAYS. They took the greatest exception to your report, correct?

Mr. LIEBERMAN. Yes. But we don't have classification authority. Our authority is derivative.

Mr. SHAYS. I'll take your answer this way. You would have to go through it to see if there would be—continue to be a need for this to be secret.

But Mr. Mancuso, I'm going to read your statement on 16. So we have a dispute with the Army, the Army didn't agree with these reports. That's correct, isn't it, Mr. Lieberman?

Mr. LIEBERMAN. Yes.

Mr. SHAYS. And the bottom line is there was some logic that if this report was not accurate, why do we want information out for public consumption that would lead people to come to a conclusion that might not be an accurate one. I could see the logic then. So we ended up with disputes with the Army as to whether they were

going to conform to this report or whether they agreed to it, and they took strong exception to the report. That's not a secret, that's a fact.

Now, in your report, in your statement, that is an attempt to resolve the question of whether these reports and your investigation were done properly and that the findings therefore are valid, and you say, Mr. Mancuso, in your statement, to resolve the outstanding issues, in June 1995, the Department agreed to initial pilot retail chemical mask surveillance studies. A joint service mask technical working group was established to conduct the study under the auspices of the joint service materiel group. The IG, DOD worked closely with the working group to formulate the sampling plans for the study and we also had a representative on the working group. In other words, DOD has come together, the service branches are coming together, you're cooperating and you're saying OK, let's redo this, correct?

Mr. MANCUSO. That's correct.

Mr. SHAYS. The results of the study were presented in a final mask surveillance pilot program report of November 15, 1999. Now let me just tell you, I had a big problem that it took so long, but now you can continue to say, in brief results of the study released in November 1999 validated the concerns that we had reported in 1994.

Now this is for public record. This is your statement. I am not disclosing anything that's not—that I'm not allowed to you, and let me say to you, I would never disclose secret information, and I have felt it's my moral obligation to always honor that, even if I disagree with the classification as you do.

Now you said, in brief results of the study released in November 1999 validated the concerns that we had reported in 1994. Of the 19,218 masks that were tested, 10,322 had critical defects; is that accurate?

Mr. MANCUSO. That is accurate.

Mr. SHAYS. Now, the Joint Service Integration Group, final report, mask surveillance, process action team, November 5th, 1999. If I go through this report, "minor" is defined as a defect that does not hinder the use of the item as it was originally intended. "Major," a defect that severely restricts operational or serviceability of the mask, but is unlikely to compromise protection of the mask, i.e., cause a leak. And then critical, a defect that has the potential to result in mask leakage and may impact on the protection of the wearer. So that's the definition. You didn't invent this definition. This is in the report.

Mr. MANCUSO. Correct.

Mr. SHAYS. So if I turn over to page 3, and this is not a classified document, is it?

Mr. MANCUSO. No, it is not.

Mr. SHAYS. Of the 19,218 tested, a total of 4,898 passed without a minor, major or critical notation. Minor, 2,549; major, 1,449; critical, 10,322. Do you believe that the Joint Service Integration Group final report mask surveillance, process action team, of November 15th, 1999, validated the findings that are still secret in this report?

Mr. MANCUSO. Yes, I do.

Mr. SHAYS. Ms. Schakowsky.

Ms. SCHAKOWSKY. I just wanted to quickly finish up a line of questioning. You had said that the DLA felt that inspecting the 1989 lot would have cost $250,000, and for that reason they decided not to do it, and then I quoted from General Glisson, who actually went further and said that they never had a single quality control problem identified on the 1989 lot. So was it a financial decision or was it, in fact, that they were somehow convinced that there was no problem?

Mr. MANCUSO. I would argue it was primarily a financial decision.

Ms. SCHAKOWSKY. Well, if it were a financial decision originally, why weren't inspections ordered immediately once company officials were charged with fraud?

Mr. MANCUSO. They were charged on the, among other things, they were charged with fraud involving the 1992 contract. I don't believe there were any specific counts in the indictment relating to the 1989 contract. That would be the rationale.

Ms. SCHAKOWSKY. Do we know whether the 1989 suits were used in the gulf war?

Mr. MANCUSO. My office, and we've had discussion as recently as this morning about it, we are unaware as to the precise distribution, if any, of the warfare suits. We would rely on DLA to tell us the answer to that question. We've been told that there was no such distribution, although certainly we are as aware as anyone else as some of the news articles in citing of units who purport to have received those items. The answer is no, I am not aware of items that actually went out, but we're in——

Ms. SCHAKOWSKY. Do you have confidence in their assurances that they were not used? Do you have confidence?

Mr. MANCUSO. I have confidence that as of a month ago when they told me they were segregated, that they will not be distributed. I have no reason to have confidence in the statement that they were or were not issued out of inventory before they were segregated last month.

Ms. SCHAKOWSKY. Last month. We are talking about the gulf war. So it's possible that service members going back to the gulf war, and since then, may have been using defective suits the whole time they were there, and that those suits could have been useless against a chemical or biological attack.

Mr. MANCUSO. If items are not segregated, well, that possibility would exist.

Ms. SCHAKOWSKY. What would the cost have been—what was the value of the 1989 lot, the 1989 suits, do you know, if they would have had to recall all 600,000.

Mr. MANCUSO. About $38 million of the total approximately $50 million.

Ms. SCHAKOWSKY. And was that a factor as well, do you think?

Mr. MANCUSO. I'd be guessing. From what I understand, what's important to DLA is how much do they have on hand. Will they be able to meet the services' needs? What's the cost for segregation? What's the cost for testing? All of those are considerations for them when they make a decision as to what, if anything, they need to do.

Ms. SCHAKOWSKY. But what we do know is maybe $38 million worth of suits maybe were being used by our service personnel and putting them at risk.

Mr. MANCUSO. I defer to DLA on that. I suspect some may well have gotten out, but I have no reason to believe there was any great volume of them. I just don't know.

Ms. SCHAKOWSKY. Thank you.

Mr. SHAYS. I just have one other line. I just want to followup on what I previously asked. The bottom line is both these reports have been validated in a very significant way by the process action team. This wasn't the IG redoing its investigation. It was a team effort in which you basically had to come to some agreement about the testing criteria and the process in which you would test the masks; is that correct, Mr. Lieberman?

Mr. LIEBERMAN. Yes, sir. This was the Department's tests. We were just participants.

Mr. SHAYS. You were kind of just honest brokers in a sense to make sure it was being handled properly, but they did the tests of their equipment.

Mr. LIEBERMAN. Correct. We helped them put together a sampling plan, for example.

Mr. SHAYS. And if, in fact, they had determined there were very few critical masks, you would have been there to say the tests have shown that somehow we had—an earlier study was not validated.

Mr. LIEBERMAN. That's correct.

Mr. SHAYS. Now, after I said of the 19,218 masks—after you said of the 19,218 masks that were tested, 10,322 were critical defects, and we defined critical defects as being a defect that has the potential result in a mask leakage and may impact on protection of the wearer, examples, outlet valve, dirty slash leaks, external drain tube quickly disconnects, leaks, side voicemitter gasket missing, etc. After you made this statement of the 19,218 masks that were tested, 10,322 had critical defects, then you said, however, the Deputy Assistant for Chemical Biological Defense informed us in March 2000 that—you know what, let me even, before I go into what she said, let me just come back and say that Larry R. Ellis, Lieutenant General, G.S. Deputy Chief of Staff of Operations and Planning in the Army, said in response to the PAT, and the process action team, final reports that the data presented in the PAT final report regarding the quality of defects found by the U.S. Marine Corps, NBC equipment surveillance unit should be interpreted with care. The purpose of the 2-year surveillance effort was to see if masks over time were developing systematic problems. The mask surveillance project found that there is no indication of extensive degradation over time or through field usage other than through wear and tear, which is exacerbated by a lack of field/fleet maintenance.

That statement, however, is the same as—however, the Deputy Assistant for Chemical Biological Defense informed us in March 2000 that, "there is no indication of extensive mask degradation over time or through field usage other than through wear and tear, which is exacerbated by a lack of field/fleet maintenance."

Is it possible that you misquoted the Deputy Assistant for Chemical and Biological Defense and you meant Mr. Ellis?

Mr. LIEBERMAN. No, sir. They both used the same language. In fact, I believe the General was quoting the Deputy Assistant. The Deputy Assistant's words are taken from a March 27th, 2000 memo that she sent me.

Mr. SHAYS. I just have to find out which happened first. It's not all that important, trust me.

Mr. LIEBERMAN. They were within a few weeks of each other.

Mr. SHAYS. The bottom line is they both were saying the same thing?

Mr. LIEBERMAN. Yes, sir.

Mr. SHAYS. What does it mean?

Mr. LIEBERMAN. The point that——

Mr. SHAYS. It means that they still insist that——

Mr. LIEBERMAN. That the test results showed no deterioration—well, there is a glimmer of good news in the test results. That is, the masks are not deteriorating over time because of such things as materiel degradation. The bad news, though, and I think the compelling result of the test, is that the masks leak. They're not sufficiently serviceable.

Mr. SHAYS. But 50 percent of the masks you tested had a critical failure; is that correct?

Mr. LIEBERMAN. Yes.

Mr. SHAYS. Is the Army still resisting, are they still maintaining that these reports aren't valid? Are they still maintaining that the masks do the job that are required?

Mr. LIEBERMAN. Sir, you will have to ask the Army. The latest communication from them is a description of what they are doing to generate a viable training and masks surveillance effort. We found that very welcome. It is basically a reversal of their position after 6 years.

Mr. SHAYS. So the bottom line is 6 years after the fact, they're now doing what you would have liked to see them do in 1994, 1995 when your first report came out.

Mr. LIEBERMAN. Yes, that's a very fair characterization. In fact, in our very first 1994 report, we talked about the need for better maintenance, and the Army specifically said they would take measures to improve mask maintenance. That was in mid 1994. The tests, the DOD tests that we've just finished talking about, tested masks during fiscal years 1997 and 1998. The failure rates experienced or detected in 1998 show that after 4 years of whatever the better maintenance program was, it was still not working. That's the bad news that came out of that report. Very startling.

The good news is, as I said, the Army is obviously making a concerted effort right now to improve training, maintenance and testing. We are still unsure of how deep the commitment is. There's language in the Army response that says all this will be done if funds are available, and I don't know how big a loophole that is.

Mr. SHAYS. Make that last comment again, please.

Mr. LIEBERMAN. The Army response to us said they will execute an annual surveillance testing program as originally recommended and as now promised, if funds are available, and I don't know whether funds are available or not.

Mr. SHAYS. So the bottom line for this is basically half of the masks had critical defects that could result in their not being oper-

ational, and that half of the potential soldiers who use them would find potentially that the equipment they're wearing would be useless, that's the bottom line, and the sense I get from you is that this is still not a high priority for the Army. That's the sense I get.

Mr. LIEBERMAN. Well, I can't put myself in the heads of the Army and tell you——

Mr. SHAYS. I know you can't, but I can react to a statement that says if they get the money, they will do the job. If I ever suggested to any military personnel that they send our troops in harm's way with defective equipment, I don't think they would do that.

Mr. LIEBERMAN. We agree.

Mr. SHAYS. Is there any question that you would have liked any of us to ask? Is there any answer that you would have liked to have made to a question that you wish we had asked?

Mr. MANCUSO. Not from me, Mr. Chairman.

Mr. SHAYS. I don't want you to come to me later and say if only you had asked this question. So if I didn't ask it you need to ask yourself. Is there anything you think needs to be part of the record, for the good of our country, that's not already part of the record?

Mr. MANCUSO. No.

Ms. LEVY. No, Mr. Chairman.

Mr. SHAYS. And I just want to thank the staff that worked on this original report because in my office, I felt that the DOD personnel were extraordinarily condescending to your staff, and I felt they were condescending to me as well. I felt that they acted like they knew and you didn't, and you were willing to have all of this be retested, and the reports are very valid. And you have said, in a sense, that it reaffirms in some way your earlier report and I agree with you. Thank you very much.

I'd like to call our next panel and ask them to remain standing so I can swear them in. Brigadier General Daniel Mongeon, Commander, Defense Supply Center, Philadelphia; accompanied by Mr. George Allen, Deputy Commander, Defense Supply Center, Philadelphia. We also will hear testimony from Mr. Robert Kinney, Individual Protection Director at Natick Soldier Center, U.S. Army soldier and Biological Chemical Command.

And is there anyone else that you believe you may turn to, I would like to ask them to stand so we can swear them in as well.

[Witnesses sworn.]

Mr. SHAYS. Thank you. Let me thank all of you. I have strong feelings about this aspect of what the military is doing but I know all of you to be very devoted Americans and very competent individuals, and we'll see what we learn from your statements and our questions, but we do appreciate your service to our country and I mean that sincerely.

General Mongeon.

STATEMENTS OF BRIGADIER GENERAL DANIEL G. MONGEON, COMMANDER, DEFENSE SUPPLY CENTER PHILADELPHIA, ACCOMPANIED BY GEORGE ALLEN, DEPUTY COMMANDER, DEFENSE SUPPLY CENTER PHILADELPHIA; AND ROBERT KINNEY, DIRECTOR, INDIVIDUAL PROTECTION DIRECTORATE, NATICK SOLDIER CENTER, U.S. ARMY SOLDIER AND BIOLOGICAL CHEMICAL COMMAND

General MONGEON. Good morning, Mr. Chairman, and distinguished members. I'm Brigadier General Dan Mongeon, Commander of the Defense Supply Center Philadelphia, and I am accompanied by my Deputy, Mr. George Allen. I appreciate the opportunity to appear before this subcommittee and address questions concerning individual protective equipment. I am here representing the Defense Logistics Agency, because of the role the Defense Supply Center Philadelphia plays in managing individual protective equipment for the agency and the Department of Defense.

In carrying out our mission, we work closely with the Defense Distribution Center which receives, ships and stores individual protective equipment as well as many other products on our behalf. In its invitation to testify, the subcommittee requested that we address four specific questions. The first question was whether the Defense Logistics Agency is complying with the recommendations made by the DOD Inspector General in two specific audit reports. The Inspector General issued two audit reports, one in 1997 and one this year, which found discrepancies in the inventory records for battle dress overgarments and recommended that these discrepancies be corrected.

In the second report, the Inspector General also found that chemical protective suits manufactured under two Isratex contracts contained major defects and recommended that the Defense Logistics Agency complete efforts to identify potentially defective suits and remove them from inventory and alert other DOD activities. The recommended inventory was completed in January 2000, and all chemical suits that were known to be potentially defective were physically segregated. The Defense Supply Center Philadelphia alerted its customers of potentially defective suits in December 1999, and again in February 2000, advising the suits should be used only for training purposes. In addition, worldwide clothing alerts were issued in March of this year and May of this year.

With regard to the suits produced by Isratex, it is evident that with the requisite motivation, our quality control system can be subverted. A criminal investigation into Isratex's business operations revealed that the company did, in fact, engage in illegal activities to get around the quality assurance protections and we know that these suits did not meet contractual requirements.

Clearly, this experience demonstrates that there is room for improvement. We have taken steps to effect that improvement.

In summary, Mr. Chairman, I believe that the actions that we have taken fully address the issues raised in these two reports and demonstrate our commitment to ensuring that the service member is provided with the equipment that affords the intended level of protection.

The second question asked us to specify what types of individual protective equipment are in DLA's inventory and where they are lo-

cated. We manage a wide range of individual protective equipment items. Chief among those are battle dress overgarments, black vinyl overshoes, chemical protective gloves and the joint service lightweight integrated suit technology chemical protective suit, which is the replacement for the battle dress overgarment. These items are stored principally at the Defense depots in Albany, Mechanicsburg, and San Joaquin.

The third question asked what quality control procedures are in place for acceptance of individual protective equipment from vendors. On our behalf, the Defense Contract Management Agency sends its quality assurance representatives into our manufacturing plants to evaluate the contractor's quality systems; identify and evaluate all key high risk processes; perform production audits on the outputs of high and moderate risk processes; perform data analyses; verify all key contractor processes, and finally, authorize shipment of the completed items.

In addition, these critical items are subject to specialized testing involving subjecting them either to actual chemical agents or simulants designed to test their protective capabilities. In addition, based on our experience with the Isratex suits, we have issued a letter of instruction to quality assurance representatives in the plants requiring visual and dimensional inspections of each lot prior to shipment while calling out specific defects that must be emphasized during that inspection.

The fourth question asked us how DLA tracks shelf life of individual protective equipment. Shelf life surveillance is the responsibility of the military service which is the proponent for each item. I would like to defer to Mr. Kinney on specific questions you may have with regard to shelf life surveillance on battle dress overgarments.

In closing, Mr. Chairman, I would like to say that the Defense Logistics Agency takes very seriously its responsibility to provide military services with individual protective equipment that affords them the best available protection. In our efforts to do so, we work closely with the services and the Defense Contract Management Agency to ensure that we take delivery of only product that meets the need fully and that the level of protection provided by the equipment retained in inventory is carefully monitored over time. Thank you, sir.

Mr. SHAYS. Thank you very much, General.

[The prepared statement of General Mongeon follows:]

STATEMENT OF

BRIGADIER GENERAL DANIEL G. MONGEON

COMMANDER, DEFENSE SUPPLY CENTER PHILADELPHIA

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS

HOUSE COMMITTEE ON GOVERNMENT REFORM

JUNE 21, 2000

Good morning, Mr. Chairman and distinguished members. I am Brigadier General Dan Mongeon, Commander of the Defense Supply Center Philadelphia. I appreciate the opportunity to appear before this subcommittee to address questions concerning individual protective equipment used against a chemical/biological attack. Let me begin with some brief background information on the Defense Supply Center Philadelphia.

BACKGROUND

The Defense Supply Center Philadelphia is one of the Defense Logistics Agency's four supply management centers. Our mission is to ensure the combat readiness and sustainment of America's Fighting Forces by providing world class logistical support in peace and war. We also support other Federal agencies and some foreign governments. We are the providers of pharmaceuticals and medical supplies, food, general and industrial items, and clothing and textile products. Our mission encompasses support to the full spectrum of military operations, ranging from support of non-war activities such as disaster relief and humanitarian aid, to provision of logistics support to major regional war. Most critically, we must be able to maintain capabilities which can seamlessly transition from every-day support requirements to the escalating support dimensions of crisis events. We have 33 branch offices throughout the United States, Europe, and the Pacific. On an annual basis we buy and sell over $5 billion in products representing the commodity groups I mentioned earlier.

SUBCOMMITTEE QUESTIONS

In its invitation to testify, the Subcommittee requested that we address four specific questions which were: 1) whether the Defense Logistics Agency is complying with

recommendations made by the DoD Inspector General in two specified audit reports, 2) what types of individual protective equipment are in DLA's inventory and where they are located, 3) what quality control procedures are in place for acceptance of individual protective equipment from vendors, and 4) how DLA tracks the shelf life of individual protective equipment. I will answer these questions in the order they were presented.

