

**Statement of Erik D. Prince**  
**Chairman and CEO, Blackwater**  
**For**  
**The House Committee on Oversight and Government Reform**  
**October 2, 2007**

Chairman Waxman, Congressman Davis, Members of the Committee, my name is Erik Prince and I am the Chairman and CEO of the Prince Group and Blackwater USA. Blackwater is a team of dedicated security professionals who provide training to America's military and law enforcement communities and risk their lives to protect Americans in harm's way overseas. Under the direction and oversight of the United States Government, Blackwater provides an opportunity for military and law enforcement veterans with a record of honorable service to continue their support to the United States. Words alone cannot express the respect I have for these men and women who volunteer to defend U.S. personnel, facilities, and diplomatic missions. I am proud to be here today to represent them.

After almost five years in active service as a U.S. Naval Special Warfare (SEAL) officer, I founded Blackwater in 1997. I wanted to offer the military and law enforcement communities assistance by providing expert instruction and world-class training venues. Ten years later, Blackwater trains approximately five hundred members of the United States military and law enforcement agencies each day.

After 9/11, when the U.S. began its stabilization efforts in Afghanistan and then Iraq, the United States Government called upon Blackwater to fill a need for protective services in hostile areas. Blackwater responded immediately. We are extremely proud of answering that call and supporting our country.

Private contractors have been a part of America's military and diplomatic history since its founding. Since the Revolutionary War, private contractors have supported our military by providing training, equipment, logistical support, and security. Some private contractors, such as the "Flying Tigers" of World War II, are iconic American success stories.

Blackwater personnel supporting our Country's overseas missions are all military and law enforcement veterans, many of whom have recent military deployments. No individual protected by Blackwater has ever been killed or seriously injured. There is no better evidence of the skill and dedication of these men. At the same time, thirty brave men have made the ultimate sacrifice while working for Blackwater and its affiliates. Numerous others have been wounded and permanently maimed. The entire Blackwater family mourns the loss of these brave lives. Our thoughts are with them and their families.

The areas of Iraq in which we operate are particularly dangerous and challenging. Blackwater personnel are subject to regular attacks by terrorists and other nefarious forces within Iraq. We are the targets of the same ruthless enemies that have killed more than 3,800 American military personnel and thousands of innocent Iraqis. Any incident where Americans are attacked serves as a reminder of the hostile environment in which our professionals work to keep American officials and dignitaries safe, including visiting Members of Congress. In doing so, more American service members are available to fight the enemy.

Last month, U.S. Ambassador to Iraq Ryan Crocker testified before the Senate Committee on Armed Services and addressed the vital role of Blackwater in Iraq:

The reality is, for example, on the security function, much of our security--most of our security is provided by contractors. It is overseen by diplomatic security officers--Foreign Service officers, but there is simply no way at all that the State Department's Bureau of Diplomatic Security could ever have enough full-time personnel to staff the security function in Iraq. There is no alternative except through contracts.

Ambassador Crocker further noted "the capability and courage of the individuals who provide security under contract," calling the job they do "worthy of respect of all Americans." We are honored to be so well regarded by the head of the mission we protect.

Blackwater shares the Committee's interest in ensuring the accountability and oversight of contractor personnel supporting U.S. operations. The company and its personnel are already accountable under and subject to numerous statutes, treaties, and regulations of the United States. We also support the clarification of the Military Extraterritorial Jurisdiction Act and other measures contained in legislation authored by Rep. David Price (D-NC). I am attaching to my statement a list of existing laws, regulations, and treaties that apply to contractors and their personnel. As an additional measure of accountability, Blackwater mandates that its security professionals required to have a security clearance must take the same oath to support and defend the Constitution as is required by law for personnel of our United States Government customers.

While existing laws and regulations provide a level of contractor accountability and oversight, Blackwater believes that more can and should be done to increase accountability, oversight and transparency. Blackwater looks forward to working with Congress and the Executive Branch to ensure that any necessary improvements to these laws and policies are implemented.

The Worldwide Personal Protection Services contract, which has been provided to this Committee, was competitively awarded and details almost every aspect of operations and contractor performance, including hiring and vetting guidelines, background checks, screening, training standards, rules of force, and conduct standards. All personnel working on Department of State contracts must receive a security clearance from the U.S. Government of at least a “secret” level. In Iraq, Blackwater reports to the Embassy’s Regional Security Officer, or RSO. All Blackwater movements and operations are directed by the RSO. In conjunction with internal company procedures and controls, the RSO ensures that Blackwater complies with all relevant contractual terms and conditions as well as any applicable laws and regulations. It is Blackwater’s goal not just to meet the standards of the contract, but rather to continuously exceed any such standards and to continuously improve its performance.

We have approximately 1,000 professionals serving today in Iraq as part of our nation’s total force. Blackwater does not engage in offensive or military missions, but performs only defensive security functions.

