

SIGAR

**Special Inspector General for
Afghanistan Reconstruction**

SIGAR 15-74 Inspection Report

\$14.7 Million Warehouse Facility at Kandahar Airfield: Construction Delays Prevented the Facility from Being Used as Intended



JULY
2015



SIGAR

Office of the Special Inspector General
for Afghanistan Reconstruction

July 15, 2015

Department of Defense Commands:

This report discusses the results of SIGAR's inspection of the Defense Logistics Agency (DLA) warehouse facility construction project at Kandahar Airfield (KAF). We found that the \$14.7 million warehouse facility was well built, but lengthy construction delays led to the facility never being used as intended. Had the facility been completed on schedule, DLA would have been able to use it for more than 2 years before the agency's mission in Kandahar ended in 2014. We also found that the U.S. Army, which developed the requirement for the warehouses, did not take action to prevent more than \$400,000 in modifications from being made to the project after the August 2013 decision was made to end DLA's mission in Kandahar. A U.S. military official working with the Afghan Base Closure Commission indicated that, because the facility would not be used by DLA, it would likely be transferred to the Afghan government.

We recommend that the Commander, U.S. Central Command (CENTCOM), direct the Commander, U.S. Forces-Afghanistan (USFOR-A) to determine and identify, and report back to SIGAR within 90 days, who made the decision, and why, to allow contract modifications to be made and additional funds to be spent on the warehouses after the decision was made in August 2013 to end DLA's mission in Kandahar.

CENTCOM and USFOR-A provided written comments on a draft of this report, which are reproduced in appendices II and III, respectively. DLA did not provide a formal written response, but it did provide technical comments, which we incorporated into the report, as appropriate.

In its comments, CENTCOM concurred with the report. With regard to the recommendation, CENTCOM noted that USFOR-A would need to conduct an investigation to determine who made the decision, and the reasons why, that led USACE to modify the contract seven times, with six of the modifications adding a total of more than \$400,000 to the contract price. CENTCOM advised that it may take USFOR-A more than 90 days to conduct an "investigation that involves personnel no longer in Afghanistan, and perhaps in the U.S. Government." In accordance with our normal procedures, we will monitor implementation of actions taken as part of our regular recommendation follow-up activities. Lastly, in its written response, USFOR-A stated that it reviewed the draft report and had no comments.

SIGAR conducted this inspection under the authority of Public Law No. 110-181, as amended, and the Inspector General Act of 1978, as amended; and in accordance with the *Quality Standards for Inspection and Evaluation*, published by the Council of the Inspectors General on Integrity and Efficiency.

John F. Sopko
Special Inspector General
for Afghanistan Reconstruction

DEPARTMENT OF DEFENSE COMMANDS

The Honorable Ashton B. Carter
Secretary of Defense

General Lloyd J. Austin III
Commander, U.S. Central Command

General John F. Campbell
Commander, U.S. Forces–Afghanistan and
Commander, Resolute Support

Lieutenant General Thomas P. Bostick
Commanding General and Chief of Engineers,
U.S. Army Corps of Engineers

Lieutenant General Andrew E. Busch
Director, Defense Logistics Agency

In 2009, the U.S. Army developed contract requirements for the construction of a Defense Logistics Agency (DLA) warehouse facility at Kandahar Airfield (KAF).¹ At the time, DLA did not have a distribution facility in Afghanistan. Instead, the agency was moving materials through distribution facilities located outside of the country. The planned facility was intended to be used as a distribution facility at Kandahar, which would allow for in-country receipt, storage, and issuance of DLA-owned material to customers throughout the Afghan theater of operations. The U.S. Army developed the requirement, the U.S. Army Corps of Engineers (USACE) was the contracting agency and project manager, and DLA was the intended customer.

