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Contractor's War Role Under Fire

By Tod Robberson

DALLAS -- DynCorp International runs its operational hub from a dark glass building bearing another firm's logo. The office complex, on the outskirts of Irving, Texas, gives no indication of the huge footprint the military services company is leaving around the world.

Using billions of taxpayer dollars, DynCorp is quietly doing the U.S. government's work in Iraq, Afghanistan and other world hotspots. Its paramilitary forces can kill or be killed in combat, but there's little public accounting of what DynCorp does or whether tax dollars are being well spent.

Many Americans probably think it's the government's job to train foreign security forces, eradicate drug crops or maintain Air Force One. But these and other sensitive Pentagon and State Department tasks are in the hands of a private company with such a secretive history that even members of Congress say they have a hard time getting information about it.

Those lawmakers, along with some military leaders, academics and human rights groups, are pressing to lift the cloak of confidentiality over DynCorp and other military contractors while asking whether their performance justifies the billions of dollars being spent for their services.

"Members of Congress have a hell of a time" getting information about DynCorp and other contractors, said Rep. Janice Schakowsky, an Illinois Democrat who has monitored DynCorp's activities for several years. "It's one of the biggest scandals -- and least known -- that we have."

Schakowsky complained that she has been repeatedly thwarted in efforts to review U.S. government audit reports of DynCorp's contracts because, according to the State Department, the need to protect DynCorp's commercial secrets supersedes the public's right to know.

"There seems to be no real interest in overseeing or reporting or holding accountable any of these contractors. And we're talking about billions of dollars of taxpayer money," she said.

A company spokesman, Gregory Lagana, said DynCorp supports the idea of greater accountability and is trying to become more open. He said the company is not deliberately secretive but does seek a low profile to avoid upstaging its client -- the federal government.

"We think we are accountable. That doesn't mean we think we've always done everything well, but where we've fallen down, we'll take responsibility for it," he said. "And where we haven't given what we should have delivered, we'll step up and make it right."

The company does argue against releasing government audit reports, Lagana added, because they can show cost-per-employee figures that, if obtained by DynCorp's competitors, could help them undercut the company in future contract bids.

The little information that has come to light about the company's performance appears to

raise questions about DynCorp's effectiveness.

Last month, a joint Pentagon and State Department review found that after three years of training at a price of more than \$1 billion, the Dyncorp-trained police force in Afghanistan is rife with corruption and largely incapable of assuming basic security duties. The report praised the dedication of DynCorp's staff but suggested the training program had fallen short of its goals.

In October, a U.S. government review of Iraqi police training concluded that there were no accurate means to verify the operational capabilities of more than 120,000 officers reported to have passed through DynCorp and U.S. Army classes.

Lagana said none of those reports or any others in recent years have sharply criticized DynCorp's performance.

With more than 5,000 employees in and around Iraq and Afghanistan, DynCorp's paramilitary work force deploys alongside the U.S. military, putting the company at the center of a global debate on the "outsourcing" of war zone jobs that once were the Pentagon's exclusive domain.

DynCorp is one of the dominant private military companies operating in Iraq and Afghanistan. Its active and pending federal contracts, if brought to fruition, have a current value of \$5.7 billion. Taxpayers provide 97 percent of DynCorp's revenue.

Critics contend that if the U.S. government performed the work itself, officials would have to tell Congress exactly how taxpayer money is being spent and justify the expenditure. But when the same activities are delegated to DynCorp and other contractors, the public reporting requirements diminish significantly.

DynCorp must submit to constant government oversight and has 10 government auditors working full-time in the company's Irving offices, Lagana said. But critics contend that only a tiny percentage of that information becomes available to the public.

Human rights groups have been particularly critical of the free license DynCorp and other security contractors seem to enjoy when their paramilitary units deploy in world trouble spots such as Iraq, Afghanistan, Sudan or Colombia. Iraq's ambassador to Washington echoed those concerns in an interview, labeling such units "imported militias."

DynCorp says it abides by U.S. and international law, as well as the laws of its host countries. Only a small percentage of its employees carry weapons on the job, and a much smaller number have ever engaged in a firefight, the company says.

Still, its biggest contracts involve police training and drug-crop eradication in some of the world's most lawless environments, where armed confrontation is expected.

For Schakowsky and other critics, DynCorp has become an all-too-convenient alternative for getting the job done if the military or State Department wants to reduce its congressional reporting requirements. DynCorp personnel, many of whom are retired generals, colonels and former special-operations troops, are capable of conducting operations with military precision.

Since they operate beyond U.S. borders and frequently are employed by offshore subsidiaries, private military contractors are not necessarily bound by U.S. law. Although

the company requires them to abide by domestic laws, the lawless nature of some countries where they operate typically means the chances of local enforcement are minimal.

