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ONE HUNDRED TENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

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MAJORITY (202) 225-5051  
FACSIMILE (202) 225-4784  
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October 19, 2007

The Honorable Robert M. Gates  
Secretary  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301

Dear Mr. Secretary:

I am writing to request additional information from the Defense Department relating to the Committee's ongoing investigation into the work of Blackwater USA in Iraq and Afghanistan.

First, I request information regarding an incident that occurred on December 24, 2006, in which a Blackwater official shot and killed a security guard for the Vice President of Iraq. The Committee has been informed that the U.S. Army Criminal Investigation Command may have investigated this incident. On March 31, 2007, I requested from the Department documents relating to all incidents involving private security contractors in Iraq and Afghanistan. On September 11, 2007, I renewed the Committee's request for documents on this particular incident and also requested a briefing. To date, the Committee has received no information from the Defense Department relating to this incident.

I again renew the Committee's request for documents and a briefing relating to the December 24, 2006, incident. In addition, I ask that the Department make the following individuals available for transcribed interviews:

- a. Larry L. Turso, Special Agent, U.S. Army CID; and
- b. Gregory Davis, U.S. Air Force, formerly Director of Security in within Baghdad's International Zone.

Second, I request information about the recent incident involving Blackwater on September 16, 2007, in Baghdad's Nisour Square, which reportedly resulted in a military investigation. According to recent press reports, U.S. military reports indicate that Blackwater guards opened fire without provocation and used excessive force against Iraqi civilians, in some

cases firing on Iraqi vehicles that were trying to flee the scene.<sup>1</sup> According to the press accounts, the military reports relied in part on U.S. military personnel who were imbedded with the Iraqi police in the vicinity of Nisour Square at the time of the incident, as well as photographic evidence taken at the scene of the violence and other photographs taken from an aerial drone shortly after the incident.<sup>2</sup>

I request all documents relating to the September 16, 2007 incident and the investigation into the incident, including:

- a. All documents pertaining to the statements from eyewitnesses or video footage of the incident, which U.S. soldiers have reportedly reviewed;
- b. All documents pertaining to members of a U.S. unit working with Iraqi police who were present in the area at the time of the shootings; and
- c. All documents pertaining to U.S. soldiers who helped ferry victims to hospitals.

Third, I request information about an incident involving a 2006 traffic accident in Baghdad. According to a recent press report, a Blackwater vehicle collided with an Army Humvee within the Green Zone, after which the Blackwater personnel reportedly drew their weapons on the U.S. soldiers, disarmed them, and “made them lie on the ground at gunpoint until they could disentangle the SUV.”<sup>3</sup> According to the press account, a follow-up investigation was conducted by the Army. I request all documents relating to this incident.

Finally, in the Committee’s March 31, 2007, letter to the Department, I requested copies of all “[i]ncident reports, investigative reports, and all other documents relating to complaints or allegations of misconduct.”<sup>4</sup> In response, the Defense Department has provided only a classified spreadsheet.<sup>5</sup> In light of recent events in Iraq, I renew my request for incident reports involving private military contractors and specifically request incident reports and investigative reports relating to shooting incidents involving private military contractors operating in Iraq to the

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<sup>1</sup> *Blackwater Faulted in Military Reports from Shooting Scene*, Washington Post (Oct. 5, 2007).

<sup>2</sup> *Blackwater Guards Fired at Fleeing Cars, Soldiers Say*, Washington Post (Oct. 12, 2007).

<sup>3</sup> *Blackwater is Soaked: An Arrogant Attitude only Adds Fuel to the Criticism*, Newsweek (Oct. 15, 2007).

<sup>4</sup> Letter from Henry A. Waxman, Chairman to Secretary of Defense Donald Rumsfeld (Mar. 31, 2007).

<sup>5</sup> Letter from Robert L. Wilkie, Assistant Secretary of Defense for Legislative Affairs to Henry A. Waxman, Chairman (Sept. 19, 2007).

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present date. I also request that you direct your staff to work with Committee staff to determine what information may be disclosed on an unclassified basis.

I ask that you provide the documents, briefings, and interviews requested in this letter no later than Friday, November 2, 2007. All presently unclassified documents should be produced directly to the Committee without delay. If any responsive documents are presently classified, please contact Committee staff to arrange for prompt delivery under appropriate procedures.

The Committee on Oversight and Government Reform is the principal oversight committee in the House of Representatives and has broad oversight jurisdiction as set forth in House Rule X. Enclosed with this letter are additional instructions on how to respond to the Committee's document request.

If you have any questions and to schedule the requested interviews, please contact Theodore Chuang or Christopher Davis of the Committee staff at (202) 225-5420.

Sincerely,

A handwritten signature in black ink, reading "Henry A. Waxman". The signature is written in a cursive, flowing style.

Henry A. Waxman  
Chairman

Enclosures

cc: Tom Davis  
Ranking Minority Member