On September 15, 2010, USACE awarded a \$13.5 million firm-fixed-price contract to YDA AFCON Joint Venture (YDA AFCON), a partnership between two Turkish construction companies, to design and build a DLA warehouse facility at KAF.² The contract required construction of four shipping and receiving warehouses, an administration building, and supporting facilities. (Photo 1 shows one of the warehouses at KAF.) The scope of work required construction of a permanent, non-combustible, general purpose warehouse facility with 173,428 square feet of floor space among the four warehouses. The warehouses were to be pre-engineered metal buildings with heating, ventilation, and air conditioning for the storage areas. The administration building was to be about 1,720 square feet. Supporting facilities included asphalt-

paved roadways and aprons, crushed stone truck parking and staging areas, perimeter fencing with entry control points, area lighting, and connection to all utilities.³ The contract required construction to be completed by August 30, 2011, or within 300 days of the notice to proceed on November 3, 2010. On April 25, 2013, after months of construction delays, USACE issued a partial contract termination for default.⁴ The contract work items that were terminated and descoped from the contract included incomplete work on electrical systems in the warehouses and administration building; plumbing work; the installation, testing, and commissioning of the fire suppression and fire alarm systems; installation of the communications system; and uncorrected deficiencies in the electrical work and construction of doors and handrails.

On May 5, 2013, USACE awarded a second firm-fixed-price contract for \$844,526 to Arkel International LLC, a United States-based construction company, to complete the warehouse project.⁵ The scope of work required completion and testing of the facility's generator power system; design and construction of prime power connection from the KAF electrical distribution system; completion and testing of the fire suppression and pump house systems; construction of a communications system for the four warehouses and administration building; completion of the warehouses, including location and installation of replacements for missing, broken, or improperly designed components; and completion of the administration building, including

Photo 1 - Warehouse Building at KAF



Source: SIGAR, November 12, 2014

¹ DLA provides nearly all of the consumable items that U.S. military forces in Afghanistan and other countries need to operate, including food, fuel, uniforms, medical supplies, spare parts, and construction materials.

² The contract, number W912ER-10-C-0045, was funded through military construction appropriations.

³ An apron is a ground covering of concrete or other material used to protect the underlying earth from water erosion.

⁴ The government's right to partially terminate for default is provided for under Federal Acquisition Regulation subsection 49.402-1. Under a partial termination for default, some elements of the contract are completed and accepted, but other elements are terminated.

⁵ Contract number W5J9LE-13-C-0031.

connection of the water service to the existing water distribution system adjacent to the project site, and installation of the bathroom's plumbing fixtures. This contract had a 90-day period of performance and a planned completion date of August 26, 2013. However, after USACE modified the contract to provide clean-up services for the project site, make changes to the fire suppression and fire alarm systems, and hire additional personnel to test the fire pump system and fire pump controllers, the completion date was extended to November 10, 2013. DLA accepted the completed warehouse facility on February 3, 2014.⁶

For this inspection, we assessed whether (1) construction was completed in accordance with contract requirements and applicable construction standards, and (2) the facility was being used as intended.

We conducted our work in Kabul and Kandahar, Afghanistan, from September 2014 through June 2015, in accordance with the *Quality Standards for Inspection and Evaluation*, published by the Council of the Inspectors General on Integrity and Efficiency. The engineering assessment was conducted by a professional engineer in accordance with the National Society of Professional Engineers' *Code of Ethics for Engineers*. Appendix I contains a more detailed discussion of our scope and methodology.

DLA WAREHOUSE FACILITY WAS WELL CONSTRUCTED, BUT THE PROJECT EXPERIENCED DELAYS AND COST INCREASES

We conducted site visits of the DLA warehouse facility on November 12, 2014, and February 5, 2015. During these site visits, we found that construction generally met contract requirements and technical specifications. We also found that construction was complete, and our engineering assessment determined that the warehouse buildings and support facilities were generally well built. For example, the four warehouses were pre-engineered metal buildings, and each warehouse was supported by metal columns with reinforced concrete floors that appeared to be of good quality. Similarly, the paved areas around the warehouses were reinforced concrete that appeared to be of good quality, and the administration building appeared to be well constructed. We also observed a 1,200 cubic meter water storage tank for fire suppression along with a pump station to deliver water to the buildings' sprinkler system and fire hydrants.

