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Armed Contractors on the Battlefield: Coordination Issues in Iraq between the U.S. Military and Private Security Contractors

Cynthia M. Iris

A Thesis in the Field of Government

for the Degree of Master of Liberal Arts in Extension Studies

Harvard University

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Abstract

This thesis examines the lack of standardized coordination of the State Department's private security contractors with the U.S. military in Operation Iraqi Freedom from 2004 to 2007. Without formal coordination between these two independent armed entities, problems arose for the U.S. military, the contractors, and Iraqis. Three possible explanations for this gap in coordination include: a dysfunctional interagency process between the State and Defense Departments; chaos on the battlefield; and, whether Blackwater, the largest security contractor firm for the State Department, wielded undue influence over its client, which allowed it to avoid formal coordination.

Operation Iraqi Freedom is the first time that armed security contractors operated alongside soldiers on a U.S. battlefield. Their movements through military areas of operation without formal coordination created numerous problems. Why did it take a massive shooting incident in Baghdad by a State Department security detail, over four years into the conflict, to finally resolve this coordination gap?

Data and information were drawn from military, government, and scholarly sources, as well as interviews. A qualitative case study was developed. This research concludes that a dysfunctional interagency relationship caused the lack of coordination; chaos in Iraq certainly contributed to the problem as well. However, the evidence was inconclusive regarding Blackwater's influence. Recommendations include interagency doctrine, training, and updated procedures as the situation dictates given that private security and U.S. soldiers will most likely share the battlefield again.

Dedication

This project would not have been possible without the generous and never-ending support of my husband, Richard McFadyen.

Acknowledgements

I would like to thank Professor Beth Simmons, my Thesis Director, and Dr. Donald Ostrowski, my Research Advisor, for their guidance, enthusiasm, and support at various stages throughout this process, from proposal to finished work. Their comments, questions, and ideas have helped shape my research into a more thorough inquiry.

Also, I would like to express my appreciation to Dr. Peter Singer. His book, *Corporate Warriors*, based on his Harvard dissertation, first sparked my interest in the subject of private military contractors on the battlefield. During the research and writing of the thesis, he acted as a "sounding board" and supplied context and information as well as encouragement.

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Chapter I

Introduction

> Coordination between the U.S. military and private security contractors evolved from an informal coordination based on personal relationships to a more structured, although voluntary, mechanism—the ROC [Reconstruction Operations Center]. If private security providers do not coordinate their movements with military units, it places both the U.S. military and the private security providers at risk. Also, with better coordination, private security providers would be informed of areas that were unsafe and either change their route or delay the movement.[1]

By 2008, Operation Iraqi Freedom had over 180,000 contractors, including 30,000 heavily armed private security contractors – 7,300 for the Defense Department and 3,000 for the State Department alone.[2] A growing body of literature is considering the benefits and consequences of utilizing private military contractors in conflict zones. Their presence and efficacy during combat operations and ensuing stability and reconstruction efforts are strongly debated. This topic is being studied from various angles: economic, military, humanitarian, legal, and international regulation.[3] However, given their increasing presence in post-combat operations and an expectation of employment in future conflicts, one particular and important area of study has been overlooked until very recently: operational coordination in the battle space.[4] This thesis

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[1] GAO 06-865T, "Actions Still Needed to Improve the Use of Private Security Providers," 8-9.

[2] CBO, *Contractors' Support of U.S. Operations in Iraq*, 2008: 15.

[3] For a comprehensive report on private military companies, the broad range of tasks they do, and the kinds of clients they have, see the United Kingdom's House of Commons Green Paper, "Private Military Companies: Options for Regulation," (February 12, 2002) (HC 577). http://www.fco.gov.uk/resources/en/pdf/pdf4/fco_pdf_privatemilitarycompanies.

[4] "Battle space" is defined by the Dept. of Defense in its Joint Publication 1-02 *Dictionary of Military and Associated Terms* broadly – "the environment and conditions…this includes the air, land, sea, space, and the enemy and friendly forces, facilities, and terrain…within operational areas" (64).

investigates why coordination of the State Department's private security details with the U.S. military in Operation Iraqi Freedom (OIF) was ineffective for over three years.

Given that the U.S. military has used conventional (unarmed) contractors on the battlefield for many years and has developed doctrine, regulations, and instructions for their use and oversight, why would the introduction of armed security for the State Department be so problematic for so long? Three hypotheses are explored here. The first hypothesis predicts that the ineffective coordination originated in a dysfunctional interagency process between the Defense and State Departments. The second states that the chaos in Iraq became a contributing factor in the early years by allowing armed contractors to operate beyond the reach of military coordination. The third holds that one of the security firms, Blackwater, developed undue influence over the State Department in filling this critical role. As for methodology, this thesis is a qualitative, single case study employing a process-tracing method by following possible casual links and outcomes.

The subject, private security contracting, is difficult to research for three reasons: secrecy in the industry and certain companies in particular; government resistance to divulging pertinent information; and the newness of the utilization of armed contractors in this scenario. Therefore, multiple sources were investigated to provide a depth of material. The study involved analysis of primary source documents (including government statements, hearings, and reports; private security contracts, industry reports, and newsletters; PBS documentary interviews; academic research; and, military documents) and secondary sources (such as media accounts and books on contracting). In addition, I conducted interviews with military personnel and security contractors who had

participated in OIF, a leading scholar on the subject, and journalists covering security contactors in Iraq.

In OIF, many incidents occurred over the years that exemplified the problems of not coordinating the two armed groups operating on the same side in a shared battle space: soldiers and security contractors. Such episodes include “friendly fire” incidents whereby contractors and soldiers fire on each other unknowingly; or, attacks on contractors by enemy forces (such as the murder and mutilation of four Blackwater security guards in Fallujah in 2004); and, conversely, attacks on Iraqi civilians by armed contractors (such as the Nisoor Square incident in 2007). Had formal coordination and cooperation been in place, many of these events would not have taken place.

Armed contractors hired to protect personnel did not have a place on a traditional U.S. battlefield. However, that type of battlefield is gone. In these times of insurgencies, low-level conflicts, and stability operations, ambiguity abounds in the battle space. In Operation Iraqi Freedom, private security actors have been plentiful and problematic. Research has been conducted on various aspects of their utilization: legal status, accountability, and regulation. This study takes a close look at the narrow issue of coordination in the field. OIF is the first U.S. conflict to employ armed civilians in security functions who moved about the active battle space, not just filling “static” roles by protecting government facilities. Providing preliminary answers to this question of effective coordination lays the groundwork for future research and policy changes.

The U.S. government recognizes that contractors have become essential personnel; key players along with soldiers in the conflict zone. OIF introduced a new type of contractor – armed. These new actors, under non-DoD contracts, have moved

around Iraq with great latitude. They do not come under military command. Those two factors have led to serious problems – for soldiers, contractors, and Iraqis. It is likely that these security contractors will appear in future operations so it is important to understand how best to deploy them in the modern combat zone and coordinate them safely.

Also, analysis of why coordination continued to be poor for several years may show the wisdom in precluding the use of private security in a conflict until after major combat has truly ceased. “Unity of effort” no longer applies solely to the military in the theater but to all who are acting to advance U.S. interests in that overall operation. Everyone on the same side should be on the same page.

The thesis proceeds as follows. Chapter II, Background, provides some history and context. It discusses the reasons why the U.S. military and the State Department turned to the private sector in recent years and the escalation of their employment. Chapter III, the Literature Review, covers scholarship and analysis on relevant military doctrine, the interagency process, and public/private partnerships. The review was broadened because very little scholarship has been devoted to this narrow topic of ineffective coordination in the battle space. Chapter IV presents the research results and findings. Chapter V, Conclusion, offers final remarks and policy recommendations.

Chapter II

Background

> Iraq is a complex operational space. Military forces, civilian US government agencies, international organizations, contractors, non-governmental organizations and a diverse local population all share a common geographical area amidst those who would do them great harm. It is difficult to distinguish friend from foe. Included in this complex arena are private security firms.[5]

In June 2006, executives from the three companies providing armed security for diplomats and senior officials with the State Department in Iraq appeared at a Congressional hearing on private security coordination on the battlefield. Blackwater, Triple Canopy, and DynCorp testified that their contractors coordinated with the military via its coordination center consistently.[6] But, delving deeper into this issue, one finds that the situation is not so clear-cut. A multitude of sources, from government reports to personnel in the Army's coordination center, have shown that coordination between these and other private security contractors and the military was inconsistent and ineffective from 2003 to 2007.

This chapter will provide background for the ensuing investigation in the Results and Findings Chapter as to *why* coordination was ineffective. It begins with a brief description of the escalation of U.S. military contracting since the American Revolution. Then it shows some of the new ways in which the U.S. wages war in the 21st century.

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[5] Christopher Shays, U.S. Congress, House Subcommittee on National Security, "Private Security Firms: Standards, Cooperation and Coordination on the Battlefield," June 13, 2006: 3.

[6] U.S. Congress, House Subcommittee on National Security, Emerging Threats, and International Relations, June 13, 2006: 166.

Next, examples of coordination problems are covered. The chapter closes with an overview of the interagency process between the Defense and State Departments.

Escalation of U.S. Military Contracting

Conventional (unarmed) contractors have been accompanying soldiers on U.S. battlefields since the American Revolution (see Table 1). George Washington hired private contractors to provide food, clothing, equipment, training, various supplies,

Table 1. Presence of Contractor Personnel during U.S. Military Operations[7]

Conflict	Estimated Personnel (Thousands)		Estimated Ratio of Contractor to Military Personnel[a]
	Contractor[a]	Military	
Revolutionary War	2	9	1 to 6
War of 1812	n.a.	38	n.a.
Mexican-American War	6	33	1 to 6
Civil War	200	1,000	1 to 5
Spanish-American War	n.a.	35	n.a.
World War I	85	2,000	1 to 24
World War II	734	5,400	1 to 7
Korea	156	393	1 to 2.5
Vietnam	70	359	1 to 5
Gulf War	9[b]	500	1 to 55[b]
Balkans	20	20	1 to 1
Iraq Theater as of Early 2008[c]	190	200	1 to 1

a. For some conflicts, the estimated number of contractor personnel includes civilians employed by the U.S. government. But this should not significantly affect the ratios of contractor personnel to military personnel.
b. The government of Saudi Arabia provided significant amounts of products and services during Operations Desert Shield and Desert Storm. Personnel associated with those provisions are not included here.
c. For this study, the CBO considers the following countries to be part of the Iraq theater: Iraq, Bahrain, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, Turkey, and the United Arab Emirates.
Note: "n.a." is "not available".

[7] Congressional Budget Office (CBO), "Contractors' Support of U.S. Operations in Iraq," 13.

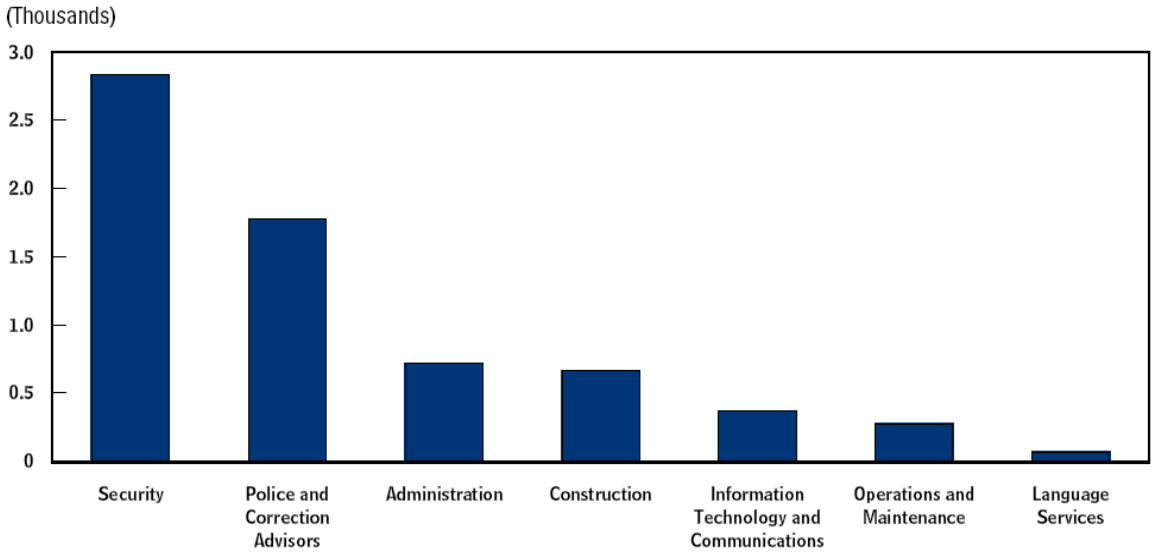
medical services, and logistical support. From the 1770s, when the American colonies had no broad-spectrum army or established supply chain, to the high-technology world of military operations in Iraq in 2003, the U.S. military has regularly utilized private contractors. In Iraq, according to a 2008 Congressional Budget Office report, there are over 190,000 private contractors (see Appendix 1) of various nationalities providing a range of functions, from weapons maintenance and construction to armed security for personnel and facilities. Approximately 30,000 provide security for a variety of clients.[8] The State Department alone uses almost 3,000 armed security contractors (see Figure 1). Although the United States has a long history of utilizing private contractors, Operation Iraqi Freedom is the first time *armed* private contractors have been deployed alongside soldiers on a U.S. combat zone.[9] However, formally coordinating these armed forces – the soldiers and the citizen-contractors – took four-and-a-half years.

To understand how the United States reached this unprecedented reliance on contractors of all types in Iraq, one need only to go back to the 1990s, after the Cold War ended. Military contractors became one of the prime beneficiaries of this seismic shift in international relations. Many scholars and military analysts point to four main reasons for the surge in the use of contractors in a war zone. First, the "peace dividend" translated

[8] CRS, "Private Security Contractors in Iraq: Background, Legal Status, and Other Issues," July 11, 2007: 3. Private security contractors, regardless of the hiring entity, can only perform *defensive* operations, they cannot initiate offensive operations. Once in Iraq, due to the shortage of soldiers and deteriorating security situation early on, the DoD changed its long-standing policy of providing soldiers as security for DoD construction projects and required the construction companies to provide their own security details.

[9] As noted in a Congressional Research Service (CRS) publication on private security in Iraq, "Iraq appears to be the first case where the U.S. government has used private contractors extensively for protecting persons and property in potentially hostile or hostile situations where host country security forces are absent or deficient." Congressional Research Service, "Private Security Contractors in Iraq: Background, Legal Status, and Other Issues," (CRS RL32419; Washington, DC: July 11, 2007): 1 (fn 1).

