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**STATEMENT BY
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**BEFORE THE
COMMISSION ON WARTIME CONTRACTING
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Introduction

Chairman Thibault, Chairman Shays, and members of the Commission:

I am honored to once again appear before the Commission on Wartime Contracting to represent DynCorp International's almost 30,000 employees who are supporting U.S. foreign policy and national security objectives in Iraq, Afghanistan, and around the world. I am especially gratified to have this opportunity to describe and discuss our experiences providing security for the Department of State in Iraq.

In past testimony, we detailed many of the defense, development, and diplomacy solutions that DynCorp International provides through our major programs in training and mentoring, logistics, platform support, and contingency operations. Something that I believe is particularly important to highlight today – especially in the context of our discussion about security – is the importance of a strong, ethical, and established corporate culture. Our value to our customers and our values as a company did not spring up overnight – they have been built through six decades of experience in austere and difficult environments. The lessons learned throughout that time have helped shape and solidify our corporate values.

As you have heard our CEO, Bill Ballhaus, state before, at DynCorp International we do not build satellites or weapons systems; what we do is stand-up high performance teams anywhere around the world to execute programs in support of our customers. And we do it well because we have a culture based on our core values: We Serve, We Care, We Empower, We Perform, and We Do the Right Thing. We know that performance is an important part of contracting, but it is only an element of what makes a truly successful partner for the U.S. Government. In order to serve our customers' tactical, operational, and strategic objectives, we must not only perform the mission, but must deliver compliance with regard to all applicable rules and regulations, and demand good conduct that reflects positively on the United States of America from our employees. Anything less simply does not equal success.

Why Contract Security?

This month, the Center for a New American Security released a report titled, “Contracting in Conflicts: The Path to Reform.” The report, which examines policy issues related to contracting in Iraq and Afghanistan, found the following:

Simple math illuminates a major reason for the rise of contractors: The U.S. military simply is not large enough to handle all of the missions assigned to it. By employing contractors, the United States has been able to maintain a much smaller standing Army than would otherwise be required, quickly draw on pools of expertise and manpower in the face of unexpected events and attempt to reduce the cost to government between times of war, since the government does not need to retain contractors on its payroll after a conflict ends.¹

One of the specific areas where contractors provide expertise and manpower quickly is security services and DynCorp International is an industry-leading provider of protective security. While this service represents a small piece of what we do – in fact, it is less than two percent of our business – the high profile and intense scrutiny this business generates has a disproportionate impact on how we are perceived.

Since 2003, we have been providing security services in Iraq under contracts with the Department of State’s Bureau of Diplomatic Security (DS) and the Bureau of International Narcotics and Law Enforcement Affairs (INL). The primary security service we provide in Iraq is high-end Protective Security Details under the State Department’s Worldwide Personal Protective Service (WPPS) and Civilian Police (CIVPOL) programs. In addition to Protective Security Details, DynCorp International also provides static security at the company’s WPPS, CIVPOL, and INL Air Wing facilities.

¹Fontaine, Richard, and Nagle, John. “Contracting in Conflicts: The Path to Reform,” The Center for a New American Security, June 2010, p.15.

As U.S. combat forces withdraw from Iraq, the State Department and other government agencies will need to look elsewhere for the security support required to accomplish their missions. To ensure that the troop draw-down and transition of authority from the Department of Defense to the Department of State occurs in a safe and cost effective manner, the government is undoubtedly in the process of weighing significant planning issues, operational requirements, and policy decisions. While we do not have details on the status of the decision-making process regarding the future U.S. footprint in Iraq, the scope and location of police training and mentoring, how security will be provided for U.S. and contract personnel, and associated funding, we are well aware that the government is actively considering its options for moving forward.

The recent Center for a New American Security study, referenced earlier, recommends that contractors be integrated into policy and strategy discussions, as well as command and control elements. We agree with those recommendations. We view this as an opportunity to supply government planners with information that we believe will assist them in policy and requirements development, and will allow closer coordination with greater integration of effort toward mission success. Similarly, with regard to command and control elements, contractors have significant footprints in both manpower and facilities. In Iraq, DynCorp International has roughly 10,000 employees working on all of our programs. Integrating contractors into command and control activities will improve efficiency of effort, increase oversight, improve clarity of objectives, and reduce risk and liability to the government, contractor organizations, and individuals.

The DI Way

Operating in a number of security roles, DynCorp International has successfully protected United States Embassy employees, U.S. Government VIPs, Iraqi officials, contractor staff, as well as government and contractor facilities, and government property. Everyday threats to U.S.

facilities and personnel include theft, armed robbery, kidnapping, indirect fire, and improvised explosive devices, as well as terrorist and traditional military attacks.