AUDIT REPORTS

Department of Defense, Office of the Inspector General Audit Report, Inventory Accuracy at the Defense Depot Columbus, Ohio, Report No. 97-102, dated February 28, 1997, found that the Defense Depot Columbus, Ohio, found discrepancies in the inventory records for chemical protective suits (specifically, battle dress overgarments). The Inspector General recommended that the Commander, Defense Depot, Columbus, Ohio improve inventory procedures in certain specific ways, and the Agency concurred in those recommendations. Subsequent to the completion of the audit and as the result of the Base Realignment and Closure process, all inventories of battle dress overgarments in the possession of the Defense Logistics Agency were transferred to Defense Depot, Albany, Georgia.

Department of Defense, Office of the Inspector General Audit Report, Assuring Condition and Inventory Accountability of Chemical Protective Suits, Report Number D-2000-086, dated February 25, 2000, found that inventory problems identified in Report Number 97-102 had not been corrected as we had previously thought. It also found that the Defense Criminal Investigative Service had found that chemical protective suits manufactured under Isratex, Incorporated contracts DLA100-89-C-0429 and DLA100-92-C-0427 contained major defects which would cause "degradation in the wearer's

performance and the potential loss of life while working in a chemical-biological contaminated environment" and these potentially defective suits had not been properly segregated. The report recommended that the Defense Depot, Albany, Georgia, complete efforts to identify potentially defective suits and remove them from inventory; alert other DoD activities to remove potentially defective suits from inventory; perform a complete wall-to-wall inventory of all chemical protective suits; conduct research to determine causes for the inventory inaccuracy; and make appropriate adjustments to the accountable records. The Defense Logistics Agency concurred in the recommendations. In September 1999, (and prior to the release of Report Number D-2000-086) a wall-to-wall inventory of all chemical protective items at Defense Depot, Albany, Georgia, was begun. The inventory was completed in January 2000 with the result that all items were counted, and based on date of manufacture, placed on separate pallets and stored in distinct locations. In addition, all chemical protective suits that were potentially defective were physically segregated. The Defense Supply Center Philadelphia alerted its customers of the potentially defective suits in December 1999 and in February 2000 advised that the suits should be used only for training purposes. We sent out another advisory in May 2000, based upon another audit that we performed during that month.

Although the Subcommittee's question did not specifically raise the issue of suits produced by Isratex, Incorporated, Report D-2000-086 does raise that issue, and I will take this opportunity to address it. During the manufacturing process and prior to acceptance of the completed units, the suits manufactured by Isratex were subjected to inspection by DoD quality assurance representatives. Those inspections, based upon statistically valid samplings of the firm's production, gave us assurance that the suits

were in compliance with the applicable specifications, and therefore, able to provide the requisite level of protection to Service members. However, in the case of the Isratex contracts, it is evident that with the requisite motivation our quality control system can be subverted. A criminal investigation into Isratex's business operations revealed the company did, in fact, engage in illegal activity to get around our quality assurance protections. Although we are not privy to all the information gathered during the investigation, prosecution, and ultimate guilty pleas, we have since learned from the audits performed in 1996, 1999, and 2000 of representative samples of the battle dress overgarments that the suits did not meet the contractual quality requirements. Clearly, this experience has demonstrated there is room for improvement. We have taken steps to effect that improvement as I will make clear in my response to your question on our quality assurance procedures.

Mr. Chairman, I want to take this opportunity to discuss the procedures that are in place for alerting our customers to serious problems related to chemical protective equipment such as those presented by the Isratex suits. In 1998, responsibility for notifying users of chemical protective suits about such problems passed from the Army (the proponent for the battle dress overgarment) to the Defense Supply Center Philadelphia. The Isratex suits represented the first instance in which we needed to use the notification procedures. Once we had all the required information, we did effect notification. To be sure, there were some initial problems in ensuring all the affected parties were notified. However, those issues have been resolved, and we are confident the process will work smoothly in the future. In fact, we made successful use of the

procedure in May 2000 to advise our customers of additional suits that should be used exclusively for training.

In summary, Mr. Chairman, I believe the actions we have taken fully address the issues raised in the two audit reports and demonstrate our complete commitment to ensuring the Service member is provided with equipment that affords the intended level of protection.

TYPES OF INDIVIDUAL PROTECTIVE EQUIPMENT

The Defense Supply Center Philadelphia manages a wide range of individual protective equipment items. Chief among these are the battle dress overgarment chemical protective suit (which is still in use but no longer being acquired since it is being phased out); the black vinyl overshoe; chemical protective gloves (in three thicknesses); and the joint service lightweight integrated suit technology chemical protective suit, which is the replacement for the battle dress overgarment. These items are stored principally in Defense Depots Albany, Georgia; Mechanicsburg, Pennsylvania; and San Joaquin, California.

QUALITY CONTROL PROCEDURES

A comprehensive set of quality control procedures is in place for the acceptance of individual protective equipment from vendors. We require our manufacturers maintain an approved quality control system; many use either ANSI or ISO 9000 standards that are widely used in the private sector. The Defense Contract Management Agency sends its quality assurance representatives into our manufacturers' plants to perform contract quality assurance. These representatives evaluate the contractor's quality system, such as ANSI or ISO 9000, for compliance with the contractual standard. They identify all key high-risk processes and evaluate them to assure they are adequate to produce the required

results. They perform product audits on the outputs of high and moderate risk key processes to assess product conformance with contractual requirements. They perform data analyses on all key contractor processes to verify process performance. Based upon confidence derived from this surveillance, the representatives authorize shipment of completed items.

In addition, because these items are considered "life and limb" (meaning their failure could result in serious injury or death for the user) and must provide chemical protection, they are all subject to specialized testing. The battle dress overgarments are no longer being produced for DLA, and contractual testing is no longer being performed on them. The joint service lightweight integrated suit technology suit (successor to the battle dress overgarment) is currently in production and is subjected to both component testing and system testing. For components such as thread and zippers the contractor provides Certificates of Conformance that certify that they meet the Government standards established for that item. For the charcoal liner material used in the suit, the contractor provides test data from an approved laboratory with each lot demonstrating compliance. Lots of outer shell material are randomly sampled at the place of manufacture by the Government quality assurance representative, and sent to the Defense Logistics Agency Product Testing Center, co-located with the Defense Supply Center Philadelphia, where physical property tests such as tear strength, breaking strength, and material weight are performed to ensure they meet the applicable standard. In order to facilitate performance of system testing, the assigned quality assurance representative randomly pulls an appropriate number of samples from each lot of suits that has been prepared for shipment (the larger the lot, the more samples that are drawn). These are forwarded to the Battelle

Memorial Institute Hazardous Research Material Center. Swatches from every lot are challenged with both nerve gas and blister chemical agents. The results from this test are compared to the benchmark swatch tests conducted on this material as a candidate in the joint service lightweight integrated suit technology development program. Once every 4 months a lot from each manufacturer is also chosen at random for extended testing, which entails laundering each sample six times and challenging it with nerve and blister agents, as well as checking for seam integrity and color fastness. Only after satisfactory results are received from both the Defense Logistics Agency Product Testing Center and the Battelle Center does the Defense Supply Center Philadelphia authorize acceptance and shipment of the lot. In addition, based upon our experience with the Isratex suits, we have issued a letter of instruction to the quality assurance representatives in the plants in which these suits are being manufactured. We have tightened procedures aimed at preventing product substitution; we have precluded shipment of suits prior to completion of all testing; and we have insisted upon visual and dimensional inspection of each lot prior to shipment while calling out specific defects that must be emphasized during the inspection. We feel this will go a long way toward providing the assurances our customers require.

The black vinyl overshoe is also subjected to component and end item testing. The rubber compounds used to make the boots are tested to assure proper formulation, and the finished overshoes are tested by the contractor (with verification testing by the Government) for leakage, tensile strength, hardness, and other physical properties. The Government also performs live agent chemical testing on the boots at Edgewood Arsenal.

SHELF-LIFE SURVEILLANCE

Shelf-life surveillance is the responsibility of the Military Service assigned as the proponent for each item. For the battle dress overgarment, which is no longer being produced, but will not reach complete shelf-life expiration until 2007, the Army is the proponent. This item was designed to deliver a minimum shelf-life of 5 years. Each year, the Army's Soldier Systems Center purchases battle dress overgarments from the Army unit that has the most varied inventory of suits more than 5 years old. Those suits are subjected to visual inspection, physical property testing, and chemical property testing. The results are reviewed by a team composed of a textile technologist, chemical engineers, and a statistician. The team formulates a recommendation that is sent through the Product Manager – Soldier Equipment for concurrence and then to the Defense Supply Center Philadelphia for worldwide release. The results of the audits performed over the years have been that the shelf-life for suits manufactured under all contracts have been extended beyond the original 5 years (in most cases, well beyond 5 years). An absolute limit for shelf-life of 14 years has been established (beyond which no further testing is conducted and the suits are considered usable only for training). All battle dress overgarments in inventory will reach shelf-life expiration no later than 2007 and will be replaced by the joint service lightweight integrated suit technology suit. Shelf-life surveillance for the chemical protective gloves and for the black vinyl overshoe is performed by the Army in a manner similar to that used for the battle dress overgarment.

The Marine Corps is responsible for shelf-life surveillance of the joint service lightweight integrated suit technology chemical protective suits. Suits from each production lot are randomly selected by the quality assurance representative and shipped

to the surveillance program manager at the Marine Corps Logistics Base in Albany, Georgia. These suits have an established shelf-life of 5 years based upon the performance of the Marine Corps Saratoga suit, which has already exceeded the 5 year shelf life. The plan is to begin testing the suits as they approach the 5 year point and extend the shelf-life 1 or more years at a time based upon the chemical test results. If suits drawn from a specific lot become suspect or fail chemical testing, that lot will be suspended from use. This plan will allow for positive control of the suits by managing shelf-life very accurately by specific lot, and long-term quality control and assurance will be maintained for the life of the suit.

CONCLUSION

In closing, Mr. Chairman, I would like to say that the Defense Logistics Agency takes very seriously its responsibility to provide the Military Services with individual protective equipment that affords them the best available protection. In our efforts to do so, we work closely with the Services and the Defense Contract Management Agency to ensure we only take delivery of products which fully meet the needs of the Services and the level of protection provided by the equipment retained in inventory (by us and the Services) is carefully monitored over time.

Mr. SHAYS. Mr. Kinney.

Mr. KINNEY. Yes, thank you. Good morning Mr. Chairman, members. I am Robert Kinney, the Director of Individual Protection at the Natick Soldier Center, U.S. Army Soldier and Biological Chemical Command. I truly appreciate your invitation to appear here today and express my gratitude to the members of this committee for your interest in the welfare and protection of our armed forces from chemical and biological attacks.

I am here representing the Natick Soldier Center because of my personal technical background and responsibilities, as well as the role Natick has with respect to individual protection. As the Director of Individual Protection, my role is to lead the science and technology programs and provide technical expertise for the research development and engineering support of individual survivability technology and products to include chemical and biological percutaneous personal protection.

I am intimately familiar with the battle dress overgarment and have had related personal technical responsibilities dating back to the garment's inception. Natick was responsible for the development of the battle dress overgarment, as well as the generation of its specification. We are the engineering support activity for this product for the Army, execute the stockpile surveillance program and provide technical recommendations to the product manager, soldier equipment, who is the life cycle manager.

Mr. SHAYS. Mr. Kinney, if you would just move that mic a little closer to you, I'm sorry. Thank you very much.

Mr. KINNEY. In June 1999, we were contacted by agents from the Defense Criminal Investigation Service concerning garments manufactured by Isratex under contract DLA 100–92-C–0427. We were requested to perform a quality inspection on a lot of 500 garments held in custody. We recommended that audit and recommended to the product manager that these garments be set aside for training purposes.

In March 2000, Natick and the Defense Supply Center Philadelphia agreed to jointly conduct a quality audit on garments manufactured under a separate contract, DLA 100–89-C–0429, and the audit was conducted in May 2000. We jointly concluded that garments manufactured under this contract be removed from service and set aside for training purposes. The specific results of these audits are contained in my recorded testimony.

In closing, Mr. Chairman, I would like to emphasize the Natick Soldier Center's commitment to the individual war fighter. We are the technical experts which are part of a crucial acquisition team providing the best technology for our armed forces. And I welcome any questions you may have.

Mr. SHAYS. Thank you, Mr. Kinney.

[The prepared statement of Mr. Kinney follows:]

RECORD VERSION

STATEMENT BY

MR. ROBERT F. KINNEY
DIRECTOR, INDIVIDUAL PROTECTION
NATICK SOLDIER CENTER
U.S. ARMY SOLDIER AND BIOLOGICAL CHEMICAL COMMAND

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY,
VETERANS' AFFAIRS AND INTERNATIONAL RELATIONS,
HOUSE COMMITTEE ON GOVERNMENT REFORM
HOUSE OF REPRESENTATIVES

SECOND SESSION, 106TH CONGRESS

COMBATING TERRORISM: INDIVIDUAL PROTECTIVE EQUIPMENT
FOR U.S. FORCES, INVENTORY AND QUALITY CONTROL

21 JUNE 2000

NOT FOR PUBLICATION
UNTIL RELEASED
BY THE COMMITTEE ON
GOVERNMENT REFORM
HOUSE OF REPRESENTATIVES

ROBERT F. KINNEY
DIRECTOR
INDIVIDUAL PROTECTION
NATICK SOLDIER CENTER
U.S. ARMY SOLDIER AND BIOLOGICAL CHEMICAL COMMAND
KANSAS STREET
NATICK, MASSACHUSETTS 01760-5056

Mr. Robert Kinney is the Director for Individual Protection of the Natick Soldier Center (NSC) at the U.S. Army Soldier and Biological Chemical Command (SBCCOM) in Natick, Massachusetts. In addition, he is the U.S. Army Representative to the Warrior Protection and Sustainment area of the DoD Human System Defense Technology Area.

The IPDs mission is to plan, organize, direct and conduct research, development and engineering for the Army and other services to maximize the individual warrior's individual protection and survivability.

Prior to the above, Mr. Kinney has held positions at SBCCOM in numerous areas including:

- Consequence Management Acquisition Director (fielding NBC Personal Protective, Detection, Decon, Communications and Mobile Laboratory Equipment to the National Guard RAID Teams for WMD Counterterrorism)
- Head of Business Development for Dismounted Combat/Combat Service Support elements, responsible for the development of the Marine Corps program which has averaged almost $50M annually since its inception in FY96
- Chief of Soldier Integrated Systems responsible for all EMD programs in Individual Protection area
- Chief of Integrated Armor Programs, Executive Assistant to the Natick Technical Director, and Chief of Chemical Protection.

Mr. Kinney has also served on numerous senior panels serving warfighters by providing rapid technology solutions to operational problems in a number of recent conflicts. He served on the OSD/DARPA/DA Bosnia Technology Integration Cell and the U.S. Army Technology Application Conference in Seoul, Korea.

Before joining SBCCOM, Mr. Kinney held a number of positions in industry including engineering assignments at Exxon Chemicals, and Polaroid Corporation. Mr. Kinney received his Bachelors Degree in Chemical Engineering from Northeastern University. He also holds an Advanced Degree in Engineering Management from Northeastern University.

Mr. Kinney's accomplishments have been recognized with the Technical Director's Silver Pin Award for Engineering in 1986, the Decoration for Meritorious Civilian Service in 1990 and the Decoration for Exceptional Civilian Service in 1991 and numerous superior performance awards.

Mr. Kinney is a member of the Phi Kappa Phi honor society, is a past president and finance chair of his church, serves as a school volunteer and coaches soccer and baseball.

STATEMENT BY
MR. ROBERT F. KINNEY
DIRECTOR, INDIVIDUAL PROTECTION
NATICK SOLDIER CENTER
U.S. ARMY SOLDIER AND BIOLOGICAL CHEMICAL COMMAND
COMBATING TERRORISM: INDIVIDUAL PROTECTIVE EQUIPMENT
FOR U.S. FORCES, INVENTORY AND QUALITY CONTROL

Good morning Mr. Chairman and Members of the Subcommittee. I am Bob Kinney, Director of Individual Protection for the Natick Soldier Center of the U.S. Army Soldier and Biological Chemical Command. I thank you for the invitation to appear here today, and I express my appreciation to the Members of this Committee for your interest in the welfare and protection of our Armed Forces.

INTRODUCTION

Let me begin with some brief background on the Natick Soldier Center and the Product Manager-Soldier Equipment of the U.S. Army Soldier and Biological Chemical Command. The Natick Solder Center is the U.S. Army organization responsible for research, development, test and evaluation to maximize the soldier's survivability, sustainability, mobility, combat effectiveness and quality of life. As the primary Army organization responsible for science, technology and technical expertise ensuring survivability of the soldier, individual protection is one of its most important missions. The Product Manager - Soldier Equipment is the life cycle manager of all Combat Clothing and Individual Equipment for the Army, and is the military service organization with designated configuration management responsibility. As the configuration manager,

the Product Manager-Soldier Equipment has control over the form, fit and function of all Combat Clothing and Individual Equipment. The Natick Soldier Center supplies its technical expertise and engineering support to Product Manager – Soldier Equipment throughout the Combat Clothing and Individual Equipment product life cycle. These responsibilities include Nuclear, Biological and Chemical protective equipment, including the Battledress Overgarment and its associated specification, MIL-S-43926.

BDO CONTRACT DLA100-92-C-0427

In June 1999 the Defense Criminal Investigation Service contacted the Natick Soldier Center concerning the Battledress Overgarments manufactured by Isratex under contract DLA100-92-C-0427. The Defense Criminal Investigation Service was concerned about the serviceability of subject garments and requested the Natick Soldier Center perform a quality inspection of garments being held in custody by Defense Criminal Investigation Service. The Natick Soldier Center agreed to conduct the inspection in accordance with the quality assurance provisions outlined in MIL-S-43926J. A quality assurance inspection was conducted in August 1999, on a lot of approximately 500 jackets and trousers. The inspection was terminated when the lot rejection criteria were reached. Per MIL-STD-105E the rejection criteria is 22 total defects or the finding of one critical defect within the entire lot. The inspection consisted of 69 Jackets and 96 trousers with results totaling 7 critical, 110 major and 495 minor defects. The defects noted included improperly manufactured atropine pockets, loose thread tension and open seams. In September, 1999 the Natick Soldier Center provided a formal recommendation that these garments should be removed from the inventory and used for training.

BDO CONTRACT DLA100-89-C-0429

In March 2000 the Natick Soldier Center and the Defense Supply Center Philadelphia agreed that representative samples from Isratex DLA 100-89-C-0429 should undergo a similar quality assurance inspection. The Natick Soldier Center and Defense Supply Center Philadelphia personnel jointly performed the inspection in May 2000 in accordance with MIL-S-43926H on a lot of approximately 500 jackets and trousers. The inspection was terminated after inspecting the first 125 jackets and trousers when the lot reached its rejection criteria. The results totaled 2 critical, 73 major and 289 minor defects. The defects identified were similar to those found in the inspection of the suits manufactured under the 1992 contract. Both organizations recommended that all the items manufactured under this contract be removed from service and be utilized for training purposes.

