

U.S. HOUSE OF REPRESENTATIVES
Committee on Oversight and Government Reform
Wednesday, February 7, 2007
2154 Rayburn House Office Building
Washington, DC

**TESTIMONY OF KATHRYN HELVENSTON-WETTENGEL,
RHONDA TEAGUE, DONNA ZOVKO AND KRISTAL BATALONA**

We would like to start off by sincerely thanking the Committee for inviting each of the families of the four men who were killed in Fallujah, Iraq, while working for Blackwater Security Consulting, to this hearing. Although everyone remembers those images of the bodies being burnt, beaten, dragged through the streets and ultimately hung up from a bridge, we continue to re-live that horror day after day, as those men were our fathers, sons and husbands.

Following that horrific incident on March 31, 2004, we turned to Blackwater for answers. What we received was appalling. We were told that the information surrounding the circumstances in which our loved ones were killed was “confidential.” When we insisted on seeing the report concerning the incident, Blackwater told us that we would have to sue them to get it.

Having just lost some of the most important people in our lives, a lawsuit was the last thing on our mind. Instead, our focus was concentrated on finding out just what happened. However, the people in the best position to tell us what happened refused to do so. It was not as if Blackwater claimed that it did not know what happened, but instead Blackwater concealed the information from us that we needed so desperately to understand why our loved ones were dead. Imagine having the person so near and dear to your heart killed overseas in a foreign country, and then having his or her employer tell you that the details are “confidential” and that it would take a lawsuit to turn the information over.

There is no accountability for the tens of thousands of contractors working in Iraq and abroad. Private contractors like Blackwater work outside the scope of the military's chain of command and can literally do whatever they please without any liability or accountability from the U.S. government. They also work in countries like Iraq, which are not currently capable of enforcing the law and prosecuting wrongful conduct, such as murder. Therefore, Blackwater can continue accepting hundreds of millions of dollars in taxpayer money from the government, without having to answer a single question about how its security operators are killed. It is our understanding that Blackwater has lost more operators than any other U.S. security company working in Iraq.

The inherent flaw in the manner in which private contractors are being used is that there is no accountability or oversight. If the U.S. military was performing the jobs that it now farms out to the private sector, there would always be someone to answer to—all the way up to the President of the United States. More importantly, those in the chain of command would be looking out for the best interests of the soldiers and the country.

In the case of Blackwater, the people making critical decisions are those in corporate America, whose focus is often on cutting costs and making a profit. When the decision was made to save millions of dollars by not buying armored vehicles, our husbands, fathers and sons were killed. Blackwater gets paid for the number of warm bodies it can put on the ground in certain locations throughout the world. If some are killed, it replaces them at a moment's notice. What Blackwater fails to realize is that the commodity it trades in is human life.

While maybe just a statistic to Blackwater, the four men killed in Fallujah were exceptional special forces, who collectively gave decades of military service to our country. Scott Helvenston became the youngest Navy Seal ever at the age of 17. He was fluent in five

dialects of Spanish, and served as a Navy Seal from Europe to Central and South America. He helped train embassy staff and even set up the security for President Ronald Reagan's summit meeting in Venice, Italy. Before leaving the Navy, Scott rose to the level of teaching Navy Seal courses and was ultimately offered a commission. Scott was also a gold medal winner at the world pentathlon.

Mike Teague served in the U.S. Army for 15 years in the 160th Special Operations Community. He had deployed in Panama, Grenada, Spain, Somalia and other places that constantly immersed him in covert operations. As a civilian, Mike taught gun training classes for the State of Tennessee, provided security for high-profile celebrities and athletes, and worked as a police officer for the Federal Reserve. He was reactivated during the War in Iraq and spent 12 months in the Army's special forces in Afghanistan.

Jerry Zovko and Wesley Batalona were similarly former special forces with the U.S. Army. Jerry was a member of the U.S. Army's 82nd Airborne Division and the Army Rangers. He served in Bosnia and the Sinai Peninsula. Wesley joined the Army after high school and quickly became an Army Ranger. He gave 20 years of service to our country by serving all around the world.

The talents of highly-skilled special forces personnel do not always translate well into civilian life. However, Blackwater provided a high-paying alternative to the routine jobs that former military personnel usually resort to. Blackwater offered our men \$600 per day to work private security in Iraq. More importantly, Blackwater also promised our men certain protections which were critical in determining whether to accept such high-paying jobs to work in a war zone.

Our four men were told that they would be working in armored vehicles, with no less than six operators in every detail. There were supposed to be at least three people in each vehicle. This would have provided for a driver, a navigator and a rear gunner, who would have had a heavy machine gun to fight off any attacks.

Our men were also told that they would be able to learn the routes through Iraq prior to going on any missions and to conduct a risk assessment of each mission to determine if it was too dangerous to go.

Blackwater did not provide our men with any of these protections. It is undisputed that they did not have armored vehicles. They did not have a team of six. They did not have three people in each vehicle. They did not have a rear gunner. They did not have heavy machine weapons. They were not able to conduct a risk assessment of the mission. They did not have a chance to learn the routes before going on the mission. In fact, when Scott Helvenston asked for a map of the route, he was told: "It's a little too late for a map now." Ultimately, all four men died before the contract they were working under was even scheduled to begin.

