

EXHIBIT 20

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May 1, 2020

United States Central Command J6-RDF (FOIA)
7115 South Boundary Boulevard
MacDill AFB, FL 33621-5101
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

On July 23, 2009, the State Department in Kabul sent the attached diplomatic cable entitled "Using Connection Technologies to Promote US Strategic Interests in Afghanistan: Mobile Banking, Telecommunications Insurance, and Co-Location of Cell Phone Towers," Cable No. 09KABUL2020_a (the "July 23 cable").

Records Requested

- Any and all information or documentation (correspondence, memoranda, draft agreements, presentations, e-mails, transcripts and summaries from meetings, calendar invitations, etc.) relating to the July 23 cable.

- Documents relating to meetings between United States Special Representative for Afghanistan and Pakistan (SRAP) Special Advisor Ashley Bommer, SRAP staffer Jared Cohen, and US Forces-Afghanistan (USFOA-A) officials and mobile service providers (MSPs) from July 8 to July 11, 2009, to discuss placing telecommunications towers on US Military's Forward Operating Bases or other installations.
- Any proposed draft agreements relating to the aforementioned July 2009 meeting that proposed that USFOR-A would erect or host towers for Roshan Telecommunications Company, or any other telecommunications company.
- Any communications related to the aforementioned July 2009 meeting, including any e-mails, correspondence, or calendar invitations to Mobile Telecommunications Network (MTN) or MTN Afghanistan, as well as any responses received from any MTN employee or entity. These communications may have included participants named "Emboff," "Ambassador Wayne," and/or "Minister Sangin."
- In addition, any and all information or documentation (correspondence, memoranda, draft agreements, presentations, e-mails, transcripts and summaries from meetings, calendar invitations, etc.) relating to offers to build, house, host, or assist in the protection of mobile phone towers or other cell or mobile phone related infrastructure on secure locations, forward operating bases (FOBs), coalition forces' installations, other U.S. Government owned or operated property, or Afghan government secured bases in Afghanistan in connection with the mobile telecommunications company, "Mobile Telecommunications Network Afghanistan" or "MTN Afghanistan" or "MTN".

Search terms that may help locate any of the above requested documents include, but are not limited to: **"mobile phone towers;" "secure locations;" "forward operating bases" or "FOBs;" "coalition forces' installations;" "Afghan government secured bases;" "Mobile Telecommunications Network" or "MTN;" "mobile service providers" or "MSPs;" "telecommunications towers;" "Roshan tower;" "Helmand tower;" "Overseas Private Investment Corporation" or "OPIC;" "Fitrat meeting" or "meeting w/3 Fitrat;" "insurgent attacks;" "co-location memorandum of understanding" or "co-location MOU; "USFOR-A;" "Ashley Bommer;" "Jared Cohen;" and "Emboff."**

The relevant date range for this request is **January 1, 2006 through December 31, 2019.**

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

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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. 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/ Nicholas Reddick

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USING CONNECTION TECHNOLOGIES TO PROMOTE US STRATEGIC INTERESTS IN AFGHANISTAN: MOBILE BANKING, TELECOMMUNICATIONS INSURANCE, AND CO-LOCATION OF CELL PHONE TOWERS

Date: 2009 July 23, 11:21 (Thursday)
Original Classification: UNCLASSIFIED, FOR OFFICIAL USE ONLY
Handling Restrictions: -- Not Assigned --
Executive Order: -- Not Assigned --
Canonical ID: 09KABUL2020_a
Current Classification: UNCLASSIFIED, FOR OFFICIAL USE ONLY
Character Count: 14179
Locator: TEXT ONLINE
Concepts: -- Not Assigned -- (/plusd/?q=&qfconcept=-+Not+Assigned+---#result)
TAGS: AF - Afghanistan (/plusd/?q=&qftags=AF#result) | ECIN - Economic Affairs--Economic Integration and Collaboration (/plusd/?q=&qftags=ECIN#result) | ECPS - Economic Affairs--Communications and Postal Systems (/plusd/?q=&qftags=ECPS#result) | EFIN - Economic Affairs--Financial and Monetary Affairs (/plusd/?q=&qftags=EFIN#result) | EINV - Economic Affairs--Investments; Foreign Investments (/plusd/?q=&qftags=EINV#result) | ETRD - Economic Affairs--Foreign Trade (/plusd/?q=&qftags=ETRD#result)
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Markings: -- Not Assigned --