STOCKPILE SURVEILLANCE

The Natick Soldier Center is also responsible for executing the routine annual stockpile surveillance program for the Battledress Overgarment. The primary difference between the stockpile testing and the quality inspections previously mentioned is that good quality is assumed with the stockpile tests, and the main focus is to look for defects that would be associated from advanced aging. These types of defects could include a chemical or physical deterioration of the carbon impregnated foam liner or reduced tear strengths due to the presence of mildew and fungus. The Natick Soldier Center purchases Battledress Overgarments from field units and the Battledress Overgarments are subjected to an initial inspection as well as a series of physical and

chemical property tests by trained scientists and engineers. Results and recommendations are reported to the Product Manager-Soldier Equipment for concurrence, and then to Defense Supply Center Philadelphia for worldwide release. The shelf life has been extended to as much as 14 years for Battledress Overgarments manufactured under some contracts.

SUMMARY

In closing Mr. Chairman, I would like to emphasize the Natick Soldier Center's commitment to the individual warfighter. The Natick Soldier Center has a vital role in the critical mission to protect our warfighters. We effectively work with the Project and Product Managers to develop and acquire the best technology for our warriors, and support them throughout the product life cycle. It is an awesome responsibility and one that we take very seriously and are proud to own.

Ms. SCHAKOWSKY. Thank you, Mr. Chairman.

General, I want to one more time go back to this press conference that happened in February and General Glisson's remarks that were made at that time and ask you a couple of questions. Again, he said the 1989 lot had never been questioned, there never was—they never had a single quality control problem identified on the 1989 lot.

Another question, and how do you respond to the criticism that the Army didn't move fast enough to remove these potentially defective suits from the inventory to prevent them from being issued?

Lieutenant General Glisson: I guess I would respond by saying if we had any indication, any indication that we had suits out there that would have potentially—that would have been potentially dangerous to anyone in the Department of Defense, we would have done that. We had none.

Now, I am just curious what "any indication" means because in 1993, a criminal case was brought against the manufacturer of these suits. I realize a formal inspection wasn't requested at all for either of the 1992 or 1989 until 1995, but would not that have been an alert for such a large batch of critical suits for our service personnel?

General MONGEON. If I could answer in a number of ways, the first piece I would say is that with reference to the 1993 investigation that was ongoing, that investigation was centered on the Isratex manufacturer that was in Puerto Rico and that had to do with coveralls.

Ms. SCHAKOWSKY. I understand.

General MONGEON. In 1993, there was no indication whatsoever that there was any problem with anything that was being manufactured in West Virginia. In fact, up until the 1990's, Isratex had an outstanding record of producing numerous items, technical items, complicated items for the Department of Defense that I know had a very strong track record.

With regard to General Glisson's comments, he was referring to the information that DSCP had provided him relative to the analysis that was done in 1996 at the request of DCIS, where we went in and did a grand lot sample of the 1992 Isratex BDOs. At that time, again, there was no indication that there were any issues with the 1989 BDOs. As a matter of fact, in 1991——

Ms. SCHAKOWSKY. What would those indications have been? What made you assume that there were no problems with 1989, especially my understanding is that the DLA had expressed concern over those and that a decision was made not to, for it sounds like reasons of $250,000, to inspect the 1989 batch.

General MONGEON. The inspection of the—first of all, what would indicate any reasons, I'd like to go back to that. In 1991, DCIS came to us and said there are some potential allegations against Isratex and the 1989 lots. We conducted a full investigation of the 1989s with DCIS and looked at them to include completely tearing apart the garments and cutting them apart to look at within the seams to find out if there were any issues. We went through that. DCIS was 100 percent with us on inspection in 1991 of the 1989 contract. No major deficiencies were found, no critical deficiencies were found, and in fact, one minor deficiency was found

and they were cleared from that investigation, and that information we have provided in the notebooks that we have provided to the committee.

Ms. SCHAKOWSKY. So your testimony is that there was a complete inspection of that 1989 batch earlier?

General MONGEON. There was sample done based on the batch—on the lots that were identified by DCIS in 1991, and that sample was done and no deficiencies were found. So General Glisson was basing his comments on the track record that we had with the 1989 BDOs up until a point of when he was interviewed, and he was talking about specifically the ones that were suspect were the 1992s, and in fact, that's the ones that had the grand lot sample.

Ms. SCHAKOWSKY. So when the DLA decided to set aside the safety concerns that were raised by the IG in its request to inspect the 1989 suits, what you're saying it wasn't just about money, $250,000, it was because you felt that you had already done that and that they were fine?

General MONGEON. Yes, ma'am. Not only had we already done that, but when we, in discussions and in items that had been provided to the committee, clearly in those discussions and in the investigation, the investigation focused in on activities of the Isratex that happened in 1992 and 1993 predominantly. The 1989s were completely out of production by that time. That was another aspect of when we could talk with DCIS about what should be done. They eventually asked us to do a grand lot sample of 1992s and we did the grand lot sample of 1992s. The money that was referred to was for the grand lot sample of 1992. It was not a part of—anything to do with the 1989 sample. The sample that was requested was for 1992s, and that was the grand lot sample that was conducted, and in fact, the numbers that were quoted, the initial estimate was $250,000. Eventually it cost about $70,000.

Ms. SCHAKOWSKY. So you're on record, what you're saying is that despite what we have later concluded, that there were problems with the 1989 batch, that you rejected doing any further investigation in 1995 because you had confidence that you had done it and that they were fine?

General MONGEON. In 1995, based on all the information we had, based on any information that we would receive from the field for quality deficiencies, we had no record of any deficiencies for the 1989 suits.

Ms. SCHAKOWSKY. Now you know that to not be true, right? Don't we as of, what month is it—the May 2000 conclusion is quite different.

General MONGEON. It is not quite different. In the May 2000, what we agreed with Natick was to do a joint effort to look at the 1989s. Through that joint effort we looked at those and determined that there, in fact, were some critical defects and that we recommended that they be used for training only. So that is correct.

Ms. SCHAKOWSKY. So what's the difference? Why did you pass up these critical defects and potentially sent our armed personnel into pretty dangerous situations wearing them? And now we find that there were critical problems.

General MONGEON. Again, back at the time, in reference to General Glisson's comment, back in the time of 1996, that assessment

that was made on those uniforms by the standards that were applied at that time——

Ms. SCHAKOWSKY. You said the 1989 batch was inspected earlier than that, I thought.

General MONGEON. The 1989 batch on certain lots was inspected in 1991 and were fully inspected and passed.

Ms. SCHAKOWSKY. And now that same batch was inspected and found to have critical——

General MONGEON. Not the same batch, in the total aggregate, which was about 600,000. That is not necessarily the same lot. It is not necessarily——

Ms. SCHAKOWSKY. Do we have reason to believe that those same suits which you gave a passing grade to and therefore they were distributed were found now to be—to have critical defects?

General MONGEON. The 1989s, in terms of the review that we did with Natick, found critical defects, and we agreed with that finding and we recommended they be used for training purposes only, that is correct.

Ms. SCHAKOWSKY. So there was a mistake made?

General MONGEON. I would not categorize—in 1996, I can only speculate to say that there was a mistake made in 1996. I cannot say there was a mistake made with the information that was available and the tests that were done.

Ms. SCHAKOWSKY. My understanding is that both the 1989 suits and the 1992 suits were supposed to go—undergo annual inspections after they had aged 5 years; is that right?

General MONGEON. Yes, ma'am, that's correct, and they did.

Ms. SCHAKOWSKY. And they were annual inspections for what?

General MONGEON. Annual surveillance, and I would defer that question to Mr. Kinney because they do the annual surveillance, but those annual surveillances were done and those suits were included.

Mr. KINNEY. The Stockpile Surveillance Program is a program that was initiated to investigate whether or not we could extend the shelf life of the garments. We have extensive knowledge of the types of materials that these uniforms have been made out of. The predecessor to the battle dress overgarment was the chemical protective overgarment, which was manufactured out of the same types of materials.

The 5-year shelf life, we were very confident that the garments would meet the 5-year shelf life, and the extent of the testing conducted is very different from the types of testing that you would see in a quality assurance audit. The focus of it is to look at whether or not there's any advanced degradation due to aging, advanced aging while the product is sitting in storage. So you're looking for things like fungus, rot, mildew, the deterioration as a result of something like that.

Ms. SCHAKOWSKY. So this would have nothing to do with looking for critical defects in the suits?

Mr. KINNEY. As part of that investigation, there is a minimal visual inspection looking for effects of shelf life, whether or not there is fungus or rot, and in so doing, if there are any obvious defects that are noted, that that would be taken into account, but the assumption was that the government bought quality products in ac-

cordance with the specification, and so the inspection really was focusing on shelf life.

Ms. SCHAKOWSKY. So if you saw open seams or——

Mr. KINNEY. If we saw open seams, we would obviously report it, and in the case of the inspections to date, I am not aware of any critical manufacturing defects that we have identified as a result of the surveillance program.

Ms. SCHAKOWSKY. And yet when your team, just a few weeks ago, looked at those, you didn't even get through 25 percent of the samples before you found enough defects to terminate the inspection; is that correct?

Mr. KINNEY. You're referring to the 1989——

Ms. SCHAKOWSKY. No. I'm talking about the——

Mr. KINNEY. The inspection that we just conducted in May of this year?

Ms. SCHAKOWSKY. Yes.

Mr. KINNEY. We executed in conjunction with Defense, DSCP, we executed the evaluation and we decided to stop the evaluation after we looked at the first 125 suits because we had reached the failure criteria, I believe it was a total of 2 critical, 73 major and 289 minor defects.

Ms. SCHAKOWSKY. And that's because you were looking for something entirely different than you look at on your annual inspection?

Mr. KINNEY. Let me explain. A quality inspection is a very detailed inspection, and a lot of these critical defects, for instance, an open seam, they're not easy to find. It takes a trained inspector to look for these types of defects. You have a detailed table of operations within the specification that is many pages long, and it can take—it can take between an hour and 2 hours to actually inspect one suit utilizing these procedures. In the case of open seams that we saw, the critical defects that we saw in this inspection, they were on the inside of the garment on the foam liner which is a hung liner inside of the garment. So it takes—it is not something that is readily apparent. You don't see a big gaping hole that you can spot immediately.

Ms. SCHAKOWSKY. Thank you very much.

Mr. SHAYS. General Mongeon, what can you tell me that will build confidence that there are adequate procedures being applied to all protective equipment in DLA inventory?

General MONGEON. In terms of the—in terms of the quality assurance, Mr. Chairman?

Mr. SHAYS. You know, where they are and so on.

General MONGEON. In terms of what we are doing with the quality assurance as the new suits are coming on line, we're working that very closely with the PM, which is the Marines. We have issued letters to the quality assurance individuals in the manufacturing plants, very specifically detailing that no lots are to be passed until they have visual and end item inspection. In addition to that, we have sent teams out to the manufacturing plants to work with quality assurance people, that they look for specific things that potentially could be major defects.

In addition to that, there is product testing that is done by the manufacturer, and we do separate manufacturing testing verifying those findings. If there are any differences between the two, we

refer those back to the program manager of the Marines and they take a comprehensive look at that.

Finally, the Marines on their own have an independent lab that do inspection of all of the new uniforms of the JS list that are coming on board, and this is done by an independent lab, and those inspections are done, and that is also for the chemical simulant testing, and then, in addition to that, they are pulling individual samples from individual lots so that every lot will be controlled and can be tested on a periodic basis to ensure their viability.

Mr. SHAYS. I was expecting you, given that the Inspector General said you've already done the wall-to-wall inventory, to tell us the results of that. So let me, since you didn't do it voluntarily, let me ask you the results.

General MONGEON. In terms of the wall-to-wall inventories, those have been completed. All of the defective BDOs have been accounted for. They are segregated, they are shrink-wrapped, they are clearly marked with safety and placard and they are—every measure has been taken that those will not be issued.

Mr. SHAYS. And how many suits are we talking about?

General MONGEON. Approximately 334,000 suits in the depots.

Mr. SHAYS. Let me ask you this question: How specifically will you strengthen acceptance standards to avoid corrupt vendors to like Isratex in the future? What are you going to be doing about that?

General MONGEON. The comments that I just made about the quality assurance that we are working with the Marines covers all of those areas and have been significantly strengthened. Again, the first one being the letter we have issued out to the representatives of the Defense Contract Management Agency telling them specifically that no items will be approved unless there is end item inspection, and then we gave them a specific list of what to look for. We're sending a team out to all of those manufacturers to work with those quality assurance representatives to make sure that they know what to look for with those deficiencies.

Again, the manufacturer is required to do quality assurance inspections and testing. We are also doing that independently. If there are any disconnects between those two, we refer that to the PM, to the Marines.

And finally, the Marines are doing testing by an independent lab for the chemical protection and also pulling from each lot to ensure that they have a capability to go back and test any one of those lots, and they're doing random tests, extensive testing and examination of those lots, even after they have been issued.

Mr. SHAYS. Let me, even though Ms. Schakowsky has made reference to this, and I want to ask you specifically, the IG in page 9 said the Defense Logistics Agency initially segregated the BDOs that have been delivered under the 1992 contract preventing operational distribution. However, 3 months later they concluded the BDOs were serviceable and returned them to regular stock, leading to the audit find that I discussed previously. Just explain that to me in simple terms.

General MONGEON. In approximately 1995, DCIS came to us and asked us to conduct a grand lot audit. We agreed to do that at that time and we went out and did the grand lot audit.

Mr. SHAYS. And the grand lot audit means——

General MONGEON. It means we took—by standard, we took a large sampling, in this case, 500 BDOs, that was statistically sound for the total number of items that were in the inventory, and that's why we took a grand lot as opposed to a smaller sample, and we did that sample. There's no question that deficiencies were found, major and minor, but no critical deficiencies were found, and at the time when they went through and did that analysis, they made the decision to release those from segregation and hold, which is condition code L to condition code A, and to put those BDOs back in stock. That decision was made then.

Mr. SHAYS. And you used the term "critical" like I would use "minor," "major," "critical" under the PAT?

General MONGEON. Yes, sir.

Mr. SHAYS. Now, under what basis could you make a determination that there weren't any critical? I mean, what testing did you do to come to that conclusion?

General MONGEON. We tested that. We went through and they did all the examinations by standard. In addition to that, we also did chemical simulant testing on them, and they passed the chemical simulant testing.

Mr. SHAYS. On every one?

General MONGEON. No, on a sample.

Mr. SHAYS. And so, explain to me why did you get different results?

General MONGEON. Different results from?

Mr. SHAYS. The Natick guy.

General MONGEON. Sir, I cannot explain the difference in results. What I can tell you is that recognizing that we had a difference of opinion and different results, today, anytime an issue comes up with BDOs, we work that collectively with Natick.

Mr. SHAYS. I'm sorry, when you were talking, I was beginning to get lost here a second, so I don't mind if you would respond again to my question.

General MONGEON. Yes, sir. I cannot specifically——

Mr. SHAYS. I'm asking why Natick came to a different result than you all did. Is it that they used a tougher standard?

General MONGEON. I think in terms—it is a judgment. It is a view of the two different inspectors 3 years later. I really would only be speculating to tell you what the reason was. The only thing I can tell you is that from that difference that we do joint inspections now, so we do not have that problem in the future, as was indicated by the 1989 Isratex inspection that we did jointly to avoid this problem of having two different views of the BDOs.

Mr. SHAYS. Mr. Kinney, could you add anything here?

Mr. KINNEY. I think if you take a look at the results from all of the inspections of the Isratex garments, one thing comes out loud and clear is that they—there are much too many defects that these products are representative of inferior quality, and I think that is consistent, and if you look at the numbers of defects, I can't explain why we found critical defects and DSCP didn't in their 1996 inspection. I was not there. I just can't explain it.

Mr. SHAYS. But you found a lot of critical defects.

Mr. KINNEY. We found 7 critical defects out of approximately 96 suits in our inspection in 1999.

Mr. SHAYS. It used to be if a manufacturer was making a car, they anticipated the suppliers would give them so many defective products, and they used to have large inventories. I mean, we had our practices and then we tried to do what Japan, with their best businesses practices, they had no inventory, and they demanded 100 percent. They allowed no defect, and if a supplier gave them defect, they didn't get the product. And what amazes me is that that's a car. Here we're talking about protective gear, and it seems like we're in the dark ages.

And so when I first got involved in the mask issue and we were looking at high numbers, it was so high I couldn't even contemplate it, and it's obviously with the defect and the criminality that existed here, it boggles the mind. I was reading what the defects were. Some of them were visual, and they were quite extensive and quite serious. I am not even going to read them because the terms, I'll blow them in the reading of them.

But I would just want to conclude and invite Ms. Levy up.

Ms. Levy, you have been sworn in, if you would just come up and sit next to Mr. Kinney. It's not my practice to have a debate here, but I do want to make sure that the record is accurate, because we depend on this record for recommendations and so on, and when Ms. Schakowsky was asking General Mongeon some questions, I want to make sure that you, in your capacity as Defense Criminal Investigative Service of the Office of IG, whether you would just want to clarify any point or put any point on the record.

Ms. LEVY. Well, I would like to clarify that in January 1995, we did notify DSCP that we had concerns about both the 1989 and the 1992 contract, and at that time we made an oral request that both—that the goods from both contracts be segregated in code L, meaning that they would not be distributed.

Mr. SHAYS. And that's January 1995?

Ms. LEVY. January 1995, that's correct, and originally DSCP did contact the Columbus depot and ask that the items from both contracts be segregated. At that time the Defense Distribution Depot in Columbus came back with an estimated cost of $245,500 to segregate the goods, and we made three additional written requests concerning the audit. And in all of these requests, we identified both the 1992 contract and the 1989 contract being of some concern. In fact, we identified what some of the concerns were based upon witness testimony from having interviewed people like Isratex in West Virginia.

Mr. SHAYS. So the first was an oral request in January 1995, and then there were written requests that were that same year?

Ms. LEVY. There were written requests, oh, spanning from August 1995 until September 1995.

Mr. SHAYS. And what were the concerns requested in those written documents?

Ms. LEVY. I'd have to refer to them.

Mr. SHAYS. OK. But the bottom line is that in your oral statement is you suspected criminality and defective suits, correct?

Ms. LEVY. Yes, on both contracts, that's correct.

Mr. SHAYS. And did the letters make those same points?

Ms. LEVY. It referred—our letters referred to both contracts being concerned that defective materials were being provided under the contract.

Mr. SHAYS. And this is in January 1995?

Ms. LEVY. 1995 and subsequent to that.

Mr. SHAYS. General, is there anything——

Brigadier General MONGEON. Yes, sir.

Mr. SHAYS. What would you disagree——

General MONGEON. I would just respectfully disagree. As a matter of fact, we provided for the committee, we provided those letters. You can read those letters. On October 12, 1995, DCIS' letter requested specifically that the 1992 Isratex BDOs be included in the grand lot. Those letters are readily available. You have those letters, sir, and I would just ask you to read the letters.

Mr. SHAYS. So your recollection is this, did this conversation in January, do you recall or anyone in your organization recall the January conversation?

General MONGEON. Sir, I would totally agree that in the timeframe of August 1995, that there was dialog between DCIS and some of the people in Philadelphia with regard to the ongoing investigation in the West Virginia plant and that during that time references were made to both contracts but in further detail as was developed. When employees were asked, as an example, when were these critical events happening, they were saying that these events were happening in 1992, 1993 timeframe, the 1989s were completely delivered by that timeframe. It was our understanding that DCIS was focusing in on the 1992 lots because those are where the information was coming for what they potentially saw as criminal activity.

