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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510–6250

October 22, 2012

The Honorable John McHugh
Secretary of the Army
1400 Defense Pentagon
Washington, DC 20301

Dear Mr. Secretary:

I recently learned of shocking new allegations relating to contractors working under a U.S. Army contract with Jorge Scientific Corporation to provide counterinsurgency training for the Afghan National Police in Kabul and Kandahar. According to a complaint filed by two former employees of Jorge Scientific, Jorge personnel, including company executives, engaged in frequent abuse of alcohol and drugs in Kabul, a "bar brawl", and parties so loud that they repeatedly attracted the attention of Afghanistan's National Directorate of Security. The contractor also allegedly submitted false paperwork to the government to enable its employees to obtain and carry weapons without proper authorization. The former employees also alleged that uniformed and civilian Army personnel participated in drunken parties and other misconduct with Jorge contractors.[1]

If true, these allegations raise serious questions relating to the Army's management and oversight of contracts in Afghanistan. I am particularly concerned because of the legacy of mismanagement of police training contracts. At a Subcommittee hearing in 2010, Defense Department Inspector General Gordon Heddell described the government's efforts to train the Afghan National Police to date as "inadequate" and stated that "just about everything that could go wrong here has gone wrong." Mr. Heddell and other witnesses noted that the lack of sufficient, trained government personnel on the ground in Afghanistan played a significant part in the problems with the contract.[2]

I am also disheartened to hear of the Army's apparent failure to conduct adequate oversight of alcohol, drug, and firearm use by contractors in Afghanistan. The allegations reported here are strikingly similar to many which have been raised in Congressional hearings

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[1]Plaintiffs' Complaint for Violation of the False Claims Act, 31 U.S.C §§ 3729 *et seq.* (March 12, 2012), *United States ex rel. Melson v. Jorge Scientific Corporation,* D.D.C (No. 1:12-cv-00389); *Exclusive: Video Shows Drunk, Stoned US Defense Contractors*, ABC News (Oct. 17, 2012).

[2] Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on Contracting Oversight, *Hearing on Contracts for Afghan National Police Training* (April 15, 2010).

over the last decade.[3] For example, the Subcommittee has investigated allegations relating to contractor employees at the U.S. Embassy in Kabul, including hazing, alcohol abuse, sexual humiliation, and misuse of government property.[4] In 2010, the Senate Armed Services Committee held a hearing that revealed disturbing information about Defense Department contractors who engaged in multiple illegal or improper activities while working in Afghanistan, including carrying weapons without authorization, diverting weapons from the government that were intended for use on the Afghan National Police training contract, and making false statements to the government.[5]

These allegations, which include a video of the alleged drug and alcohol abuse by Jorge personnel now circulating on the internet, also have the potential to jeopardize the counterinsurgency mission. According to the Commission on Wartime Contracting, "perceptions of improper or illegal behavior by contractors who suffer few or no consequences generate intense enmity and damage U.S. credibility."[6] Given the importance of the police training mission in Afghanistan, swift and aggressive action to ensure that these allegations are fully investigated and the contractor and U.S. personnel involved are held accountable is imperative.

In light of the seriousness of these allegations and the potential for harm to the U.S. mission in Afghanistan, I urge you to conduct a thorough review of the performance, management, and oversight of this contract and all other Army contracts for police training in Afghanistan. I also request that, if warranted, you refer the contractor, Jorge Scientific, and any military or Defense Department civilian personnel for appropriate criminal, civil, or administrative action.

I also request that you provide a briefing for Subcommittee staff on or before **October 26, 2012**, including information regarding: (1) the number, type, value, and obligations to date of contracts held by Jorge Scientific Corporation; (2) evaluations or audits of the contractor's

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[3] Senate Committee on Armed Services, *Hearing on Contracting in a Counterinsurgency: An Examination of the Blackwater-Paravant Contract and the Need for Oversight* (Feb. 24, 2010); Senate Committee on Homeland Security and Governmental Affairs, *Hearing on An Uneasy Relationship: U.S. Reliance on Private Security Firms in Overseas Operations* (Feb. 27, 2008); House Committee on Oversight and Government Reform, *Hearing on Iraqi Reconstruction: Reliance on Private Military Contractors* (Feb. 7, 2007).

[4] Senate Committee on Homeland Security and Governmental Affairs, Subcommittee on Contracting Oversight, *Hearing on Allegations of Waste, Fraud, and Abuse in Security Contracts at the U.S. Embassy in Kabul* (June 10, 2009).

[5] Senate Committee on Armed Services, *Hearing on Contracting in a Counterinsurgency: An Examination of the Blackwater-Paravant Contract and the Need for Oversight* (Feb. 24, 2010).

[6] Commission on Wartime Contracting in Iraq and Afghanistan, *Final Report to Congress: Transforming Wartime Contracting: Controlling Costs, Reducing Risks* (Aug. 31, 2011).

performance; (3) the number, qualifications, and locations of the contracting officers' representatives and other personnel responsible for conducting oversight of Jorge Scientific contract(s) in Afghanistan; (4) Army policies and procedures related to the acquisition and use of firearms, grenades, and other weapons by contractors in Afghanistan; and (5) other Army police training contracts in Afghanistan.

The jurisdiction of the Subcommittee on Contracting Oversight is set forth in Senate Rule XXV clause 1(k); Senate Resolution 445 section 101 (108th Congress); and Senate Resolution 73 (111th Congress). An attachment to this letter provides additional information about how to respond to the Subcommittee's request.

I appreciate your assistance. Please contact Margaret Daum with the Subcommittee staff at (202) 224-4462 with any questions. Please send any official correspondence relating to this request to Kelsey_Stroud@hsagc.senate.gov.

Sincerely,

Claire McCaskill
Chairman
Subcommittee on Contracting Oversight

cc: Rob Portman
Ranking Member
Subcommittee on Contracting Oversight

Enclosure