Although we found most of the construction to be well done, we observed several minor deficiencies. For example, the contract's technical requirements stated that air conditioners and other mechanical or electrical equipment located outside of the buildings should be shielded from view.⁷ However, we found that the contractor's design documents did not include this requirement. During our site visits, we observed that the heating, ventilation, and air conditioning units outside the warehouses and administration building were not surrounded by a fence or some other structure to shield them from view. We also observed exterior siding that was torn away from one of the warehouse buildings as well as cracks in the concrete steps outside another warehouse building. Based on our engineering assessment, these deficiencies were largely cosmetic and easily repairable. (See photos 2 and 3 showing the unshielded heating, ventilating, and air conditioning units outside of the administration building and damaged exterior siding, respectively.)

⁶ The Commander of the DLA Support Team in Kandahar signed for and accepted transfer of the warehouses.

⁷ See contract technical requirements section 3.1.1.2.

Photo 2 - Unshielded Heating/Cooling Units at Administration Building



Source: SIGAR, November 12, 2014

Photo 3 - Damaged Warehouse Siding



Source: SIGAR, November 12, 2014

Poor Performance by the First Contractor Delayed Construction of the Warehouses

DLA accepted the completed warehouse facility from USACE on February 3, 2014, more than 2 years after the originally scheduled completion date of August 30, 2011. Project delays occurred from the outset of construction, due primarily to YDA AFCON's poor performance. During the project, USACE sent multiple letters to the contractor citing unsatisfactory performance and lack of work progress. Specifically, USACE sent 12 letters to the contractor in 2011, 19 in 2012, and one in 2013. Examples of letters USACE sent to YDA AFCON in 2011 are as follows:

- On February 25, USACE sent a letter of concern stating that 38 percent of the period of performance had elapsed and no work had been accomplished on the project.
- On August 28, USACE sent a letter of concern identifying five areas of poor contractor performance, including lack of leadership and coordination when submitting designs, failure to consistently update monthly progress schedules, submittals that were not timely or complete, lack of experienced personnel in the quality control program, and concrete mix and structural steel package designs that were not in accordance with contract requirements.
- On October 18, USACE sent a letter stating that the contractor's schedule update identified a completion date beyond the contract-stipulated completion date and that the contractor's rate of progress would not result in timely completion of the work.
- On November 20, USACE sent a cure notice citing previous letters and associated issues that remained unresolved.⁸ The cure notice stated that the contractor's slow resolution of issues in design submittals, material submittals, and construction delayed project completion.
- On December 16, USACE issued a show cause notice stating that it was considering terminating the contract.⁹

⁸ A cure notice is a letter sent to a contractor prior to terminating a contract for any reason other than late delivery. For example, this would include the contractor's failure to perform some provision of the contract or performance issues that endanger performance of the contract. The written notice should describe the failure and provide the contractor 10 days (or longer period as necessary) to "cure the failure." See Federal Acquisition Regulation 49.402-3.

Despite the project issues and delays throughout 2011, USACE continued working with YDA AFCON and continued sending letters of concern throughout 2012. For example, on February 14, 2012, USACE sent a letter identifying multiple construction deficiencies, including an insufficient number of concrete placement workers, which was slowing work progress. In another example, on April 29, 2012, USACE sent a letter stating the contractor's schedule management was unsatisfactory and identifying multiple project milestone dates that the contractor missed. Further, on November 20, 2012, USACE issued a commander's critical information requirement, which discussed reducing the contract's scope for work that had not been completed, such as the fire suppression system and utility connections, and awarding another company a contract to complete the project.¹⁰ The information requirement also noted that completion of the facility was critical for DLA's mission to support the storage and distribution of equipment and materials for U.S. military forces in Afghanistan.

On April 25, 2013, USACE partially terminated its contract with YDA AFCON for default because the contractor failed to (1) furnish material and workmanship, (2) comply with life health and safety requirements, (3) adequately staff the project, (4) pay subcontractors in a timely manner, and (5) provide adequate management on site. USACE accepted completed work, but terminated parts of the contract associated with completing electrical systems, installing and testing the fire suppression and fire alarm systems, installing the communications system, and correcting a host of construction deficiencies. USACE estimated that the project was 92 percent complete when the contract was partially terminated. Following termination, USACE modified the contract to reduce the price by approximately \$977,000.

