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September 23, 2009

Senator Byron L. Dorgan  
Chairman  
Senate Democratic Policy Committee  
419 Hart Senate Office Bldg.  
Washington, DC 20510  
ATTN: Leslie Gross-Davis

Dear Chairman Dorgan,

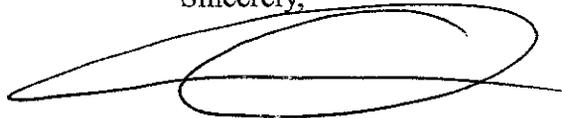
I write on behalf of Kellogg, Brown & Root (KBR) concerning certain KBR materials that have been used by you in a number of public events and posted on the Senate Democratic Policy Committee (DPC) web site.

A number of these documents contain sensitive, confidential and proprietary business information. It appears that you have obtained these documents from other sources, and KBR was not asked, nor did it consent, to the public dissemination of these documents.

Although KBR seeks to be as cooperative as possible with all appropriate congressional and other governmental oversight, the public dissemination and posting of confidential and proprietary materials can raise substantial legal concerns. These concerns may include the potential that in litigation another party may assert that your public use of these materials constitutes a waiver by KBR of any rights of confidentiality. Accordingly, to preserve KBR's legal rights in any such future proceeding, we write to make clear that KBR's authorization was never sought for the public release of such materials, and that KBR continues to retain all of its legal rights to protect any and all rights of confidentiality of these materials.

If you should have any questions please do not hesitate to contact me at 202-887- 4000.

Sincerely,



Steve Ross  
Counsel for KBR