Figure 1. Number of State Dept. Contractor Personnel in Iraq, by Function[10]



into a downsized U.S. military. Second, the DoD decided to join the global trend toward privatization and outsourcing. Third, the military increased its engagement in the accelerating number of low-intensity conflicts around the globe. Finally, weapons systems and contracts required *lifetime* maintenance by the manufacturer. Before the end of the Cold War, the two original drivers of military outsourcing were LOGCAP – Logistics Civil Augmentation Program – an Army initiative that began in 1985 as a way to use support contractors during wartime and other contingency operations and the government mandate to use commercial vendors where possible (e.g., OMB Circular A-76).[11]

[10] Congressional Budget Office, "Contractors' Support of U.S. Operations in Iraq," 11. The chart notes "data include U.S. citizens, local nationals, and third-country nationals; they exclude people working for subcontractors and people working under the Department of State's Personal Service Agreements (people in the latter group are treated as employees of the U.S. government)."

[11] OMB A-76, introduced in the 1950s and continually revised, requires that Executive Branch agencies must identify private sources when appropriate for government needs. A key part of the current

In essence, over the past eighteen years, the U.S. military has had fewer soldiers, more missions, more sophisticated weapons, a mandate to privatize, and a redefinition of what tasks and services should be kept within the military as "mission-critical". In 2000, Joe Fortner wrote in *Army Logistician*, "our active-duty force... has dropped from 789,000 in 1989 to 480,000 in 2000. Yet the operating tempo continues to rise."[12]

Furthermore, in the 1990s, a requirement from both Congress and the Defense Department leadership to scrutinize military roles and service capabilities in order to downsize but keep "core missions" led to additional outsourcing. The pace of defense outsourcing was brisk through the 1990s; military contractors took on a broad range of tasks and missions. This continued in Iraq where contractors have conducted intelligence functions, military training and advice, logistics support, security details for personnel and installations, and weapons maintenance. In recent years, manufacturing contractors have even assisted with some weapons operations.[13]

The Defense Department was not the only U.S. government agency to escalate its outsourcing. Contrary to popular belief, the State Department has not relied solely on the military for the work that private security contractors now do for them in Iraq. Twenty years ago, the State Department began to allow private companies to bid on security contracts as a result of the Omnibus Diplomatic Security and Anti-Terrorism Act signed in 1986. For two decades, the State Department has used private security contractors in 111 countries, along with in-house diplomatic security agents who also conduct security

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debate on the use of contractors focuses on the phrase "inherently governmental" – any function that is considered such should not be performed by a contractor.

[12] Fortner, "Institutionalizing Contractor Support on the Battlefield," 5.

[13] For instance, the TOW and Patriot missiles, Bradley fighting vehicles, the B-2 stealth bomber, the F-117 stealth fighter, the Apache helicopter, and the Navy's Aegis missile defense system.

details for the Secretary of State, other government officials, and foreign dignitaries. The outsourcing goal was to "standardize the way posts contracted and paid for guard force services, to enhance uniform fiscal reporting, and to streamline security management."[14] However, no one envisioned having these armed contractors working alongside soldiers in an active battlefield.

The State Department has been utilizing contractors as a standard practice for some time before Operation Iraqi Freedom. But with 155 diplomatic posts in 111 countries around the world and only 1,450 Diplomatic Security (DS) Special Agents, State did not have a sufficient number of agents for the unexpected requirements in Iraq.[15] Whereas it takes up to two years to recruit, hire, and train Diplomatic Security Agents, it took about only three to four months for the State Department to put a private security contractor in place in Iraq.

When the CPA disbanded in June 2004 and the U.S. Embassy opened the next month, the State Department began hiring private contractors for its various security details. The military had been unwilling in 2003 to assume that role because protecting diplomats and administrators was not part of their mandate and they were short of soldiers for their own missions. The State Department treated these security details as an extension of their Diplomatic Security program and so perhaps it did not sense the need to build a coordination program with the military.

In August 2008, the Congressional Budget Office (CBO) published a report describing various aspects of U.S. government contracting in Iraq from 2003 to 2007. It

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[14] U.S. House, Committee on Oversight and Government Reform. *Private Security Contracting in Iraq and Afghanistan*, Testimony of Ambassador Griffin, October 2, 2007.

[15] U.S. House, Testimony of Ambassador Griffin, October 2, 2007.

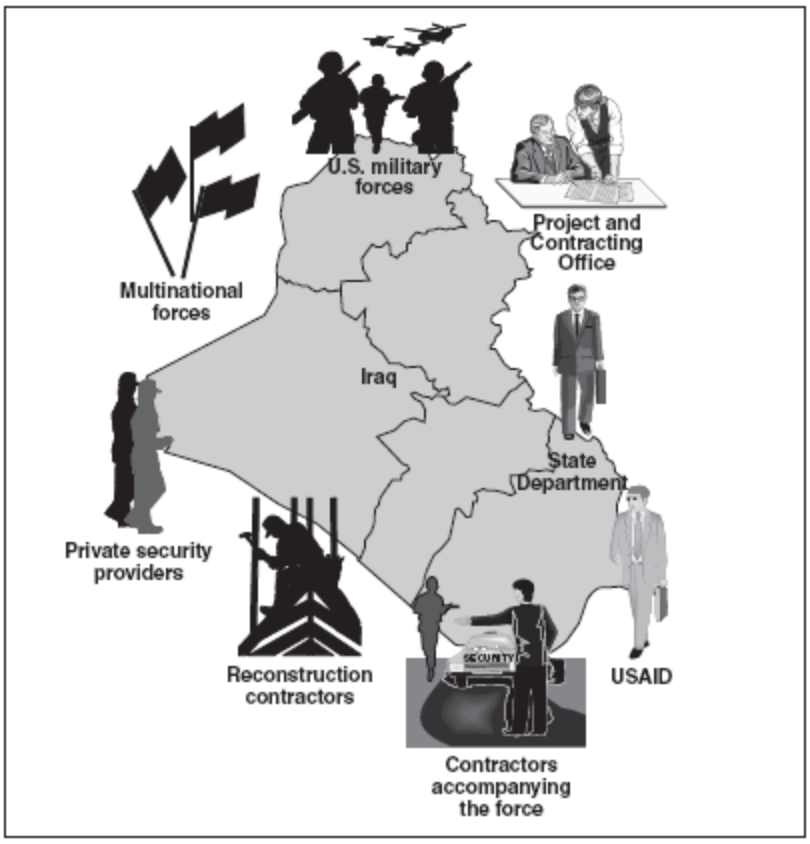
tallied costs of contractors to U.S. taxpayers, the products and services contractors offered, the number of contactors involved, and legal issues. The report, "Contractors' Support of U.S. Operations in Iraq," shows $85 billion was spent on contractors with State accounting for $4 billion of that. The ratio of contractors to soldiers in Iraq is about 1:1.

It is important to note that armed security contractors also were employed by a host of organizations other than the DoD and the State Department in OIF: international aid groups, non-governmental organizations, the Iraqi government, foreign corporations, other diplomatic missions, and many media outlets. Figure 2 (The Complex Battle Space) shows how many diverse entities populated the battlefield in Iraq. No armed contractors, under any contract, were required to coordinate their movements around Iraq until October 2004; but even after that, the requirement only applied to the DoD's security contractors. Not until after the Blackwater shooting of 17 Iraqis in Baghdad in September 2007 were all security contractors required to coordinate their movements with the military.

OIF stands out for employing unparalleled numbers of contractors, giving some of them a new mission (protection and defense), and introducing a new *type* of contractor – armed. These civilian contractors are hired to protect individuals and facilities. As Dr. Avant wrote in 2006, "providing security for buildings or people in the midst of an insurgency requires contractors to be better armed, have different equipment, and develop different strategies. These differences make 'guards' look much more like soldiers."[16]

[16] Avant, "The Privatization of Security: Lessons from Iraq," 330.

Figure 2. The Complex Battle Space[17]



Source: GAO.

To do their job, they come equipped with weapons and protection far beyond what one imagines for typical security guards in a U.S. setting such as a corporate headquarters or shopping mall. They have machine guns (M4s, MP5s, and AK-47s), armored vehicles (South African "mambas" with machine guns on top), extra belts of ammunition, Kevlar vests, helmets, sophisticated communication gear, and "AT4 light anti-tank weapons."[18] Blackwater, the largest security firm for the State Department's diplomats, senior

[17] GAO, 05-737: 8.

[18] Robert Pelton, "Riding Shotgun with Blackwater's Security Detail," April 2005. http://www.popularmechanics.com/technology/military_law/1506812.html.

officials, and visiting dignitaries also has its own helicopters, armored personnel carriers, and dog teams. [see photos below].



Figure 3. PBS *Frontline* Producer Marcela Gaviria with the Erinys team (faces obscured by *Frontline* for security reasons). Erinys is one of several private security companies in Iraq.[19]



Figure 4. An April 4, 2004 file photo showing contractors working for Blackwater defending a CPA regional headquarters during a firefight in Najaf.[20]

[19] "Private Warriors", *Frontline*, http://www.pbs.org/wgbh/pages/frontline/shows/warriors/report/.

[20] http://news.yahoo.com/nphotos/slideshow/photo//090129/481/ (AP Photo/Gervasio Sanchez).



Figure 5. The South African "Mamba" armored personnel vehicle. Blackwater uses these in Iraq for the DoS work.[21]

How did this radical shift to the use of armed security contractors occur? The DoD operated under the assumption that the U.S. military would be greeted as liberators, the country would not need pacification, and Iraqis would do most of the post-conflict security and reconstruction work. Those calculations were wrong. Due to massive looting, a nascent insurgency, and a shortage of soldiers to secure the peace, private security companies, such as Aegis, ArmorGroup, Blackwater, Custer Battles, DynCorp, Triple Canopy, and a host of others, began to flood into the country in 2003 and 2004. They would provide security for high-value individuals and various critical sites such as installations, construction projects, and even military bases.

[21] *National Review*, "The Corner," *Men in Blackwater,* September 18, 2007. http://corner.nationalreview.com/post/?q=ZDBmNGYwZjM2ZWZmNGJkMGQyYmI5NTZiODVlMmZiMTQ=

U. S. Wages War in New Ways

Clearly, in the 21st century the United States wages war in new ways. Besides engaging high numbers of contractors, the U.S. military has employed new techniques – such as the remote operation of unmanned aerial vehicles (UAVs) and has had to adapt to an unexpected type of warfare in Iraq, an insurgency, which meant changing tactics and rules. Further, it has to cope with a layered, non-contiguous battle space with disparate non-military actors in it – from State Department officials, construction company personnel, and international aid workers to the media. The Defense Department also accepted a colossal new role when it assumed responsibility for post-combat Stability and Reconstruction Operations (Phase IV) – what was a State Department responsibility until January 2003. Along with these changes came two new actors: "remote combatants," as military scholar J. Ricou Heaton calls them, and armed security contractors.[22] Both these new types of contractors raise new battlefield questions; for example, would either qualify as a lawful combatant or be afforded "prisoner of war" status if captured?

Moreover, the use of armed contractors in Iraq has produced a multitude of problems. Consider the following: diverse entities and organizations hire a mélange of security contractors with assorted nationalities, languages, and capabilities. Add the fact that the contractors, soldiers, aid workers, construction crews, and Iraqi citizens all operate in the midst of an insurgency. The battlefield could be anywhere. Providing another layer of complexity to the contractor coordination conundrum is the fact that contractors report to the contracting officer or representative *of the hiring firm*, not the

[22] Heaton adeptly categorizes those "civilians who operate technology and other battlefield weapons remotely" as "remote combatants." J. Ricou Heaton, "Civilians at War: Re-Examining the Status of Civilians Accompanying the Armed Forces," *Air Force Law Review*, Winter 57 (2005): 208.

U.S. military, even if it is a DoD contract. Yet, the military has ultimate responsibility for all the geographic areas of operation (AO) through which private security convoys moved daily. But there was no coordination protocol between these diverse private actors and the military commanders in the field.[23]

Ineffective Coordination on the Battlefield in Iraq

This lack of formal coordination is puzzling since the U.S. military is quite familiar with coordination of armed actors on the battlefield – it has done so with its own Special Operations Forces (SOF) and coalition soldiers on many different battlefields. In Iraq, this coordination gap led to some disastrous situations. Soldiers described some of the early incidents:

> on one occasion security providers escorted the CPA [Coalition Provisional Authority] administrator into their area of operation without the squadron's knowledge and while the squadron was conducting an operation in Najaf....A fire fight broke out at the CPA administrator's location and the squadron had to send troops to rescue the CPA administrator and his party. This had a significant impact on its operation, according to the officer. Another officer… told of instances when contractors died and the division commander did not know that the contractors were operating in his area of operations until he was instructed to recover the bodies.[24]

The advantages of coordination are clear. First, it reduces the number of "friendly fire" incidents (soldiers unwittingly firing on fellow soldiers, on contractors, or vice-versa). Second, it enhances the "unity of effort," wherein all actors on the same side are

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[23] Many of these non-DoD security contractors did not necessarily employ the same constraints on the use of weapons, training, or employee vetting as DoD contractors did. Non-DoD security contractors worked under various "rules on the use of force" (not necessarily the rules of engagement the military uses) and they had no strong oversight to enforce the rules that were in place. The guiding document for security contractors in Iraq came from the U.S. Coalition Provisional Authority (CPA), which enacted CPA Order 17 in 2004. It provides for the registration and regulation of private security companies (PSC) operating in Iraq and gives them immunity from Iraqi law. It was still in effect as of 2008.

[24] GAO, 05-737: 22.

working to achieve the same goal. In Iraq, when the military changed its battle campaign to a counterinsurgency operation, private security details often acted in aggressive ways that undermined the military's efforts to win the “hearts and minds” of the local population for several years. Third, it can decrease the number of civilian casualties as well.