Mr. SHAYS. Yeah, but we're dealing with corrupt people. I mean, how would you characterize an organization and employees of an organization that would deliver knowingly defective equipment? How would you characterize that?

General MONGEON. Sir, I would characterize that as totally unacceptable.

Mr. SHAYS. Unacceptable as that's the limit to it? I mean unacceptable, please don't do it again?

General MONGEON. No. Unacceptable in terms of that's fraudulent activity and we would not do business with them.

Mr. SHAYS. But, see, I view it differently. I view it as risking the lives of the men and women who might wear those suits and then risking the mission of the men and women who are wearing those suits and then risking the outcome of any potential engagement and so, you know, that to me is like telling your enemies your secrets. It's extraordinarily serious that that is more than unacceptable, and therefore, I have a hard time understanding how you could have a comfort level that fraudulent people should be believed.

General MONGEON. I was not indicating that fraudulent people should be believed, sir. What I had said earlier was that up until that time we had no indication that the 1989 suits were defective.

Mr. SHAYS. I guess what I would wonder is even if you thought that a company had—that if the IG was suspecting that there was some fraudulent delivery of goods by a company, I guess in my own

mind I'd say, well, should we feel comfortable with previous deliveries? I mean that's the way my mind would work. So, all of a sudden it became crooked?

But at any rate, Ms. Levy, is there anything that you would just want to add? I mean I am not expecting to resolve, because, General, you said look at the letters and we'll look at the letters. We're not going to resolve it today but I just want to make sure that before we go to the next panel that we have put on the record what we need to.

Ms. LEVY. Well, one thing that's a bit confusing is that these contracts, production is run under these contracts concurrently. So given that the 1989 contract was being produced during the same time the 1992 contract was, we had no reason to believe that Isratex was handling the contracts differently.

Mr. SHAYS. Just to be clear, so in my foolish mind here I was assuming that these contracts were in 1989 delivered in 1989. These 1989 contracts were still being delivered in subsequent years?

Ms. LEVY. The contracts overlapped.

Mr. SHAYS. Right. In other words, I said——

Ms. LEVY. Delivery was still being made on the 1989 contract during the time of the 1992.

Mr. SHAYS. So we're not talking about a 1989 batch, we're talking about 1989 contract?

Ms. LEVY. That's correct. And we did throughout our investigation maintain that we had—we suspected that the same thing was happening on the 1992 contract as was happening on the 1989 contract, and we questioned the integrity of all chem suits being produced by Isratex.

Mr. SHAYS. OK. General, your comment is you thought it was one and not the other and that's what the record states. So we'll just followup on that. It's just—if you're telling me that a product is still being made, it's not a 1989 batch but the product is still being made by a corrupt company with corrupt employees, you know, I don't know if my mind would work to say, well, they're going to be honest with one batch but dishonest with another. This wasn't, General, in my view, this wasn't that they had defective machinery and so there's machinery in one line-up. This was a company ethic that was willing to cheat the government and risk the lives of our soldiers.

So we'll check the documents and we'll just try to sort that out. But General, your comment is on the record and that's what you believe to be true, and so that's what the record will state.

Mr. Allen, do you have any comments that you want to make?

Mr. ALLEN. No, sir.

Mr. SHAYS. General, is there any closing questions you wish we had asked or any comments you would like to make?

General MONGEON. No, sir.

Mr. SHAYS. OK. Thank you. Mr. Kinney.

Mr. KINNEY. Yes, Mr. Chairman, I do have one point. Comments have been made with respect to the defective products where our soldiers were going to die, and from a technical perspective the NBC, nuclear, biological and chemical, arena with respect to personal protection specifically in products like the BDO, the approach, this is my opinion, the approach is very conservative from

the risk, which is a very severe threat, to the types of engineering and research and development that are utilized all the way up to the types of testing and the quality assurance. Because of the severe nature of the threat and of chemical and biological warfare, we take a very conservative approach.

And the issue with respect to the garments from Isratex, they were inferior quality products and the government should clearly have not procured them, but as far as whether or not they should be issued to troops, I think it's clear that they still—these garments still provide a significant level of protection. And when you take into account things such as the severe nature of the threat, those garments would probably have provided a significant level of protection in most threat environments. The severest environments, I think you would probably have problems, but——

Mr. SHAYS. Mr. Kinney, I wish you hadn't said that, and I wish I had the ability to take it off the record. In one sense, I like your candidness and I like witnesses to say what they think, but it just opens up another whole line of questioning that you really don't—what is your expertise?

Mr. KINNEY. I am a chemical engineer by training.

Mr. SHAYS. OK. So we purchase suits and equipment that were supposed to meet certain requirements. Aside from the fraud issue, which is, I could agree, and the fraud issue, in other words, they were able in essence to bid on a contract, and because they didn't make it the way they had to according to specs, they could cheat the government, but they also cheated other companies that might have wanted to bid on this that knew that they were going to be honest and weren't going to cut corners and probably had to bid higher. I am making the assumption there were other companies that could make the product. I could be wrong.

But what I am uncomfortable with is that I guess you want me to know that even if they were defective they probably did some good. But my mind works and says that's like, you know, saying we're going to put a clip in a gun and instead of it having 10 bullets, it's going to have 3 and this person is being attacked and they're going to get three shots and three shots is better than no shots. If that's your point, yes, but there were three shots they didn't get to fire and in the meantime he could have been killed or she could have been killed. So that is why I'm uncomfortable with your logic.

Mr. KINNEY. That was the point I was trying to make. Under normal circumstances I would not recommend using those products—that product, but if you were in a situation, and program managers, product managers have to deal with issues of risk every day on what type of product go to the field, and if the question came up whether or not I issue this product or not because I don't have anything to issue, my recommendation——

Mr. SHAYS. Was that the issue? Did we not have anything to issue?

Mr. KINNEY. I'm not aware. I was just trying to make the point with respect to the fact that——

Mr. SHAYS. It's an uncomfortable feeling thinking that you might be in a circumstance or somebody be in the circumstance where they would have risked the lives of our men and women, and I can

understand why you wouldn't want that hanging on your shoulders, but I just am uncomfortable with your point. The bottom line is we paid for a certain quality, and the men and women who get those equipment need to know that they work.

Mr. KINNEY. Absolutely.

Mr. SHAYS. And there are some of the men and women who would have gotten it would have found that their equipment wouldn't have worked, and they have to have faith in the military, that the military has the quality control to make sure that they have the equipment that will do the job. And so I think that's a dangerous attitude to have frankly.

Your point, and I'll take it from the best side, your point is that that equipment is better than nothing. We'll leave it at that.

OK. Is there any other comment that anybody would like to make on the panel? Well, we will get to the third panel. I thank you very much.

Our next panel is comprised of five members—participants who will testify, Dr. Anna Johnson-Winegar, Deputy Assistant to the Secretary of Defense, Chemical-Biological Defense, Department of Defense; Major General John Sylvester, Deputy Chief of Staff for Training, U.S. Army Training and Doctrine Command; Major General Ernest Robbins, Civil Engineer, Headquarters, the U.S. Air Force; Rear Admiral David Stone, Deputy Director of Surface Warfare Division, U.S. Navy; Major General Paul M. Lee, Commander of Marine Corps Materiel Command. I'd ask you to all stay standing just so we can swear you in.

[Witnesses sworn.]

Mr. SHAYS. Thank you. Note for the record that all of our witnesses have responded in the affirmative. I think that we want to try to—I know we want to try to accommodate you, General Robbins. I believe that you need to be out of here by 1:30; is that correct?

General ROBBINS. If possible.

Mr. SHAYS. That will happen. And let me say to all of you, Dr. Winegar, you're a civilian working in the Defense Department, correct? The rest of you have served your country in the military, and in many cases heroically, but certainly in every case gallantly. And I am a Peace Corps volunteer. I'm not in the military but I have a job to do here and I just hope you understand my job, and in the end we'll come to what we need to come to. So we'll get a good result out of this hearing and we will move forward.

I think given that we still have about 40 minutes until you have to leave, General Robbins, we'll just go down the order that we have, and given that we have five witnesses, we'll try to stick to the 5 minutes but I truly will roll over another 5, and you use it, and General Robbins, if we have a problem I'll just let you go early. So we'll be able to accommodate you.

Dr. Winegar. The thing you have on these gentlemen here is that you are a doctor and you should take great pride in that, too.

Dr. JOHNSON-WINEGAR. Thank you, sir.

Mr. SHAYS. Aside from your wonderful service to the DOD.

STATEMENTS OF ANNA JOHNSON-WINEGAR, DEPUTY ASSISTANT TO THE SECRETARY OF DEFENSE, CHEMICAL-BIOLOGICAL DEFENSE, DEPARTMENT OF DEFENSE; MAJOR GENERAL JOHN SYLVESTER, DEPUTY CHIEF OF STAFF FOR TRAINING, U.S. ARMY TRAINING AND DOCTRINE COMMAND, DEPARTMENT OF DEFENSE; MAJOR GENERAL EARNEST ROBBINS, THE CIVIL ENGINEER, HEADQUARTERS U.S. AIR FORCE, DEPARTMENT OF DEFENSE; REAR ADMIRAL DAVID M. STONE, DEPUTY DIRECTOR, SURFACE WARFARE DIVISION, U.S. NAVY, DEPARTMENT OF DEFENSE; AND MAJOR GENERAL PAUL M. LEE, JR., COMMANDER, MARINE CORPS MATERIEL COMMAND, DEPARTMENT OF DEFENSE

Dr. JOHNSON-WINEGAR. Thank you, Mr. Chairman. I am Dr. Anna Johnson-Winegar, the Deputy Assistant to the Secretary of Defense for Chemical and Biological Defense. I appreciate the opportunity to present my testimony today and answer your questions on this very important topic.

Let me begin by emphasizing that the Department of Defense takes the threat of chemical and biological warfare very seriously, and I believe that it is incumbent upon all of us to focus our resources and our energies toward developing the very best defenses against chemical-biological agents so that our military can perform their mission in any kind of an environment, including a potentially contaminated one.

As you know, in accordance with Public Law 130–160 my office is designated as the focal point for coordination and integration of the Department's chemical and biological research, development and acquisition programs. Since implementation of the law, we have submitted a single consolidated budget request for these research, development and acquisition efforts, and we feel that this has led to improved effectiveness, better execution and significantly improved jointness across the services.

However, consumable chemical-biological defense items and maintenance of these fielded items are managed by the individual services in accordance with their Title X responsibilities and the services' desire to manage their own operation and maintenance funds. No defensewide funding exists for chemical-biological defense logistics and maintenance. OSD is, therefore, limited to tracking the status of chemical-biological defense logistics readiness and sustainment programs in the individual services.

As you are also probably aware, there are a number of other offices within the Department that have some oversight responsibilities for some aspects of chemical-biological defense. These include, to name a few, the Deputy Under Secretary of Defense for Science and Technology, the Assistant Secretary of Defense for Health Affairs, the Assistant to the Secretary of Defense for Civil Support, the Under Secretary of Defense for Policy, the Joint Staff and others.

With specific regard to the DOD IG report and testimony that I was unable to provide details of the services' actions and felt that my responsibility is limited to equipment acquisition, I would like to summarize some actions that have been taken by my office. You have already referred to the fact that the Joint Service Materiel Group established a Joint Service Mask Technical Working Group

to evaluate issues in the hotline audit reports. They recommended that the services conduct a 2-year retail mask surveillance pilot study. Based on the potential severity of these findings, the Joint Service Integration Group was tasked by my office to examine the findings from the user perspective.

The Joint Service Integration Groups PAT, Process Action Team, reviewed the pilot program and provided their final report in November 1999. I have subsequently forwarded copies of that report to the Joint NBC Defense Board for distribution to senior operational personnel in each of the services. Per my direction, the results of this report will be incorporated into the NBC Defense Logistics Support Plan, again with distribution and participation from senior logistics commanders in each of the services.

I have furthermore directed a validation of current field protective mask fit factor criteria. I plan to review detailed plans provided by each of the services which will address their individual actions to address the test rate failures seen in the masks. As was reported last week to the Deputy Secretary at the Counterproliferation Review Council, the global status of resources and training systems and a joint monthly readiness review have assessed that compliance in the aggregate is high and noted that ongoing initiatives within the services will continue to strengthen unit level chemical-biological defense reporting. However, they did conclude that chemical-biological defense reporting occurs through readiness channels rather than functional channels within the Department.

Currently the Deputy Under Secretary of Defense for Readiness and the Office of the Assistant Secretary of Defense for Policy, Strategy and Threat Reduction, along with the Joint Staff, have primary oversight for chemical-biological readiness. However, with the recently approved new positions in my office, I am prepared to take a more active, more aggressive role in assuring chemical-biological defense readiness, in addition to maintaining my primary responsibilities, which are those in the research, development and acquisition arena.

I look forward to continuing improvements in this critical program of chemical-biological defense.

[The prepared statement of Dr. Johnson-Winegar follows:]

FOR OFFICIAL USE ONLY
UNTIL RELEASED BY THE SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS HOUSE GOVERNMENT REFORM COMMITTEE

STATEMENT OF

DR. ANNA JOHNSON-WINEGAR

DEPUTY ASSISTANT TO THE SECRETARY OF DEFENSE FOR CHEMICAL AND BIOLOGICAL DEFENSE

FORCE PROTECTION: CURRENT INDIVIDUAL PROTECTIVE EQUIPMENT

ON

JUNE 21, 2000

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS HOUSE GOVERNMENT REFORM COMMITTEE

FOR OFFICIAL USE ONLY
UNTIL RELEASED BY THE SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS HOUSE GOVERNMENT REFORM COMMITTEE

INTRODUCTION

Chairman and Distinguished Committee Members, I am honored to appear before your Committee today to address your questions regarding the management and oversight of the Department's Chemical and Biological Defense Program. I am Dr. Anna Johnson-Winegar, the Deputy Assistant to the Secretary of Defense for Chemical and Biological Defense.

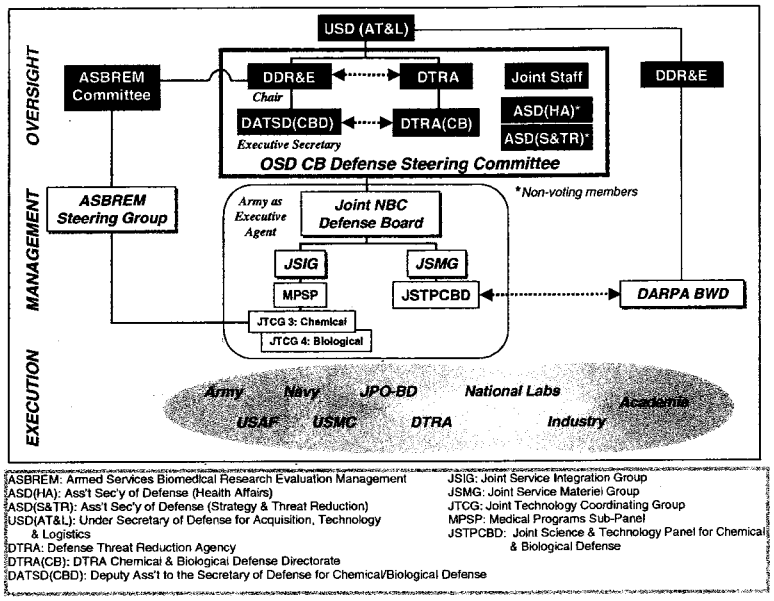
I. DoD Chemical and Biological Defense Program: Management and Coordination of Service Efforts

The National Defense Authorization Act for Fiscal Year 1994, Public Law No. 103-160, Section 1701 (50 USC 1522), mandates the coordination and integration of all Department of Defense chemical and biological (CB) defense programs. This law provides the essential authority to ensure the elimination of unnecessarily redundant programs, to focus funds on DoD and program priorities, and to enhance readiness. The continued support of Congress will ensure the successful implementation of the program.

Public Law 103-160 (Section 1701) directs the Secretary of Defense to take concrete management and oversight actions:

- Assign responsibility for overall coordination and integration of DoD chemical and biological defense (CBD) (non-medical and medical) research, development, and acquisition (RDA) programs to a single office within OSD.
- Exercise oversight of the programs through the defense acquisition board (DAB).
- Improve jointness of the program.
- Designate the army as executive agent for DoD to coordinate and integrate RDA programs of all Services.
- Submit funding requests for CBD RDA in the DoD budget as a separate account. Funding requests may not be included in the service budgets.
- Submit an annual report to Congress concerning chemical and biological defense readiness and plans to improve the program.

The Department has implemented all Public Law 103-160 requirements. The implementation of the public law has provided the catalyst for major improvements in the Chemical and Biological Defense Program; it has led to increased cost effectiveness, greater jointness, improved execution of the program, and more robust funding for chemical and biological defense. With a consolidated management structure and continuing emphasis on joint requirements and joint developmental programs, the department is fielding significant quantities of new and improved equipment.



ASBREM: Armed Services Biomedical Research Evaluation Management
ASD(HA): Ass't Sec'y of Defense (Health Affairs)
ASD(S&TR): Ass't Sec'y of Defense (Strategy & Threat Reduction)
USD(AT&L): Under Secretary of Defense for Acquisition, Technology & Logistics
DTRA: Defense Threat Reduction Agency
DTRA(CB): DTRA Chemical & Biological Defense Directorate
DATSD(CBD): Deputy Ass't to the Secretary of Defense for Chemical/Biological Defense
JSIG: Joint Service Integration Group
JSMG: Joint Service Materiel Group
JTCG: Joint Technology Coordinating Group
MPSP: Medical Programs Sub-Panel
JSTPCBD: Joint Science & Technology Panel for Chemical & Biological Defense

Figure 1. Management Structure of the DoD Chemical and Biological Defense Program

As the Deputy Assistant to the Secretary of Defense for Chemical and Biological Defense, I am the focal point within the Department for the CBD program. I am responsible for the oversight, coordination and integration of all CB defense medical and non-medical acquisition efforts, and provide the overall guidance for planning, programming, budgeting, and executing CB defense programs. The DATSD(CBD) remains the single office within OSD responsible for oversight of the DoD CB Defense Program.

II. Chemical and Biological Defense Logistics Management

The DoD CB Defense Program jointly manages the research, development, and procurement of major end items of NBC defense equipment. These items are funded through defense-wide funding accounts. Consumable NBC defense items and maintenance of fielded items are managed by the Services and the Defense Logistics Agency (DLA) in accordance with Title X responsibilities of the Services and their desires to manage their own operations and maintenance funds. Under the provisions of Title X of the FY95 Defense Authorization Act, Service Secretaries are responsible for, and have the authority to conduct, all affairs of their respective Departments including supplying, researching, developing, training, and maintaining equipment. The existence of defense-wide (rather than Service-specific) funding accounts has

ensured the joint integration of NBC defense programs. However, no defense-wide funding mechanism exists for the NBC defense logistics area. Because of this, OSD is limited to tracking the status of the DoD NBC defense logistics readiness and sustainment programs in the Services and making recommendations to correct funding shortfalls. The tracking information is provided to Congress on an annual basis in the Chemical and Biological Defense Program, Annual Report to Congress. This year's report was provided to Congress in March and is available on-line at http://www.defenselink.mil/pubs/chembio02012000.pdf.