Lack of preparation and the strive to make as much money as quickly as possible, even if not 100% ready, is Blackwater's style of business. This style was confirmed just last month when Blackwater's president, Gary Jackson, told the Harvard Business Review:

"I constantly push for the 80% solution that is executable now, over the 100% solution we might be able to devise in another three weeks."

An 80% solution means that 20% of the operators are dead. Blackwater actually lost 9 of its 34 operators in just over two months. That means that only 74% survived—which is pretty close to Blackwater's goal of 80%.

Our men were told that they would be performing work that would make a difference, such as guarding Ambassador Paul Bremer. Instead, they died escorting empty trucks that were going to pick up kitchen equipment.

Once the men signed on with Blackwater and were flown to the Middle East, Blackwater treated them as a fungible commodity. For example, Scott Helvenston was physically and verbally attacked one night by a Blackwater program manager, when Scott indicated that he was not well enough to leave the following morning on a mission. Despite two other Blackwater operators offering to go in Scott's place, the Blackwater manager burst into Scott's room late one night, confiscated his weapon, and told Scott that if he personally did not go on the mission the following day, he would be fired. It was under this threat of being fired and abandoned in the Iraq that forced Scott to leave for Baghdad the following morning.

However, late that night, Scott sent his last email. It was addressed: "To the Owner, President and Upper Management of Blackwater Security." The treatment of the security operators was so bad that after working for Blackwater for just 11 days, Scott felt compelled to write an email to the owner and president of the company that began:

"It is with deep regret and remorse that I send you this e-mail.

During my short tenure here with Blackwater I have witnessed and endured some extreme unprofessionalism."

In this lengthy email, Scott detailed all of the problems with the entire program and the treatment of the operators. There was no response from Blackwater management to this call for help. Instead, our men were dead four days later.

After the incident, Blackwater held a small memorial service for our men and the other Blackwater operators who were killed. During our time at the Blackwater compound, there were

guards assigned to each of the families. The guards were with us at all times and did not let us speak with the other families members in private. Ultimately, Blackwater refused to tell us anything about how our men died.

For six months after the incident, Blackwater did not return telephone calls or inquiries about the incident. Ultimately, Katy Helvenston tracked down a direct number for Blackwater owner Erik Prince. When she called it, Mr. Prince actually answered the phone. They had a brief conversation, and Katy asked Mr. Prince for a copy of Scott's contract and the incident report. He told her she should receive them in a couple of weeks. No documents ever came.

Although Blackwater told the families that they would have to file a lawsuit to obtain a copy of the incident report, Blackwater has done everything possible to prevent the disclosure of any information. During the past two years that the lawsuit has been pending, Blackwater has not answered a single question or produced a single document. Instead, Blackwater has appealed every single ruling all the way up to the U.S. Supreme Court.

After we obtained a court order to take the deposition of a key witness, Blackwater sent him out of the country just days before his deposition. When he recently returned to the United States after working for Blackwater for the past two years, we obtained another court order to take his deposition. Blackwater has now appealed that order as well.

Thus far in our legal quest, Blackwater has hired five different law firms to fight us, including such politically connected lawyers as Fred Fielding (now White House counsel) and Kenneth Starr. It appears that Blackwater will go to any lengths to prevent us from finding out why our men were killed and to avoid any accountability for its actions.

Through it all, Blackwater has never denied that it was obligated to provide our men with the protections listed above. More importantly, Blackwater has never denied that it did not

provide our men with those protections. Instead, Blackwater has simply said that it can't be sued for its conduct, no matter how wrongful or malicious. As appalling as it may seem, Blackwater also recently filed a \$10 million claim against us for bringing our lawsuit.

First and foremost, we are seeking answers from Blackwater as to how and why our loved ones died.

- Why were they not in armored vehicles?
- Why were they not in a team of six?
- Why were there not three operators in each vehicle?
- Why were they not provided heavy weapons?
- Why were they not permitted to learn the routes in Iraq before going on their mission?
- Why were they not allowed to gather intelligence from the out-going security company?
- Why was a risk assessment not performed prior to their mission?
- Why were they not given 24 hours notice before their mission?
- Why were they lost in the middle of Iraq?
- Why did they drive through the center of Fallujah at a time when even the U.S. military would not go through there?
- Why were they lied to about the weapons and protections they would have?
- Why did Blackwater not listen to its own manager in charge in Kuwait who warned of all of the problems well in advance of the deaths of our men?

In short, why did Blackwater choose to make a profit over the safety of our loved ones.

Second, we are seeking accountability for the wrongful conduct of Blackwater. Private contractors such as Blackwater are being paid millions of dollars of our taxpayer money to line their own pockets and jeopardize the safety of the men and women working for them. There needs to be accountability for their conduct. While Blackwater is a private North Carolina company and should be held to answer to a North Carolina jury, the government should also assure the same accountability and oversight for other private contractors operating abroad.

Third, we are seeking to prevent other families from receiving that dreadful telephone call explaining that a father, son or husband has been killed. If the message is sent throughout the industry that private contractors will be held accountable for their wrongful conduct abroad, the companies may devote more attention to the safety of their workers and less to the amount of their profits.

Having lost those close to our hearts, and then having experienced the callous indifference of Blackwater, we sincerely hope that Congress will take action by creating accountability for private contractors and not continue to allow them to make millions of dollars at the cost of American lives.

Respectfully submitted,

Kathryn Helvenston-Wettengel,
Rhonda Teague,
Donna Zovko and
Kristal Batalona