The first high-profile example to demonstrate how a lack of coordination can have dire consequences happened in March 2004. Four Blackwater security guards were ambushed in Fallujah by Iraqis and brutally murdered. Marines stationed nearby were unaware of the presence of the Blackwater convoy, under a DoD subcontract, let alone that they were in trouble. Because of this attack, the Marines immediately stopped their nascent counterinsurgency campaign and turned to a traditional “hunt and kill” combat operation to clear out the insurgents. They launched a losing attack on Fallujah in April and another, larger battle in November. That initial horrible attack in March cost four contractors, and eventually over fifty-eight soldiers, their lives. This was a most difficult lesson on the consequences of coordination inefficiencies; and, it had a direct, negative effect on a military operation.[25]

Various and other sundry episodes involving security contractors have occurred throughout Iraq, demonstrating a need for coordination and oversight. For instance, they have participated in combat operations (in Najaf and al-Kut in April 2004); been involved in numerous “friendly fire” episodes between the military and contractors (e.g., most famously, the episode between Zapata Engineering contractors and the Marines in

[25] This was similar to what John Campbell said in his 2005 monograph on contractors: “the inability of the U.S. to protect contractors on the battlefield leads to armed contractors with an ability to influence local operations.” “Outsourcing and the Global War on Terrorism (GWOT): Contractors on Battlefield,” Ft. Leavenworth, KS (2005): 87.

Fallujah in May 2005); and they have shot at civilians and damaged Iraqi property, sometimes without reporting these events initially.[26]

The last well-known episode involving a lack of coordination occurred on September 16, 2007, when Blackwater security contractors killed 17 Iraqi civilians in Nisoor Square, Baghdad, during a DoS convoy (the "Nisoor incident"). The official daily "SPOT" report submitted by the Bureau of Diplomatic Security documented that Blackwater had not coordinated with the Army. The shooting touched off an international incident, keeping all State and CIA staff in the Green Zone for several days due to Iraqi outrage over it and provided the impetus for the State and Defense Departments to formalize rules of coordination. Two key findings from the State Department's own report on Nisoor Square were (1) "coordination and sharing of information between the Embassy and the [military] is not sufficiently robust to ensure mutually beneficial situational awareness and knowledge"[27] and (2) "that prompt measures needed to be taken to strengthen the coordination, oversight, and accountability aspects…to reduce the likelihood that future incidents will occur that adversely affect the overall US mission in Iraq."[28]

Problems with coordination have been documented over time by the DoD and DoS, as well as Congressional committees, government studies, academics, military analysts, and journalists covering Iraq. This issue has been most closely followed by the

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[26] U.S. House Committee on Oversight and Government Reform, *Memorandum: Additional Information about Blackwater USA*, October 1: 2.

[27] U.S. State Department, *Report of the Secretary of State's Panel on Personal Protective Services in Iraq*, 6.

[28] U.S. Department of State, *Report of the Secretary of State's Panel on Personal Protective Services in Iraq*, 4.

U.S. Government Accountability Office (GAO) which has reported at length on this topic. Beginning in 2004 and through the summer of 2008, it has chronicled many coordination problems. GAO also made recommendations on improvements to both DoD and DoS. Some were implemented, but even in its 2008 study, there was room for refinement; it observed "prior to the Nisoor Square incident, DoD and the State Department did not maintain regular communication or coordination of the departments' efforts related to PSCs in Iraq."[29] In 2005, GAO stated that before the Army opened its own coordination center (ROC), "coordination was informal, based on personal contacts, and was inconsistent."[30] A year later, GAO noted these problems were on-going, "private security providers continue to enter the battle space without coordinating with the U.S. military, putting both the military and security providers at a greater risk for injury."[31] It urged the DoD to provide pre-deployment training so soldiers would know the PSCs operating procedures and understand the ROC's function.

As coordination problems arose across Iraq and the number of security contractors grew in OIF, in October 2004, the U.S. Army opened the "Reconstruction Operations Center" (ROC) to coordinate its own contractors.[32] Managed by a British security company, Aegis Defence, the ROC required participation by all DoD contractors but none others. Due to coordination efforts by the ROC, incidents decreased but it left the DoS PSCs free to come and go as they pleased. But, even after the ROC opened,

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[29] GAO, "DoD and State Department Have Improved Oversight and Coordination Of Private Security Contractors in Iraq, but Further Actions Are Needed to Sustain Improvements," GAO-08-966: 20.

[30] GAO, 05- 737, July 2005, "Highlights".

[31] GAO, "Actions Still Needed to Improve the Use of Private Security Providers," 06-865T: Highlights.

[32] For a photograph of the ROC's Baghdad center, see Appendix 2.

coordination incidents occurred as private contractors approached each other as well as military convoys and checkpoints.[33]

Doug Brooks, President of the International Peace Operations Association (IPOA), a private military industry advocacy organization in Washington, DC, believes that private security details in Iraq probably did very little coordination with the ROC early on, *at State's behest*. Brooks speculated that it may have had to do with State's desire to keep their diplomatic mission as separate as possible from the DoD mission. He continued, State was "concerned that having diplomats kowtow to the military is not the image a nation should project."[34]

Additional evidence of these companies bypassing the ROC comes from the *Washington Post*. It reported: "Blackwater said that its movements are tracked by the military under separate U.S. government contracts [apart from the ROC] and that it thus does not need to participate. DynCorp said it also is monitored separately."[35]

Personnel in the ROC further verify that DoS security firms did not coordinate with it as a standard practice. For instance, Colonel Chris Mayer who worked in the ROC said that Watch Officers there would see "red dots" pop up on the tracking screen unexpectedly. This meant that a Blackwater convoy was in the area, unbeknownst to

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[33] Eventually the ROC coordination function was replaced by Army's "Contractor Operations Cells" (CONOCs) in 2008 which were located within the Multi-National Corps' regional centers. Military policy began to keep up with realities in Iraq with the issuance in October 2005 of DoD Instruction 3020.41, "Contractor Personnel Authorized to Accompany the U.S. Armed Forces". It served as a comprehensive and centralized policy regarding management and oversight for all *DoD* contractors deployed with soldiers.

[34] Personal communication with author, August 19, 2008.

[35] Steve Fainaru and Alec Klein, "In Iraq, a Private Realm of Intelligence-Gathering," *Washington Post*, July 1, 2007, A1.

them.[36] Another ROC officer, Colonel Tim Cornett, added "if Blackwater did [go through the ROC from its opening], it was not consistent. It was haphazard or ad hoc."[37] Jack Holly, long-time logistics manager for the Army Corps of Engineers whose operations tied in to the ROC, declared emphatically Blackwater did not utilize the ROC.[38] Even the company managing the ROC, Aegis, said Blackwater did not use it.[39]

Why would companies bypass the ROC? Chris Taylor, a former Vice President of Blackwater, one of three companies providing security contractors to the State Department, explained that early on both Blackwater and the State Department were "apprehensive about having their movements tracked with so many potential leaks" to the Ministry of Interior (MoI), which had a reputation for employing personnel who were also members of shi'ite militias.[40] Since the Ministry oversees domestic security and regulates private security companies operating in Iraq, it had an ongoing relationship with the ROC. The companies had their own tactical operations center (TOC) in the U.S. Embassy for coordination. Also, Blackwater specifically supplied its own intelligence reports, medical evacuation and extraction capabilities, so unlike smaller firms with no such capabilities, it certainly did not need to use the ROC.

Others knowledgeable about security contractors in Iraq have weighed in on coordination problems also. Martha Clark, in her dissertation on private security in Iraq,

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[36] Colonel Chris Mayer, personal conversation with the author, June 17, 2008. Permission to recount this conversation was given to author on November 19, 2008 by Col. Mayer. For a photo of the ROC's operation, see Appendix 2.

[37] Col. Tim Cornett, research interview with author, October 20, 2008.

[38] Steve Fainaru, *Big Boy Rules*, 138.

[39] Steve Fainaru, research interview by the author, October 17, 2008.

[40] Personal communication with Chris Taylor, November 19, 2008.

found that ground coordination between diverse PSCs and the military was "often ad-hoc and depends upon the personalities of those involved"; for instance, notifying commanders when traveling through their area, PSCs and soldiers exchanging cell phone numbers when they expect to be in the same area, or PSCs holding up U.S. flags when going through checkpoints.[41] Many of Clark's respondents (both soldiers and PSCs) "frequently cited the military's lack of knowledge regarding PSC personnel traveling through a particular military unit's area of responsibility as a result of problematic coordination."[42]

The remedy of having all armed contractors, regardless of the hiring agency, under DoD command and control (C2) would not be a realistic "fix". All private contractors are civilians and therefore do not come under military control, even those working on defense contracts. Authority over contractors is exercised through the contract system and contract representatives, not through military commanders in the field. Implementation of such a controversial policy could face serious resistance. For instance, it is questionable whether private contractors themselves would be willing to be in the military chain of command as they may end up being ordered to perform combat-related tasks. What penalties could be imposed for failure to obey a command? Suppose an Army captain is in the field and short of soldiers when he receives orders to conduct an attack. If contractors are nearby, would they have to participate in *offensive* operations, breaking a major taboo? What would that policy convey about how the U.S. wages war

[41] Clark, 141.

[42] Clark, 154-55.

when private non-state actors can be expected to join military battles? In essence, there would be no difference between a soldier and a contractor in that situation.

The Pentagon twice has attempted to fix this oversight in coordination in OIF in ways available to them, since putting civilian contractors under their command is not. First, the Army opened the ROC to coordinate DoD security contractors. However, several companies under non-DoD contracts did not participate, so information-sharing and coordination was incomplete. Second, in response to the Nisoor Square episode in 2007, DoD collaborated with the State Department to produce a "Memorandum of Agreement" (MOA) to develop and employ standards, policies, and procedures for private security. It clarified responsibilities and accountability and it exemplified better interagency cooperation than had previously existed in OIF. The MOA went into effect at the end of 2007.[43]

The Interagency Overview

Since DoD cannot compel State contractors to coordinate, the interagency process is crucial. The proof is evidenced in the fact that once the Defense and State Departments agreed to coordinate the private security contractors with the Army, problems decreased substantially. The interagency process originates in the National Security Council (NSC). The NSC is designed to bring together various instruments of national power – from diplomacy in the State Department to military force in the Department of Defense – to work cooperatively on national security policies. The goal is to pass information across agencies and up and down reporting lines to ensure that policies are formed only after options are brought forward and given due consideration.

[43] This type of agreement is informal and can be transitory.

Each new presidential administration creates its own national security process. The Bush Administration published its organizing principles and vision for the national security process, and the interagency element embedded within it, on February 1, 2001, in the National Security Presidential Directive (NSPD) 1. It outlined the structure and makeup of his National Security Council and designated the Principals Committee as the senior interagency forum with the Policy Coordination and Deputies' Committees supporting it. The Secretaries of State and Defense (among others) sit on the Principals Committee; the National Security Advisor chairs it.

The interagency process spans a multitude of applications, from humanitarian relief to stability and reconstruction operations (S&R) in a combat situation. In recent years alone, interagency operations have been implemented in several locations: Somalia, Haiti, Bosnia, Kosovo, and Afghanistan before Iraq. These interventions offered a multitude of lessons learned regarding civil-military ventures. As the National Defense University noted in a 2005 paper on "Harness the Interagency for Complex Operations,"

> civil-military cooperation on S&R spans pre-conflict planning, training, and deployment, stabilization operations as the conflict unfolds, and post-conflict operations that are expected to unfold unevenly across the operational area as combat operations subside and, at time, re-ignite.[44]

In conclusion, Iraq provided just that changing and highly challenging tableau where success would depend on interagency cooperation, particularly post-combat. As a 2008 report from The Project on National Security Reform remarks that

> a new problem that has emerged in recent years, particularly for civilian agencies, is the expeditionary nature of many of today's missions and the dangers that arise from having to deploy "in harm's way." This issue is reflected, for example, in

[44] Arnas, "Harnessing the Interagency for Complex Operations," 1-2.

> the State Department's growing emphasis on hot spots and hardship posts for deployment of career Foreign Service officers.[45]

This means an increased demand to deliver effective and efficient means for maintaining their safety. The answer in Iraq was private security contractors. The U.S. experience in Iraq demonstrated that no one agency had all the capabilities and resources within it to execute a successful operation, from combat to reconstruction, and that a new commitment to interagency cooperation would be required going forward.

On the traditional battlefield, pre-Viet Nam, the line between civilians and soldiers was clear; front and rear areas were well designated. In post-modern combat, urban insurgencies have replaced that conventional battlefield. Uniforms have been discarded; who is a lawful combatant and who is not is hard to distinguish. Stabilization efforts by civilians are underway simultaneous with combat operations and private citizens are hired and armed to protect non-combatants. Without formal coordination of these private non-state actors with the military, the results cannot help but be disastrous. The interagency process must improve for future success since private contractors are likely here to stay.

The next chapter will review the literature on the issues related to the thesis. It breaks out four specific topics – private contractors in U.S. military operations; applicable military doctrine and regulations regarding these non-state actors; the interagency process between DoD and DoS; and, public-private partnerships in recent military actions.

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[45] Locher, *Ensuring Security in an Unpredictable World: The Urgent Need for National Security Reform*, The Project on National Security Reform, 81.

Chapter III

Literature Review

The new American way of waging war consists, in part, of bringing a multitude of private contractors onto the battlefield. Numerous studies and analyses have been done on different aspects of the Defense Department's contracting practices and policies since the 1990s when defense contracting greatly expanded. On the whole, the observations have focused on the topics of oversight and regulation, international humanitarian law, or cost concerns. Further, the inquiries typically center on the conventional type of contractor – logistics or construction. However, when the U.S. introduced armed non-state actors onto the battlefield in Operation Iraqi Freedom, some academics and analysts began to assess this phenomenon. Most often, they considered it from the aspect of cost, accountability, regulation, or legal status. Only a small amount of scholarship spoke to the narrow topic of coordination of private security contractors with the military.

To some extent this gap can be explained by two factors. First, armed private actors have worked in a U.S. combat zone for barely five years. Second, the private security industry is highly private. Data, facts, and details about these security firms and their contracts with the U.S. government are hard to come by. It is a secretive subject by preference of both parties to the contracts.[46] How they have been coordinated, whether they should be integrated with the military, and how to improve their coordination are all

[46] "Little information is publicly available on State Department and DoD contracts for private security services in Iraq. The State Department has recently made available the names of companies holding its primary contracts for such protective services…[it] has not made public the names of subcontractors." Congressional Research Service, RL32419, "Private Security Contractors in Iraq: Background, Legal Status, and Other Issues," (CRS RL32419; Washington, DC: July 11, 2007), 6.

subjects with insufficient research to date. Therefore, the scope of this review has been broadened. It examines four issues generally related to the thesis topic: private contractors in U.S. military operations; military doctrine and regulations regarding contractors on a U.S. battlefield; the interagency process between DoD and DoS; and, public/private partnerships in recent U.S. military operations.