1. (SBU) SUMMARY: In a series of meetings from July 8-12, Ambassador Wayne, Coordinating Director for Development and Economic Affairs, visiting SRAP Special Advisor Ashley Bommer, S/P staffer Jared Cohen, and Econoff met with officials from Roshan Telecommunications Company, Afghan Wireless Communications Company (AWCC), US Forces-Afghanistan's strategic communications staff, Da Afghanistan Bank (the central bank), and the Ministry of Communications and Information Technology (MCIT) to discuss three innovative proposals for telecommunications development: a) mobile phone banking; b) an insurance scheme for mobile service providers (MSPs); c) and placement of mobile phone towers and other infrastructure on secure locations like Forward Operating Bases (FOBs), other coalition forces' installations, and Afghan government secured bases. Government of the Islamic Republic of Afghanistan (GIROA) officials were largely supportive of these proposals, but

noted some potential concerns including MSP reliability, lack of an information communication technology LAN, and insurgent threats to MSP employees outside of secure bases. Roshan, the largest mobile service provider with a claimed 40% market share, enthusiastically supports these proposals and is poised to develop agreements with the USG and GIROA in order to begin implementation. Embassy supports development of all these new communications technologies and will work to bring all key GIROA stakeholders into discussions. The visitors from SRAP and S/P have been working hard and well to make progress on these issues. END SUMMARY.

Mobile Banking: Bringing Modern
Banking to Rural Communities

2. (SBU) BACKGROUND: Mobile banking is progressing rapidly in Afghanistan where the large majority of the population remains unbanked. In mobile banking, customers can transfer money using SMS communication. Recipients then collect payments through certified mobile banking agents (refitel). Roshan, so far the only provider, has 50,000 customers to date in its now eight-month old M-Paisa program. USAID is partnering with Roshan to support a mobile banking pilot program where microfinance institutions can partner with Roshan agents to collect microfinance loan payments. Currently there are only 300 commercial bank branches and 150 microfinance institution branches in all of Afghanistan. Most of these branches are located in provincial capitals. Marrying mobile banking and microfinance loan payments offers hope for reducing the cost of delivering financial services in Afghanistan and reaching underserved rural populations where the construction of a brick and mortar branch is cost prohibitive.

3. (SBU) Roshan currently has a pilot project with the Ministry of Interior to issue salary payments using M-Paisa to Afghan National Police in Wardak province. Roshan officials told Econoff that they have received numerous requests from other GIROA agencies for pilot salary dispersal programs. Roshan said the Ministry of Energy and Water is interested in developing a system for paying energy bills using M-Paisa. US Forces-Afghanistan (USFOR-A) is interested in using mobile banking for salary payments to contractors. Despite this enthusiastic response, Roshan complains that the central bank is inhibiting M-Paisa expansion by arbitrarily limiting the number of M-Paisa agents to 500 and only authorizing one pilot program at a time with GIROA agencies.

4. (SBU) In a July 12 meeting with Ambassador Wayne, S/P's Cohen, USAID, and Roshan officials, and Da Afghanistan Bank (DAB) Governor

Fitrat expressed strong support for mobile banking programs, but the Governor cautioned that such nonconventional banking programs carry a risk that funds will flow into the hands of insurgent or criminal groups. Fitrat noted that his main concern is the accountability and security of the system of agents and of the user registration system, since SIM cards are sold indiscriminately. Roshan and USAID explained that mobile banking agents are carefully vetted. Roshan

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said they use established businesses and require their agents to have a float of 12,500-100,000 Afghanis (about 250 USD to 2,000 USD) depending on the region in order to ensure that customers will be able to withdraw money as needed. Roshan also said that they require M-Paisa customers to register for the service with government-issued identification, and there can only be one M-Paisa account per ID number.