As currently implemented, all Services retain "starter stocks" of NBC defense equipment that will support immediate deployments and initial operations. The length of time that these stocks will last each unit depends on the respective parent Service. Air Force units deploy with 30 days of NBC defense consumables. Army divisions use a planning figure of 45 days, while Marine Corps forces and Navy shore units use 60 days as the basis for their plans. As a matter of policy, Navy ships stock 90 days of consumable materiel. However, these values are notional in that they are based on peacetime demand and/or projections of wartime demand as contained in pertinent allowance documentation. For NBC defensive materiel, and particularly in the case of individual protective equipment (IPE), the days of supply represent a minimum stockage position based on current investment guidelines for such materiel. In most cases, the Services will first redistribute any available uncommitted assets to provide sustainment before acquiring elsewhere. Once these starter stocks are depleted, the military force turns to the DoD NBC defense item managers for "swing stocks," also known as "sustainment stocks."

DLA and the Army Materiel Command (AMC) are the item managers, or National Inventory Control Points (NICP), for the vast majority of NBC defense items in all four Services. They are responsible for industrial base development, acquisition, and storage of wholesale peacetime and sustainment wartime stocks. They buy (process procurement actions for the Services) and, if requested, store NBC defense materiel (swing stocks) for the Services. However, the Services must provide funding to DLA and AMC to procure the defense items.

The Services continue to have issues regarding the accountability and management of NBC defense item inventories. Limited asset visibility of consumable NBC defense items below the wholesale level remains a problem due to the lack of automated tracking systems at that level (the exceptions being the Air Force and a nascent Marine Corps initiative). This has the full attention of the senior NBC defense managers. Service inventories of NBC defense items maintained at unit level use either manual records or a semi-automated tracking system. Stocks held at wholesale level are maintained using a separate, automated system. Currently, there is little connectivity between the two systems. As a result, there is limited Service level asset visibility for NBC defense items. The Services are addressing this deficiency under the auspices of the Total Asset Visibility (TAV) project, a long-term initiative that will link existing DoD logistics automated systems.

CONCLUSION

During the past year, increased focus by all Services and DLA on NBC defense logistics has visibly improved the overall program. The risk posed by weapons of mass destruction to

early deploying units and special operations forces has been considerably reduced. Readiness shortfalls have been identified and addressed to the degree that full sustainment through a one Major Theater War (MTW) scenario is reasonably assured. The ability to sustain a second nearly simultaneous MTW scenario is not fully assured, due to current and potential critical shortfalls of specific program areas. The Services are programming funds for the FY02-07 program period to specifically address these problem areas. Moreover, the Chemical and Biological Defense Program is also involved in programming funds for the FY02-07 program period that focus on modernization efforts to improve chemical and biological defense capabilities across the joint force. A major challenge is to achieve a structured, executable, and integrated medical and non-medical joint chemical and biological defense program that balances short-term procurement and long-term science and technology efforts. Our goal is to ensure full dimensional protection for all our fighting men and women operating under the threat of chemical and biological weapons.

Mr. SHAYS. Thank you for your statement.

General.

General SYLVESTER. Mr. Chairman, members of the committee, I am Major General John B. Sylvester. I am the Deputy Chief of Staff for Training in the U.S. Army Training and Doctrine Command [TRADOC], from Fort Monroe, VA. I appreciate the opportunity to represent TRADOC and the U.S. Army and provide testimony on this important subject.

TRADOC has two primary missions: To prepare the Army for war and to be the architect of its future. TRADOC ensures synchronization of doctrine, training, leader development, organizational structure and materiel readiness and ensures the Army is the best that it can be and that our soldiers are trained and ready for any operation anywhere any time.

TRADOC, therefore myself representing TRADOC, am responsible for institutional, unit and self-developmental training programs for all soldiers, leaders, civilians and units across our service. We provide a progressive, developmental and lifelong learning experience for leaders and soldiers that complements and enhances and supports their experiences in the field. My direct scope of responsibility is staff supervision of all of our schools, to include the U.S. Army Chemical School at Fort Leonard Wood, MO, as well as individual training of active duty, reserve component and international military student personnel as well as providing support to units in the field through training support doctrine and also our capstone training program, known as the combat training centers, which provide support across our force.

I'm a combat veteran. I've been deployed into combat in combat zones on four different times in almost 33 years of continuous active duty. I've commanded at every level from platoon through assistant division command, and I have operated as an operations officer up through theater level command, and, sir, I stand ready to answer your questions.

[The prepared statement of General Sylvester follows:]

RECORD VERSION

STATEMENT BY

MAJOR GENERAL JOHN B. SYLVESTER

DEPUTY CHIEF OF STAFF FOR TRAINING

UNITED STATES ARMY TRAINING AND DOCTRINE COMMAND

BEFORE THE

SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS

U.S. HOUSE OF REPRESENTATIVES

SECOND SESSION, 106TH CONGRESS

JUNE 21, 2000

NOT FOR PUBLICATION
UNTIL RELEASED
BY THE
GOVERNMENT REFORM COMMITTEE
U.S. HOUSE OF REPRESENTATIVES

BIOGRAPHY FOR

MAJOR GENERAL JOHN B. SYLVESTER, U.S. ARMY

DEPUTY CHIEF OF STAFF FOR TRAINING

Major General John B. Sylvester was born at Fort Jackson in Columbia, South Carolina. He graduated from Texas A&M University in the Class of '67, and entered the Army as an enlisted soldier.

He was commissioned from Infantry OCS at Fort Benning, Georgia in 1968. After attending the Armor Officer Basic Course at Fort Knox, Kentucky, he was assigned to the 2d Battalion, 13th Armor and later the 1st Armored Division Headquarters at Fort Hood, Texas, serving consecutively as a Tank Platoon Leader, Battalion S3 (Air), Tank Company Commander and later Aide de Camp to the Commanding General. In 1970, he was assigned to the 2d Squadron, 11th Armored Cavalry Regiment in the Republic of Vietnam, as a Platoon Leader. Returning from Vietnam in 1971, he served in the 194th Armored Brigade at Fort Knox, where he commanded a Tank Company in the 5th Battalion, 33d Armor, and later a separate Armored Cavalry Troop, I Troop, 17th Cavalry.

Subsequent assignments have included additional Air and Armored Cavalry Platoon and Troop Command in the 11th Armored Cavalry Regiment, US Army Europe; Senior Maneuver Instructor at the Field Artillery School at Fort Sill, Oklahoma; Instructor in the Department of Military Instruction at the US Military Academy at West Point, New York; G3 (Operations) Officer at the Headquarters, AFCENT Reserve Corps, Maastricht, The Netherlands; Brigade S3 of the 4th Brigade, 4th Infantry Division in Wiesbaden, Germany; and Commander, 1st Battalion, 68th Armor in Wildflecken, Germany.

Upon graduating from the United States Army War College in 1987, Major General Sylvester assumed duties as Director, Joint/Combined Unit Training, Headquarters, US Army Training and Doctrine Command, Fort Monroe, Virginia. He was the Commander of the 1st (Tiger) Brigade of the 2d Armored Division from 4 October 1989, and commanded the Brigade during Operation Desert Shield/Storm, attacking to destroy Iraqi forces and sieze Kuwait City with 2d Marine Division. He inactivated the Tiger Brigade on 20 May 1991 and reactivated it on 21 May 1991, redesignating it the 3d (Grey Wolf) Brigade, 1st Cavalry Division. Major General Sylvester retained command of that organization until October 1991. From October 1991 until January 1993, Major General Sylvester served consecutively as the Director of the Command and Staff Department and Chief of Staff of the US Army Armor School at Fort Knox, Kentucky. From January to November 1993, he was the Director of the Center for Army Tactics, US Army Command and General Staff College at Fort Leavenworth, Kansas. Departing for Fort Riley, Kansas, Major General Sylvester served for a year initially as the Assistant Division Commander (ADC) for Support, and then as the ADC for Maneuver of the 1st Infantry Division, the Big Red One.

In November 1994, Major General Sylvester assumed duties as the Deputy Chief of Staff, G2/G3 of the Allied Command Europe (ACE) Rapid Reaction Corps (ARRC) in Rheindahlen, Germany, and subsequently deployed to Bosnia-Herzegovina on NATO's first operational deployment for Operation Joint Endeavor in December 1995. From September 1996 until September 1998, Major General Sylvester served as the Director of Operations at Headquarters, Allied Forces Central Europe (AFCENT), Brunssum, The Netherlands. His most recent assignment, from August 1998 until July 1999, was the Assistant Chief of Staff, Military Operations, Headquarters, Stabilization Force, Sarajevo, Bosnia-Herzegovina. Since July 1999, he has been serving as the Deputy Chief of Staff for Training, Headquarters, U.S. Army Training and Doctrine Command, Fort Monroe, Virginia.

Major General Sylvester's awards include the Defense Distinguished Service Medal with two Oak Leaf Clusters, the Silver Star, the Legion of Merit with two Oak Leaf Clusters, the Bronze Star Medal with V Device (with one Oak Leaf Cluster), the Ancient Order of St. Barbara, and the Honorable Order of St. George. Major General Sylvester and his wife Becki have one daughter, Tina Marie, who lives and works in Washington, D.C.

Mr. Chairman, Members of the Committee. I am Major General John B. Sylvester, Deputy Chief of Staff for Training, U.S. Army Training and Doctrine Command (TRADOC), Fort Monroe, Virginia. I appreciate the opportunity to represent TRADOC and the Army and provide testimony on this important subject.

TRADOC has two primary missions: to prepare the Army for war and be the architect of its future. TRADOC ensures synchronization of the doctrine, training, leader development, organizational structure, and materiel readiness, ensuring the Army is the best that it can be and that our solders are trained and ready. We accomplish our mission on 15 installations across the United States. We have 27 schools, about 10,200 instructors, and provide training to over 390,000 active and reserve component soldiers

TRADOC is responsible for institutional, unit, and self-development training programs for all soldiers, leaders, civilians, and units. We provide a progressive, developmental, and life long learning experience for leaders and soldiers that complements and enhances their experience in the field. My direct scope of responsibility is staff supervision of our schools such as the U.S. Army Chemical School at Fort Leonard Wood, Missouri, and individual training of active duty, reserve component, and international military student personnel.

I am accompanied today by Colonel Thomas W. Klewin, Assistant Commandant of the Chemical School, who brings technical expertise to the subject of the hearing, to discuss the Army's training on individual protective equipment, specifically the M40-Series Protective Mask.

The November 1999 report from the Joint Service Integration Group Process Action Team on the protective mask identified areas of concern with technical manuals and technical orders on preventive maintenance; insufficient individual training to maintain fielded protective masks; the need for greater leadership emphasis on training and maintenance of the masks; and storage of protective masks. I will briefly address these areas of concern.

Overall

The readiness of a protective mask must be judged against criteria that can be evaluated during training, and the procedures must instill confidence in the soldier that his equipment is functional. Just as a soldier must pay careful attention to individual weapon maintenance so that it will perform as designed during combat, so too must protective mask maintenance be performed so that the soldier will have the same degree of confidence in its capabilities. The Army remains very concerned about the readiness and safety of our soldiers. We have long recognized that

chemical and biological protection on the battlefield is best assured by a combination of good training, command emphasis, conducting Preventive Maintenance Checks and Services (PMCS) to standard and by periodically testing the soldier mask and garment system for proper fit and function. We continue to believe that a soldier with a properly fitted and maintained protective mask, along with the protective garment, has excellent protection against battlefield chemical and biological agents.

Enlisted Training

We regard institutional training as the foundation for our training system. Our Basic Combat Training contains three hours of hands-on instruction on the mask, including preventive maintenance and mask care and cleaning procedures. Additionally, all enlisted soldiers are required to pass a hands-on test on preventive maintenance before they can graduate from Basic Combat Training. The preventive maintenance is initially trained in our schools and sustained in the units. Without sustained practice, however, these skills diminish, and require additional training. One of the techniques we use to encourage training is the Common Task Test (CTT). This is a standardized, hands-on test given by the units annually. When a task is selected for the CTT, soldiers practice until they can meet the test standards. A current NBC task in the CTT includes: Protect yourself from chemical and biological

injury/contamination using your assigned protective mask. The task, Maintain Your Assigned Protective Mask, has been added to the list of tasks to be tested by all soldiers beginning in October of 2000.

Officer Training

Our Second Lieutenants receive Protective Mask Preventive Maintenance training during their Pre-Commissioned phase of training, not during their institutional instruction. However, some schools such as the Chemical School, have instituted refresher training on this task and the young officers are tested in a hands-on mode. Current course outlines contain a block of instruction on the Protective Mask.

Using the Operator's Manual

Technical Manuals (TMs) are developed and issued for each piece of equipment fielded by the Army. Operator maintenance forms the bedrock of Army maintenance. The TM provides all needed information for operating and maintaining the equipment. For any equipment, it is critical to use the technical manual for performing preventive maintenance to ensure no steps are missed and proper actions are completed.

Leadership

Correctly performed and timely preventive maintenance is important for the successful operation of all equipment. It is especially critical to the correct operation of the Protective Mask. Mask preventive maintenance is an issue that requires continual command emphasis at all leadership levels. This is an area defined as lacking rigor by the report generating this hearing. The Army clearly requires a plan to emphasize the Commander's role. To facilitate this, the U.S. Army Chemical School has sent several messages to Army units stressing the importance of mask maintenance.

Centralized Storage & Maintenance

In the past some units have established NBC rooms for centralized storage and maintenance of NBC equipment. Some units issue NBC protective equipment to soldiers and sub-units (platoons) for storage and maintenance. There is no data to support centralized storage increasing the likelihood of enhanced maintenance. Circumstances in different units require different solutions. Army units at company level are authorized an NBC NCO or Specialist to conduct training and advise the unit commander on NBC matters. Centralizing masks will create the impressions that the unit NBC NCO/Specialist is responsible for mask maintenance, not the individual, and will decrease the accessibility of the individual to the mask for training. At times, because of personnel shortages within the NBC specialty, unit level NBC personnel are either not assigned,

thus forcing the unit to divert another soldier to the task, or are assigned at a rank lower than authorized. Both of these circumstances pose challenges for training, specifically for the maintenance and repair tasks they must perform. A revised training program will be fielded in FY 01 that meets this training deficiency. This revised NBC Defense Course is a two-week course for training additional duty NCO and Officers, with a one-week NBC NCO module specifically geared to train the maintenance and logistics tasks required by unit NBC NCOs. The highlight of this program is a CD-ROM Job Aid containing NBC references, tasks, and required forms, carried away by the students attending the one-week add-on module. Students attending the Chemical Basic Noncommissioned Officer Course will also receive the CD-ROM.

Future Protective Masks

The Joint Service General Purpose Mask is a developmental future protective mask envisioned to contain a number of improvements to the current system of masks. Among the improvements are: reduction of sharp edges, such as eye lens retraining rings and drink tube connecting blocks, expanding the wearer's vision by using a single eye lens, streamlined maintenance and the ability to drink larger volumes of both hot and cold liquids. Joint Operational Requirements Document maintenance requirements for the JSGPM include color-coding of components requiring

PMCS and identical and interchangeable parts, assemblies, and sub-assemblies.

Training is the core of Army readiness. It defines success on any battlefield and we could not be more proud of our soldiers, leaders and civilians. Despite the challenges we face in this new operational environment, schools such as the U.S. Army Chemical School continue to produce the best trained and best led soldiers in the world.

Thank you for the opportunity to provide this testimony today.

Mr. SHAYS. Thank you.

General.

General ROBBINS. Mr. Chairman, good afternoon. I appreciate the opportunity to come before you today and discuss the Department of the Air Force's Nuclear, Biological and Chemical Passive Defense Program. I thank you for your continued support of the NBC defense program. I have a brief oral statement and with your permission I will submit the complete statement for the record.

First, I want to explain the Air Force organizational structure which supports our NBC defense program. The Deputy Chief of Staff for Air and Space Operations, referred to as our XO, is responsible for the Air Force's Counterproliferation Program. Nuclear, biological and chemical passive defense is one of the four pillars of our counterproliferation policy. So the XO is the principal Air Force officer responsible for our participation in the OSD Chemical and Biological Defense Program. The XO is the Air Force representative on the Joint NBC Defense Board.

As the Air Force Civil Engineer, I support the XO. I am the Air Force representative on the Joint Service Integration Group and I am responsible for the nonmedical training and equipment aspects of the Air Force NBC Passive Defense Program. I represent the Air Force in joint NBC training doctrine and requirements development. I'm supported in this effort by the Director of Supply, who is responsible for individual protective equipment management as part of the overall Air Force supply system, including shelf life management.

The Defense Planning Guidance recently described the NBC threat as a likely condition of future wars, and the Air Force is committed to ensuring that our forces can and will survive to conduct sustained mission operations in such an NBC environment. In order to accomplish this we have established a comprehensive program.

The Air Force participates with OSD and the Joint NBC Defense Board for research, development and initial acquisition of avoidance and detection, decontamination, collective protection and individual protection equipment. We work with the other services and OSD to identify joint requirements to meet future threats and to ensure the safety of all DOD forces. With congressional support we have seen funding for these programs increase in recent years to meet the growing threat.

Each service is responsible for sustainment and maintenance of their equipment as well as for training our respective personnel. Within available resources we prioritize our requirements to reduce risks and to ensure we provide protection to our personnel in high and medium threat locations.

The Air Force's NBC Defense Sustainment Program provides operation and maintenance funding for protective ensembles and masks, protection and decontamination equipment, medical supplies, collective protection systems and training. Like the other services, we are currently transitioning from older equipment to newer, lighter, more effective equipment and are adjusting our training as we bring this new equipment into the inventory.

The Air Force requires all military and emergency essential civilian personnel stationed in or deployable to high and medium threat

locations to receive annual NBC defense training. This training includes classroom and hands on instruction on detection and decontamination equipment and procedures, protective clothing, mask component familiarization, inspection and wear.

The Air Force enhanced the protective mask portion of training in 1998 by implementing the mask fit test, which improves survivability and increases the individual airman's confidence. The Air Force established a robust training course of instruction on mask fit test operations at our technical school with the Army at Fort Leonard Wood, MO and at Brooks Air Force Base, TX. Technicians there provide instruction and perform fit test training for unit level personnel.

Equipment maintenance checks and services are critical elements of our NBC defense program, especially for individual protective equipment. Frequent inspections and maintenance of masks are required to ensure their reliability. Maintenance and inspections are conducted on Air Force protective masks every 6 months during peacetime and every 7 days during contingency operations. Except for visual procedures outlined in the mask technical orders, the Air Force has no inherent capability to perform detailed quantitative masks inspections.

The need for this capability led us to participate in a Joint Service Mask Program sponsored by the Marines. Based on the Joint Service Mask Working Group's recommendations and its review of the 1994 DOD IG report focusing on mask maintenance, the Air Force initiated a rewrite of our technical orders. This rewrite, which is scheduled for completion in August of this summer, enhances procedures to tighten loose front voicemitters and to clean the mask, it increases emphasis on individual inspections and clarifies the responsibility for mask care and maintenance. The Air Force is also reviewing and updating various instructions and lesson plans to improve procedures for mask maintenance and inspection.

