

# **EXHIBIT 13**

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United States Central Command J6-RDF (FOIA)

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**Email:** centcom.macdill.centcom-hq.mbx.freedom-of-information-act@mail.mil

Re: Freedom of Information Act

To Whom It May Concern,

My firm represents over 380 American veterans, civilians, and their families in connection with deaths and injuries caused by terrorists in Afghanistan. On behalf of our clients, we filed a lawsuit against several U.S. and international contractors, alleging that they made protection payments to terrorists who killed or wounded thousands of Americans in Afghanistan. *See Cabrera et al v. Black & Veatch Special Projects Corporation et al*, Case No. 1:19-cv-03833 (D.D.C.). As part of our investigation of these allegations, and on behalf of our clients who have made great sacrifices in connection with America's involvement in Afghanistan, we submit this request under the Freedom of Information Act, 5 U.S.C. §§ 552, et seq. ("FOIA") for copies of the records described below.

## **Background**

In 2009, the Senate Armed Services Committee initiated an inquiry into private security contractors operating in Afghanistan. In the course of the inquiry, the Committee reviewed hundreds of thousands of pages of documents from the **Department of Defense** and several other government agencies. On September 28, 2010 the Committee published its report: *Inquiry Into The Role & Oversight Of Private Security Contractors In Afghanistan* ("Contractors Report"). The Report is available at [https://fas.org/irp/congress/2010\\_rpt/sasc-psc.pdf](https://fas.org/irp/congress/2010_rpt/sasc-psc.pdf).

## **Records Requested**

The following documents identified in the *Senate Contractors Report*:

- ISAF, Regional Command South, Stability Operations Information Center (SOIC-South), Kandahar Airfield, Kandahar City Municipality & Dand District, District Narrative Analysis (March 30, 2010). *Contractors Report* at 2 n.12.
- Memo from Chief of Contracting, RCC Fenty (September 23, 2008). *Contractors Report* at 3 n.15.
- MG Jeffrey Schloesser, Memorandum for the Record (August 31, 2008). *Contractors Report* at 6 n.24.
- Operation Aram Tander II Briefing (August 21, 2008). *Contractors Report* at 6 n.24.
- Army 15-6 investigation of casualties incurred in the August 21, 2008 raid in Shindand. *Contractors Report* at 6-7 n.29.
- Initial Sensitive Site Exploitation Report for Operation Commando Riot (August 26, 2008). *Contractors Report* at 7 n.35.
- Letter from Secretary of Defense Robert Gates to Chairman Carl Levin (Mar. 24, 2010). *Contractors Report* at 40 n.312.
- ISS-Safenet JV Proposal for Department of the Army, W91B4M-09-T-7000. *Contractors Report* at 40 n.317.
- DOD, Office of Assistant Deputy Under Secretary of Defense (Program Support), Performance by Private Security Contractors of Certain Functions in an Area of Combat Operations (Apr. 5, 2010). *Contractors Report* at 54 n.427.
- Department of the Army, HQDA EXORD 048-10: Pre-Deployment Training For Contracting Officer's Representative (COR) Candidates and Commander's Emergency Response Program (CERP) Personnel (Dec. 5, 2009). *Contractors Report* at 55 n. 433.
- Modification to USCENTCOM Civilian & Contractor Arming Policy & Delegation of Authority for Iraq & Afghanistan (Nov. 7, 2006). *Contractors Report* at 57 n.440.
- Joint Contracting Command-Iraq/Afghanistan (JCC-I/A), Acquisition Instruction (May 1, 2007). *Contractors Report* at 57 n.442.
- EODT Volume I Technical Proposal, Adraskan National Training Center (NTC) Security, Herat, Afghanistan, W91B4M-08-R-0001 (Nov. 2007). 2 *Contractors Report* at 70 n.549.
- Armor Group, Interim Incident Report (August 2008). *Contractors Report* at 7 n. 32.
- Armor Group Daily Situation Report (December 12, 2007). *Contractors Report* at 15 n. 105.
- Armor Group Daily Situation Report (January 19, 2008). *Contractors Report* at 19 n. 146.

Please search for responsive records regardless of format, medium, or physical characteristics. Where possible, **please produce records electronically in PDF format.** We seek records of any kind,

including electronic records, audiotapes, videotapes, and photographs. Our request includes any letters, emails, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, discussions, and any attachments to such records. If any of this information is currently classified or restricted distribution, we ask that you submit the records for declassification in accordance with Executive Order 13526, and all other relevant regulations, policies and orders governing declassification of documents.

For any responsive records, or portions of records, you deem covered by any applicable FOIA exemption, 5 U.S.C. § 552(b) prescribes the appropriate process: “[a]ny reasonably segregable portion of a record shall be provided...after deletion of the portions which are exempt under this subsection. The amount of information deleted, and the exemption under which the deletion is made, shall be indicated on the released portion of the record, unless including that indication would harm an interest protected by the exemption in this subsection under which the deletion is made. If technically feasible, the amount of the information deleted, and the exemption under which the deletion is made, shall be indicated at the place in the record where such deletion is made.”

I am willing to pay fees for this request up to a maximum of \$250. If the fees for this request exceed that amount, please inform me first. If it expedites the agency’s release of the requested documents, I am willing to accept disclosure on an interim, rolling basis as they become available. Please do not wait for all of the agency’s relevant systems of record to be searched, or all of its relevant records to be processed.

To discuss any aspect of this request, please contact my associate, Devin Ringger, at (202) 303-1463, or via email at [dringger@willkie.com](mailto:dringger@willkie.com). Pursuant to 32 eCFR §286.5(c) my preference is to receive these records in their original native electronic format, and if that is not available, in PDF image format (one image per record, in color as applicable) through my email address. If the records prove too large to attach via email, my colleagues or I can provide a secure FTP link in which to upload the records.

Sincerely,

/s/ Michael J. Gottlieb