



Chronology of SFTT's Body Armor Campaign

December 23, 2009 – **Kirkland & Ellis LLP** filed the final motion with the Washington, DC Federal Court in the FOIA ("Freedom of Information Act") complaint on behalf of SFTT's editor for forensic records held by the DOD ("Department of Defense"). These files record the actual battlefield performance of government-issued body armor. The judge's decision could be issued in the next several months.

October 16, 2009 – In the spring of 2007, SFTT requested that **Senators James Webb and Hillary Rodham Clinton** write letters seeking a Government Accountability Office ("GAO") investigation into the performance of body armor, including government-issued and other models, in order to determine the adequacy of personal protective equipment provided America's frontline troops. That investigation took over two and one-half years, and when [GAO provided its report to Congress](#), the title captured its conclusion: "[Independent Expert Assessment of Army Body Armor Test Results and Procedures Needed Before Fielding.](#)" (Given the significance of this report, the following major conclusions are listed.)

- "As a result of deviations from testing protocols that GAO observed, four of the five designs that passed First Article Testing and were certified by the Army as ready for full production **would have instead failed testing at some point during the process...** Thus **the overall reliability and repeatability of the test results are uncertain.**"
- As of the date of the issue of this report, **ceramic protective plates for Army body armor valued at over \$121 Million was sitting in warehouses and could not be issued to Soldiers due to the lack of reliability in tests cited by GAO.**
- GAO recommended to Congress that "the Army **should provide for an independent ballistics evaluation** of the First Article Testing by ballistics and statistical **experts external** to the Department of Defense **before any armor is fielded to soldiers under this contract solicitation.**"
- After eight years of combat in Afghanistan, and six and one-half years in Iraq, GAO told **Congress that body armor plates procured under this latest contract solicitation could not be certified as properly tested and should not be issued until experts outside the Defense Department evaluated the testing and established new, valid testing protocols and procedures.**



February 3, 2009 - The New York City office of **Kirkland & Ellis LLP**, continuing its *pro bono* legal representation of SFTT, filed a complaint in Washington, DC federal court on behalf of the SFTT's editor against the Office of the Armed Forces Medical Examiner, the Armed Forces Institute of Pathology and the Department of Defense for their failure to make available under the Freedom of Information Act ("FOIA") specified forensic records, including those "characterizing whether the personal body armor worn by soldiers in Iraq and/or Afghanistan performed according to specification..." The Department of Justice is supervising the agencies' search for records responsive to the FOIA request. The agencies were to have reported the results of their search by June 22, 2009, but requested and received agreement from the plaintiff's legal team for a new deadline of July 13, 2009.

January 30, 2009 - Again, in collaboration with SFTT, the **Washington Times** in a second front page story, "Army's recalled armor failed tests," provided more details released in the DOD's Inspector General ("IG") report and again quoted SFTT's editor as questioning the Army's claims of there never having been casualties due to defective ceramic plates issued as part of the Interceptor Body Armor system.

January 29, 2009 - In collaboration with SFTT, the **Washington Times** in a front page story, "U.S. Army recalls armor," broke the news that the Secretary of the Army had ordered the recall of more than **sixty thousand protective ceramic plates that were identified in a DOD IG report as having failed key tests**. SFTT's editor was quoted, as was a retired Army Special Forces major who described being issued metal plates to back-stop his body armor's ceramic plates when he arrived in Afghanistan in 2006. (This retired officer approached SFTT and agreed to tell his story on the record.)

October 28, 2008 - The New York City office of **Kirkland & Ellis LLP**, providing legal representation to SFTT on a *pro bono* basis, filed a request under the Freedom of Information Act (FOIA) on behalf of SFTT's editor with the Armed Forces Institute of Pathology for forensic records, including those "characterizing whether the personal body armor worn by soldiers in Iraq and/or Afghanistan performed according to specification..."

July 15, 2008 - SFTT reported that the **Office of the Armed Forces Medical Examiner** had boasted about doing forensic examinations of body armor for all US combat fatalities in Iraq and Afghanistan, in addition to the full autopsies performed on all US military fatalities. The current GAO investigation into the "effectiveness and reliability" of DOD issued body armor does **not** include an examination of the forensic data and analytical reports held by the Office of the Armed Forces Medical Examiner.



June 12, 2008 – SFTT reported that recently obtained evidence from an administrative legal proceeding support charges that Army acquisition officials have fraudulently altered body armor test results to falsely claim that Dragon Skin had failed ballistic tests.