In conclusion, Mr. Chairman, I want to thank you for your strong support of the overall OSD and Air Force NBC Passive Defense Program. We believe it is an aggressive program that capitalizes on cooperation among the services to develop and procure new high-tech protective equipment. We believe our sustainment and training programs are meeting the most pressing needs of our forces and that we carefully balance fiscal reality, equipment shortfalls and risks. Our goal, like yours, is to ensure Air Force men and women are protected with the very best equipment.

I'll be happy to answer any questions.

[The prepared statement of General Robbins follows:]

DEPARTMENT OF THE AIR FORCE

**PRESENTATION TO THE COMMITTEE ON GOVERNMENT REFORM,
SUBCOMMITTEE ON NATIONAL SECURITY, VETERANS AFFAIRS,
AND INTERNATIONAL RELATIONS
UNITED STATES HOUSE OF REPRESENTATIVES**

SUBJECT: FORCE PROTECTION: CURRENT INDIVIDUAL PROTECTIVE EQUIPMENT

STATEMENT OF: MAJOR GENERAL EARNEST O. ROBBINS II
THE CIVIL ENGINEER
UNITED STATES AIR FORCE

21 June 2000

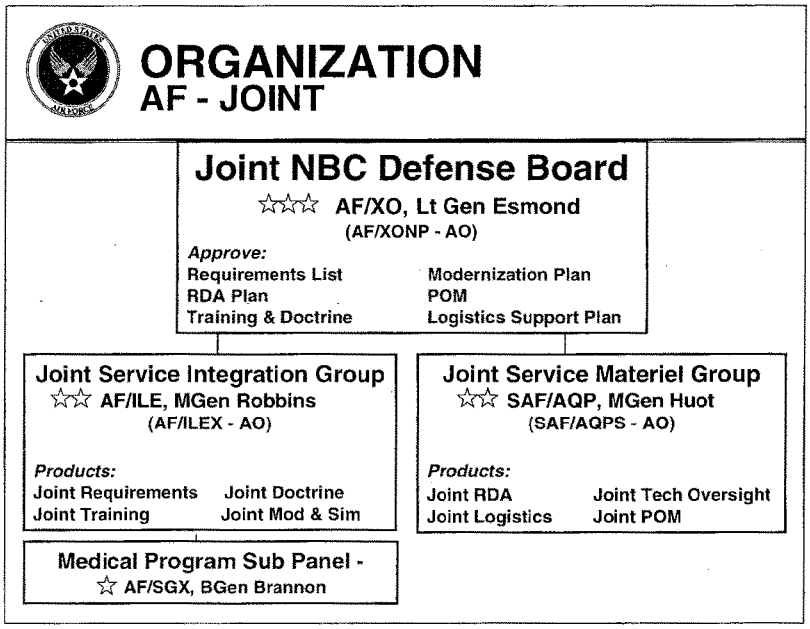
**NOT FOR PUBL ICATION UNTIL RELEASED
BY THE COMMITTEE ON GOVERNMENT REFORM
UNITED STATES HOUSE OF REPRESENTATIVES**

Mr. Chairman and members of the committee, good morning, I appreciate the opportunity to appear before you today to discuss the Department of the Air Force's Nuclear, Biological and Chemical (NBC) Passive Defense Program. I thank you for your continued support of the NBC defense program. Today, I want to share with the committee the way we manage this program within the Air Force.

First I'll explain how the AF organizational structure supports the NBC Defense Program. The Deputy Chief of Staff, Air and Space Operations, referred to as our XO, is responsible for the Air Force's Counterproliferation (CP) Program. Nuclear, Biological and Chemical Passive Defense is one of the four focus pillars of our Counterproliferation Program, so the XO is the principle Air Force officer responsible for our participation in the OSD Chemical-Biological Defense Program and is the AF representative on the Joint NBC Defense Board. In my role as the Air Force Civil Engineer, I support the XO and I am responsible for training and equipment aspects of the AF NBC Passive Defense Program. I represent the AF in Joint NBC training, doctrine and requirements development. I am supported by the Director of Supply who is responsible for AF NBC Individual Protective Equipment management as part of the overall AF supply management system and for shelf-life management policies.

Two other key members of the Air Force NBC Passive Defense team include the Assistant Secretary of the Air Force for Acquisitions, Director of Global Power Programs, referred to as AQ, and The Director of Medical Readiness, Office of the Air Force Surgeon General. The AQ is responsible for research, development and acquisition of all NBC passive defense equipment and he represents the Air Force in Joint Research, Development and Acquisitions. The Medical Director is

responsible for the medical NBC passive Defense program. Together we form the triad to support the XO's Counterproliferation program and the OSD Chemical-Biological Defense Program.



The Defense Planning Guidance recently described the NBC threat as a likely condition of future wars. The Air Force is committed to ensuring our forces can, and will, survive to conduct sustained mission operations in a NBC environment. In order to accomplish this, we have established a comprehensive NBC passive defense program.

Chem Bio Defense Program

The Air Force participates with OSD and the Joint NBC Defense Board for research, development and initial acquisition of avoidance/detection, decontamination, collective protection and individual protection equipment. We work with the other Services and OSD to identify joint requirements such as the Joint Service Lightweight Integrated Suit Technology (JSLIST), Joint Protective Aircrew Ensemble (JPACE), Joint Service Aircrew Mask (JSAM) and the Joint Service General Purpose Mask (JSGPM) programs. With Congressional support, we have seen funding for these programs increase in recent years to meet the growing NBC threat and ensure the safety of all DoD forces.

Air Force NBC Defense Sustainment Program

Each Service is responsible for sustainment and maintenance of their equipment as well as training for our respective personnel. Air Force expenditures in these three areas average $15-16 million per year. With the currently constrained budget environment, this funding level does not satisfy all of our requirements to replace consumable items and perform all required equipment maintenance. However, we do prioritize our requirements to reduce risk and to ensure we provide protection to our personnel in high and medium threat locations.

The Air Force's NBC defense sustainment program provides operations and maintenance funding for protective ensembles and masks, detection and decontamination equipment, medical supplies, collective protective systems and training. Like the other Services, we are currently transitioning from older

equipment to newer, lighter, more effective equipment, particularly the individual protective ensemble, and are adjusting our training as we bring this new equipment into our inventory.

AF Groundcrew Personal Protective Ensemble (PPE)

The Air Force's standard issue groundcrew PPE includes protective overgarments (4 pr), rubber gloves with cotton inserts (8 pr), overboots (4 pr), protective hoods (8), a protective mask (1) and filter canisters (8).

Overgarment - We currently utilize the Battledress Overgarment (BDO) as our primary protective overgarment. We have introduced the JSLIST suit into our inventory in limited quantities and are transitioning the bulk of our force from the BDO to the JSLIST over the next ten years. All BDOs in the AF inventory will expire by FY07.

Glove - We currently utilize a butyl rubber glove with cotton insert. We plan to transition to a new protective glove being developed by the JSLIST program. This improved groundcrew/aircrew protective glove will provide increased protection and enhance finger dexterity and grip.

Overboot - We currently utilize both a butyl rubber footwear cover (soft) and a vinyl overboot (hard). We are transitioning to a new protective footwear cover, the multi-purpose overboot (MULO), developed by the JSLIST program. The MULO is weatherproof and chemical/petroleum resistant with improved sole and grip.

Mask - We currently utilize two types of groundcrew protective masks, the MCU-2A/P and the M17A2. The MCU-2A/P mask is our primary protective mask with the M17A2 being used for our "hard to fit" personnel. Both masks are used in-conjunction with butyl rubber hood and filter canisters. The Air Force is

participating in the development of the Joint Service General Purpose Mask (JSGPM) and will transition from the MCU-2A/P to the JSGPM between FY06 and FY12. Our "hard to fit" program will transition from the M17A2 to the M45 Land Warrior Mask in FY01.

Air Force NBC Defense Training

The Air Force requires all military and emergency essential civilian personnel stationed in or deployable to NBC high and medium threat locations to receive annual NBC defense training. This training includes classroom and hands on instruction on detection and decontamination equipment and procedures, protective clothing, mask components, inspection and wear. The Air Force enhanced the protective mask portion of training in 1998 by implementing the quantitative mask fit test using the M41 Protection Assessment Test System (PATS) and updating the Air Force manual on NBC Mask Fit and Liquid Hazard Simulant Training. The Air Force's mask fit test is designed to improve NBC defense survivability and increase the individual airman's confidence.

In Dec 1998, the DOD/IG published the M41 PATS Capabilities Audit Report. In the report, the Joint Service's interim minimum standard fit factor criteria of 1,667 was reviewed and a recommendation was made for the OSD CB Defense Program to validate current and/or establish new criteria. The Air Force is participating in this program and will apply the final result to its mask fit test program. In the interim, the Air Force is using a minimum fit factor of 2,000. We increased the criteria from 1,667 to 2,000 to allow for errors associated with the fit test method. The Air Force established a robust training course of instruction on mask fit test operations at our technical schools at Fort Leonardwood, Missouri and Brooks

AFB, Texas, in both the apprentice and advanced level courses for our NBC technicians. These technicians then provide instruction and perform fit test training for unit-level personnel.

Serviceability

Equipment maintenance checks and service are critical elements of the Air Force's NBC defense program, especially for the individual protective equipment. The Air Force mask maintenance and inspection program includes participating in the Joint Service Retail Mask Surveillance Program, maintaining and using the MCU-2A/P mask technical manual/technical order, implementing the mask fit test program, and acquiring future equipment sets to perform protective assessment tests.

Maintenance and inspections are conducted on Air Force protective masks every six months during peacetime and every seven days during contingency operations. Except for visual procedures outlined in the mask technical manuals, the Air Force has no inherent capability to perform detailed quantitative mask inspections. The need for this capability led us to participate in the Joint Service Mask Surveillance Program managed by the Marines. Based on the Joint Service Mask Working Group's recommendations and its review of a DOD/IG audit report focusing on mask maintenance, the Air Force initiated a rewrite of our technical orders. The rewrite, which is scheduled for completion in Aug 00, addresses and enhances procedures to tighten loose front voicemitters and clean the mask; increases emphasis on inspections; and clarifies responsibility for mask care and maintenance. The Air Force is also reviewing and updating various instructions and lesson plans that improve procedures for mask maintenance and inspection during initial and

refresher chemical warfare defense training.

The Air Force conducts visual inspections and uses the M41 PATS fit test to identify gross defective components on a mask. To identify less obvious defects we are acquiring the Joint Service Mask Leakage Tester. The leakage tester will perform the mask fit test and identify defective individual components of the mask for replacement by the operator. The AF plans to deploy the mask leakage tester at every installation and with deployable units when funded through the OSD Defense program.

In conclusion, Mr. Chairman, I again thank Congress for its strong support of the overall OSD and Air Force NBC Passive Defense Program. We have an aggressive program that capitalizes on cooperation among the Services to develop and procure new, high-tech protective equipment. We believe our sustainment and training programs are meeting the most pressing needs of our forces, and that we carefully balance fiscal reality, shortfalls and risk. Our goal, like yours, is to ensure Air Force men and women are protected with the very best equipment. I will be happy to address any questions you may have at this time.

Mr. SHAYS. Thank you very much, General.

Admiral stone.

Admiral STONE. Good morning, Mr. Chairman, distinguished members of the subcommittee. On behalf of Secretary Danzig, I would like to thank you for the opportunity to appear here today to discuss the Navy's efforts to provide, maintain and train with specialized individual protective equipment. Unquestionably, the integrated performances of these items are essential to ensure we can successfully operate in contaminated chemical and biological environments.

As a matter of background, I am surface warfare officer, having commanded the Spruance class destroyer the *USS John Hancock* from 1991 to 1993. I was stationed overseas from 1994 to 1999, with at sea assignments as Commander of the United States Middle East Force and Commander of Destroyer Squadron 50, home ported in Manama, Bahrain; later as the Chief of Staff/Commander of the Sixth Fleet, located in Gaeta, Italy; and most recently have served as the Commander of NATO's Immediate Reaction Force, Standing Naval Force, Mediterranean, during Operation Allied Force in the Adriatic. My current office, which is the Surface Warfare Directorate on the Navy staff, serves as the Chief of Naval Operations Executive Agent for Chem-Bio Defense, and in that capacity, we coordinate relevant Navy programmatic and operational issues.

As you are well aware, this is a complex effort involving multiple warfare areas and claimants that directly impact fleet operational readiness and warfighting sustainability. The unique aspects posed by the myriad of chem-bio threats presents us with incredible challenges, both ashore and afloat.

As a proactive partner in the Joint Chem-Bio Defense Program, we've made significant progress and continue to work closely with the other services and OSD on a broad front.

I'm submitting a more detailed written response to your committee as formal testimony.

Today I plan to provide you details on the status of important personnel protection initiatives and related efforts in support of the Joint Service Chem-Bio Defense Program. In particular I will address individual protective equipment and associated testing, training and maintenance evolutions used to verify equipment will perform as advertised without compromising personal safety.

The goal of the Navy Chem-Bio Defense Program is to deter the use of chemical and biological weapons used against U.S. allies and coalition forces by utilizing capabilities to deny an adversary significant military advantage from their use. From a deterrence perspective, essential capabilities need to include the requirement to survive an initial attack and continue operations in a contaminated environment.

The mission of our Navy is to conduct prompt and sustained combat operations from the sea in support of national objectives. The Navy ensures that deployed units are outfitted with appropriate individual protective equipment.

Based on the concerns expressed by your committee, we acknowledge the importance of inventory management and materiel condition of our chem-bio equipment. Since the first DOD IG reports re-

garding the deficiencies in the inventory process were issued in 1994, the Navy has consistently reviewed its procedures for inventory control, requisitions and organizational functions to ensure that we are on track.

As a follow on to various IG reports, the Navy has addressed the mask surveillance issue with Commander Destroyer Squadron 28, conducting surveillance of the ships earlier this year in Norfolk, VA. The fleet is also preparing to release an updated message that provides important guidance and reinforces the requirement for conducting proper periodic maintenance. Additionally, since February of this year, a pilot program has been under development by CINCLANTFLT with the goal of assisting ships in their predeployment mask testing.

The Navy agrees that mask inspection and fit testing is an integral part of operational readiness. Studies have been conducted over the past several years to ascertain materiel problems with the MCU mask series. Random surveillance has taken place to assess the conditions of the masks. We are satisfied that our surveillance efforts have provided us good confidence of the materiel integrity of the masks. However, increased emphasis on individual protection equipment maintenance is essential to ensure that these items will function as advertised.

With regard to shipboard stowage of individual protective equipment, we have reviewed previous Joint Service Integration Group recommendations and have directed operational units to ensure compliance with existing stowage procedures.

On the training side, it is critical that all forces, afloat and ashore, be intimately familiar with the use of individual protective equipment. Fleet units conduct chem-bio drills and exercises to train and evaluate sailors in the use of our protective gear. Ultimately, commanding officers are responsible for chem-bio readiness of their commands. Navy units conduct basic, intermediate and advanced training exercises as part of the training and readiness cycle prior to deployment.

During the basic training phase, CBR-D training exercises are often overseen by the appropriate type commander staff and may involve additional unit training by specialists from an afloat training group. During the intermediate and advanced phases of the training cycles, combat readiness is reinforced through composite training units and numbered fleet exercises. The exercises conducted by deploying battle groups and amphibious readiness groups during these predeployment periods are designed to meet fleet commander in chief training requirements for forces in the area that they will be deployed.

I have recently released a Chief of Naval Operations message to Navy commands reiterating the vital importance of proper maintenance, training and readiness of all chem-bio individual protective equipment, particularly protective masks. This message lays the groundwork for follow-on discussions at our upcoming damage control chem-bio defense conference, which is scheduled for September of this year in the Norfolk area.

In summary, I believe the Navy has a chem-bio defense program in place to protect our warfighters. As my partners on this panel have indicated, our mutual efforts form an integral part of this Na-

tion's chem-bio defense posture. Of paramount importance is my commitment to you to provide our sailors the best individual protective gear available as well as the aggressive leadership and training and monitoring necessary for meeting the difficult mission challenges ahead.

Thank you, sir, for this opportunity to present the Navy's position on this very important topic. I look forward to addressing any questions you may have at this time.

[The prepared statement of Admiral Stone follows:]

NOT FOR PUBLICATION UNTIL
RELEASED BY THE HOUSE
GOVERNMENT REFORM
SUBCOMMITTEE ON NATIONAL
SECURITY, VETERAN'S AFFAIRS AND
INTERNATIONAL RELATIONS

STATEMENT OF

REAR ADMIRAL DAVID STONE
DEPUTY DIRECTOR, SURFACE WARFARE DIVISION

BEFORE THE

HOUSE GOVERNMENT REFORM SUBCOMMITTEE
ON NATIONAL SECURITY, VETERAN'S AFFAIRS, AND INTERNATIONAL RELATIONS

JUNE 21, 2000.

NOT FOR PUBLICATION UNTIL
RELEASED BY THE
HOUSE GOVERNMENT REFORM SUBCOMMITTEE
ON NATIONAL SECURITY, VETERAN'S AFFAIRS,
AND INTERNATIONAL RELATIONS

Mr. Chairman and members of the subcommittee, on behalf of Secretary Danzig, I would like to thank you for the opportunity to appear here today to discuss the Navy's efforts to provide, maintain and train with individual protective equipment which is essential to operate in contaminated chemical/biological environments.

My office serves as the CNO's Executive Agent for Chem-Bio Defense and in that capacity, we coordinate relevant programmatic and operational issues. As I'm sure you're keenly aware, this is a complex effort involving multiple warfare areas that directly impacts fleet operational readiness. In that context, we are considering realignments to elevate the focus and enhance the program assessment process.

I plan to provide you details on the status of important personnel protection initiatives and related efforts in support of the Joint Service Chem-Bio Defense Program. In particular, I will address individual protective equipment items in the current inventory, and associated testing, training and maintenance evolutions used to verify equipment will perform as advertised without compromising personnel safety.

Background:

Lessons learned from the Gulf War provided important insights on asymmetrical threats and an impetus to improve our operational readiness and warfighting sustainability posture. Clearly, operations in an amphibious environment pose a serious element of concern to our forces as do threats to our shore-based Navy personnel. In all instances, we are committed to ensuring our sailors can effectively operate in harm's way and return home safely.

Discussion:

The goal of the Navy Chem-Bio Defense Program is to deter the use of chemical and biological weapons used against U.S., allied, and coalition forces by utilizing capabilities to deny an adversary significant military advantage from their use. From a deterrence perspective, essential capabilities need to include the requirement to survive an initial attack and continue operations in a contaminated environment.

The mission of our Navy is to conduct prompt and sustained combat operations from the sea in support of national objectives. Our Navy ensures that all deployed units are outfitted with the right level of Individual Protective Equipment (IPE). Navy IPE for shipboard and shore personnel consists of a protective mask (MCU-2/P), an overgarment (CPO OR JSLIST [AKA ACPG]), gloves and footwear covers. Aviators wear the MK-I undergarment for below-the-neck protection and are currently being outfitted with the A/P23P-14A(V) aircrew respirators.

