

EXHIBIT 6

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December 5, 2008

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

FOIA/Privacy Officer
Defense Contract Management Agency
P.O. Box 151300
Alexandria, VA 22315-9998

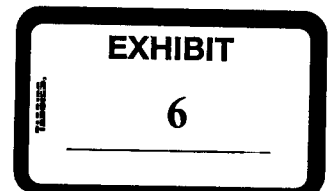
RE: Freedom of Information Act Request

Dear Sir/Madam:

Pursuant to the provisions of the Freedom of Information Act ("FOIA") 5 U.S.C. § 552, *et seq.*, as amended, and the Department of Defense implementing regulations contained in 32 C.F.R. § 286, *et seq.*, request is hereby made for copies of the documents identified in the numbered paragraphs below. This request is made on behalf of Kellogg Brown & Root, Inc ("KBR").

We request that, pursuant to 5 U.S.C. § 552(a)(3)(B)¹, your agency produce any responsive documents in the native electronic format in which the document was created. To the extent that your agency is unable to produce the responsive documents in the requested format, KBR requests that your agency confirm that the record does not exist in native format and produce the documents in the following format, listed in accordance with KBR's preference: 1) PDF format; or 2) paper copy. These documents should be produced in a mutually agreeable, orderly fashion. While the burden is on the government to produce all documents within the required time period, we are willing to discuss and agree upon the means of production to facilitate government compliance with the law.

¹ 5 U.S.C. § 552(a)(3)(B) provides that: In making any record available to a person under this paragraph, an agency shall provide the record in any form or format requested by the person if the record is readily reproducible by the agency in that form or format. Each agency shall make reasonable efforts to maintain its records in forms or formats that are reproducible for purposes of this section.



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The term "document" as used herein shall mean all of the following, without limitation and by way of description: (a) all printed materials of every kind whatsoever; (b) all handwritten materials of every kind whatsoever; (c) all materials in electronic media regardless of the forms of such media; (d) all drafts of subject documents; (e) all documents referenced in subject documents including those noted as exhibits and attachments as well as those referenced in the bodies of subject documents or in footnotes to subject documents; (f) all documents, otherwise identified, but containing marginal or other annotations handwritten or otherwise; (g) all documents in the form of transcripts of meetings and telephone conversations and memoranda of such meetings and telephone conversations whether printed or hand written; (h) to the extent not covered by the definitions in a-g, all materials generated by or received by any government employee, consultant or other person having any relationship to the government; (i) to the extent not covered by the definitions in a-h, all materials generated by any person not in the employ of the government, including but not limited to lawyers, foreign government officials of every level, other interested parties and non-parties to any communications on any relevant subject.

The phrase "Any documents relating to" means "any and all documents discussing, analyzing or containing any information relating to" the subject matter identified in the relevant request.

The term "LOGCAP III Contract" means Contract No. DAAA09-02-D-0007, as awarded and as modified.

The term "DFAC" means a dining facility in Iraq intended to provide dining services to the United States military and/or the Coalition Provisional Authority and/or coalition forces.

The term "U.S. Army" includes the Office of the Secretary of the Army, all Under and Assistant Secretary offices, all major commands, and all commands in Iraq.

To the extent that you determine that any subject document will not be disclosed because it meets any of the criteria in the FOIA for nondisclosure, you are requested, as noted in more detail below, to identify such documents in accordance with the requirements of *Vaughn v. Rosen*, 523 F.2d 1136 (D.C. Cir. 1975). To the extent that you determine that any subject document will not be disclosed because it is classified in accordance with document classification procedures, request is hereby made that such document be declassified.

All requests relate to the period January 1, 2002, to the present unless otherwise stated.

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1. Any document that identify by name, period of deployment and/or location of deployment in Iraq for each individual, whether an employee of the Defense Contract Management Agency ("DCMA") or a uniformed service, with a warrant to function as an administrative contracting officer ("ACO") with regard to the LOGCAP III Contract.
2. Any document relating to the planned and/or total number of ACOs, whether an employee of DCMA or a uniformed service, deployed to Iraq with a warrant to function as an ACO regarding the LOGCAP III Contract by month, quarter and/or year.
3. Any document that identify by name, period of deployment and/or location of deployment in Iraq for each individual, assigned responsibility to function as a "contracting officer's technical representative" ("COTR") with regard to the LOGCAP III Contract.
4. Any document relating to the planned and/or total number of COTRs deployed to Iraq to function as a COTR with regard to the LOGCAP III Contract.
5. Any document relating to the total number of DCMA employees or others performing DCMA functions deployed to Iraq by month, quarter and/or year.
6. Any document relating to policies, procedures, guidance or similar documents for ACOs administering contracts performed in Iraq.
7. Any document relating to policies, procedures, guidance or similar documents for ACOs administering the LOGCAP III Contract.
8. Any document relating to policies, procedures, guidance or similar documents for COTRs administering the LOGCAP III Contract.
9. Any document relating to policies, procedures, guidance or similar documents regarding award fees under any award fee contract for services in Iraq.
10. Any document relating to policies, procedures, guidance or similar documents regarding award fees under the LOGCAP III Contract.
11. Any document relating to award fee decisions under the LOGCAP III Contract.

