HENRY A. WAXMAN, CALIFORNIA
CHAIRMAN

TOM DAVIS, VIRGINIA
RANKING MINORITY MEMBER

ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515–6143

Majority (202) 225–5051
Minority (202) 225–5074

January 19, 2007

Mr. Erik Prince
Chairman
Blackwater USA
850 Puddin Ridge Road
Moyock, NC 27959

Dear Mr. Prince:

The Committee on Oversight and Government Reform is conducting an investigation into various aspects of the work of government contractors in Iraq, including their role in Iraq reconstruction activities. As part of this investigation, the Committee plans to hold a hearing on February 7, 2007, and you have been invited to testify. In order to assist the Committee with its investigation, I am writing to request that Blackwater and any affiliated entities produce documents to the Committee.[1]

This is not the first document request to Blackwater. On June 13, 2006, Chris Taylor, Vice President of Blackwater USA, testified before the Subcommittee on National Security, Emerging Threats, and International Relations, that the company paid employees $600 per day, but billed $815 per day for those employee services. Mr. Taylor testified that this 36% markup was not all profit, but included numerous other costs, such as travel, training, gear, housing, and food. After that hearing, however, Committee staff obtained a copy of Blackwater's subcontract for security services with Regency Hotel & Hospitality Company. This document suggests that Blackwater in fact was being reimbursed separately for some of these expenses, which would appear to conflict with Mr. Taylor's testimony.

At the previous hearing, Mr. Taylor was asked to provide copies of the company's contracts and subcontracts, as well as billing records and other documentation to support his testimony. The former Subcommittee Chairman indicated that this was a mandatory

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[1] "Blackwater" refers to Blackwater USA, Blackwater Security Consulting, and any subsidiaries or affiliated companies, including but not limited to Blackwater Training Center, Blackwater Target Systems, Blackwater Canine, Raven Development Group, Aviation Worldwide Services, and Greystone Ltd.

requirement. Yet to date Blackwater has not provided a single contract document to the Committee.

In preparation for the Committee's February 7 hearing, we hereby renew our request for documents relating to Blackwater's work in Iraq. Specifically, we request that Blackwater produce the following information for the time period from January 1, 2003 to the present:

1. All contracts and subcontracts, invoices, and payment records relating to Blackwater's activities in Iraq, whether classified or unclassified;

2. All documents relating to the costs and profits associated with the $815 per employee per day charge referenced in Mr. Taylor's testimony before the Subcommittee on July 13, 2006;

3. All contracts and subcontracts, invoices, and payment records, whether classified or unclassified, relating to business activities with the following companies or their subsidiaries or affiliated companies: (a) ESS Support Services Worldwide / Compass Group, PLC; (b) Regency Hotel & Hospitality Company; (c) Halliburton / Kellogg, Brown & Root (KBR); or (d) the Fluor Corporation;

4. All correspondence between Blackwater and the companies listed in (3), above, relating to Blackwater's contracts or subcontracts for security-related activities in Iraq;

5. All documents describing Blackwater policies or practices relating to security-related activities in Iraq;

6. All internal Blackwater correspondence relating to (a) the drafting, negotiation, or execution of contracts or subcontracts for security-related activities in Iraq; (b) Blackwater policies or practices relating to security-related activities in Iraq; or (c) concerns raised by employees or independent contractors about such contracts, subcontracts, policies, practices, or activities;

7. A list of all Blackwater employees or affiliated independent contractors who were involved with contracts or subcontracts relating to Iraq, or who were assigned to conduct activities in or relating to Iraq, including each employee or independent contractor's title, job description, and the specific contracts or subcontracts on which the individual worked; and

8. For each employee or affiliated independent contractor identified in (7), above, all employment or contract agreements, payroll records, and work orders or assignment records relating to that individual.

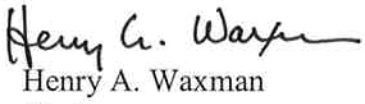
In order to have these documents available for use at the February 7 hearing, we request that you produce them on or before **Friday, January 26, 2007.** To facilitate potential future document requests, we also ask that Blackwater preserve all documents relating to Blackwater's activities in Iraq, its interactions with the companies listed in (3), above, or any of the employees identified in your response to (7), above.

In addition to this document request, we also request that you provide a briefing on all contracts and subcontracts involving any of the companies listed in (3), above, on or before **Friday, January 26, 2007**.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives. The oversight jurisdiction of the Committee is set forth in House Rule X, clauses 1(m), 2, 3(i), and 4(c). An attachment to this letter provides additional information about how to respond to the Committee's request.

If you have any questions regarding this request, please contact David Rapallo or Theodore Chuang with the Committee staff at (202) 225-5420.

Sincerely,



Henry A. Waxman
Chairman

Enclosure

cc: Tom Davis
Ranking Minority Member

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Responding to Oversight Committee Document Requests

In responding to the document request from the Committee on Oversight and Government Reform, please apply the instructions and definitions set forth below.

Instructions

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Records, documents, data, or information called for by this request should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.

2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.

3. Each document produced should be produced in a form that renders the document capable of being copied.

4. When you produce documents, you should identify to which paragraph in the Committee's request the documents respond.

5. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.

6. Each folder and box should be numbered, and a description of the contents of each folder and box, including the request number to which the documents are responsive, should be provided in an accompanying index.

7. It is not a proper basis to refuse to produce a document that any other person or entity also possesses a non-identical or identical copy of the same document.

8. If any of the requested information is stored in machine-readable or electronic form (such as on a computer server, hard drive, CD, DVD, memory stick, or computer backup tape), you should consult with Committee staff to determine the appropriate format in which to produce the information.

9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.

10. In the event that a responsive document is withheld on any basis, you should provide the following information concerning the document: (a) the reason the document is not being produced; (b) the type of document; (c) the general subject matter; (d) the date, author, and addressee; and (e) the relationship of the author and addressee to each other.

11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.

12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.

13. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.

14. All documents should be bates-stamped sequentially and produced sequentially.

15. Two sets of documents should be delivered, one set to the majority staff and one set to the minority staff. When documents are produced to the Committee, one production set should be delivered to the majority staff in Room 2157 of the Rayburn House Office Building and one to the minority staff in Room B350A in the Rayburn House Office Building.

Definitions

1. The term "document" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices,

confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.

2. The term "communication" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, mail, telexes, discussions, releases, personal delivery, or otherwise.

3. The terms "and" and "or" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request? any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.

4. The terms "person" or "persons" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.

5. The terms "referring or relating," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.