

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOHN EAKIN,)

Plaintiff,)

v.)

Civil Case No. 5:16-972

UNITED STATES)

DEPARTMENT OF DEFENSE,)

Defendant.)
_____)

DECLARATION OF KEVIN L. WEST

I, Kevin L. West, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am currently a Program Analyst in the Information and Technology Directorate for the Defense POW/MIA Accounting Agency (DPAA), and have been in that position since October 2020. I served as Contracting Officer Representative (COR) for the Digitization Contract from September 2019 to October 2020. As the COR for the Digitization Contract I was responsible for supporting the contract administration.

2. The statements contained in this declaration are based on my personal knowledge and Department of Defense (DoD) records and information made available to me in my official capacity.

Contracts to Digitize Individual Deceased Personnel Files

3. U.S. Army Contracting Command entered into a contract on behalf of the Defense Prisoner of War/Missing Personnel Office (DPMO), a predecessor organization of DPAA, with

Lockheed Martin Integrated Systems, Inc. (Lockheed) on August 27, 2012, to scan approximately 400,000 Individual Deceased Personnel Files (IDPFs). The contract required Lockheed to produce digital files in in “two formats, a high resolution non-compressed archival version and a single Adobe Portable Format (.pdf).” The period of performance included a base year (August 24, 2012, to August 23, 2013), with two option years (Option 1: August 24, 2013, to August 23, 2014; Option 2: August 24, 2014, to August 23, 2015), and an option to extend the contract for an additional six months. DPMO exercised both option years and the six month extension. Issues largely to do with consistent staffing, quality control, and meeting productivity targets, led to underperformance of this contract.

4. On September 27, 2017, Department of Health and Human Services (DHHS) entered into a contract on behalf of DPAA with Na Ali’i Consulting & Sales, LLC (Na Ali’i). The contract required Na Ali’i to “perform document management, data conversion, and indexing services for records known as Individual Deceased Personnel Files (IDPFs).” The period of performance included a base year (September 30, 2017, to September 29, 2018), with three option years (Option 1: September 30, 2018, to September 29, 2019; Option 2: September 30, 2019, to September 29, 2020; Option 3: September 30, 2020, to September 29, 2021). DPAA only exercised the first option year due to DHHS informing DoD that it was no longer authorized to administer contracts on behalf of DoD.

5. On September 30, 2019, Washington Headquarters Service – Acquisition Directorate (WHS) entered into a contract on behalf of DPAA with Na Ali’i to provide records digitization services, including digitization of IDPFs. The contract was awarded by WHS for a one-year period of performance (September 30, 2019, to September 29, 2020) with no option years.

6. On September 30, 2020, WHS entered into a second contract on behalf of DPAA with Na Ali'i to provide records digitization services, including the digitization of IDPFs. The period of performance included a base period (September 30, 2020, to February 28, 2021), with an additional five month option period (March 1, 2021, to July 29, 2021).

7. As of December 2019, Na Ali'i had completed the digitization of 80,420 IDPFs, which marked the halfway point of the digitization effort for the IDPFs with the last name beginning with the letter "M" through the letter "Z". As of November 30, 2020, Na Ali'i is scanning IDPFs for deceased service members with a last name beginning with the letter "W", and anticipates completing the digitization of the IDPFs by the end of April 2021, absent any unforeseen delay. As an example of possible unforeseen delays, one of the contractor employees performing the digitization work recently tested positive for COVID-19. As that contractor employee was in contact with others on the team, one shift (afternoon) was required to quarantine and only the morning shift was authorized to work for a two week period. DPAA anticipates Na Ali'i will be back at full strength by the week of November 30, 2020, after all have completed medical screening/testing and fulfilled quarantine requirements.

Optical Character Recognition Technology

8. The current and previous two contracts required Na Ali'i to enable and use optical character recognition (OCR) software tools to locate and index and ensure the "digital copy constitutes a fair, accurate, and machine-readable version of each digitized content, to the extent possible." This requires the conversion of images into machine-encoded text that allows the document to be edited and searched using compatible programs and software. This contract does not require Na Ali'i to produce scanned images in a searchable portable document format (pdf), rather the scanned documents must be machine-readable. This means the documents are able to

be converted to searchable .pdfs using compatible programs and software. Although machine readable versions provide some advantages in researching historical documents like IDPFs, it is not without limitations. A number of factors contribute to decreased accuracy during the conversion process, including image quality, font type and size, and whether the image is handwritten or typed. IDPFs are routinely comprised of older documents that are in poor quality, on problematic source media/paper types, blurred copied fonts, handwritten, or contain images that are unrecognizable during the OCR process. For these reasons, IDPFs that have been processed with OCR software only provide minor benefits to DPAA researchers and analysts.

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Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed this 30th day of November, 2020.

Kevin L. West
Program Analyst
Former Contracting Officer's Representative for the
Digitization Contract
Defense POW/MIA Accounting Agency