The goal in security operations should not be just to defend an individual or facility during a hostile attack. Our security doctrine is threat avoidance, which we accomplish through the use of experienced personnel, information gathering, threat detection, mission posture, and detailed planning. Of course, we are trained and equipped to deal with hostile events if they occur, but we work to reduce the risk exposure of those we protect. In fact, if the team is forced to engage an enemy threat, our after action evaluation will not simply be what we did right in defense, but rather what we could have done better to avoid the situation entirely. We inculcate our threat avoidance philosophy throughout the initial training phase and reinforce that commitment in the field through leadership and daily oversight. We augment that approach with firm disciplinary standards, and zero-tolerance policies and consequences for misconduct or unprofessionalism. Let me be clear – at DynCorp International, our standards are strict and zero tolerance means zero tolerance.

Leadership Culture is the Key

One critical element for security contracting is certainly the selection, vetting, and training of security personnel – American, third country nationals, or host country. The contracts under which we work require very specific standards for security personnel. We work to ensure that each of the individuals we hire not only meets the government’s qualification standards, but exceeds them. High personnel standards and good vetting are in fact the minimum requirements for providing quality security services. But the real key to successful protective security programs is leadership. For DynCorp International, that individual who is operating on the ground each and every day, setting the left and right limits, is absolutely critical.

Everyone working for us is a full-time employee who has been trained on and steeped in the importance of our ethics and corporate culture – they are not independent contractors. Many of

our team members who become “Detail Leads” or “Shift Leads” participated in DynCorp International’s “Developing Leadership for a Global Integrated Enterprise” program, which reinforces cultural standards based on our core values. To date, more than 240 company leaders have participated in this program. We are especially proud of our efforts to bring professional development consultants to our employees deployed in the field to advance these values; to date more than half of the employees participating in our leadership development program have received the training while serving in Iraq, Afghanistan, or Kuwait.

As described in our core values, we care for the safety, security, development, and well-being of all of our employees. Many employees are “new hires” who may only work with the company for one year or two. However, a significant number of our team leaders have worked their way up to positions of authority through decades-long careers with the company. This investment in and commitment to employee development is reflected in the leadership of our security related programs today, to include the following personnel:

- **Trevor Martin** – Trevor started out with DynCorp International in 1999 with the CIVPOL program in Kosovo as a Team Leader and Instructor for the Close Protection Unit. After a year and a half, he was employed with various other international programs and organizations before returning to DynCorp International in January 2008 as a lead instructor with the WPPS program. Trevor currently holds the position of Operations and Training Manager for the WPPS program.
- **George Singarella** – George worked as a member of the protective details on WPPS in the late 1990s for nearly 4 years. Later, he worked as a Senior Operations Manager for DynCorp International’s Law Enforcement and Security Business area. Since 2008, George has been the Director of Training for CIVPOL.
- **Reid Jones** – Reid started with DynCorp International working on the CIVPOL program as a police monitor, advancing to Contingent Commander. Since 2001, he has worked

with the WPPS program in Close Protection Units. Reid is currently a Deputy Detail Lead in Iraq and has been selected to be a Deputy Program Manager.

Trusted leaders empowered to succeed in a culture based on respect, loyalty, and commitment, is what is truly necessary to do the right thing for our customers, employees, and those we serve.

Inherently Governmental

Right now, there is an important ongoing debate concerning which security services should be deemed “inherently governmental” and only provided by direct U.S. Government and military personnel, and which security services can be professionally and capably provided by contracted personnel. Contractors can, and do, play a critical role in supporting the government’s ability to meet its security requirements. To ensure the government can continue to utilize contractor expertise, as well as the ability to quickly ramp-up or scale-down depending on the requirement, DynCorp International fully supports the “blended approach” – embedding a government representative in missions – which the State Department is implementing in Iraq. We fully believe that this approach is the right model to meet the accountability standards necessary while still affording appropriate flexibility to the U.S. Government.

Oversight

As a government contractor, we believe that transparency and accountability are just as important as performance and project completion. A key safeguard to ensuring the taxpayers and the warfighter are receiving the best programs and value possible is enforcing proper oversight.

We have seen firsthand how the administrative and operational oversight of security and other contracted functions have been and continue to be improved and refined. On the operational side, one example of improved oversight is the newly revised Rules for the Use of Force. Section 842

of the FY 2008 National Defense Authorization Act directed the Secretary of Defense to prescribe regulations to ensure all federal agencies are subject to the same regulations. The current Rules for the Use of Force were jointly developed by the Departments of State and Defense. These rules lay out the conditions under which contract professionals may use lethal force. Previous to this in Iraq, there were differences between the Department of Defense and Department of State Rules for the Use of Force. We applaud the efforts to synchronize those rules. This unified approach has simplified the efforts of security operators in Iraq and clarified the rules that govern them.