Peter W. Singer, a Brookings Institution scholar and author of a 2003 book, "Corporate Warriors," said the insertion of civilian paramilitary operators into combat zones has significantly muddled international conventions on the conduct of war.

"Civilians were once assumed to be noncombatants and thus immune from targeting wherever possible. This immunity, however, was predicated on their not being an inherent part of military operations. The digitized battlefield and the new □ surrogate warriors' places this immunity at risk," Singer wrote.

Col. Gerald Schumacher, a retired Special Forces officer who has researched private military companies in Iraq, said that the country's increasingly chaotic conditions have led to an almost cavalier attitude among many private military contractors toward international law.

"I don't know how anyone can function in that insurgent environment and have any regard for the laws of warfare and the Geneva Convention," he said. "It begins to beg the question: Should we be there at all if that's how we have to function?"

Danger and death have been integral aspects of DynCorp's work dating to its founding at the end of World War II, and company officials defend DynCorp's work as an essential part of the nation's military and foreign policy agenda.

Because of Pentagon cutbacks, "we've got an armed forces in uniform that is incapable of carrying out the current national-security strategy," said retired Gen. Barry R. McCaffrey, a member of DynCorp's board of directors.

He noted that **contractors currently rank as the second-largest foreign force, behind the U.S. military, serving in Iraq.**

"They take hundreds of killed and wounded. They see themselves as part of the war effort," McCaffrey said. "Without them, our war effort collapses."

But contractors have not always behaved as ambassadors of goodwill. Convoys of heavily armed DynCorp security details, known as Shark Teams, routinely careen through the streets of Baghdad, halting motorists and aiming high-powered semi-automatic weapons at anyone who makes what they deem to be a threatening move.

The Iraqi ambassador to Washington, Samir Sumaidaie, complained that such security teams answer to no Iraqi authority. They are pushing the Iraqi government's patience to its limit, he added.

"They worry us. Most Iraqis don't like them. They are, to some extent, out of control and unaccountable, and that makes us very uncomfortable," the ambassador said.

The Iraqi government wants a formal agreement to regulate the behavior of foreign armies deployed in the country, Sumaidaie said. "That should take into account all of these irregular forces and □ imported militias' used for the security of foreign firms. They have to be regulated, and they have to be subjected to the authority of the sovereign Iraqi government."

In August, the Iraqi government ordered its DynCorp-trained police force to begin stopping civilian security teams and demanding to see permits for all weapons they carry. The order led to a few tense standoffs in the streets.

DynCorp managers interviewed in Baghdad laughed at the idea that their personnel should submit to Iraqi police authority, saying the police were too corrupt or religiously partisan to be trusted. Besides, they added, DynCorp would never allow a Shark convoy to halt on an Iraqi street, submit to a search and risk being exposed to attack.

"You never know, if you give up your weapon, who you're giving it to. They might turn right around and kill you with it," a senior company official in Baghdad said.

A heavily tattooed Shark Team gunner, who previously served in the Yugoslav special forces, refused to comply with the Iraqi order. "If they want my guns, they're going to have to fight for them. And they are not going to win."

But the company's conduct has led to some State Department rebukes. DynCorp lost an important diplomatic-security contract in Afghanistan last year, worth half a billion dollars, after the State Department fielded complaints about overzealous behavior and lack of discipline among DynCorp bodyguards there and in Iraq.

Witnesses described the security personnel, many recruited from the military's special-operations units, as brash and disrespectful.

"They swaggered and dressed like pirates and had all kinds of nicknames for each other. Nobody could tell them what to do," said a DynCorp official in Afghanistan.

"These were all guys at the lower end of the gene pool," said a U.S. Army colonel who tracked their exploits.

At a diplomatic reception in Kabul attended by Afghan President Hamid Karzai, DynCorp security officers required ambassadors to stand spread-eagle and submit to pat-down searches. Two embassies registered formal complaints, DynCorp employees said. In a separate incident, a DynCorp bodyguard seized a news photographer's camera and impaled it on a bayonet.

Such incidents brought increased scrutiny of DynCorp's performance within the State Department, according to current and former State Department officials.

Anne W. Patterson, the assistant secretary of state who oversees DynCorp's counter-narcotics and police-training duties, registered concern about the company's operations in meetings with top company officials this summer and fall. She declined an interview request, but company officials and others briefed about the meetings said she chided DynCorp executives over lax monitoring of subcontractors, whose poor performance led to serious construction delays and worsened living conditions for company employees.

The company said it had severed ties with the subcontractors and had taken measures to improve monitoring.

In Iraq, where DynCorp is finishing its original five-year, \$1 billion contract to help train 160,000 police officers, some company managers spoke with frustration about the results of their training effort so far.