Private Contractors in U.S. Military Operations

After the fall of Baghdad in Operation Iraqi Freedom, the U.S. government and others turned to private security and an army of conventional contractors to work alongside the military in Iraq on various projects and providing diverse services. Due to this large influx of contractors, Congress, academia, and think tanks began to study the risks, benefits, costs, and reasons for their employment in Iraq. Most studies and analyses lean to the belief that having armed non-state actors in a war zone can be dangerous and counter-productive to the military's counterinsurgency mission. The various reports and studies most often arrived at the same conclusion – with a soldier shortage, private security contractors continued to provide a vital service in Iraq but they needed better coordination, regulation, and oversight.

One of the first attempts to gather data on this practice, in 2004, originated in Congress when it required the DoD to report on its contractors in Iraq. The record, "Public Law 108-375, Section 1206 Report" explained that the military has no "command and control" (C2) authority over contractors and coordination is the way to describe their relationship. DoD and the State Department were collaborating to draft interagency policy guidance on contractors in Iraq. Beyond the DoD's plans to collect

information on contractors through a database system, it did not offer remedies, procedures, or recommend changes regarding coordination with State.

Regarding the "command and control" aspect, in a 2006 MBA report for the Naval Postgraduate School, Joseph Butkus and Matthew Howes researched C2 issues regarding contractors in Iraq generally. They did not consider the State Department security contractors in particular or their specific coordination problems. They categorized *all* types of contractors as "security contractors" even though most of those they considered were in other functions such as logistics. Butkus and Howes recommended that contractors be required to participate in the Army's coordination center (the ROC) but did not address how to put contractors under military C2 and yet overcome the problems raised in the Background Chapter on this subject, in having civilians under military command.

An academic who also focused on contractors and soldiers in OIF, Martha Clarke, studied the impact private security companies had on military effectiveness in her 2008 Cornell dissertation. In Chapter Five, using OIF as the case study, she sought to answer the question, "how well did PSCs coordinate with professional soldiers on the battlefield?". She found that both structural and identity elements caused coordination problems, pointing specifically to "breakdowns in communications, shortcoming in training and doctrine, and resentment are all instrumental in causing coordination problems".[47] Her definition of structural factors includes communication, pre-deployment training, standard procedures, doctrine, and situational awareness. Identity elements include norms, perceptions of one group by the other, military commander's

[47] Clark, 60.

personality, and different missions or motivations. She closes by asserting that co-deployments of security contractors and soldiers do not favor military effectiveness. Clark did not extend her results to include the interagency process.

Curiously, in 2005, Rand produced an extensive study on risks associated with using contractors alongside soldiers yet it did not include armed security contractors as part of the evaluation. The Army sought the review as it acknowledged "the use of contractors did not stem from any clearly articulated policy and could well be inappropriate."[48] The report concludes that the Army finds contractors necessary but does not hold a genuine preference to use them. Ironically, it was the State Department's armed contractors that caused more of the high-profile problems for the Army in Iraq.

Peter Singer, a scholar and expert on the private military industry, concluded that private security contractors should be banned after the shootings in Nisoor Square. He claimed coordination was non-existent and resulted in too many negative episodes. In an October 2007 *Washington Post* editorial, he exhorted the Secretaries of Defense and State to abandon the use of private security, arguing it undermines the military's mission in OIF and the U.S.'s broader counterterrorism efforts.

Singer addressed the lack of coordination between the military and private contractors even earlier, in a 2004 *Salon* article, "Outsourcing the War." He pointed out that at that time contractors were on their own for security and operations. Undependable communication and information-sharing between the Coalition Provisional Authority and the military led to "local military commanders…often [being] unaware of the daily actions of firms in their zones of responsibility. This disconnect is not just a simple point

[48] Camm, "How Should the Army Use Contractors on the Battlefield?" 2005, Preface, iii.

of discomfort for officers: 'Friendly fire' incidents have even broken out between contractor and coalition convoys."[49]

Taking the opposite position to Peter Singer's, David Isenberg, a military analyst, emphatically supports the use of private security in OIF. Isenberg criticized the Pentagon for not incorporating private military companies in its strategic plans and for not giving the firms lead time to prepare to go. In a 2004 article, "A Fistful of Contractors," Isenberg wrote that companies did not have as much information as they needed to move about the country safely. Some private companies resorted to developing their own sources and intelligence reports, so he recommended increased information-sharing as a solution to poor coordination. [50]

Isenberg attributes part of the early problems with contractors in Iraq to shoddy contracting, which came from the unexpected and high need for contractors once in Iraq. Isenberg isolates other factors contributing to contractor problems, such as a lack of awareness by contractors of local laws and regulations, insufficient Pentagon oversight mechanisms, legal loopholes in contractor accountability, and contractor incompetence.

Two scholars, Schreier and Caparini, also attribute the lack of control over private security contractors in a commander's area of operation (AO) to the contract process. They recognize the need for more specificity and policy refinement. If contracts are better written, contractors will establish a connection with

> local military units…but these relationships rarely include important details like precise routes and times for contractor convoys, or frequencies and call-signs for contractor personnel. This creates problems when soldiers and contractors work,

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[49] Peter Singer, "Outsourcing the War", Salon.com., 2004.

[50] Isenberg, "A Fistful of Contractors: The Case for a Pragmatic Assessment of Private Military Companies in Iraq," 22.

> or fight, in close proximity to each other. In Iraq, when contractor convoys drive from Baghdad to Fallujah, they are under no legal obligation to inform military commanders that they are on the way.[51]

Unfortunately, as several scholars note, there is a shortage of contract managers generally and of experienced ones in particular. Stronger control or coordination via the contracts therefore would take some time in terms of hiring and training.

Another scholar who writes extensively on private contracting, Deborah Avant, goes Isenberg one better – advancing the idea of integrating contractors with the military, not merely coordinating them. Avant recognizes that even if integrated, fundamental problems remain. In a 2007 article for PSOnline, she notes when a military operation divvies up tasks, giving some key ones to PSCs such as personal protection of high-value individuals, it may diverge from fulfillment of the main goal. PSCs taking an Ambassador to appointments around Iraq need to focus on keeping him safe, which can mean alienating Iraqis via their aggressive driving and other offensive tactics that are counterproductive to the Army's "hearts and minds" counterinsurgency campaign.

Avant recommends increased institutional coordination. She cites DoD's effort in 2005 to better coordinate its own contractors, DoD Instruction 3020.41, as a step in the right direction. Taking that effort further, the nonprofit group Human Rights First recommends that the DoD be held responsible for *all* security contractors under U.S. government contracts (State, etc.) and that formal coordination centers be in place in any conflict zone. Its January 2008 study, "Private Security Contractors at War," details accountability and legal issues. It suggests that effective coordination "is likely to be

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[51] Schreier and Caparini, *Privatising Security: Law, Practice and Governance of Private Military and Security Companies*, 46-47.

only enhanced by the existence of UCMJ jurisdiction and the possibility of court-martial."[52]

A month after the Blackwater episode in Nisoor Square, the State Department issued its own recommendations on operational coordination with the military in its formal review of the shootings in September 2007. A panel of outside experts concluded that although the security details had been highly successful in protecting personnel, coordination with the military needed to be greatly improved. The report outlined several specific remedies, many of which were formalized in a Memorandum of Agreement between DoD and DoS in December 2007. As with other commentaries on coordination, it did not offer an answer as to what caused the problems in the first place.

Various reports and studies on security contractors in Operation Iraqi Freedom document a range of problems that have arisen with their employment. Congressional testimony, government reports, academic and think tank analyses contribute greatly to the overall discourse on the benefits and pitfalls of using security contractors. But only Clark's 2008 dissertation delves deeply into reasons for operational coordination difficulties. This is a narrow but important aspect of their use and one that, Clark notwithstanding, has not received close scrutiny yet.

Military Doctrine and Regulations regarding Contractors on the Battlefield

The United States military has been drafting and implementing doctrine and rules for the use of contractors on the battlefield since the 1990s as outsourcing greatly expanded. There are rules for almost every conceivable aspect of contracting. The military even has an extensive Resource Library on the web on contractors on the

[52] Human Rights *First*, "Private Security Contractors at War," 34.

battlefield.[53] The materials cover a range of subjects, from joint doctrine, international laws, and CENTCOM policies to federal acquisition regulations, deployment guides for contractors, and logistics contracting.

Two of the authoritative doctrines for the Army regarding contractors are FM 100-10-2 "Contracting Support on the Battlefield" and FM 3-100.21, "Contractors on the Battlefield" (2003). The first manual, written in 1999, well before private security was part of the battle space, obviously does not address issues regarding armed security actors. Even the second Field Manual, published on the eve of OIF in January 2003, did not cover private contractors providing static security or personnel protection. On the contrary, it specifically discusses the *military* providing security for defense contractors doing a variety of non-security tasks, "protection for contractors involves active use of armed military forces to provide escort or perimeter security, and passive measures that include protective military equipment, training, and equipping of contractor employees in self-protection."[54] Up to the Iraq war, it was the military commander's responsibility to protect the contractor.

Yet, the 2003 Field Manual recognized the importance of contractor visibility and the need to orchestrate their activities with the military. Before OIF, there was no system to show the "who, when, and where" of contractors on the battlefield or one office designated to oversee such a system. Since contractors could now be anywhere in the area of operation (AO), the manual stresses that contractors arriving in the theater must

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[53] See http://www.afsc.army.mil/gc/battle2.asp. See also, David Isenberg's list of military rules and regulations applicable to contractors in "A Government in Search of Cover", 25 (fn 38).

[54] U.S. Army, FM 3-100.21, "Contractors on the Battlefield," Chapter 6, Section 6-6, p. 6-2.

be introduced consciously and as carefully as military forces, so they do not become an inadvertent target themselves.[55]

For over ten years, the Defense Department has generated a great deal of material, from doctrine to guidelines, on contractors on the battlefield. In Operation Iraqi Freedom, it has gained a deeper understanding of its use of contractors in a combat environment. DoD began to tighten the regulations for its own security contractors in 2005. However, it does not have any direct control over other federal agencies' armed contractors. The literature shows that there is no single, integrated doctrine on using security contractors on the battlefield that encompasses *all* hiring agencies, not just DoD.

The Interagency Process between DoD and DoS

In the wake of Operation Iraqi Freedom, the "interagency process" concept is currently enjoying a renewed prominence, debate, and study in the federal government, particularly the Defense Department. One military doctrine especially germane to this discussion is "Joint Publication 3-08" on the interagency process in joint operations.

Joint Publication 3-08, "Interagency Coordination During Joint Operations," a two-volume authoritative work was first published in 1996 and updated in 2006. Clearly, interagency doctrine had existed for some time prior to Operation Iraqi Freedom and guidance within it applied to OIF. The first volume offers methodologies for effective interagency efforts and describes the military's relationship to other agencies involved. Yet, neither the original nor the update notes the role or use of contractors. But the 1996 version does stipulate that "**efforts must be coordinated** despite philosophical and

[55] U.S. Army FM 3-100.21, "Contractors on the Battlefield," Section 3-55, 3-16.

operational differences separating agencies" (boldface in original).[56] A section on "Theater Operations" emphasizes the need for synchronization "**in time, space, and purpose with the actions of other military forces... and nonmilitary organizations**" (boldface in original).[57] Although the 2006 update expands its discussion of coordination and allots a good deal of space to international and nongovernmental agency cooperation efforts, armed security contractors were not addressed.

Scholarly and military articles on the interagency process in OIF abound. Three of particular interest come from Drechsler, Bogdanos, and Arnas et al. Each offers a different focal point for interagency operations. Writing for the *Journal of Strategic Studies* in 2005, Drechsler contends that various barriers between DoS and DoD prevented effective post-war planning and implementation. In *Joint Forces Quarterly*, Bogdanos traces the November 2001 creation and expanded utilization of a Joint Interagency Coordination Group (JIACG) for CENTCOM. In "Harnessing the Interagency for Complex Operations" (2005), Arnas, Barry, and Oakely offer a description of existing and potential models for cooperation for interagency efforts during stabilization and reconstruction missions.

None of the articles discusses contractors in particular. Drechsler highlights the problems that dogged the interagency process from the national security level down to the theater command and various non-DoD operations in Iraq. Bogdanos explains the JIACG as a solution to some of these problems. Arnas urges the inclusion of contractors in whatever interagency model the stabilization and reconstruction operation selects.

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[56] JCS, Joint Publication 3-08 "Interagency Coordination during Joint Operations," Washington, DC: 9 October 1996, vol. 1, v.

[57] JCS, Joint Publication 3-08, 1996, vol. 1, I-3/4.

The two lead federal agencies in stability operations, DoD and State, had specific interagency material to draw upon going into Iraq and each authored detailed directives and created offices once there. As OIF evolved, both agencies came to recognize the vitality of the interagency process to success in Iraq. But apparently neither agency envisioned battlefield coordination of State's private security with DoD's field commanders as a priority. Official documents do not reflect any such consideration.

Public/Private Partnerships in Recent U.S. Military Operations

In 2008, James Carafano, at the Heritage Foundation, published *Private Sector, Public Wars*. He notes that as of 2005, except for works by Peter Singer and Deborah Avant, there was very little scholarship on contractors in combat. Carafano takes a sanguine view of the use of contractors, stating that "the use of contractors in combat can become one of the greatest competitive advantages in the twenty-first century."[58] Although he does give a brief nod to Blackwater et al. working for the State Department in Iraq, he does not explore how to coordinate them on the battlefield. In a post-war environment during the transition to stability, he recommends employing a constabulary unit with special training and equipment (but does not suggest it should be supplied by private security firms), not regular infantry or military police. He argues that the problems that persist in the use of contractors can be traced to the contracting process – "how contracts are conceived, competed, and controlled in combat."[59]

The Peace Operations Institute, with staff from the private military industry association, the International Peace Operations of America (IPOA), published a report in

[58] Carafano, 12.

[59] Ibid, 68.

2007 on the public-private partnership involving military contractors. It attempts to demonstrate the benefits and downplay the risks associated with military contracting. The report covers costs, contract types, performance measurements, deficiencies in government oversight, and the value added by the private sector. It concludes that contractors can indeed save government money, particularly if the government is a smart client and provides more contract officers and better training.

In her recent book, *The Market for Force*, Avant argues that security has been privatized so much since the 1990s that a "market for force" developed. This undermines the state's monopoly on the control of violence. Whereas Singer's typology of private military firms uses the "tip of the spear" military analogy (proximity to the front line), Avant categorizes firms by the type of contract they have, so the contract becomes her unit of analysis. She wonders what happens when a strong democracy such as the United States outsources so much security work. Using OIF as an example, she concludes that with increased outsourcing the political processes are changed and new social norms emerge (when more military jobs are outsourced, perhaps the public puts less value in military service). Singer would agree with Avant's belief that privatization reduces the influence American citizens have on U.S. foreign policy.