Based on the concerns expressed by your committee, we acknowledge the importance of inventory management and material condition of IPE. Since the first DODIG Reports regarding deficiencies in the inventory process were issued in 1994, the Navy has consistently reviewed its procedures for inventory control, requisitions and organizational functions to ensure that we are on track. We noted the previous deficiencies identified in the DODIG reports were not specifically attributed to

shortfalls in the management of the Navy's Inventory Control System. The main issue in the audit included whether suits known to be defective (suits produced by Isratex, Inc.) were separated from serviceable suits and whether inventory records matched actual physical counts of those items. The Navy did not field any battle dress overgarments manufactured by Isratex and thus the Navy was not adversely affected by this item recall. We recently learned that another service provided the Navy tenant activities in Korea with potential defective IPE. However, all discrepancies have been corrected.

As a follow-on to DOD IG Reports 94-154 and 95-021, the Navy has addressed the mask surveillance issue. Plans are being developed for testing all masks of pre-deploying ships to ensure they are in serviceable condition. The Navy has evaluated procedures for fixing the voicemitter attachment retaining ring problem after delivery. We have determined that there was no practicable fix at the organizational level of maintenance and are exploring intermediate level repair alternatives. PMS procedures continue to be updated, and an initial fleet advisory on mask care and maintenance was issued in 1998. The fleet is preparing to release a new message that provides important guidance and reinforces the need for conducting critical periodic maintenance.

New protective items being fielded include the JSLIST suit, which the Navy refers to as Advanced Chemical Protective Garment (ACPG). The ACPG will eventually replace the existing Chemical Protective Overgarment (CPO). The ACPGS features include improved chemical agent protection (liquid, vapor and aerosol); increased wear time, launderability and improved fit. Fleet shipment began in October 98 and are continuing through FY04; 120,546 suits have been issued to date. Our total requirement is for approximately 460,825 suits.

The Joint Service General Purpose Mask (JSGPM) will replace the MCU-2/P starting in FY06, and will be issued to all afloat and ashore unit personnel.

The Joint Aviation and Ground Glove (JAGG) is planned for FY04. For aircrew applications, the Joint Protective Aircrew Ensemble (JPACE) will replace the MK-I starting in FY05. The Joint Service Aircrew Mask (JSAM) will replace existing aircrew masks starting in FY05.

We have an aggressive acceptance program for IPE. During their manufacture, masks, canisters and suits are subjected to production line quality assurance testing as part of the acceptance process. Testing after items are delivered to the stock system is characterized as wholesale surveillance. Testing is conducted on stock items to determine if the shelf life of the item should be extended or if the item can no longer be used. For instance, the Army's Pine Bluff Arsenal conducts this type of wholesale surveillance on the C2 and C2A1 gas mask canisters and issues shelf life updates which also apply to retail canisters.

Navy IPE is maintained at the organizational ("O") level through various Planned Maintenance Systems. MCU-2/P masks have several PMS requirements: annual check for material inspection, inventory and cleaning/disinfecting. CPOS and ACPGS have similar requirements.

Aircrew masks and suits undergo routine inspection cycles at the organizational level, and are subjected to intermediate level maintenance every 90 days.

The Navy agrees that mask inspection and fit testing is an integral part of operational readiness. Studies have been conducted over the past several years to ascertain material problems with the MCU mask. In addition to the loose voicemitter ring previously addressed, we have corrected the improper seating of the outlet valve, which was originally due to a design problem. We have conducted random surveillances to assess the conditions of the masks and we are satisfied that our efforts have provided us good confidence of material integrity. Our emphasis on IPE maintenance is essential to ensure that these items will function as advertised.

With regard to shipboard stowage of individual protective equipment, we have reviewed previous JSIG recommendations and directed operational units to ensure compliance with existing stowage procedures.

We are working with the fleet to reinvigorate a mask maintenance and fit test program. A pilot effort is underway to expedite this most important initiative.

On the training side, it is critical that all forces afloat and ashore be intimately familiar with the use of individual protective equipment. The Chief of Naval Education and Training (CNET) has overarching responsibility for Navy training, including CBR-D. CNET'S schoolhouse CBR-D training responds specifically to fleet requirements. CNET provides introductory CBR-D training to all recruits during accession training. My office sponsors a majority of CBR-D training funds and provides oversight and guidance to ensure that CBR-D courses are efficient and effective and meet fleet requirements. The Fleet, Bureau of Medicine, Surface Warfare, Special Warfare, SEABEES, Military Sealift Command, and other Communities provide specific follow-on training, as appropriate, to meet their own unique requirements.

As part of regular training plans and especially during pre-deployment certification, Fleet units conduct CBR-D drills and exercises to train and evaluate sailors in the use of protective equipment. Fleet Exercise Publication (FXP) 4 provides the specific guidance for the conduct and evaluation of such CBR-D training and exercises afloat. Ultimately, Commanding Officers (CO) both afloat and ashore are responsible for CBR-D readiness of their command. Navy units conduct basic, intermediate, and advanced training exercises as part of the Training and Readiness Cycle prior to deployment. During the basic training phase, CBR-D training exercises are overseen by the appropriate Type Commander and may involve additional unit training by CBR-D specialists from an Afloat Training Group. During the intermediate and advanced phases of the training cycles, combat readiness is reinforced through Composite Training Unit Exercises and Fleet Exercises. The exercises conducted by deploying Battle Groups and Amphibious Readiness Groups during these pre-deployment exercises are designed to meet Fleet Commander in Chief training requirements for forces in the deployment area of responsibility. We will be discussing these priority issues at our upcoming Damage Control/Firefighting/Chem-Bio Defense Working Group Conference scheduled in September 2000 and will take appropriate actions to institutionalize this process.

I have released a Chief of Naval Operations message to Navy commands re-iterating the vital importance of proper maintenance, training and readiness of all Chem-Bio Individual Protective

Equipment, particularly protective masks. This message lays the groundwork for follow-on discussions at our conference in September of this year.

Summary:

The Navy has a Chem-Bio Defense Program in place to protect the warfighter. Efforts are consistent with the Joint RDA and modernization plans. We are fully committed to ensuring our sailors can effectively operate in harm's way and return home safely.

Mr. SHAYS. Thank you very much, Admiral.

General.

General LEE. Good morning, distinguished members of the committee.

Mr. SHAYS. Let me just make sure that mic is on. You want to tap it. Yeah, it's dead. Why don't you see if Admiral Stone's mic is working.

General LEE. Let me start again. Is that better, sir?

Mr. SHAYS. Thank you.

General LEE. Good morning, Mr. Chairman, distinguished members of the committee. My name is Major General Paul Lee. I am the Commanding General of the Marine Corps's Materiel Command. My job is readiness. My job is in the equipment of the U.S. Marine Corps. I have been designated by the Commandant as the responsible agent for life cycle management of all ground combat equipment and in particular, with the subject equipment of this particular committee, the individual equipment, the nuclear-biological equipment that is issued to our Marines, both ground and air. This means that I have the responsibility for the reliability and the maintainability of all equipment and for any new acquisitions that the U.S. Marine Corps may be doing in its joint environment for all of the services.

As well, I am concerned about the training because that's all part of it and the kinds of training manuals and maintenance manuals and their adequacy for all of our forces. My job is to maintain continuous surveillance and to make sure that that gear remains ready, that the Marines who handle it know how to handle it, and that those maintenance specialists can make that happen. We have placed responsibility in materiel command and we have provided it with the sufficient tools to maintain that oversight throughout the Corps, to make things happen quickly as they need to happen.

There are five areas that I will be able to answer questions and I welcome questions in areas of concern with NBC. I mentioned very briefly about training manuals and our training—and our tables of organization, the people that do the work, and we—I am here to report to you that we have taken giant strides toward the improvement of those training manuals, providing up to the date manuals which are easy to understand for our individual Marines, soldiers, sailors or airmen who can pick these up and know what it is they have to do to preserve the integrity of their masks. We are providing videos, and they will be out this summer, which will engage our people in something that is easy to view and easy to understand.

We have reviewed all of our tables of organizations in for NBC specialists. We are manned at over 100 percent of our table of organization, and I am satisfied that we have a sufficient number of Marines dedicated down to the unit level, that is down to the battalion level, to accommodate the charges and responsibilities and execute those responsibilities.

We have reemphasized training. In fact, as we speak today, our training command at Quantico, VA, there is a group looking at training one more time, is it adequate across the board from the beginning when they come in, officer and enlisted alike, and then

that continuous training which keeps them all current up until the day they walk out the door.

We have looked at leadership. I feel that that's where it all starts, emphasis from our commanders, the guys in charge, and as you can see from my earlier statements, the Commandant has put a great deal on this by saying I have got one belly button to push and that belly button is my materiel commander who is going to ensure that it gets taken care of.

We have instituted reporting, surveillance and accountability procedures with the hope to gain total asset visibility throughout the Marine Corps through an automated system that will be Web based by August of this year.

And finally, on the way ahead, my program managers in the Marine Corps Systems Command are purchasing the best gear. We have built in reliability and maintainability as primary. We have taken all these reports that have been given to us and have talked about here this morning on what kind of gear we need to put in their hands, and that's being incorporated and these buys made.

I thank you for this opportunity here, sir. I'm a 31-year logistician in the U.S. Marine Corps. I have seen the good, the bad and the ugly, quite frankly, in this area of NBC. I think we're on the right road. I know we are. It has the emphasis I can assure you in the U.S. Marine Corps of protecting our Marines and all service people from the dangers that NBC presents to them and while at the same time ensuring the readiness of all forces, and I'm ready to answer any specific questions you may have.

[The prepared statement of General Lee follows:]

NOT FOR PUBLICATION UNTIL
RELEASED BY THE COMMITTEE
ON GOVERNMENT REFORM

STATEMENT OF

MAJOR GENERAL PAUL LEE

UNITED STATES MARINE CORPS

COMMANDER, MATERIEL COMMAND

BEFORE THE

COMMITTEE ON GOVERNMENT REFORM,

SUBCOMMITTEE ON NATIONAL SECURITY,

VETERANS AFFAIRS, AND INTERNATIONAL RELATIONS

UNITED STATES HOUSE OF REPRESENTATIVES

21 JUNE 2000

CONCERNING

FORCE PROTECTION: CURRENT INDIVIDUAL PROTECTIVE

EQUIPMENT

UNITED STATES MARINE CORPS

NOT FOR PUBL ICATION UNTIL
RELEASED BY THE COMMITTEE
ON GOVERNMENT REFORM

United States Marine Corps

Major General
Paul M. Lee, Jr.
Commander, Materiel Command

Major General Paul M. Lee, Jr., assumed duties as the Commander of Materiel Command on August 23, 1999.

General Lee was raised in Elizabeth, Penn. After graduation from the University of Pittsburgh with a B.A. degree in Economics and graduation from the Officer Candidate School, he was commissioned a second lieutenant in February 1970.

He was then assigned to report directly to Ground Officers Supply School (GOSS) in Camp Lejeune, N.C. Upon completion of GOSS in March 1971, he reported to the 3d MAW in El Toro, Calif. He spent 27 months in El Toro, then reported to Okinawa where he served with Headquarters Company, III Marine Amphibious Force. Upon his return from overseas, he was stationed in Philadelphia, Penn., at the former Marine Corps Inventory Control Point. While there, General Lee participated in the relocation of the Marine Corps Inventory Control Point from Philadelphia, Penn., to Albany, Ga., and was promoted to Captain in July 1974. Transferring ultimately to Albany, Ga., in March 1976, he became the aide to the Commanding General. In May 1978, General Lee attended the Naval Postgraduate School, graduating with a Masters of Science in Materiel Management in October 1979.

In November 1979, he reported to 3d Marine Division for duty as the Assistant Division Supply Officer. He was promoted to major during this tour in July 1980, and then transferred to the Marine Corps Logistics Base, Barstow, Calif., in November 1980 to Head, Plans and Operations.

In June 1983, he was transferred to Newport, R.I., as a student at the Navy Command and Staff College, Naval War College. The following year, he reported to Defense Industrial Supply Center, Philadelphia, Penn., where he headed an Inventory Management Division from June 1984 until June 1987. He was promoted to lieutenant colonel in July 1985. In July 1987, he was assigned as a student at the Army War College, Carlisle, Penn. After graduation in June 1988, General Lee reported to Marine Corps Logistics Base, Albany Ga., for duty as the Operations Officer.

In June 1990, General Lee returned for his third tour on Okinawa as the Assistant Chief of Staff G-4, 3d FSSG. In May 1991, General Lee was promoted to Colonel and deployed to Saudi Arabia as Commanding Officer, Combat Service Support Element, MarForSWA to conduct retrograde of Marine Forces and equipment. After completion of the deployment, he returned to Okinawa where, in January 1992, he assumed command of 3d Supply Battalion, 3d FSSG. Subsequently, he was reassigned to Quantico in June 1993, where he assumed duties as Director, Warfighting Development Integration Division, Marine Corps Combat Development Command. General Lee was selected for promotion to brigadier general in January 1995. From June 1995 to July 1998 he served as Director for Logistics Plans, Policies and Strategic Mobility Division, Headquarters Marine Corps. During September and October 1998, General Lee served as Commander, Joint Task Force Full Provider, a humanitarian relief operation conducted in Puerto Rico following Hurricane Georges. He served as Commanding General, 2d Force Service Support Group from July 17, 1998 to August 23, 1999.

He was frocked to Major General on August 12, 1999.

General Lee's personal decorations include: the Legion of Merit with Gold Star, the Defense Meritorious

Service Medal, the Meritorious Service Medal with two Gold Stars, the Navy and Marine Corps Commendation Award, the Joint Service Achievement Medal, the Navy and Marine Corps Achievement Medal, the Humanitarian Service Medal, and the Military Outstanding Volunteer Service Medal.

(Revised Aug. 24, 1999 HQMC)

By: Headquarters Marine Corps, Division of Public Affairs, Washington, D.C. 20380-1775, (703) 614-1054
Updated: 04/27/99 09:27 AM

THE IMAGE BELOW IS A HIGH RESOLUTION, EXTREMELY LARGE FILE. IT WILL TAKE A LONG TIME TO DOWNLOAD VIA MODEM. SOME FILES ARE 20 MEGABYTES OR LARGER.

Lee.jpg

Mr. Chairman and members of the committee, I am Major General Paul Lee, Commander, Marine Corps Materiel Command. I am pleased to appear before you today to discuss the Marine Corps' management strategy in the Joint Nuclear, Biological and Chemical (NBC) Defense area of individual protective equipment.

General - The information I will talk about provides an overview of our current NBC individual protective equipment and training on that equipment. The Marine Corps takes the threat of use of chemical and/or biological agents very seriously and we feel we are providing our Marines with adequate protection and training to survive and win on a contaminated battlefield. In addition, the Marine Corps is instituting a comprehensive unit commander's assessment of chemical biological capabilities in our readiness reporting Standard Operating Procedure. The commander's assessment will include a training rating, equipment rating, and an overall rating. Although this report from each commander includes all NBC defense equipment capabilities, the heaviest weighted factor is the individual protective equipment.

The Marine Corps Inspector General also conducts readiness assessments on various units in the Marine Corps throughout each year and has included NBC as one of the commodity areas to assess.

Current Individual Protective Equipment - A Marine performing his / her primary mission in a chemical / biological environment utilizes the Marine Corps unique "USMC Saratoga Suit" as the primary overgarment protection, butyl rubber gloves with a cotton insert to protect the hands, and vinyl overboots to protect the feet. Finally, we utilize the M40 Field Protective Mask for protection against toxic vapor hazards. In order to ensure Marines have a seal between the negative pressure mask and the face we utilize the M41 Protective Assessment Test System (PATS) with fit factor criteria of 3,000. This fit factor is well above the minimum

interim standard of 1,667 established by the joint services and is the standard established for the chemical surety sites. The services have been requested by OSD to review the interim standard and either validate it or establish new minimum criteria. Once this process is completed, the Marine Corps will determine if a change in our fit factor is warranted. We have completed our pilot program, calibrated the instruments and are ready to field the M41 PATS to our units.

Training – Two to five hours of Individual Protective Equipment (IPE) training is conducted at the entry level for both Officer and Enlisted. Prior to permanent duty assignment, both Officer and Enlisted receive follow-on training of which two to five hours is IPE training. Training is provided to our Marines, by highly qualified, school trained NBC defense specialists, to ensure Marines understand the operational use, components, inspection and maintenance procedures for this equipment. This training is conducted at least annually and includes classroom instruction and practical "hands-on" application (e.g. Individual Survival Measures Training that ensures Marines actually size, fit, wear, and conduct preventive maintenance on the Mask, Suit, Gloves, and Boots). This training is conducted at the Major Subordinate Command level (Division, Wing, Force Service Support Group, etc). Since the inception of the joint assessment program, results of the mask surveillance have indicated that unit held masks need required preventative maintenance checks and services (PMCS). To assist unit commanders in accomplishing this task, an interactive compact disk (CD) has been developed to assist personnel in conducting their PMCS. The CD is expected to be fielded in July 2000.

The Marine Corps has instituted a new enhancement package for NBC missions. To this end the Marine Corps has conducted a pilot program with the 13th Marine Expeditionary Unit (MEU), consisting of three weeks of training on Individual Chemical Protective Equipment and the associated organizational equipment. The training syllabus includes operational performance

training, proper employment of equipment and maintenance/preventative maintenance. Evaluation of results being conducted and implementation into the remaining Marine Corps MEUs will be determined.

Joint NBC Defense Program - The Marine Corps is an active participant with OSD and the Defense Threat Reduction Agency in the Chemical Biological Defense Program. The Joint Service Materiel Group, the Joint Service Integration Group and the Joint NBC Defense Board have Marine Corps representation at the flag officer level. This forum provides the services joint NBC defense research, development, and initial acquisition requirements for contamination avoidance, decontamination, medical, modeling & simulation, collective protection, and individual protection. We work with the Office of the Secretary of Defense and the other services to identify joint requirements to meet future threats and ensure the safety of all our warfighters. Within the individual protection area, the Marine Corps has been designated as the lead service for the Joint Service Lightweight Integrated Suit Technology (JSLIST) Program which consists of an improved overgarment designed to replace the Battle Dress Overgarment, the USMC Saratoga, and the Navy Chemical Protective Overgarment. In addition, the JSLIST program includes the multi-purpose overboot, commonly called the "MULO." The JSLIST overgarment has been in production since 1997 and the MULO has been in production as of early FY00. We also participate in the other service led developmental programs including the Joint Protective Aircrew Ensemble, Joint Service Aircrew Mask and the Joint Service General Purpose Mask. These programs will provide the next generation state-of-the-art protection equipment. Once the items from these programs are fielded, all of the services will have standardized equipment. This will lead to better interoperability and may reduce the sustainment and surveillance costs for the services.

Marine Corps Sustainment - Within the scope of the Joint NBC Defense Program, each Service is responsible for sustainment and maintenance of their NBC defense equipment as well as training programs. The Marine Corps' sustainment program provides operations and maintenance for NBC defense equipment acquired through the Chemical Biological Defense Program and NBC stock listed consumable equipment/supplies including shelf-life expiring items. One of the primary focus areas within the Marine sustainment program is individual protection equipment.

Quality Assurance - The Marine Corps has been designated the lead service for the Joint Service Assessment Program of individual equipment and we are the lead service life cycle manager for the JSLIST program as well.