5. (SBU) Governor Fitrat appeared increasingly reassured by the security features of the M-Paisa service. In an important concession, Fitrat said that MSPs would be allowed to use banks, microfinance institutions, and the newly-licensed "hawala" network in addition to the 500-1,000 agents that DAB regulations allow each MSP. Fitrat also agreed to facilitate a meeting between financial institutions and mobile service providers to discuss their future collaboration. Governor Fitrat said that though Roshan is the most responsible actor in telecommunications in terms of security and accountability, the other MSPs are not as reliable. Fitrat stated that he intends to implement a "friendly" regulatory framework for mobile banking in order to minimize fallout associated with larger scale implementation as Roshan expands into the market and other MSPs offer the service. Fitrat is keen to review the Kenyan central bank's recent mobile banking regulations as an example for Afghanistan and was also examining relevant Philippine regulations.

6. (SBU) Minister of Communications and Information Technology Amirzai Sangin told Ambassador Wayne and S/P's Cohen on July 12 that though the Ministry strongly supports mobile banking, GIROA needs an information communication technology law that would institute a legal framework for SMS communications. (NOTE: The current telecommunications law only covers voice communications and basic data services. END NOTE). MCIT has drafted an ICT law and is waiting for the Ministry of Justice to give final approval before it goes to the full cabinet and then Parliament. Additionally, Minister Sangin noted that Afghanistan does not have an encryption or digital signature system (Afghanistan currently used VeriSign),

which could make mobile banking customers vulnerable to fraud.

Insuring Cell Phone Infrastructure:
Critical Stakeholders Moving Forward

7. (SBU) BACKGROUND: Since February 2008 wireless providers have suffered losses in revenue and equipment due to attacks on cell towers primarily in the South. Recently, insurgents destroyed a Roshan tower in Helmand. On average, such a loss costs the provider \$200,000 per tower. The Overseas Private Investment Corporation (OPIC) and the MSPs, particularly Roshan, have discussed setting up a facility to provide insurance for operators against insurgent attacks on cell phone towers. Since insurgents demand that MSPs power down towers at night in Helmand and Kandahar provinces or suffer attacks, the MSPs believe an insurance scheme will mitigate their risk in investing further in infrastructure in the South and incentivize them to keep towers operating when faced with insurgent threats. Keeping cell phone towers operating at all times will give rural populations access to this important communication network and erode the Taliban's power to intimidate rural communities. The companies are lobbying heavily and have enlisted OPIC and USG support in developing the insurance program. SRAP's Bommer and S/P's Cohen have been working very hard to address this issue.

8. (SBU) The MSPs say they need seed money to set up the insurance facility and they have identified the Telecom Development Fund (TDF) as the best source. The TDF is controlled by the Afghanistan Telecommunications Regulatory Agency (ATRA) by law and is supposed to support the expansion of rural telecom access. Currently, wireless providers pay a monthly 2.5% revenue tax to support the TDF, and it is estimated that the TDF currently has \$18-25 million. To date, MCIT has not spent any of these funds for the purpose of telecom development. The mobile telecom providers led by Roshan aim

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to gain control of part or all of this fund for the insurance scheme.

9. (SBU) In prior meetings, MCIT and ATRA were reluctant to allow the companies to use the TDF without Presidential or Parliamentary intervention. However, on July 12, Minister Sangin told Ambassador Wayne that he supports the insurance scheme and that MCIT and ATRA agree in principle to allow the MSPs to use some of the TDF as a no-interest loan for seed money for the insurance pool. Minister

Sangin noted that the TDF law stipulates that ATRA has the authority to change the amount of the revenue tax paid into the TDF. Furthermore, MCIT and ATRA agree in principle to reduce the TDF revenue tax to 2.0% with the other 0.5% to go into the insurance pool. They also stated that the MSPs could repay the TDF loan as the insurance pool grows and did not specify any time frame by which the MSPs were required to repay the loan.