One limitation of Avant's book lies in her overly broad definition of private security. She includes not only those who guard personnel and facilities but also those who provide logistics, train Iraqi police, or conduct interrogations. One of the ongoing, glaring problems in the debate on contractors centers on definition. This expansive one adds to the confusion, muddling potential comparisons with other scholarship.

Extending Avant's argument about contractors' influence on government, in *Outsourcing Sovereignty*, Paul Verkuil argues that outsourcing so many government functions threatens democracy. He uses several examples of U.S. government privatization (e.g., transportation security, prisons) and briefly discusses military privatization. Recognizing that logistics and support services are not controversial, he focuses more on armed security such as Blackwater and intelligence contractors at Abu Ghraib like CACI.

Although armed contractors can only perform "defensive" operations, Verkuil contends that in Iraq, due to the irregular warfare there, it is hard to draw a line between what is offense and what is defense. He concludes it is difficult to manage or limit contractor activity appropriately on the battlefield as their tasks can blur into combat functions. However, he does not weigh in on the question of coordination on the battlefield. Verkuil raises the issue of what is "inherently governmental," a hot topic currently in the debate on the use of contractors. For him, any position that requires the use of force is inherently governmental and therefore should exclude contractors from that function. Since the military is short on personnel and conducts missions on unconventional battlefields, the DoD is left with an unrealistic situation: use contractors but not on the battlefield.

Although the literature on the public-private aspect of government contracting has much to offer in the way of economic analyses, cost-benefit assessments, contract administration short-comings, and policy prescriptions, it has very little to say on the topic of operational coordination of security contractors in Iraq. The nature of the subject,

public-private partnerships, lends itself more naturally to discussions of cost, contracts, and associated issues, but not to operational-level problems with the military.

Conclusion

In spite of a host of articles, congressional reports, military analysis, and some scholarly books on military contracting since OIF began, there is a gap in the literature on operational coordination of armed non-state actors with U.S. soldiers on the new, amorphous battlefield. This literature review demonstrates that the unprecedented use of armed non-state actors in Iraq alongside U.S. and coalition soldiers has supplied numerous authors with new material to digest and assess. The practice, only five years old, is still fresh. It offers a wide field of angles of approach, from the interagency process to public-private partnerships. Only recently have scholars and others begun to explore this innovation. Operational coordination of security contractors, however, is practically new ground. The literature generally does not address this particular theme. The few government or think tank reports or analysts who address it have not tackled the hard question of *why* coordination was weak for so long.

Only one scholar, Martha Clark, has researched it and even then, only in one chapter of her 2008 dissertation. As a “first cut” on the subject, it provides a valuable assessment and a good starting point for further inquiry. My research will extend Clark’s dissertation work by going beyond her answer of structural and identity factors, deeper to an interagency process explanation for why coordination was ineffective for over four years in Iraq.

Chapter IV

Results and Findings

Private security contractors on the battlefield in Iraq presented a unique resource and challenge. As scholars begin to study various aspects of their utilization this way, this thesis attempts to generate answers and provide some insight into the problems raised in coordinating them alongside soldiers across military areas of operation in the midst of a conflict zone. Chapter II, Background, provided a framework and context for the growth of the private military industry in the United States. It described the problem of ineffective coordination: how it developed and manifested itself. Also, it established that coordination of these armed non-state actors was ineffective for several years. Chapter III reviewed the related literature on the subject.

This chapter presents the results and findings of the case study. I offer three hypotheses as to why coordination of the State Department's private security details was ineffective with the U.S. military for over three years, 2004-2007. First, interagency dysfunction between DoD and DoS explains the root cause of the poor coordination. Second, chaos in Iraq after the end of major combat operations in May 2003 contributed to the problem. Third, one of the three private firms for DoS conducting its high-level security details, Blackwater, garnered undue influence over its client, the State Department, in filling this critical role. The undue influence arose from three factors: the

monopoly Blackwater created, its "full-spectrum" capabilities, and the "brain drain" of key, senior federal executives to the firm.

Inter-agency Dysfunction between the Defense and State Departments

The Washington Post reported in October 2007 that

> a new executive order, signed in January 2005, gave State authority over all but military operations [in Iraq]. [Defense Secretary] Rumsfeld's revenge, at least in the view of many State officials, was to withdraw all but minimal assistance for diplomatic security. Meetings to negotiate an official memorandum of understanding between State and Defense during the spring of 2004 broke up in shouting matches over issues such as their respective levels of patriotism and whether the military would provide mortuary services for slain diplomats.[60]

This is but one spectacular example of the dysfunctional relationship between the Defense and the State Departments regarding Operation Iraqi Freedom. On the ground, the DoS security details were not effectively coordinated with the military for over four years. This section explores the hypothesis that a dysfunctional interagency process, from the planning to the post-combat phases, accounts for that ineffective coordination. It considers the two phases of the operation: the planning for OIF and the post-combat implementation of Stability and Reconstruction Operations (Phase IV). Further, it asks the critical question, "who is in charge," as a lens through which to inquire how the interagency process affected coordination. As GAO found in a 2008 report on this subject, prior to October 2007, "DoD and the State Department did not maintain regular communication or coordination on the departments' efforts related to PSCs in Iraq….According to State Department officials, much of the prior coordination with

[60] Karen DeYoung, "State Department Struggles to Oversee Private Army," *Washington Post*, October 21, 2007, A1.

MNF-I [Multi-National Force-Iraq] was ad hoc in part because MNF-I lacked a focal point to coordinate with."[61]

The Interagency Process

Simply put, the "interagency process" (IAP) is "the coordination that occurs between elements of Department of Defense, and engaged US Government agencies for the purpose of achieving an objective.[62] It originates at the highest government level, in the National Security Council (NSC). The NSC is the body ultimately responsible for an effective interagency process. The first document an incoming President issues to structure his national security system is National Security Presidential Directive (NSPD)-1, "Organization of the National Security Council System". As he created his own NSC process, President Bush acknowledged that "the interagency process is still difficult but there are tools to help."[63] The Secretaries of Defense and State are among several principals on the NSC.

Moving down from the NSC to the federal agency level, how should the interagency process work between the Defense and State Departments? The authoritative doctrine for the DoD is Joint Publication 3-08, "Interagency Coordination during Joint Operations." Published in 1996, it was well-established by Operation Iraqi Freedom

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[61] GAO, 08-966, 20.

[62] Joint Chiefs of Staff, The Department of Defense Dictionary of Military and Associated Terms," JP 3-0, April 2, 2001: 274. http://www.dtic.mil/doctrine/jel/new_pubs/jp1_02.pdf. Despite coming into vogue in federal government parlance since 2005 as *the* method for successful stabilization operations, one cannot readily find a definition of the process on the State Department's website.

[63] NSPD-1, Summary slide 19, National Defense University, February 26, 2001. Ironically, President Bush styled his NSC as a "coordinating" body, not as a strong advisory group as some other presidents have preferred; yet, it often failed to achieve effective coordination from the NSC level down the line.

(OIF) and even updated in 2006. The purpose of this doctrine is to explain processes and the roles of the NSC and other direct participants. It also discusses the interagency system at the operational level and offers "methodologies for synchronizing successful interagency operations."[64] The doctrine highlighted the importance of coordinating military operations "**in time, space, and purpose"** in the theater with nonmilitary organizations[65] [bold in original]. State, however, does not have an equivalent policy statement.

In Iraq, both DoD and DoS had authority but not one over the other. They were partners as the operation's phases overlapped – counterinsurgency, reconstruction, and civil affairs. Due to this new model of co-leadership in OIF between State and the Pentagon, State's security contractors could not be compelled to coordinate with the military for over four years. The 2007 Nisoor incident forced the DoS to formally cooperate with the Army on the coordination of their security contractors with the military.

The State Department officially entered Iraq with the opening of its U.S. Embassy in Baghdad in July 2004. Due to the highly unstable situation in Iraq, DoS quickly discovered it needed to hire private security because of a shortage of both its own diplomatic security agents and soldiers.[66] National Security Presidential Directive (NSPD) 36 stipulated that in the handover from the Coalition Provisional Authority to the U.S. Embassy that both federal agencies (State and Defense) were required "to ensure the

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[64] Joint Chiefs of Staff, Joint Publication 3-08, "Interagency Coordination During Joint Operations," 1996, vol. 2: i.

[65] Joint Publication 3-08, 1996, vol. 1, I-3/4.

[66] Soldiers are not tasked with providing protection to diplomats or civil affairs personnel. The State Department has its own Bureau of Diplomatic Security to fill that function.

closest cooperation and mutual support to accomplish their command and oversight responsibilities."[67] Due to long-standing tensions, grossly uneven budgets, and the novel attempt to conduct a counterinsurgency during a reconstruction effort, the DoD and DoS did not demonstrated that close cooperation in several ways, including at the operational level of their security convoys with military commanders. From the most senior level at the National Security Council (NSC) down to the interagency groups, commanders and security contractors on the ground in Iraq, there was a pervasive, sometimes corrosive lack of cooperation, coordination, and even communication. "Unity of effort," a fundamental element for success, suffered.

When asking the question "who was in charge?" in Iraq, the answer continually changed. Before Operation Iraqi Freedom, the State Department would be the lead agency for post-conflict stabilization and reconstruction, "Phase IV". This phase is a massive undertaking. It requires deep pockets and a layered cadre of experienced, talented personnel. However, three months before the United States invaded Iraq in March 2003, President Bush, through his National Security Council, handed that responsibility over to the Defense Department. That transfer of power between agencies was the beginning of a long costly struggle between DoD and DoS in Iraq.

OIF: The Planning Stage

> "The essence of interagency coordination is the interplay of multiple agencies with individual agendas."[68]

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[67] Department of Defense, Section 1206 Report, Public Law 108- 375, Washington, DC: 5.

[68] Joint Chiefs of Staff, Joint Publication 3-08, "Interagency Coordination During Joint Operations," 1996, vol. 1, I-5.

The planning stages were riddled with gaps between DoD and DoS. Writing in the Journal of Strategic Studies, Donald Drechsler spoke for several scholars and analysts when he attributed a poor interagency process in the planning of OIF to several factors: there were no counterparts between DoD and DoS, the State Department had no depth of planning expertise, and there were too many agencies and groups planning in isolation for the post-war period and they did not have enough time to integrate their efforts. Cultural differences were great between the two agencies and there was friction between Secretaries Rumsfeld (DoD) and Powell (DoS).

State began fostering the "Future of Iraq" project in October of 2001. CENTCOM, the military command, started its planning a month later. Neither of these groups worked together or shared information. Because diplomacy and war plans were happening simultaneously, Drechsler believes this led to a discreet "stove-piping" process that kept efforts from being integrated until it was too late. He further cites the fact that although the State Department was well-represented at interagency groups in Washington, DC, it was not so well-represented at CENTCOM.[69] He notes there was some Pentagon resistance to DoS participating in what DoD perceived as military planning.

On the State Department side, the "Future of Iraq Project" brought exiled Iraqis into the planning process for Iraq without Saddam. It comprised seventeen working groups, each with DoD observers. However, a Rand study remarked, the project's findings "were not well integrated into other U.S. government planning efforts" and "State Department officials believed they were marginalized because State was not seen

[69] Drechsler, 18.

as supporting the possible war with Iraq."[70] The report concluded, "whatever the cause, State ultimately lost more battles than it won during the interagency planning process."[71]

Who Is in Charge?

As mentioned previously, normally the DoS would take over responsibility at the end of combat as the lead agency in a post-war period – not so for Iraq. According to a Rand study, DoD was given the lead in the belief that coordination "would be more effective" between civilian and military authorities in Iraq "if they both reported to the Secretary of Defense."[72] However, the U.S. military had no substantial experience in promoting civic affairs, economic development, and nation-building. Therefore, serious flaws in that transfer of complex responsibility became apparent quickly. In actuality, the main reason DoD became responsible for Phase IV had more to do with its budget, resources, and manpower – all of which dwarfed those at State.[73]

Along with transferring the obligation for post-war Iraq to the DoD, the National Security Council hastily created an under-funded and under-resourced group, the Office of Reconstruction and Humanitarian Assistance (OHRA) on January 23, 2003. In quick succession, OHRA was replaced with the Coalition Provisional Authority (CPA) three months later, removing OHRA's leader, General Jay Garner, and bringing in Presidential

[70] Bensahel et al, *After Saddam*, Rand, 2007: 29.

[71] Bensahel, *After Saddam*, 29.

[72] Bensahel, *After Saddam*, 238.

[73] In 2002, the DoD spent $330 billion while the DoS spent a fraction of that -- $16 billion. *Budget of the United States Government, FY 2003*. http://www.gpoaccess.gov/usbudget/fy03/browse.html.

Envoy, L. Paul Bremer. Like OHRA, the CPA was staffed with a variety of individuals, from DoS and other government agencies.

Ambassador Bodine experienced the interagency friction first-hand while working with General Garner in the brief tenure of OHRA. She commented, "I was very surprised at how bitter and nasty the relations were between State and DoD. It was not one of differing views to serve the president, it was a full-scale war."[74] Thomas Rick's added his own observation about DoD and DoS at the time, "the Pentagon [and] the State Department really didn't trust each other on Iraq. [General] Garner is told again and again, 'Get these State people off the team, get Pentagon people' - that is, loyalists – 'on your team.'"[75]

Post-Combat Iraq

Once the major combat operation ended in May 2003, the counterinsurgency and reconstruction efforts began. It has been well-documented by 2008 that the planning for the post-war Iraq was not as thorough, rigorous, or coordinated across federal agencies as the combat phase had been.[76] Robert Blackwill, a Presidential Envoy sent to Iraq in 2003, observed "the level of cooperation between those two agencies [DoD and State] was

[74] Ambassador Barbara Bodine, "The Lost Year in Iraq," *Frontline*, http://www.pbs.org/wgbh/pages/frontline/yeariniraq/etc/script.html.

[75] Thomas Ricks, "The Lost Year in Iraq", *Frontline*, http://www.pbs.org/wgbh/pages/frontline/yeariniraq/etc/script.html.