The Marine Corps, has teamed with the Defense Supply Center Philadelphia (DSCP), Pennsylvania, the U.S. Navy Natick Clothing and Textile Facility, Natick, Massachusetts, the other services, and the manufacturers to ensure only the highest quality JSLIST suits are provided to the warfighters. The framework established by the team to accomplish the highest quality is described below.

1. The team developed the Purchase Description (PD) that includes detailed construction, inspection, and testing requirements to which manufacturers must adhere. The construction and inspection requirements in the PD are designed to ensure high quality suits are manufactured and prevent suits from reaching the warfighter if they do not meet those standards. The Program Manager maintains the construction and inspection requirements in the purchase description in coordination with the textile experts from the U.S. Navy Natick Clothing and Textile Facility and the contracting office at DSCP.

2. There is a Quality Assurance Representative (QAR) assigned to each of the four JSLIST manufacturing facilities. The QARs are employed by the Defense Contracts Management Agency (DCMA) and are required to inspect suits at the manufacturing plants in accordance with the contracts, established DCMA procedures, and approved sampling plans. Any deficiencies identified are reported to DSCP and then to the Marine Corps. The QARs are audited by DSCP annually to ensure they properly enforce the requirements of the contracts and follow established DCMA procedures. QARs accept suits at the manufacturing plants on behalf of the Government prior to shipment. Suits are then shipped to a centralized Defense Logistics Agency (DLA) facility at the MCLB, in Albany, Georgia and stored there until services requisition them. Each lot of the JSLIST suits is produced from one lot of outer shell fabric and one lot of inner liner material. Rolls of outer shell fabric and rolls of inner liner material are cut to the proper shapes and the pieces are sewn together in a specified manner to produce suits. Prior to cutting the outer shell fabric from the rolls, five-foot segments are shipped to DSCP and are tested per the tailored requirements of MIL-STD-44436 (Cloth, Camouflage Pattern, Wind Resistant Poplin, Nylon/Cotton). This military standard includes tests for dimensional stability, fabric weight, and air permeability.
3. Prior to QAR acceptance of any production lots, the suits are subjected to live chemical agent tests on samples of production lot suits. The Marine Corps has contracted with the Battelle Memorial Institute for chemical testing and reporting. Samples of production lot suits are subjected to two different liquid chemical warfare agents and the level of chemical agent permeation is recorded. Random samples are

pulled from every production lot for testing. Five suits from every production lot are set aside for later inspection and testing. Those suits are separately stored at Marine Corps Logistics Base (MCLB) Albany in a warehouse maintained by the MCLB Albany Fleet Support Center Special Projects Office. This warehouse is different from the DLA warehouse where stocks of delivered JSLIST suits are stored while awaiting requisition by the services.

4. The JSLIST suit has a five-year shelf life, with an estimated total life of 15 years. Once a production lot of suits has reached five years of age, samples from that lot are visually inspected and chemical agent tested to determine whether the shelf life of that lot should be extended an additional five years with sound confidence of quality / durability. Once the suit reaches ten years of service life it is chemical tested, inspected, and if qualified, is extended annually thereafter. Equipment Assessment Program personnel will perform the visual inspection. The chemical testing will be performed by the Battelle Memorial Institute. Inspection and testing of the JSLIST suits will begin in FY02 (first five year period) for shelf life extension. Representative samples from FY97 production lots will be inspected at that time.
5. In addition to these procedures, each Marine Corps unit is asked to visually inspect the exterior packaging to ensure the integrity of that package has not been compromised.

DLA is in the process of verifying the adequacy of QAR inspections performed on JSLIST suits produced under DSCP managed contracts. DLA will pull approximately 2,000 samples from approved lots of suits and perform tests on them in accordance with the contracts. This inspection will provide additional information, above and beyond the inspections conducted by

QARs and the testing conducted by DSCP, to ascertain the quality of JSLIST suits produced. The USMC Saratoga suit that is currently fielded to Marines is following the same quality assurance steps as the JSLIST suits.

Surveillance - The Marine Corps has long recognized the importance of a surveillance program for NBC individual protective equipment. In 1984, the Marine Corps NBC Test and Evaluation Program was established to conduct surveillance testing and evaluation of all individual chemical protective equipment throughout the Marine Corps. The focus on the program was to ensure the combat readiness of NBC assets held at all levels of supply, from the depots to the using units. A surveillance unit was established at each of the Marine Corps Logistics Bases to perform both mobile and fixed site testing. In 1997, the Department of Defense encouraged some type of program be established to support NBC surveillance within all the branches of the service. The program's name was changed to the Joint Service Equipment Assessment Program and the Test and Evaluation Units were renamed as Equipment Assessment Units. The program now provides testing and evaluation services to all services in order to standardize surveillance methods and criteria. The program ensures readiness while maximizing the service life of all assets. The program achieved a $2.2M cost avoidance during FY 98 in glove testing at Third Force Service Support Group, and the MCLBs (Albany and Barstow) alone. (This figure is based upon the inventory replacement savings minus the cost for the Equipment Assessment Unit to test).

The mission of the Equipment Assessment unit is to provide technical support and assistance to all activities with NBC defense equipment throughout the conformance of physical inspection, packaging, testing, repair, instruction and guidance. The Joint Service Equipment Assessment Program uses, directed screening services, contracted toxic testing, repair, vacuum

packaging, technical support, guidance, and training to all services in support of NBC Individual Protective Equipment. Asset surveillance is utilized to detect degradation trends and promote unit readiness. Certified personnel and equipment are used to visually and mechanically test the assets. The Equipment Assessment Units are able to perform intermediate level repairs on the spot to correct defective assets. These repairs include parts replacement, patching, eye lens crimping, packaging, and repackaging. While on site, these teams provide training to the command in preventative maintenance and care of assets.

In support of surveillance, the Marine Corps captures total asset visibility of all NBCD assets utilizing a Marine Corps designed database. The NBC Defense Equipment Management Program (DEMP) is utilized at all levels of supply and has fields to capture all requirements for management issues, preventative maintenance, embark, shelf life, calibration and surveillance. It is utilized to capture extensive data for congressional reporting requirements and joint service logistical support plan.

In conclusion, Mr. Chairman, I want to thank the committee for its support in this vital NBC Defense area. The Marine Corps is confident that we have established, executed, and when necessary, improved on our management strategy for NBC Defense individual protective equipment. I will be happy to address any questions at this time.

Mr. SHAYS. Thank you very much. I thank all of you. I appreciate the general tone of all your comments. My wife's uncle is a colonel in the Army, and he sometimes expressed his differences with the Marines. So I don't want to get in the battle in terms of who's doing it better or not, but to say that in the research that we've done, it appears the Marines have started a little earlier on this project of trying to get their act together and that we can learn some—the other services can learn some very beneficial things from what the Marines have done. So I do want to say that for the record.

I also want to say that I care frankly less about the past than the future. I did want to put on the record the IG's report of 1994 and to at least acknowledge that their study had been validated because I think it's important when it has, it should be in, and frankly if the PAT had come up with another conclusion I would have been happy to say the reverse.

I just need to know from each of you whether you accept the final report of the Mask Surveillance Process Action Team of November 15th both in terms of its findings and recommendations, and I'm going the start with you, Dr. Winegar.

Dr. JOHNSON-WINEGAR. Yes, I do accept the report from the Process Action Team in terms of its findings. In terms of its recommendations, we are not ready at this point to make a final determination on how the individual services will be able to implement those. As I mentioned in my opening comments, I'm at this point awaiting the specifics from each of the services, and at that time I'll be able to comment on that.

Mr. SHAYS. General Sylvester.

General SYLVESTER. Sir, I would say that being a General of course I accept the findings wherein they talk about the lack of maintenance and lack of leadership, etc. There are two areas where I believe that we have some disconnect. The first is in the area of the M–41 PATS device and whether or not——

Mr. SHAYS. Talk a little slower.

General SYLVESTER. And whether or not that device provides us the ability along with preventive maintenance checks and services, conducted properly and supervised properly, provides us a degree of comfort that the protective masks will protect the soldier should he or she be introduced into an environment where there is a requirement to be protected. Their findings suggests that that is, quote, questionable, and we say indeed it is. We believe that the combination of PMCS and that device used by an appropriately trained individual gives us a degree of assurance that that protective mask will indeed work in conditions of a hazardous environment. An example of that is that those two devices; i.e., properly conducted PMCS, preventive maintenance checks and services, and the M–PATS patch device are the two means by which all protective masks are checked prior to soldiers going into the chemical defense training facility, the live agent training facility located out at Fort Leonard Wood. 54,000 soldiers have gone through that facility protected by the protective masks that we have issued today and those two means of checking that protective mask without failure, without anyone being affected in any way by chemical agent. I was

told the only accident that has ever occurred out there was when someone slipped in the shower and hurt themselves.

Mr. SHAYS. I'm not anticipating we have to be here a long time, but I am going to want to be clear. I'm assuming that all of you have the final report. Do you have it all in front of you? General Robbins? I am interested to know—well, I think I erred, General Sylvester, in—first off, do you all concur that this was a proper study?

General ROBBINS. Yes, sir.

General SYLVESTER. Yes.

Admiral STONE. Yes, sir.

General LEE. Yes, sir.

Mr. SHAYS. So we are not going to get a dispute with the validity of the finding, and I'm going to make an assumption that in a report—in an investigation of the conditions of the masks that to find out of 19,218 that 10,322 were found critical, critically defective, that that is totally unacceptable, and I'm going to make an assumption that we all agree on that so we don't have to debate that issue.

So some of what you said to me, it's not your fault, General Sylvester, it went over my head a little bit and I don't want to get back to it. It's not your fault, mine. But there are specific recommendations, in some cases some best business practices by one service that could help the others, but there are specific recommendations, and I'm interested to know if the recommendations that affect each and every one of the branches here, whether we can agree that you agree that you need to follow these recommendations, and if you don't, I want you to cite the specific page of the recommendation that you disagree with and don't intend to follow. Otherwise I'm going to make the assumption that you agree with every recommendation and that you intend to do what the recommendations say.

Now, there could be another caveat, you agree with the recommendations but you don't feel you have the capability of fulfilling them, and then I need to know. The committee needs to know. In other words, I never appreciate someone from the executive branch or the military, whatever, who says everything's fine and then I find out later they didn't have the personnel, the equipment, the money to do the job. If you don't have the financial resources or the personnel to carry out these recommendations but you agree with them, then I want to know that, too.

So let me just say, I'll throw it open in general. I'm going to assume that all of you agree with the recommendations as it pertains to your service unless you specifically point out a recommendation you disagree with, and after we've done that I'm going to then say, I'm going to ask a question about whether you would be able to carry out the recommendation. Is there any you would like to question, verify, qualify in any way? Take a look.

General ROBBINS. I'm comfortable with it.

Mr. SHAYS. Admiral.

Admiral STONE. Sir, comfortable.

Mr. SHAYS. General Lee.

General LEE. I'm comfortable with it with the exception of the recommendation that we add an NBC specialist to our FASMO teams.

Mr. SHAYS. And that recommendation, can you cite the recommendation?

General LEE. It's near the end. It's on page 7, sir. The problem it says is that the headquarters for USMC staff each FASMO team with an NBC defense specialist staff NCO or officer.

Mr. SHAYS. And you don't feel that it is necessary, and the recommendation there is what?

General LEE. Well, each one of our—they recommend that we assign one but each one of our FASMOs are located at every one of our major installations, our fleet stock, our field supports units analysis office, and when—at each one of the battalions and each one of the divisions and the wings, etc. They all have one officer and three staff NCOs, and every time they go down to look at a unit, they take that team down with them. So they're already there and these folks already are assigned when we do the individual and yearly inspections. So it seemed to us to be redundant and extra structure that's unnecessary.

Mr. SHAYS. OK. But that's the only one that you take——

General LEE. Yes, sir.

Mr. SHAYS. Admiral, you said fine. General Robbins.

General SYLVESTER. Sir, I have only one and that is the recommendation on page 9 of the study wherein it recommends that centralized storage and maintenance and maintenance NBC——

Mr. SHAYS. I don't have page 9.

General SYLVESTER. Oh, sorry, sir.

Dr. JOHNSON-WINEGAR. The last page, page 8.

General SYLVESTER. My page 9, your page 8, sir.

Mr. SHAYS. OK. Sure. Start over again, please.

General SYLVESTER. Under paragraph D, service specific problems, subparagraph——

Mr. SHAYS. Believe it or not, I don't have that. I don't know why.

General SYLVESTER. Sir, there is a recommendation which states, "that centralized storage and maintenance and maintenance NBC rooms be reestablished in the United States Army."

Mr. SHAYS. I have a D on page 7, the identification and maintenance management shortfalls. That's not what you're referring to. Oh, I'm sorry. OK. So recommendation of centralized storage and maintenance.

General SYLVESTER. So with respect to the recommendation that we reestablish centralized storage maintenance facilities for masks, we believe that that is not a measure which we care necessarily to take across the board of the U.S. Army. There is application in certain organizations for that. There is certainly not application in others, and it takes away the responsibility of the individual soldier, his immediate supervisor and the chain of command for ensuring that the proper preventive maintenance checks and services of the individual's protective gear is maintained in the same manner as it would be were it his rifle or any other element of personal equipment.

Mr. SHAYS. Is there any of these—so that's one qualification from you, General Sylvester, and you as well, General Lee, and let me

say, in dialog with your comrades, if you need to qualify or look at any other recommendation, we'd like to give you like 3 days to go through that and get back to us. If we don't hear from you in 3 days, then we'll assume that everything we said here is the final word.

Is there any recommendation—I'm going to get—Doctor, yes, what would you like to say?

Dr. JOHNSON-WINEGAR. I have one recommendation that I don't agree with if it is my turn.

Mr. SHAYS. Yes, it is.

Dr. JOHNSON-WINEGAR. On the general recommendations——

Mr. SHAYS. On page?

Dr. JOHNSON-WINEGAR. The last page, paragraph E, general recommendations. The second recommendation suggests that the Office of the Secretary of Defense establish a separate funding line for mask surveillance, and I would respectfully disagree with that recommendation maintaining that it is appropriate for the services to maintain individual funding with my office providing the requisite oversight that they do so.

Mr. SHAYS. We'll so note that. Is there any recommendation that you do not have the capability of carrying out or you have the capability and either lack of personnel or financial that you need to let us know, while you agree with the recommendation, you're just not sure you could carry it out? General Robbins.

General ROBBINS. Sir, there's only one Air Force.

Mr. SHAYS. Air Force is a tiny planet and you're looking at the clock.

General ROBBINS. That's OK, sir. But we have met the direction given by the Joint Chiefs on that one item. So we're very comfortable with it. I would add to what was just stated that it's the—it's not the surveillance system in terms of the procedures of mask surveillance that concerns us. It is the equipment. As I stated in my statement, we rely on the Marine Corps to help us test masks and there is an item in the unfunded portion of the program for a Joint Service Mask Leak Detector. As I understand, it's totally unfunded. So until we get that, we're going to continue to rely on the Marines to assist us.

Mr. SHAYS. In my travels to all four services in the last 2 years plus, I have appreciated the cooperation that exists among the services, which is encouraging me as a civilian to see that and as a Member of Congress.

Dr. Winegar, you have something in your statement that obviously pleased me to death. It wasn't in your original statement. It talked about coordination, and I'd like you to just make that point again. I was trying to find it as you were reading, and it talked about a greater effort to coordinate, and can you just go over that statement again with me. It is not in my own.

Dr. JOHNSON-WINEGAR. Yes, sir. That was in addition to my written statement that I had provided, and the comment that I was making was that there are a number of offices within the OSD, the Secretary of Defense level, that have an interest and primary responsibility for some aspect of chemical-biological defense, and I wanted to emphasize that I think there's a great deal of effort being put in by all of those individuals to assure coordination

across the various areas of responsibility and as well with the Joint Staff and the individual services.

Mr. SHAYS. Yes. You didn't say it as succinctly this time as last time. I liked the way you said it better last time.

Dr. JOHNSON-WINEGAR. I read it the first time. So if you can tell me whether it was near the beginning, the middle or end.

Mr. SHAYS. It was near the end. It talked about your adding to staff to improve coordination. Wouldn't you have known that that would have pleased me a bit?

Dr. JOHNSON-WINEGAR. Yes, sir. Yes, sir.

Mr. SHAYS. And I don't mean please me, but the bottom line is——

Dr. JOHNSON-WINEGAR. It sends a positive message.

Mr. SHAYS. You have said in previous testimony "I have responsibility for coordinating the Department's chemical and biological defense program. My job is to bring all these disparate groups together so they can have a coordinated effort." You have in the past tried to emphasize that if you don't have budgetary control you don't have control, and our concern is that there be someone from DOD that can help coordinate the response to chemical and biological, and I kind of felt that you were having a greater emphasis on this role that I think all the services obviously would benefit from, and so if you would just make that point.

Dr. JOHNSON-WINEGAR. Yes, sir. I wanted to emphasize that the primary responsibility from my office is in the area of research, development and acquisition of programs. But, with the relatively recent approval of some new positions, and I have recruited some new staff to come into my office, I'm prepared to take a more active, aggressive role in assuring chemical-biological defense readiness in addition to other components of chemical-biological defense issues.

Mr. SHAYS. And that has the approval of those—your superiors and so on?

Dr. JOHNSON-WINEGAR. Yes, sir. Those were the people that authorized me to hire additional people into my office and I think that that attests also to their interest and support in this area.

Mr. SHAYS. This committee has responsibility for terrorism at home and abroad. We don't authorize legislation, we don't appropriate money but we are the only committee, obviously the Intelligence Committee, but we are the only standing committee that basically has the responsibility of looking at terrorism at home and abroad, and we're spending a lot of our time looking at biological, chemical and in some cases nuclear response, and the thing that obviously is of course is that there is a disjointed effort where we don't maximize the benefits of all the services and coordinate, and I think it's absolutely imperative, Dr. Winegar, that you accept that role, and I'm pleased that you have support from your superiors to be more forceful in that effort.

Let me say this, there's only one comment, and I'm almost inclined not to bring it up, other than to say that if you give me permission, General Sylvester, I'll not be concerned by this comment and we can leave it at that, and that is—actually it's your comment, Dr. Winegar, and it is also General Ellis' and that is this comment, there is no indication of extensive mask degradation over

time or through field usage other than through wear and tear, which is exacerbated by the lack of field and fleet maintenance. I just want to know that I don't have to interpret this as trying to minimize, and we can leave it at that, the study, the significance of the study of the final Mask Surveillance Process Action Team.

Dr. JOHNSON-WINEGAR. You're correct in your assumption.

Mr. SHAYS. We will leave it at that. General Sylvester, could I just get rather than a visual response, could I—you're familiar with this comment. I just want to put it in proper perspective. I should not interpret that—I shouldn't interpret General Ellis' statement that is identical to Dr. Winegar's that that is in any effort to minimize the serious findings of the study?

General SYLVESTER. Absolutely not, sir.

Mr. SHAYS. We will leave it at that. Is there any comment that any of you would like to make. General, I'm getting you out a little later, but I thought I could let you go with the crowd. Is there any comment that any of you would like to make in closing? I thank you all for your cooperation, and we look forward to seeing some great improvement in this area. Thank you very much.

[Whereupon, at 1:35 p.m., the subcommittee was adjourned.]

○