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12. Any document relating to the number of U.S. military personnel deployed to Iraq by month, quarter and/or year.
13. Any document relating to any evaluation of KBR's performance of its DFAC obligations under the LOGCAP III Contract, as awarded or as modified.
14. Any document relating to the planned or actual headcount of military personnel to be served at each specific dining facility ("DFAC") identified at any time in any of the following:
 - a. The LOGCAP III Contract, as awarded;
 - b. TO 59 under the LOGCAP III Contract;
 - c. TO 89 under the LOGCAP III Contract;
 - d. TO 91 under the LOGCAP III Contract;
 - e. TO 139 under the LOGCAP III Contract;
 - f. TO 189 under the LOGCAP III Contract.
15. Any document relating to the scope of work regarding required DFAC services found in any of the following:
 - a. The LOGCAP III Contract, as awarded;
 - b. TO 59 under the LOGCAP III Contract;
 - c. TO 89 under the LOGCAP III Contract;
 - d. TO 91 under the LOGCAP III Contract;
 - e. TO 139 under the LOGCAP III Contract;
 - f. TO 189 under the LOGCAP III Contract.
16. Any document relating to any communication between DCMA and the following regarding KBR's performance of the LOGCAP III Contract:
 - a. U.S. Army Material Command;
 - b. U.S. Army Sustainment Command;

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- c. U.S. Army Central Command;
 - d. Office of Secretary of Defense, including offices of the Under or Assistant Secretaries;
 - e. Office of Secretary of the Army, including offices of the Under or Assistant Secretaries;
 - f. U.S. Army Audit Agency;
 - g. Defense Contract Audit Agency;
 - h. Department of Defense Inspector General;
 - i. Government Accountability Office;
 - j. United States Congress, including but not limited to, either chamber, the committees or subcommittees of the same, the policy committees of the Democratic or Republican parties, and the Congressional Research Service.
17. Any document related to funding for the LOGCAP III Contract including, but not limited to, budget estimates, budget requests, Congressional briefings.
 18. Any document regarding Operation Iraqi Freedom which relates to the duration of the conflict, the scope of the conflict, the number of troops present in theatre, or the nature or intensity of violence in theatre.
 19. Any document relating to the U.S. Army's ability to provide armed security for contractor personnel or property in Iraq.
 20. Any document relating to the effects of violence in Iraq generally or the insurgency specifically on the U.S. Army's ability or authority to use contractors in Iraq.
 21. Any document relating to the effects of violence in Iraq generally or the insurgency specifically on the performance of contractor personnel in Iraq.
 22. Any document relating to any assessment of logistical support requirements regarding Operation Iraqi Freedom.

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23. Any document relating to any KBR proposal or rough order of magnitude ("ROM") submitted relating to any of the following:
 - a. The LOGCAP III Contract, as awarded;
 - b. TO 59 under the LOGCAP III Contract;
 - c. TO 89 under the LOGCAP III Contract;
 - d. TO 91 under the LOGCAP III Contract;
 - e. TO 139 under the LOGCAP III Contract;
 - f. TO 189 under the LOGCAP III Contract.

Responsive documents are requested to be produced in their entirety, including all attachments, enclosures and exhibits, as previously noted. In the event that it is determined that a document contains material or information which falls within statutory exemptions to mandatory disclosure, it is especially requested that such material or information be reviewed for possible discretionary disclosure. Similarly, in the event that it is determined that a document contains material or information which falls within the statutory exemptions to mandatory disclosure, it is expressly requested that, in accordance with the provisions of 5 U.S.C. § 552(b), any and all reasonably segregable portions of such document be produced.

When it is determined that all documents responsive to any individual request item (or portion thereof) have been furnished or specifically identified and denied under claim of authority pursuant to 5 U.S.C. § 552(b), written confirmation of such fact is specifically requested.

It is further requested that, to the extent possible, documents in logical groupings, determined to be disclosable, be provided in accordance with this request on an incremental basis as soon as they become available.

This request constitutes notice and demand for the production of the above-described documents. If for any reason it is determined that any document or portion thereof will not be made available to the undersigned, or that this request will not, in whole or in part be complied with, prompt notice of action taken is solicited. In addition, the undersigned requests that notice be given as promptly as possible of any documents which will not be made available, and that they be indexed and identified by stating the title, author, date, nature of such material, and the reason(s) for the determination to withhold disclosure.

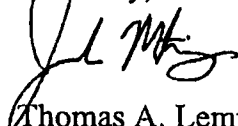
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This firm and the undersigned will be responsible for the reasonable cost of locating and reproducing the requested documents to the extent required by your regulations. If such cost will exceed \$5,000, please contact us before incurring such cost.

Thank you for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink, appearing to be a cursive combination of the initials 'TAL' and 'JGM', representing Thomas A. Lemmer and Joseph G. Martinez.

Thomas A. Lemmer
Joseph G. Martinez

DN:32151569.3