[76] CRS, "Operation Iraqi Freedom: Strategies, Approaches, Results, and Issues for Congress," RL34387, update March 28, 2008: 13. For an in-depth discussion of this topic, see the official U.S. Army account, *On Point II*, and Gordon and Trainor, *Cobra II*.

really quite minimal…the interagency process essentially was not working."[77] Even the CPA, which had some State personnel in it, had friction with the military. The Army's official account of OIF stated,

> the informal culture and lack of formal staffing processes within the CPA also clashed directly with the disciplined military decision-making process (MDMP) of the Army. [General] Sanchez and his staff felt continually frustrated by what they perceived to be arrogant and informal staffing of key issues by CPA officials, many of whom came from the State Department and other agencies outside the DoD community. Military officials tended to see the CPA process as shallow and lacking in the understanding of the full range of actions needed to prepare, implement, and monitor the effects of major policy issues.[78]

When the CPA, an Army construct, ended in June 28, 2004, the State Department officially joined the U.S. military in Iraq when it opened its embassy the next day. In anticipation of this additional U.S. presence and their separate missions, the White House issued NSPD-36, in May 2004 in an attempt to clarify this new power-sharing situation. It named the Chief of Mission (COM), a State Department position, as the highest executive for all U.S. government personnel, policies, and coordination in Iraq "*except* for those under the command of an area military commander"[79] [italics mine].

NSPD-36 also stated that the

> Commander, USCENTCOM…shall continue to be responsible for U.S. efforts with respect to security and military operations in Iraq. In all activities, the Chief of Mission [the senior State Department official in Iraq] and Commander USCENTCOM shall ensure the closest cooperation and mutual support. The Secretary of State shall be responsible for the continuous supervision and general direction of all assistance for Iraq.[80]

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[77] Robert Blackwill, interview, "The Lost Year in Iraq," *Frontline*, July 25, 2006. .http://www.pbs.org/wgbh/pages/frontline/yeariniraq/interviews/blackwill.html#1.

[78] Wright, *On Point II*, 155.

[79] Section 1206 Report, Public Law 108-375, 4-5.

[80] The White House, NSPD-36, "U.S. Government Operations in Iraq," May 11, 2004. http://www.fas.org/irp/offdocs/nspd/nspd051104.pdf.

In practice, there were now two federal agencies responsible for Iraq and neither one had compelling authority over the other. The military was responsible for security and military operations while the State Department had everything else. So when the State Department went about its business of promoting democracy, civil affairs, and building an economic infrastructure, it traveled with security details. In spite of the fact that the military was liable still for the security operations, it had no command and control (C2) authority over the armed non-state contractors working for State and other entities. Protecting diplomats has been a State responsibility, performed by their Diplomatic Security agents. The problem was not whether DoS employees or hired guns did these security details but the fact they were not coordinated with the military. Yet, DoS' armed contractors were under no obligation to do such coordination.

The troublesome subject of who would provide security came up vividly when DoD and DoS clashed over how to provide for new "Provincial Reconstruction Teams" (PRTs). Sparring broke out over who was in charge and budgets regarding security personnel, an ongoing argument. Kenneth Dahl, an Army colonel, recounted part of the contentious story,

> almost immediately, there was conflict in the field over who would provide resources for security and life support. The Embassy insisted it should be the military, but the military resisted. For the military to provide security, it would take more troops and the money to support them. For the Embassy to arrange security, it meant more security contracts and the money to pay for them. Neither entity had anticipated these requirements, so neither had budgeted for it. After more than a year of frustration in the field, a compromise arrangement was formalized in a Memorandum of Agreement between the Departments of State and Defense.[81]

[81] Dahl, "New Security for New Threats: The Case for Reforming the Interagency Process," Brookings Institution, Washington, DC, July 2007: 7. This was not the December 2007 MOA that finally implemented the formal coordination between DoS's PSCs and the military.

This demonstrates that the question of "who is responsible" arose yet its companion topic – coordination – was not discussed.

On December 7, 2005 by presidential directive (NSPD-44), the question of which agency was in charge shifted yet again. Responsibility for stability and reconstruction operations reverted to the Department of State. NSPD-44, "Management of Interagency Efforts Concerning Reconstruction and Stabilization," required the Secretary of State to coordinate with the Secretary of Defense "to ensure harmonization with any planned or ongoing U.S. military operations across the spectrum of conflict."[82] Subsection 10 also stipulated that the Secretaries of Defense and State "integrate stabilization and reconstruction plans with military contingency plans."[83] Here again was an opportunity to formally coordinate security personnel.

In support of NSPD-44, DoD issued Directive 3000.05 to rethink "the whole way that the armed forces plan, prepare, and execute [stability and reconstruction] operations."[84] On the State Department's side, it created the Office of the Coordinator for Reconstruction and Stabilization (S/CRS) as its interagency lead office for stabilization operations. In 2005, the S/CRS issued an "essential task matrix." RAND notes the matrix outlines 1,178 tasks that should "support a country in transition from armed conflict or civil strife to sustainable stability."[85] (Coordination of international security forces is one of the tasks but names only military and police forces, not armed private actors.) Within

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[82] NSPD-44, 2.

[83] NSPD-44, The White House, December 7, 2005, Washington, DC: 4.

[84] Szayna, *Preparing the Army for Stability Operations*, 8.

[85] Szayna, *Preparing the Army for Stability Operations*, Summary Section, xv.

each agency efforts were underway, from the top down, to implement NSPD-44. On paper, the senior levels of the federal bureaucracy were focusing on the interagency process.

Despite NSPD-44, there was still substantial friction and power grabs. A *Washington Post* reporter covering OIF described the interaction between DoD and DoS regarding policies for Iraq's reconstruction as a "bureaucratic knife fight"; their "bickering has hamstrung initiatives to promote stability for four years."[86] One military writer concluded, "from the perspective of DoD, DoS has not truly reorganized or revitalized its organizational structure to live up to its NSPD-44 leadership responsibilities, thus necessitating DoD leadership to fill this perceived gap in capability."[87]

However, the Defense Department was faulted for its own shortcomings. According to a 2007 GAO report, four years into the stability and reconstruction phase of OIF, the DoD had not developed "adequate mechanisms to facilitate interagency planning for stability operations." The report cited four reasons for this: (1) commanders were ill-prepared to integrate other agencies planning with DoD; (2) DoD was reluctant to share information; and, (3) DoD and other organizations had little knowledge of each other's planning style, capacity, and culture. As a result, the overall foundation for unity of effort in stability operations—common understanding of the purpose and concept of the

[86] Rajiv Chandrasekaran, "Defense Skirts State in Reviving Iraqi Industry," *Washington Post*, May 14, 2007, A1.

[87] Caudill et al, "Interagency Leadership," 2008. http://www.unc.edu/depts/diplomat/item/2008/0406/comm/caudilletal_strength.html.

operation, coordinated policies and plans, and trust and confidence between key participants—was not being achieved.[88]

According to Chris Taylor, formerly of Blackwater, "the interagency process was an inhibitor to exploiting the full talent of [the Foreign Service people and active-duty military]. NSPD-44 gave an under-funded DoS the lead over a very well-funded DoD but the imbalance in resources made it very difficult on the diplomatic community to do that, particularly because the level of violence was still so high. That imbalance made NSPD-44 very difficult, if not impossible, to implement."[89] NSPD-44 was not closing the gap between the two.

The 2007 Nisoor Square shootings heightened tensions between the Pentagon and the State Department. Soon after, Secretary of Defense Gates contemplated the possibility of placing the security contractors under military authority since the contractors and the military were at "cross-purposes."[90] Gates explained what was at stake,

> those missions are in conflict, because in the objective of completing the mission of delivering a principal safely to a destination, just based on everything I've read and what our own team has reported, there have been instances where, to put it mildly, the Iraqis have been offended and not treated properly.[91]

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[88] GAO "Actions Needed to Improve DoD's Stability Operations Approach and Interagency Planning," 07-549, 24-25.

[89] Chris Taylor, Personal communication, November 19, 2008.

[90] Peter Spiegel, "Gates: U.S., Guards Are at Odds in Iraq," *Los Angeles Times*, October 19, 2007, A-20.

[91] Spiegel, A-20.

The *Washington Post* reported that a State Department diplomat responded by saying, "the Pentagon 'has spared no expense to excoriate Blackwater and the State Department.'"[92]

Secretary of State Rice ordered the formal review of DoS' security operation. That panel found that "prompt measures needed to be taken [*by both DoS and the military*] to strengthen the coordination, oversight, and accountability aspects…in order to reduce the likelihood that future incidents will adversely affect the overall US mission in Iraq"[93] [italics mine]. DoS was admitting that the ineffective coordination had reached the level of interfering in a substantial way with the U.S. government's overarching goals in Iraq.

The interagency process had the solution to the key weakness of the ROC – participation was voluntary – as evidenced in the immediate effectiveness of the Memorandum of Agreement (MOA) in December 2007, which required comprehensive coordination. The MOA stipulated "when a battle space commander determines there is a need for a PSC to alter routes or abort missions," the Embassy would honor that request.[94] In essence, it subordinated the DoS PSCs to military control *for this specific purpose*. Clearly, the spirit of interagency cooperation is the heart of this understanding.

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[92] Karen DeYoung, "State Department Struggles to Oversee Private Army," *Washington Post*, October 21, 2007: A1.

[93] Patrick Kennedy, "Report of the Secretary of State's Panel on Personal Protective Services in Iraq," October 2, 2007: 3.

[94] GAO-08-966: 23, footnote 20.

Discussion

In her 2008 dissertation, Martha Clark concluded "that *both* structure and identity are indeed significant shapers of PSC-military interactions: when confronting weakness in the structures guiding their interactions, PSC and military personnel base their actions on…identity factors."[95] However, if structural factors, such as an interagency doctrine on contractors on the battlefield, formal coordination policies and regulations, and pre-deployment training are in place and uniformly implemented, then "identity" would become a negligible factor. Therefore, it is a dysfunctional interagency process, one that obstructed cooperation on a multitude of issues in OIF between DoD and DoS, at the *root* of ineffective PSC-military coordination. This is evidenced by the fact that when DoS and the Pentagon produced the interagency Memo with formal policies on battlefield coordination in December 2007, coordination problems on the ground diminished significantly. Further, interagency training and doctrine for PSCs and military personnel regarding their co-deployments on the battlefield would eliminate the extemporaneous and ad hoc elements of "commander personality" and "identity factors." One agency's efforts alone did not solve the problem.

Clark said "structural factors" included communication difficulties (no interoperable radios), lack of doctrine for PSC and military interactions, no pre-deployment training for soldiers and PSCs about their co-deployment in the battle space, commanders not knowing that PSCs are in their area, the military's lack of command and control over PSCs. These elements would be remedied in a stronger interagency process whereby training, doctrine, and communications are addressed by both DoD and DoS together.

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[95] Clark, 137.

Another problem the interagency process could resolve – parallel and disparate rules. Doug Brooks of IPOA pointed out that coordination was ineffective partly because "the contracts with State and DoD had two sets of rules and regulations"; "the 'escalation of force' thing, that's completely different between DoD and DoS. That was confusing. The reasoning behind not participating in the ROC: DoS liked to say 'we are civilians, we are diplomats; we're not military.'"[96] Brooks added that although DoS did not use the ROC as its primary coordination center, the military placed officers in the tactical operation center (TOC) in the Embassy but even that system was not as good as it could have been.

As for the lens of responsibility, "who is in charge," and its part in coordination problems, it is clear that neither DoD nor DoS was completely in charge. This allowed State to operate in its own fashion. However, after Nisoor Square, which left DoS with less leverage in the joint relationship, DoD pushed for mandatory coordination. This "enforced" interagency effort resolved the coordination vacuum.

Finally, it has been suggested by Clark and others, that placing contractors under military command and control would lead to more effective coordination. However, imposing this structural bridge as a *global* policy is fairly unrealistic as there are several serious impediments. Contractors themselves are leery of being under C2 generally as they may be called upon to participate in combat that could remove their non-combatant status. Also, it is not clear whether they would be able to quit on the field without being subject to court-martial. Legal, operational, and ethical issues create serious hurdles for this possible remedy. The interagency memorandum, a much simpler and immediate solution, has proven to be efficacious as it addressed one particular circumstance and

[96] Doug Brooks, research interview with author, October 13, 2008.

task. It was an interagency effort, not a change in reporting structure overall, that affected real improvements on this issue.

Conclusion

From the NSC down to the private security details in Iraq, coordination between DoD and DoS was impaired by a dysfunctional interagency process. This dysfunctional process in turn brought about and then ignored ineffective coordination of DoS's private security details with the military for several years. It took the killing of 17 Iraqis during a State Department security detail in September 2007 to usher in a formal agreement between DoD and DoS that *required* and achieved coordination.

At a 2008 House Armed Services Committee hearing, Secretary of State Rice noted "the challenges of the 21st century require both change within individual departments of our national security apparatus and better and stronger means for interagency action and coordination. In fact, I believe that the way that we have come to think about the world that we face is that there are no longer neat categories between war and peace."[97] Certainly the DoS security details should have been coordinated through the ROC in the spirit of "unity of effort" and for the safety of all concerned. In Iraq, stabilization and reconstruction were taking place in the midst of combat and an insurgency. DoD and DoS will continue to share the battle space. This is an interagency solution for an interagency problem in an interagency operation.

[97] Secretary of State Rice, Testimony, U.S. Congress, House. Armed Services Committee, April 15, 2008. http://www.state.gov/secretary/rm/2008/04/103589.htm.

Chaos

> The looting…went from the spontaneous looting of ministries – it pretty soon got into the homes, the neighborhoods, the shops. It then became carjackings and kidnappings and unstructured crime and organized crime. And you could even probably do a DNA chain to the insurgency. That was the spark.[98]

Baghdad was on fire when L. Paul Bremer, the Presidential Envoy, arrived in May 2003. In unexpected moves, Bremer proceeded to disband the Iraqi Army, sending 350,000 soldiers home with their weapons and then deeply de-Baathified the government, removing up to 50,000 individuals – anyone possibly connected to Saddam Hussein's party or regime. That left the U.S. and coalition forces with a growing insurgency and not enough soldiers to secure the peace. Soon, this complex battle space would encompass soldiers, Iraqis, construction companies, international aid workers, armed contractors, a large and growing "force multiplier" cadre of unarmed contractors for the military (providing logistics, supplies, maintenance, food service, etc.), and the media.