Apr. 15, 2008 – SFTT reported the acting **Asst. Secretary of the Army for Acquisition, Logistics & Technology** was under investigation for his role in the body armor scandal.

Mar. 31, 2008 – The **Department of Defense Inspector General** reported the Army failed to properly test billions of dollars worth of body armor.

Jan. 24, 2008 – SFTT’s Chairperson and Vice-Chairman met with **Senators Jim Webb and Chuck Hagel** and staffers for Senators Joe Lieberman, Jack Reed and Hilary Rodham Clinton to discuss the body armor campaign.

Jan. 2, 2008 – SFTT reported retired Army Col. John D. Norwood, former head of the Army office responsible for body armor, was under criminal investigation for alleged violations of federal law in taking a post-retirement job with a major Army contractor for Interceptor Body Armor.

May 21, 2007 – **Senators Carl Levin and John McCain**, Chairman and Ranking Minority Member, respectively of the Senate Armed Services Committee, sent a joint letter to the Secretary of Army, calling attention to “continuing controversy regarding the technical capabilities of commercially available body armor,” and “recent press reports raise questions about the fairness and reliability of Army tests of a commercially available body armor...”

May 20, 2007 – **NBC** news magazine Dateline asked “[Are U.S. soldiers wearing the best body armor?](#)” The major piece, “**Side-by-side test: Interceptor vs. Dragon Skin,**” reported on comparative test of Army-issued body armor vs. “Dragon Skin” conducted by independent laboratory in Germany. **Gen. Wayne Downing, US Army (Ret.)**, NBC military affairs consultant, monitored test and **reported, “Dragon Skin” performed “significantly better” than the Army-issued items.** SFTT’s Vice-Chairman was interviewed for NBC report. [NBC aired segments on body armor and the comparative test of Dragon Skin vs. Interceptor on Nightly News \(May 17\) and The Today Show \(May 18 and 21\).](#)

May 18, 2007 – **Senators Jim Webb and Hillary Rodham Clinton** sent a joint letter to the Comptroller General of the United States asking for an “investigation to reassess the body armor systems currently being issued” DOD for “effectiveness and reliability against the threats facing U.S. troops in combat.”



Apr. 19, 2007 – SFTT’s Chairperson and Vice-Chairman met with **Senators Jim Webb and Jack Reed**, and with staffers in Senator Hillary Rodham Clinton’s office on the body armor campaign.

Feb. 16, 2007 – SFTT’s Vice-Chairman met with **Senator Jim Webb** to discuss body armor campaign.

Sept. 30, 2006 – **Dan Rather** spoke at Greenwich, CT fundraiser about SFTT and the importance of its body armor campaign.

June 18, 2006 – **Washington Post Magazine cover story, “Fatal Inaction: Pfc. John Hart Didn’t Have to Die,”** using several sources and information provided by SFTT, reported that “Soldiers lacking body armor and riding in unarmored vehicles with no spare tires were not flukes. They were the product of how the military prepares for war.”

May 4, 2006 – Chairperson and Vice-Chairman of SFTT’s Board of Trustees met with **Senators Chuck Hagel, Chuck Grassley, and Chris Dodd**, and Senator Joe Lieberman’s chief of staff to discuss body armor campaign.

Feb. 9, 2006 – **C-SPAN’s National Journal** program interviewed SFTT’s Vice-Chairman for 40 minutes on the body armor issue. During the program, Pentagon Public Affairs Office called to demand equal time on a later program to refute SFTT’s claims.

Feb. 2, 2006 – Cover story in Washington Post’s Arlington-Alexandria Extra, “On a Mission for Truth for Soldiers,” featuring SFTT’s Vice-Chairman with the sub-lead, “Not Far From the Pentagon, a Much Leaner Outfit Looks for Mismanagement And Speaks Up for the Grunts Who Risk Live and Limb to Protect the United States”

Jan. 11, 2006 – Vice-Chairman of SFTT’s Board of Trustees interviewed on **PBS’ Lehrer News Hour wearing “Dragon Skin” body armor.** A Pentagon representative also appeared, wearing Interceptor Body Armor.

Jan. 6, 2006 – **NY Times front-page article, “Extra Armor Could Have Saved Many Lives, Study Shows,” credits SFTT** body armor campaign for breaking story: Armed Forces Medical Examiner reported 80% of Marine fatalities in Iraq (March 2003-July 2005) from bullet wounds to torso could have survived if wearing side-protection in addition to normal body armor (front and back protection only).