Rich Mackey, a regional supervisor based at a DynCorp compound near Baghdad's airport, said the company's training had yielded mixed results. Police trainees show high levels of dedication, he said, but corruption remains a serious problem among Iraqi commanders. Officers often must pay kickbacks to their superiors for supplies and good assignments.

"Bless their hearts for doing it," Mackey said. "They keep on coming. I don't know why, despite everything they're facing."

Tom Luce, another DynCorp supervisor, said police trainees also face heavy pressure from local Muslim clerics and leaders in their religious communities. Despite all of the training emphasis on the impartial enforcement of Iraq's laws, he said, officers still tend to obey the dictates of their local imams and tribal leaders while giving the Iraqi constitution a lower priority.

Mike Heidingsfield, who spent 14 months in Iraq as DynCorp's top civilian training commander, said it was difficult to tell whether DynCorp's expensive training program has been worth the money, time and human cost.

"I did have a mistaken notion before I deployed that we were going to enjoy a rebuilding success that could be measured by Western police standards. It quickly became clear that that was not going to be the case because of religion, history, culture, violence -- all of it," Heidingsfield said.

He also told his police trainers to "manage their expectations" about transforming Iraq and said that progress would come in "baby steps."

By the end of his 14 months, Heidingsfield said, "incidental things told me that some good had been done." Among them: Iraqi police had learned to overcome their fears and begin doing street patrols, setting up check-points and "busting down doors."

When Heidingsfield left, he said of the Iraqi police, "Their resolve had clearly changed, but that's not an entirely scientific measurement" of whether that translated into money well spent.

DynCorp officials say their job is to carry out the government's instructions, not to question the merit of the mission. DynCorp does not set the policy or ask whether the result is worth the expenditure.

DynCorp's contracting teams -- aided by retired military officers and former government contracting specialists -- are adept at identifying outsourcing opportunities and winning high-priced contracts. Since the Sept. 11 attacks, DynCorp's annual revenues have climbed into the \$2 billion range, up from a 1999 level of \$1.4 billion.

That also has brought more rigorous accounting by the government, prompting questions about the effectiveness of some DynCorp practices.

McCaffrey said DynCorp probably needed to tighten its accounting and control procedures after it entered Iraq and Afghanistan.

"When you gin up for these massive contracts, with people you've brought in from all over the face of the earth, I'd be surprised if there wasn't during those startup days some considerable confusion. ... In the confusion, you've got to be careful you don't have waste, fraud and abuse. And we've got to worry about that. The federal government is our client,"

he said.

In the startup phase, the company had to move thousands of people, vehicles and equipment into the field, McCaffrey said. "I would be unsurprised at any allegation that there was loss of control of property, etcetera."

Although the State Department regularly audits DynCorp's government-funded operations, it deliberately limits public access to the auditors' findings -- even when the contracts are unclassified. Some audits have uncovered significant evidence of over-billing or misspending of public funds.

Earlier this year, The Dallas Morning News requested copies of an unclassified 2005 State Department audit of a DynCorp counter-narcotics contract. Susan Pittman, a State Department press officer, turned down the request, saying, "We need permission from DynCorp to release this because it may contain proprietary information."

DynCorp ultimately allowed the State Department to release the audit report, which examined hazardous-duty pay and other disbursements to DynCorp employees in Peru and Colombia. The report found that DynCorp had over-billed the government by more than \$1.8 million. DynCorp is contesting the findings.

Other government audits dating to the mid-1990s, some obtained under the Freedom of Information Act, revealed additional over-billing and faulty accounting by the company.

Despite the accounting problems, DynCorp officials remain confident that the State Department will continue its longstanding partnership with the company, in part, they say, because there are few other companies with DynCorp's capabilities and broad experience.

Deborah Avant, a George Washington University professor who specializes in private military contracting, said DynCorp clearly enjoys the incumbent's advantage, with years' more experience in police training and drug-crop eradication than any of its closest competitors.

Even if it misspent government funds, broke laws or behaved recklessly in Iraq or Colombia, she said, DynCorp is likely to remain the contractor of choice for what it does because the U.S. government has so few viable alternatives.

"A consequence of that is that the U.S. does not really have the institutional memory or capacity to judge what DynCorp is actually doing," Avant said. "That's one of the problematic consequences of privatization: It leaves the private sector in control of the expertise, rather than the government."

Schumacher, the author and retired Special Forces officer, said a secret to DynCorp's success is its ability to do sensitive work for the government while ensuring the public knows as little as possible about it.

"If you do things quiet enough, you'll continue to get more business from the U.S. government. If you don't, you'll see fewer and fewer contracts," he said. "DynCorp has been one of the more effective organizations in attempting to keep their operations quiet."