10. (SBU) Though ATRA Chairman Zakaria Hassan appeared more supportive than in prior discussions, he cautioned that the companies want to take out more money from the TDF than ATRA is willing to allow. Hassan also said that ATRA, MCIT and the MSPs need to work out an agreement to administer the insurance pool. Sangin noted that there are few insurance companies in Afghanistan and that the largest, the Insurance Company of Afghanistan (ICA), has little capacity to work in such a high revenue sector as telecommunications. Ambassador Wayne countered that we could explore what USG resources could be brought to bear to provide capacity-building training for ICA. In the meantime, ATRA has promised to consult the MSPs and make a final decision in the coming weeks. Roshan is working on drafting a memorandum of understanding (MOU) between GIROA, the OPIC, an as-yet unnamed insurance company, and the four MSPs.

Using Secure Locations
For Cell Phone Towers

11. (SBU) From July 8-11, SRAP Special Advisor Ashley Bommer and S/P staffer Jared Cohen met with US Forces-Afghanistan (USFOR-A) officials and the mobile service providers to discuss the possibility of placing telecommunications towers on US Military's Forward Operating Bases (FOBs) or other secure locations. Roshan is keen to develop this partnership with the USG and sees it as a way to promote mutual security, communications, and commercial strategies for Afghanistan. At present, Roshan and USFOR-A are drafting an MOU for the co-location agreement. Under the proposed draft agreement, USFOR-A would erect the towers and Roshan would lease space. USFOR-A would be responsible for providing electricity supply and Roshan would be responsible for providing the equipment. A percentage of the proceeds from the lease agreement would go to the local community where the towers are located and Roshan would work to eventually transfer ownership of the towers to the local community.

12. (SBU) Although Roshan officials told USG officials that they are ready to sign an agreement with USFOR-A, the other three MSPs have

demonstrated only mild interest. Afghan Wireless Communication Co (AWCC) was the only other provider represented at the meetings.

Though AWCC Managing Director Amin Ramin told Emboff that they were interested in the proposal, Ramin stopped short of agreeing to partner with the USG. Minister Sangin told Ambassador Wayne that he supports the concept but does not believe that building towers on secure locations will solve the threat issue because the insurgents do not threaten companies when they are building towers. He said companies face insurgent threats when they are transporting equipment and workers to cell tower sites. Sangin said an alternate plan would be to have movable cell towers in reserve as available replacements when insurgents attack cell towers.

13. (SBU) COMMENT: These three proposals together make an ambitious plan to promote stable and secure telecommunications using new

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"connection" technologies in Afghanistan. We support their development and advocate bringing all key Afghan government stakeholders to discussions. The Ministries of Interior and Defense have not so far been included in discussions about co-locating cell towers on secure locations but will need to be brought into the discussion. We are confident that the central bank will allow expansion of mobile banking in the near future. MCIT and ATRA's growing support for using the TDF for the insurance scheme is an encouraging development. However, since ATRA is independent from MCIT and the TDF is solely under ATRA's control, Sangin cannot compel ATRA to release the funds if ATRA still has reservations about the amount of money taken out of the TDF. If ATRA continues to raise opposition to rolling out the insurance scheme, overriding it would require high-level USG engagement to secure a presidential decree. END COMMENT

EIKENBERRY

References to this document in other cables

[09KABUL2962 \(/plusd/cables/09KABUL2962.html\)](#)

References in this document to other cables

[09KABUL268 \(/plusd/cables/09KABUL268.html\)](#)

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If the reference is ambiguous all possibilities are listed.

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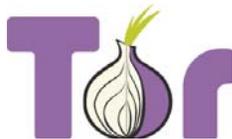
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Tails is a live operating system, that you can start on almost any computer from a DVD, USB stick, or SD card. It aims at preserving your privacy and anonymity. (<https://tails.boum.org/>)



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