The Construction Contract Price was Higher than Originally Planned and Continued to Increase Even After the U.S. Army, U.S. Forces–Afghanistan, and DLA Knew the Facility Was No Longer Needed

The total price to construct the DLA warehouse facility was \$14.7 million, which was \$1.2 million more than originally planned. YDA AFCON received \$13.5 million for its work on the warehouses.¹¹ Arkel International was awarded a separate \$844,526 contract to complete the work that was not performed by YDA AFCON. However, after a series of modifications, the price of the Arkel International contract rose to \$1.2 million. We found that some of the modifications to that contract occurred after the U.S. Army decided in August 2013 that DLA would be leaving Kandahar and would not be using the warehouse facility.

Two months later, on October 30, 2013, DLA headquarters sent a letter directing its Kandahar staff to begin the transition process and close all of its KAF activities by March 1, 2014. The letter stated the direction was based on a U.S. Forces–Afghanistan memorandum dated August 27, 2013, and an Army slide brief dated August 19, 2013. However, we found no evidence that the U.S. Army, which developed the requirement, consulted with USACE officials regarding a reevaluation or possible descoping of the DLA warehouse project. Instead, the project continued uninterrupted, and as the contract with Arkel International continued to be modified, its price increased.

Between August and November 2013, USACE modified its contract with Arkel International seven times, with six of those modifications adding a total of more than \$400,000 to the contract price. For example, on August 24, 2013, USACE modified Arkel International's contract to change the warehouse buildings' fire suppression

⁹ A show cause notice may be issued to a contractor when there is not sufficient time remaining in the delivery schedule—typically at least 10 days—to cure the problem or the contractor failed to act on a cure notice already sent. The show cause notice advises the contractor that the government is considering terminating the contract for default and asks the contractor to show cause why the contract should not be terminated.

¹⁰ A commander's critical information requirement is a document prepared for a commander that contains information the commander can use to understand and make a decision about an issue.

¹¹ On April 27, 2012, the original contract price was increased to more than \$14.8 million through a contract modification to accelerate delivery of roof and wall panel items following a Pakistani border closure. However, subsequent modifications and the termination for partial default reduced the final amount paid to YDA AFCON.

systems, which increased the contract price by \$267,000. Additionally, on October 4, 2013, USACE modified the contract to add personnel for testing the fire pump station, which increased the contract price by \$126,668. In addition to increasing the cost, these modifications pushed the project's completion date back to November 10, 2013, or by more than 2 1/2 months.

A DLA official said that the U.S. Army initiated the warehouse project and programmed the funds, but DLA could not explain why the project was not terminated or why the Army did not instruct USACE to complete the project without making further modifications that would increase the cost of the project. A U.S. military official working with the Afghan Base Closure Commission indicated that, because the facility would not be used by DLA, it would likely be transferred to the Afghan government.¹² However, the U.S. official stated, and we have previously reported, that the Afghan government has not always had the funds or technical capability to operate and maintain facilities the U.S. military transfers to it.¹³

DLA NEVER USED THE WAREHOUSE FACILITY

DLA took possession of the warehouse facility from USACE on February 3, 2014, but it never occupied or used the facility. Following USACE's transfer of the KAF warehouse facility to DLA, KAF Garrison Command Base Operations Support-Integrator (BOSI) immediately took custody of and was responsible for maintaining the facility.¹⁴ A BOSI official stated that the facility remained empty after it took custody, with a few minor exceptions. For example, a Department of Defense contractor used office space in the administration building for several months in early 2014. Further, during our November 12, 2014, site visit, we observed a small number of items stored in several warehouse buildings, including generators, tables, and file cabinets. A BOSI official stated that as U.S. military units and contractors departed KAF, various items were temporarily stored in the warehouses. We also observed rows of benches in one warehouse, which the BOSI official stated were used for training civilian and military personnel.

A Resolute Support mission official said the United States plans to transfer KAF to the Afghan government by December 1, 2015. The official told us that U.S. advisors will provide cost data on operating and maintaining the facility to the Afghan Base Closure Commission, and the advisors can provide suggestions on how the facility, including the warehouse facility, might be used. However, decisions about which Afghan ministry or entity will receive the facility and how it will be used after transfer resides solely with the Afghan government.