Chaos was on the battlefield and in how companies set up business and operated in Iraq. It could also be found in how DoD, the CPA, and State interacted and conducted their own missions in Iraq. The chaotic environment contributed to the ineffective coordination of security contractors with the military. Despite attempts by the CPA to establish norms of behavior and standard operating procedures, there was great variance in these areas and no overriding authority to enforce them, outside the contracts. The chaos and problems that flowed from it should have moved the hiring agencies to institute formal coordination just as the military does with its own soldiers. But the chaos

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[98] Ambassador Barbara Bodine, "The Lost Year in Iraq," *Frontline*, http://www.pbs.org/wgbh/pages/frontline/yeariniraq/etc/script.html.

contributed to the poor coordination because soldiers and diplomats had more pressing concerns.

Five major factors contributed to the chaos and confusion in Iraq in 2003 and 2004: (1) there was the multitude of actors in the battle space; (2) the "Wild West" nature of the operating space for private security (no uniform operating standards, vetting, hiring, training, or equipping along with the surprising and immediate need for them in the first place)[99]; (3) the lack of enforced standards for the use of force by security contractors; (4) the lack of a central or consistent coordination process for the private security details; and, (5) the ever-changing mandate of "who was in charge" of the post-conflict stabilization. All these factors created a chaotic situation, both in Washington and in Iraq. That chaos created a security vacuum that allowed the establishment of a "no rules" environment where contractors could operate as they saw fit.

Chaos Reigns: 2003 and 2004

The dual and simultaneous tracks of conducting a war while rebuilding the country brought a mélange of armed contractors onto the battlefield because the Defense Department was short of soldiers to secure the peace. Due to that deficiency, for the first time, it required DoD construction companies to supply their own security in the field. These new actors in the mix, armed security guards, were hired to provide protection for buildings and facilities as well as to conduct convoy and personnel escorts. Other

[99] A former senior U.S. Embassy official used this phrase "Wild West" to describe the security contractor environment in the years between 2003 and 2007 in Iraq. Harold Geisel, Acting Inspector General, "Status of the Secretary of State's Panel on Personal Protective Services in Iraq Report Recommendations," Report Number MERO-IQO-09-01, Department of State, Washington, DC, December 2008: 13. The official said contractors "sped through crowded urban streets, sometimes on the wrong side of the road, and threw water bottles…and used gunfire to warn off civilians".

organizations also had to cope with the unsafe and chaotic environment so they too brought in private security. Armed contractors, variously vetted, trained, and equipped, moved about the country amidst the looting and the growing insurgency with no formal coordination amongst themselves or with the military.

Further, contractors were given immunity from Iraqi laws and jurisdiction by the incoming CPA Administrator, L. Paul Bremer in June 2003. A Public Notice posted on June 26, 2003, announced "Coalition Forces and the military and civilian personnel accompanying them, are not subject to local law or the jurisdiction of local courts. With regard to criminal, civil, administrative or other legal process, they will remain subject to the exclusive jurisdiction of the State contributing them to the Coalition."[100] In spite of the seeming clarity of this statement, the matter of applying the Uniform Code of Military Justice (UCMJ) or Military Extraterritorial Jurisdiction Act (MEJA) to contractors has been a very murky area for many years. The great increase in numbers of contractors and introduction of armed security in OIF has brought this subject to the forefront of legal debates.[101] This explained part of CPA Order 17, issued the following day, which explicitly gave this immunity to contractors. No matter what bad act a security contractor did in Iraq, he could not be held accountable in Iraq.[102] From their arrival in Iraq,

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[100] CPA, Public Notice, "Regarding the Status of Coalition, Foreign Liaison and Contractor Personnel," June 26, 2003.

[101] For instance, in the Department of Justice lawsuit against Blackwater regarding the Nisoor Square shootings, the Deputy Secretary of Defense, Gordon England, told Congress in 2007 that these DoS security contractors cannot be prosecuted since they were working for the State Department and not Defense (the Department of Justice disputes this). For further discussion, see IPOA's *Journal of International Peace Operations*, "UCMJ v. MEJA: Two Options for Regulating Contractors," 2, no. 4, (January 2007): 11; Erica Razook, Amnesty International, testimony to The U.S. House Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, June 19, 2007; and, "Pentagon Letter Undercuts DOJ in Blackwater Case," *New York Times*, February 2, 2009.

[102] To the best of the author's knowledge, no U.S. citizen had been charged in the U.S. for acts as a contractor in Iraq for the first five-and-a-half years. On December 5, 2008, an indictment by a U.S. grand

contractors had immunity. It would be naïve to assume this order had no affect on some contractors' behavior. The immunity clause abetted acts of impunity.

Private security companies of all sorts answered the siren call of lucrative contracts in this high-risk environment. Initially, companies formed solely to meet the growing demand in Iraq. One example is Triple Canopy. Daniel Berger, in a *New York Times* article, described how Triple Canopy had to scrounge around quickly to fulfill its obligations under the contract it had just acquired in Iraq to guard 13 U.S. government headquarters around the country. The company needed vehicles and guns immediately so one of the founders turned to his brother-in-law in North Carolina. Ignorant about specialized security vehicles, he, according to Daniel Bergner of the *New York Times*,

> searched the Internet, made countless calls and bought a set of armored Mercedes sedans that once belonged to the Sultan of Brunei before they were rented out to rappers. He…put on run-flat tires, so the vehicles could be driven out of the ambushes….For guns, too, Triple Canopy had to make do. Transporting firearms from the United States require legal documents that the company couldn't wait for; instead, in Iraq, it got Department of Defense permission to visit the dumping grounds of captured enemy munitions….When it needed cash in Iraq,...it dispatched someone from [United States] with a rucksack filled with bricks of hundred dollar bills….Each [rucksack] held half a million dollars.[103]

This is how Triple Canopy launched itself. Soon after, it landed one of the highest profile security contracts as one of three companies providing security for the State Department in Iraq.

Another example of an inexperienced company sprouting up to catch the early and lucrative money wave in Iraq was Custer Battles. Formed by two former soldiers, it

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jury was handed down against five Blackwater contractors who are U.S. citizens for the Nisoor Square shootings in September 16, 2007.

[103] Daniel Bergner, "The Other Army," *New York Times*, August 14, 2005 "The New York Times Magazine," 30.

secured the initial contract for $16 million to guard Baghdad's airport. As military analyst David Isenberg noted, "prior to its work in Iraq, it had been in existence for only nine months" and "it beat out more experienced companies... primarily by promising to have 138 guards on the ground within two weeks, faster than the others."[104] Isenberg remarked that "some fixed-price contracts... have led to underbidding by less reputable companies."[105] Custer Battles won the bid because it came in with the lowest cost, not because of its depth of experience in security contracting – it had just decided on a name for the company in late 2002 and went into Iraq with neither guns nor guards. Lawrence Peter, the head of the new private security association in Iraq, said "what we realized early on…[is] that the demand for private security companies' effort was so great in Iraq that strategically there was no competition. If you wanted a contract, you were going to get a contract."[106]

A *Wall Street Journal* article noted that Custer Battles jumped at the chance to capitalize on the highly unstable environment.[107] Co-founder Michael Battles said "for us the fear and disorder offered real promise." The article also noted the surge in violence after Saddam Hussein's overthrow provided an opportunity "for the entrepreneurially

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[104] Isenberg, "A Fistful of Contractors," 32. For further information on Custer Battles in Iraq, see T. Christian Miller, *Blood Money: Wasted Billions, Lost Lives, and Corporate Greed in Iraq*, New York: Back Bay Books, 2006: 171-185.

[105] Isenberg, "A Fistful of Contractors," 68.

[106] Lawrence Peter, "Private Warriors", *Frontline*, interview. http://www.pbs.org/wgbh/pages/frontline/shows/warriors/interviews/peter.html.

[107] The DoD defines a "permissive environment" as one "in which host country military and law enforcement agencies have control as well as the intent and capability to assist operations that a unit intends to conduct. *DoD Dictionary of Military and Associated Terms*, (Jt. Pub 1-02) April 12, 2001: 412.

minded who arrived in Baghdad armed with little more than moxie."[108] Four of its guards were killed between April and July 2004.

Many have likened the first year in Iraq to a "gold rush" for contractors. Bringing contractors into Iraq and quickly deploying them was not an orderly process. There was no central operation to monitor contractors. Robert Pelton, a journalist who has covered mercenaries and military contractors for many years, aptly captured the host of problems

> this large-scale and rapid transition to relying on independent contractors for security…[was] blurring the line between civilian and combatant. The problems were myriad: issuing IDs and weapons permits; chain-of-command ambiguity; contrary objectives; coordination of security convoys; and friendly fire incidents not only from coalition troops firing on contractors mistaken as potential insurgents, but also between contractors.[109]

Peter Singer, an academic expert on the private military industry, wrote extensively on the outsourcing phenomenon in Iraq. In one article, he commented on the chaotic, confusing, and dangerous environment everyone operated in throughout 2003:

> PMFS [private military firms] are independent entities, responsible for their own operations, safety and security. They do not receive full or timely access to the military or CIA's complete intelligence picture, do not have full access to the military's communications net, and, when out in the field on their own, do not have access to the same weapons, established systems of rapid reaction and response, or protection. The lack of formally shared information on current threats and ongoing or planned operations is a crucial missing link. Military officers question why or how exactly the military should share confidential information with entities that not only lie outside their chain of command but also often hire local Iraqi and third-party nationals. But, according to one firm executive, the lack of information means the contractors are "flying blind, often guessing about places that they shouldn't go."[110]

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[108] Neal King and Yochi Dreazen, "In the Fray: amid the Chaos in Iraq, Tiny Security Firm Found Opportunity; Once Funded by Credit Cards, Custer Battles Garnered Millions in U.S. Contracts," *Wall Street Journal*, August 13, 2004, A1.

[109] Robert Pelton, *Licensed to Kill*, 107. "Friendly fire" occurs when soldiers accidently fire on each other or on contractors or vice versa.

[110] Singer, "Outsourcing the War," *Salon.com*, April 16, 2004. http://dir.salon.com/story/news/feature/2004/04/16/outsourcing_war/index.html.

A GAO report cited four reasons for the initial problems with security firms in 2003. The overarching explanation was "constant turnover." Companies replaced their initial security providers because they did not know the security market there, they were not equipped properly for it, and agency guidance was missing.[111] Companies coming and going in Iraq so quickly added to the confusion and chaos.

Even the military acknowledged in its official history of Operation Iraqi Freedom, *On Point II*, that the U.S. government supervising the operation did not know exactly what it was doing. Political leaders sent to Iraq to oversee the initial transition changed (General Garner to Presidential Envoy Bremer); military leaders changed (from General Tommy Franks to the untested Major General Ricardo Sanchez); even military command shifted (from V Corps to CJFT-7). These moves were fairly sudden and caught senior staff by surprise. The official historian, Dr. Donald Wright, noted the reconstruction efforts were flailing due to "widespread instability following the overthrow of Saddam Hussein." Agreeing with Ambassador Bodine's assessment, Wright noted looting was of a massive scale: critical infrastructure, installations, fires, and thefts of all kinds of items (from industrial equipment and police cars to art and antiquities). *On Point II* catalogued the deteriorating security situation in great detail: "by mid-2003 insurgent attempts to thwart the Coalition's overall campaign in Iraq had come to include direct attacks on reconstruction projects, contractors, workers, and supplies."[112]

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[111] U.S. Government Accountability Office, "Actions Needed to Improve the Use of Private Security Providers," 05-737, Washington, DC: 10.

[112] Wright, *On Point II*, 388.

David Isenberg noted that a government report put out in 2004 by the CPA listed 60 private military companies with over 20,000 personnel (of various nationalities, not just U.S. citizens). He remarked that it was "never the case" that "all the armed Westerners were operating as some sort of cohesive, unified, (sic) body."[113] Isenberg also believed that contributing to some of the confusion in 2003 in Iraq was the fact the private security companies did not have equal access to information and intelligence about a situation and conditions they would be operating in around Iraq. He goes so far as to say "they [the companies] were in fierce competition for contracts, there was a resistance to sharing such information."[114] Isenberg attributes some of the chaos to the fact that some of the contractors did not really understand basic laws or regulations of Iraq and that the contractors could not "trust the Iraqi government, as its military, police, intelligence and security services are infiltrated by members of the insurgency."[115] Chaos continued.

Larry Diamond, in a book on his experiences in Iraq in 2004, notes that the Blackwater murders in Fallujah "seemed, to some observers, to mark a turning point in the deepening of the insurgency."[116] Diamond observed the political ramifications as well when he said,

> the insurgency had thrown the political transition into crisis while virtually freezing economic reconstruction. Many of the CPA headquarters around the country have been shut down under siege. CPA officials and private contractors were now at unprecedented risk of assassination or kidnapping if they traveled

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[113] Isenberg, "The Good, The Bad, and the Unknown: PMCs in Iraq," 8.

[114] Isenberg, "The Good, The Bad, and the Unknown: PMCs in Iraq," 6.

[115] Isenberg, "The Good, The Bad, and the Unknown: PMCs in Iraq," 6.

[116] Diamond, 233.

> outside the fortified zones of safety. Supply chains dried up as trucking became perilous.[117]

Blackwater initially came into Iraq on a contract for the CPA to protect Bremer in the summer of 2003. By April 2004, Triple Canopy and Blackwater were each guarding a CPA regional headquarters. Only a week after the Fallujah ambush, Blackwater and Triple Canopy found themselves actively defending the compounds. These episodes demonstrate how unstable the environment was, how chaotic such a scenario could become when non-state actors provide security, and how undependable military rescue and assistance was since no formal agreement was in effect to do so.[118] Triple Canopy had the CPA contract for al-Kut. Blackwater had Najaf. For two days, Triple Canopy held the compound until they could evacuate under close air cover from the U.S. military. In Najaf, eight Blackwater contractors kept the Mahdi Army from storming the headquarters. Briefly, a young Marine even came under Blackwater's command in the heat of the battle. The CPA had hired the companies to protect their headquarters but each ended up in a firefight that would have been a soldier's job had there been enough soldiers to go around. Radio communications, chain of command, and authority to call in air support or medical evacuation (which was necessary in Najaf) were muddled or non-existent. Confusion and uncertainty reigned. The military was under no requirement to aid or even respond.

Lawrence Peter, who ran the informal "Private Security Working Group" in Iraq, responded to these incidents not with a call for more coordination but more firepower for the contractors. In an April 17, 2004, memo, Peter took the CPA to task regarding the

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[117] Diamond, 237.