At this point, I would like to explain the incident of September 16, 2007 in Baghdad involving Blackwater. To put this incident into perspective and as the Department of State recently stated, in 2007 Blackwater has conducted 1,873 security details for diplomatic visits to the Red Zone—areas outside the Green Zone in Iraq—since January, 2007, and there have been only 56 incidents in which weapons were discharged, or less than three percent of movements. In 2006, Blackwater conducted over 6,500 diplomatic movements in the Red Zone. Weapons were discharged in less than one percent of those missions.

My understanding of the September 16 incident is that the Department of State is conducting a full investigation, but those results are not yet available. We should await the results of that investigation for a complete understanding of that event. This is my current understanding of the facts, which has to be considered incomplete at this time.

On Sunday, September 16, 2007, at approximately noon, a Blackwater team protecting an American government official had reached its destination when a very large vehicle-borne improvised explosive device, otherwise known as a car bomb, detonated in close proximity to their location. This team secured its principal and requested support for its evacuation. In support of the first group, a second Blackwater team of vehicles proceeded to an intersection approximately one mile away from the explosion site to secure a route of egress for the Blackwater convoy that was protecting the government official. As the vehicle team arrived at the intersection, they came under small-arms fire and notified the first team to proceed along a different route. The vehicle team still in the intersection continued to receive fire and some team members returned fire at threatening targets. Among the threats identified were men with AK-47s firing on the convoy, as well as approaching vehicles that appeared to be suicide car bombers. The Blackwater personnel attempted to exit the area but one of their vehicles was disabled by enemy fire. They were ultimately able to tow the armored truck out of the intersection and return to the International Zone. Some of those firing on this Blackwater team appeared to be wearing Iraqi National Police uniforms, or portions of such uniforms. As the withdrawal occurred, the Blackwater vehicles remained under fire from such personnel.

The only team to discharge weapons was the vehicle team that was fired upon in the intersection. Of the approximately twenty members of that team, only five members

discharged their weapons in response to the threat. Blackwater air assets did assist in directing the teams to safety, but contrary to some reports, no one in the helicopters discharged any weapons.

To the extent there was loss of innocent life, let me be clear that I consider that tragic. Every life, whether American or Iraqi, is precious. I stress to the Committee and to the American public, however, that based on everything we currently know, the Blackwater team acted appropriately while operating in a very complex war zone on September 16.

Despite the valiant missions our people conduct each day with great success, in this September 16 instance, Blackwater and its people have been the subject of negative and baseless allegations reported as truth. There has been a rush to judgment based on inaccurate information, and many public reports have wrongly pronounced Blackwater's guilt for the death of varying numbers of civilians. Congress should not accept these allegations as truth until it has the facts. It is one thing to debate the accountability issues related to a private security company providing services to the U.S. Government, but it is quite another to attack the very brave men and women who voluntarily risk their lives on the front-lines each day serving in a very difficult situation at the request of their country and in defense of human life.

I hope you will understand that during my testimony today I cannot discuss matters that might reveal sensitive operational security and technical information that could be utilized by our country's enemies in Iraq and Afghanistan. Such disclosure should be avoided in order to safeguard lives of Blackwater and Department of State

personnel. I will answer your questions with these restrictions in mind, and raise concerns as necessary.

I am prepared to answer your questions.

# Contractor Accountability

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## U.S. Constitution

## U.S. Statutes

### ▶ Uniform Code of Military Justice

“Art. 2. Persons subject to this chapter . . . .  
(a)(10) In time of declared war or a contingency operation, persons serving with or accompanying an armed force in the field.”

- ▶ Military Extraterritorial Jurisdiction Act (MEJA)
- ▶ USA Patriot Act
- ▶ Foreign Corrupt Practices Act
- ▶ Anti-Torture Statute
- ▶ War Crimes Act
- ▶ Victims of Trafficking & Violence Protection Act
- ▶ Defense Trade Controls Act
- ▶ Defense Base Act
- ▶ Arms Export Control Act
- ▶ National Firearms Act
- ▶ Gun Control Act
- ▶ Inspector General Act

## International Treaties

### ▶ Geneva Conventions

### ▶ Hague Convention IV

## U.S. Regulations

- ▶ International Traffic in Arms & Export Administration Regulations
- ▶ DFARS § 252.225-7040 “Contractors Supporting a Force Deployed for Contingency, Humanitarian, Peacekeeping or Combat Operations” (June 2005)
- ▶ DOD Instruction 3020.41 “Contractor Personnel Authorized to Accompany the U.S. Armed Forces” (October 2005)
- ▶ General Order No. 1A – United States Central Command, (amended Aug 03)
- ▶ General Order No. 1 - Multi-National Corps – Iraq, 12 February 2005
- ▶ General Order No. 1 - Combined/Joint Task Force (CJTF) 76 [Afghanistan], 15 May 2004

## Technical Assistance Agreements

(regulate defense services to foreign entities)