CONCLUSION

Although the \$14.7 million DLA warehouse facility was well built, lengthy construction delays led to the facility never being used for its intended purpose. Had the facility been completed on schedule, DLA would have been able to use the warehouse facility for more than 2 years before its mission ended in Kandahar. The U.S. Army did not prevent USACE from modifying the second construction contract to complete the installation of fire suppression and air conditioning systems, which increased the price of the contract by more than \$400,000.

¹² The official stated that the Afghan Base Closure Commission, comprised of officials from various Afghan ministries, makes decisions about Afghan custody and use of facilities following U.S. closure and transfer of a base.

¹³ SIGAR Inspection 14-31, *Salang Hospital: Lack of Water and Power Severely Limits Hospital Services, and Major Construction Deficiencies Raise Safety Concerns*, January 29, 2014; SIGAR Inspection 13-5, *Imam Sahib Border Police Company Headquarters in Kunduz Province: \$7.3 Million Facility Sits Largely Unused*, January 29, 2013; and SIGAR Inspection 14-62, *Baghlan Prison: Severe Damage to \$11.3 Million Facility Requires Extensive Remedial Action*, May 27, 2014.

¹⁴ A senior Train, Advise, Assist Command-South official stated BOSI is a U.S. military unit that consists of nine military and nine civilian personnel responsible for maintaining structures at KAF, and assisting in their transition to Afghan government control during the U.S. military drawdown.

Although DLA may have had the need for such systems, other inspections we conducted indicate that the Afghans normally do not have the funds or technical capacity to operate and maintain them. Consequently, the funds obligated by the contract modifications that followed DLA's decision to withdraw from KAF are likely to have been wasted.

RECOMMENDATION

To contribute to the lessons learned from U.S. reconstruction activities in Afghanistan, SIGAR recommends that the Commander, U.S. Central Command, direct the Commander, U.S. Forces–Afghanistan to:

- 1. Determine and identify, and report back to SIGAR within 90 days, who made the decision, and why, to allow contract modifications to be made and additional funds to be spent on the warehouses after the decision was made in August 2013 to end DLA's mission in Kandahar.**

AGENCY COMMENTS

We provided a draft of this report to U.S. Central Command (CENTCOM), U.S. Forces–Afghanistan (USFOR-A), and DLA. CENTCOM and USFOR-A provided written comments, which are reproduced in appendices II and III, respectively. DLA did not provide a formal written response, but it did provide technical comments, which we incorporated into the report, as appropriate.

In its comments, CENTCOM concurred with the report, which stated that the warehouses were well built but delivered after the required completion date. With regard to the recommendation, CENTCOM noted that USFOR-A would need to conduct an investigation to determine who made the decision, and the reasons why, that led to USACE modifying the contract seven times, with six of the modifications adding a total of more than \$400,000 to the contract price. CENTCOM advised that it may take USFOR-A more than 90 days to conduct an “investigation that involves personnel no longer in Afghanistan, and perhaps in the U.S. Government.” In accordance with our normal procedures, we will monitor implementation of actions taken as part of our regular recommendation follow-up activities.

In its written response, USFOR-A stated that it reviewed the draft report and had no comments.

APPENDIX I - SCOPE AND METHODOLOGY

This report provides SIGAR's inspection results of the Defense Logistics Agency (DLA) warehouse facility at Kandahar Airfield (KAF). For this inspection, we assessed whether (1) construction was completed in accordance with contract requirements and applicable construction standards, and (2) the facility was being used as intended. Specifically, we:

- Reviewed contract documents, design submittals, quality assurance and quality control reports, disbursement reports, U.S. Army Corps of Engineers (USACE) letters of concern sent to the contractors, and other relevant project documentation;
- Reviewed U.S. Army requirements documents identifying the need and funding for the project, as well as U.S. Army briefing slides discussing the conclusion of DLA operations in Kandahar;
- Conducted site inspections on November 12, 2014, and February 5, 2015; and
- Interviewed USACE, DLA, KAF Garrison Command, and Resolute Support officials concerning the facility's construction and plans for transferring the facility to the Afghan government.