An area where additional oversight would be welcomed is regarding the legal status of contractors. DynCorp International tells all of its employees that they are subject to the sovereign law of host nations and must obey all local, international, and U.S. laws. In some cases, an employee working within a contract's requirements and Statement of Work may be placed at legal risk. This is especially concerning when operating in countries with less than mature judicial systems. As policy makers continue to examine the role of contractors in contingency environments, this issue merits further discussion and inquiry.

Recommendations

As the Commission looks to improve security contracting in Iraq and other conflict zones, we have several thoughts for consideration:

1. Every day we serve alongside U.S. military personnel and government civilians. It is dangerous work and sadly 68 of our employees have paid the ultimate sacrifice while supporting U.S. contingency operations. Just two weeks ago, an American CIVPOL advisor and a Nepalese guard working at the Kandahar Regional Training Center for the Afghan National Police were killed in an attack on the facility. A vehicle bomb was used to breach the perimeter security and unfortunately an insurgent was able to detonate a suicide vest inside. We have an obligation to those individuals and their families.

To support those seriously injured and the families of those killed, DynCorp International originally created the Civilian Police Employee Assistance Program. The program has since been expanded, now called “DI Cares,” to cover all of the DynCorp International family of employees. We believe that our employee assistance program represents the gold standard of employee support for other companies to emulate, and recommend that the government mandate and fund this program for all contractors supporting U.S. national security and foreign policy objectives in hostile environments. We have made this recommendation consistently throughout our opportunities to testify. The death of yet another employee only further solidifies our resolve that this is the right thing to do.

2. Contractors can provide flexibility, innovation, and efficiency for security services. However, we believe contractors providing these services, where escalation of force is possible, should receive closer oversight from the U.S. Government. For WPPS missions in Iraq, the goal is to have a DS Agent functions as Agent in Charge on every mission and the government maintains primary responsibility for the execution of the mission. The end result is increased accountability on that contract. That configuration can be replicated at differing levels for each type of security service being provided. While I do not believe it is necessary or cost-effective to place a government agent with each Entry Control Point team at an Embassy Compound for instance, assigning a government agent for each shift would likely reduce incidents related to performance, compliance, and employee conduct. This added degree of supervision will create a greater sense of partnership and increased accountability from both the government and the contractor.

3. To ensure that companies providing the government with contracted security services meet the highest standards, DynCorp International supports the Section 334 of the House passed version of the FY 2011 National Defense Authorization Act. This provision requires the establishment of a third party certification process for specified operational and business practice standards to which private security contractors must adhere as a condition for selection for federal contracts. The provision also mandates that all private

security contractor employees who are required to carry weapons in the performance of their duties under a U.S. Government contract be required to obtain weapons training certification from a reputable certifying body.

4. Contractors who are working for the U.S. Government in support of U.S. national security and foreign policy objectives should be assured of adequate legal protections. Where an individual has violated a law, he or she should be held accountable. But in many countries where we work, there is not a legal system where justice is equivalent to that of the United States and our employees deserve no less justice working for the U.S. Government overseas than they would were they to be working on a contract here at home.
5. While DynCorp International is not currently performing security work for the Department of Defense, we support Section 333 in the House passed version of the FY 2011 National Defense Authorization Act which establishes a pilot program to award Department of Defense security contracts in Iraq and Afghanistan using a “best value” criteria for new security procurements. You get what you pay for. If you pay more for best value, you will get a better service. While the provision does not include State Department contracts, it directly builds upon this Commission’s good work and resulting legislation that permits “best value” awards for State Department Embassy Security in Iraq, Afghanistan, and Pakistan. Security is not a commodity. High standards for performance, compliance, and conduct may cost more, but given the stakes, it simply doesn’t make sense to take a risk on low costs.

Conclusion

The title of today’s hearing is “Private Security Contractors in Iraq: Where are We Going?” While policy and decision-makers on the government side will determine where we are going, I can tell you that, if contractors are a part of that direction, DynCorp International stands ready to

support the government, holding ourselves to the highest standards of performance, compliance, and conduct. We work side by side with American and allied soldiers and civilians in some of the most difficult and dangerous places in the world, and we have been by their side providing those services for decades. Thank you again for the opportunity to testify on this important matter and I stand ready to answer any questions.

Donald J. Ryder
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Donald Ryder joined DynCorp International in June of 2008 and is the Vice President and Program Manager for Training/Mentoring and Security.

Before joining DynCorp International, Ryder worked for L-3 Communications.

Donald Ryder was a United States Army officer in the Military Police branch. Ryder was commissioned in 1971 He was promoted to Major General in 2001. He served as the most senior officer in the Criminal Investigation Division, and was also the top Army Law Enforcement officer as the US Army Provost Marshal General. Ryder retired from the U.S. Army in 2006.