We obtained computer-processed data from USACE's Financial Management System to help determine project costs. We tested the data's accuracy by comparing it with available contract documentation and determined that it was reliable for the purposes of this inspection. We considered the impact of compliance with laws and fraud risk.

We conducted our work in Kabul and Kandahar, Afghanistan, from September 2014 through June 2015. Our work was conducted in accordance with *Quality Standards for Inspection and Evaluation*, published by the Council of the Inspectors General on Integrity and Efficiency. The engineering assessment was conducted by a professional engineer in accordance with the National Society of Professional Engineers' *Code of Ethics for Engineers*. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives. SIGAR performed this inspection under the authority of Public Law No. 110-181, as amended, and the Inspector General Act of 1978, as amended.

APPENDIX II - COMMENTS FROM U.S. CENTRAL COMMAND



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UNITED STATES CENTRAL COMMAND
OFFICE OF THE CHIEF OF STAFF
7115 SOUTH BOUNDARY BOULEVARD
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

23 June 2015

MEMORANDUM FOR DIRECTOR, Special Inspector General for Afghanistan Reconstruction, 2530 Crystal Drive, Arlington, VA 22202-3940

SUBJECT: USCENTCOM's Response to SIGAR I-022 Draft Report: "14.7 Million Warehouse Facility at Kandahar Airfield: Construction Delays Prevented the Facility from Being Used as Intended"

1. Thank you for the opportunity to review the report. We've read the report in its entirety and concur that the facility was well built and delivered after the required delivery date.
2. To fully determine who made the decision and the reasons why, between August and November 2013, USACE modified its contract with Arkel International seven times, with six of those modifications adding a total of more than \$400,000 to the contract price. USFOR-A will need to investigate further. The time period of ninety days may not be sufficient for USFOR-A to conduct an investigation that involves personnel no longer in Afghanistan, and perhaps the U.S. Government.
3. Please direct any questions to me at DSN [REDACTED] or email [REDACTED]

A handwritten signature in black ink, appearing to read "SA Petersen", is positioned above the typed name.

Scott A. Petersen
Colonel, U.S. Army
CCJ4-E Engineer Division Chief
USCENTCOM

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APPENDIX III - COMMENTS FROM U.S. FORCES-AFGHANISTAN

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HEADQUARTERS
UNITED STATES FORCES-AFGHANISTAN
BAGRAM, AFGHANISTAN
APO AE 09354

USFOR-A Audits PM

17 Jun 15

MEMORANDUM FOR Special Inspector General for Afghanistan Reconstruction, 2530 Crystal Drive, Arlington, VA 22202-3940

SUBJECT: USFOR-A's Response to SIGAR I-022 Draft Report, "\$14.7 Million Warehouse Facility at Kandahar Airfield: Construction Delays Prevented the Facility from Being Used as Intended"

1. Thank you for providing USFOR-A the opportunity to review and comment on subject draft report. We have reviewed the document in its entirety, and we have no comment.
2. If you have questions, please feel free to contact me at DSN [REDACTED] or email [REDACTED].

PATRICK W. DAVIS
Colonel, USAF
Audits Program Manager
United States Forces-Afghanistan

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APPENDIX IV - ACKNOWLEDGMENTS

Brian Flynn, Senior Inspections Manager

Angelina Johnston, Senior Auditor

William Shimp, Senior Auditor

Ronald Snyder, P.E., Engineer

Zaki Aziz Rahman, Engineer

Hasibullah Zeer, Program Analyst

This inspection was conducted
under project code SIGAR-I-022.

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The mission of the Special Inspector General for Afghanistan Reconstruction (SIGAR) is to enhance oversight of programs for the reconstruction of Afghanistan by conducting independent and objective audits, inspections, and investigations on the use of taxpayer dollars and related funds. SIGAR works to provide accurate and balanced information, evaluations, analysis, and recommendations to help the U.S. Congress, U.S. agencies, and other decision-makers to make informed oversight, policy, and funding decisions to:

- improve effectiveness of the overall reconstruction strategy and its component programs;
- improve management and accountability over funds administered by U.S. and Afghan agencies and their contractors;
- improve contracting and contract management processes;
- prevent fraud, waste, and abuse; and
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