[118] See Robert Pelton, *Licensed to Kill*, for a detailed account of these two sieges.

security companies' inability to count on a coalition "Quick Reaction Force" in light of the al-Kut attack, which left the contractors with no military reinforcements despite calls for their assistance. He praised Triple Canopy for "preventing a strategic defeat for the coalition" by holding the enemy off" but continued, "hope is not a basis for sound planning."[119]

Blackwater, well aware of how dangerous Iraq was, wrote their hiring contracts accordingly. Its "Contractor Service Agreement" stipulates that the contractor

> understands and acknowledges that the Duty Station is volatile, hostile and extremely dangerous and in some instances, military forces may be conducting continuing military operations in the region. Contractor understands…that by voluntarily agreeing to participate in the Engagement, he…[is] assuming any and all known and unknown… risks…which could include being shot, killed, sniper fire, landmine, car bomb, poisoning, civil uprising, terrorist activity.[120]

Evolution of Coordination: 2004

By February 2004, the CPA had set up the Private Security Company Working Group, headed by Lawrence Peter.[121] On March 30, 2004, in Baghdad, the Working Group held its third meeting. "Operational coordination" was an agenda item. At that early time, before any real structure occurred on this issue, it translated into interest in establishing a phone tree. The minutes state "PSCs passing through an area may need support of a QRF [quick reaction force] or maybe to have a broken down vehicle

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[119] Peter, Private Warriors, *Frontline*, "Private Security Firms Call for More Firepower in Combat Zone," 1.

[120] Center for Public Integrity, "Independent Contractor Service Agreement," Blackwater Security Consulting IC Contract, Baghdad PMO Execution Authority, 6. http://www.publicintegrity.org/articles/entry/660/.

[121] When asked about why he started the Private Security Company Working Group, Peter replied it was for information-sharing and to attempt to influence the companies to be as professional as possible; it was not to provide oversight or an accountability mechanism.

recovered or destroyed in place."[122] This was a suggestion, a request to ascertain interest; it was not a procedure being implemented. In a *Frontline* interview for "Private Warriors," Peter admitted that some PSCs were obtaining weapons on the black market and coordination with military commanders in the field was poor.

The PSC Working Group could provide information-sharing and even implemented informal policies but the authority over contractors and regulations applying to them lay in the contracts themselves, not with the CPA. Speaking in 2005, Steve Schooner, an expert on government contracting, described the danger of the disconnection between the armed contractors and the military in terms of command and control in a combat zone

> there's also tremendous issues with regard to the commander's ability to control the battle area. Keep in mind that a decade ago…whether on the frontline or in the rear area, everybody worked for the commander. The commander does not actually have control over the contractors. They work for someone called the contracting officer. The commander is not fully aware of all of the people, particularly all of the arms-bearing people, who are part of the effort in the area. And that's quite dangerous.[123]

Chris Taylor also identified the contracting process as a contributing factor to the chaos in Iraq. At a conference in January 2005, he said due to the fast resolution of the combat phase, the CPA found itself in need of a host of services quickly to begin stabilization and rebuilding. It sent out a flurry of requests for proposals. Taylor addressed a critical flaw in the process

> there were far too few contracting officers/specialists to discern adequately the quality of services being proposed, particularly for security services. There were

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[122] Peter, "Minutes: Private Security Company Working Group", Private Warriors, *Frontline*, http://www.pbs.org/wgbh/pages/frontline/shows/warriors/contractors/minutes.html.

[123] Steven Schooner, "Private Warriors", *Frontline*, May 19, 2005. http://www.pbs.org/wgbh/pages/frontline/shows/warriors/interviews/schooner.html.

> many "fly-by-night" companies created only to take advantage of the contracts available in Iraq. Because of the urgent need for security, conducting good due diligence was difficult for contracting officers. In my opinion, this allowed less-than-professional/capable companies to win contracts for security services critical to the reconstruction. Reconstruction efforts in Iraq were literally sabotaged because of inadequate security.[124]

Two scholars wrote about the contracting dilemma in 2005. Fred Schreier and Marina Caparini note that if contacts required coordination, such relationships would be established between contractors and commanders, "but these relationships rarely include important details like precise routes and times for contractor convoys, or frequencies and call-signs for contractor personnel. This creates problems when soldiers and contractors work, or fight, in close proximity to each other."[125]

For instance, an Army officer, Col. Tim Cornett, recounted a "close-call" event that exemplified the need for more effective coordination. In the summer of 2004, Blackwater sent out its own tactical response team when an aircraft they had been using to escort a convoy for the State Department went down. Cornett explained that due to the lack of coordination between Blackwater and the Army in responding to the accident, "you actually had two converging ground elements and air elements on the scene." Somehow, they did not end up engaging each other or colliding in spite of the lack of communication. [126]

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[124] Chris Taylor, "Contractors on the Battlefield," Speech at George Washington University, January 28, 2005.

[125] Fred Schreier and Marina Caparini, *Privatising Security*, 46-47.

[126] Col. Tim Cornett, USAR, interview with the author, October 20, 2008.

The Reconstruction Operations Center (ROC)

To remedy the chaos and reduce the danger to contractors, the military, and Iraqis, the U.S. Army established a coordination facility, the Reconstruction Operations Center (ROC). It contracted out the center; Aegis Defence Services won the bid. The ROC opened in October 2004. The ROC supports civilian agencies by coordinating emergency military response ("Quick Reaction Force"), providing unclassified intelligence reports and security escort teams. The intelligence reports sometimes provide information on military operations and on which transportation routes have high rates of attacks. One goal of sharing the intelligence reports was to encourage civilian agencies from conducting activities that could interfere with planned or active military operations. An Army report notes,

> prior to the establishment of the ROC, most of the prime contractors and their subcontractors had no effective way to interface with the military units and other contractors. Direct coordination was difficult to impossible. This was due to the large number of individual firms and the necessarily classified nature of the information that the military units used to operate. Establishment of the ROC has allowed these companies to be represented with a single voice and access to consolidated operational, intelligence, and movement coordination processes.[127]

But participation in the ROC was not mandatory, except for DoD security contractors. Small firms saw an advantage in participating because of the emergency response units and shared intelligence. However, Blackwater became a self-supporting entity in Iraq, providing its own evacuation capabilities and intelligence. The State Department did not have to use it; instead, it relied on its own Tactical Operation Center (TOC).

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[127] "National Reconstruction Operations Center and Regional Reconstruction Operations Centers in Iraq," U.S. Army report supplied to author by Col. Tim Cornett, October 8, 2008: 5.

A GAO report in 2005 on private security providers in Iraq addressed "friendly fire" problems (e.g., "blue on white") that continued to crop up due to lack of coordination wherein military and/or contractors mistakenly fire upon the other. It stated,

> an analysis of incident reports completed by the ROC indicates that these incidents happen most frequently when contractors encounter a military checkpoint or a military convoy. Private security providers have told us that they are fired upon by U.S. forces so frequently that incident reports are not always filed with the ROC.[128]

One U.S. Army report on "friendly fire" incidents showed that 49 incidents were coalition forces ("blue") on private security contractors ("white"); 17 incidents were "white" on "white"; and 9 incidents were Iraqi Security forces ("green") on private security contractors.[129] The report concluded that the most likely victim of a "friendly fire" episode was a private security contractor; fired at by a coalition soldier; during daytime; and, coming up on a checkpoint or moving around another convoy.[130] These numbers are low as GAO noted above; incidents often went unreported.

The GAO report stated that despite coordination improvements due to the ROC problems persisted. It observed,

> first, private security providers continue to report incidents between themselves and the military when approaching military convoys and checkpoints. Second, military units may not have a clear understanding of the role of contractors, including private security providers, in Iraq or of the implications of having private security providers in the battle space.[131]

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[128] GAO, "Actions Needed to Improve the Use of Private Security Providers," 05-737, July 2005: 27. The report details specific episodes and a new policy in December 2004 regarding checkpoints. The ROC did not begin to gather data on friendly fire incidents until November 2004.

[129] Reconstruction Operations Center Watch Officer, U.S. Army, "C3 Blue on Blue Analysis," Slide 2; November 2004 – August 2006. PowerPoint slides provided to author by Col. Tim Cornett, USAR.

[130] Reconstruction Operations Center Watch Officer, U.S. Army, "C3 Blue on Blue Analysis," Slide 5; November 2004 – August 2006. PowerPoint slides provided to author by Col. Tim Cornett, USAR.

[131] GAO, "Actions Needed to Improve the Use of Private Security Providers," 05-737, 20.

The report also described the evolutionary and yet inconsistent nature of coordination. GAO learned that "coordination between the military and security providers was initially done informally. When a private security provider arrived in a unit's area of operation, the security provider would try to meet with key officials of the unit and establish a relationship." It often depended on the personalities involved – *some* commanders were open to this. Also, "coordination was inconsistent."[132]

Schreier and Caparini concluded "the "ideal battle space" would not contain any civilians. They believe that "the presence of noncombatants as well as "civilians authorized to accompany the force" in the area of operations greatly complicates the life of a commander."[133] The military lives by planning and organization so lack of visibility and control over PSCs in an area of operation can greatly reduce the military commander's ability to wage war effectively and maintain unity of effort.

The Army identified information-sharing barriers as the "Achilles heel" of the reconstruction effort: "differing policies, practices, and equipment."[134] These obstacles, among others, need to be overcome to integrate efforts more successfully between the military and private security. The ROC was a good first step. But one of its weaknesses was in not being able to require any other armed contractors besides its own to use it. Information and coordination occurred predominantly with DoD's PSCs. This was an

[132] GAO, "Actions Needed to Improve the Use of Private Security Providers," 05-737, 22.

[133] Schreier and Marina Caparini, 47.

[134] National Reconstruction Operations Center and Regional Reconstruction Operations Centers in Iraq," U.S. Army report supplied to author by Col. Tim Cornett, October 8, 2008: 13.

incomplete attempt at gaining oversight, coordination, and accountability over the increasing "shadow army" of armed private actors moving around Iraq.

Discussion

OIF was a unique situation – it had armed non-state actors alongside U.S. soldiers on an active battlefield. So many various actors appeared soon after Saddam Hussein's regime fell, from the UN to foreign construction companies and humanitarian aid organizations. But they worked in the midst of an insurgency. Chaos and confusion could have been expected under the circumstances.

Peter Singer allowed that the chaos was a factor in ineffective coordination. He said, it "would be hard enough if [security details] were taking place in a well-established, functioning state but [Iraq] is not functional."[135] The country was in disarray from looting, the insurgency, and a coalition of military partners without clear direction in stabilizing the country. The U.S. and Iraqis suffered through a series of spontaneous policy reversals (e.g., staying on rather than handing Iraq over after capturing Baghdad, disbanding the Iraqi army, and the decision to constitute an interim government via the CPA rather than hand back to Iraqis in 2003).

In the chaos of the first two years, informal norms of behavior appeared but were fragile in the security vacuum where there was no uniform code of conduct or universal standard operating procedures. Security firms, old and new, arrived and began operating in their own fashion in the unstable environment of Iraq; some intentionally skirted the obligations in the contract, if the client ignored them or did not provide the proper contract administration to notice. It was common knowledge that weapons discharges

[135] Peter Singer, research interview conducted November 25, 2008.

happened frequently and were not reported. Guns for the security providers were bought on the black market. For instance, Crescent Security guards had their guns stolen from the locker they kept on the Iraqi border for their security details and ended up buying them back on the black market.[136] No central agency vetted, trained, equipped, or supervised these diverse companies and their variously prepared security operators in the field. In the first year, highly skilled former soldiers moved to the contractor jobs. However, soon thereafter less qualified individuals began working on contracts and sometimes contributing to the chaos.

Conclusion

This is how the chaos of the first two years affected coordination; it could be argued that the chaos was both *cause and effect* of little or no coordination. Clearly, waging war in this new way, with so many contractors, both armed and unarmed on the field, meant playing catch-up. The Army experienced a learning curve for the first year and a half regarding the use of its own security providers. It tamed some of the chaos by building the ROC and establishing coordination standards and requirements for its own security contractors and working with those others that voluntarily participated. But it left the other security contractors, including DoS', free to operate on their own. As Martha Clark recognized, coordination successes occur regularly between PSCs and the military around Iraq but that "coordination successes and failures are not mutually exclusive."[137]

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[136] Steve Fainaru, author talk (*Big Boy Rules*), Harvard Bookstore, Cambridge, MA, December 2, 2008.

[137] Clark, 183.

Blackwater and Undue Influence over the State Department

In 2006, the State Department made it clear that it could not accomplish its goals and conduct its mission in Iraq without private security. Greg Starr, testifying for the State Department at a Congressional hearing explained their vital role,

> our ability to provide protective operations on the scale required in this high-threat environment would not have been possible without using private security providers. The number of personal security specialists we utilize in Iraq alone is more than all the Diplomatic Security agents we have globally. We could not have hired and trained new agents to meet this requirement as rapidly as the contractors met the requirement.[138]

The State Department did not require Blackwater to coordinate through the ROC because Blackwater had developed undue influence over State. Blackwater then was able to set the terms of coordination it favored. This contributed to the ineffective coordination of DoS' PSCs with military for four-and-a-half years. This hypothesis considers causes and effects of undue influence to determine if there is a preponderance of evidence to demonstrate this.

The causes for undue influence are: (1) the monopoly Blackwater created with State (even though the consortium had two other companies, Blackwater had the lion's share of work, contractors, and income); (2) the "full-spectrum" capabilities Blackwater brought to its work in Iraq from which other companies could not equally compete; and, (3) the "brain drain" – Blackwater hired senior-level federal officials with experience and insider knowledge of how things work and who to call; the open door at the senior level with the US government. The effect of the undue influence was that Blackwater was

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[138] Greg Starr, State Department, Testimony, House Committee on Government Reform, June 13, 2006. http://www.state.gov/m/ds/rls/rm/67908.htm .

never fired when it made grave errors and/or operated outside the parameters of the contract.

Blackwater Develops a Monopoly with the State Department in Iraq

On August 28, 2003, Blackwater won on a $27 million, sole-source contract for the Coalition Provisional Authority (CPA) to guard Presidential Envoy L. Paul Bremer.[139] When the CPA disbanded in June 2004 and the State Department opened its embassy in Baghdad June 29, Blackwater was already there with a successful track record of keeping its clients safe. With former military personnel who had the required security clearances, Blackwater could offer well-trained contractors who had already been vetted and equipped, and had experience on the ground. The Embassy needed high quality personnel to staff its security details immediately. This is why State hired Blackwater on a no-bid contract for these details.[140]

The State Department turned to private security for four main reasons. First, appearances – they did not want men in uniforms driving military Humvees guarding civilian officials trying to import democracy and reach out to local Iraqis. The second was expediency. William Moser, a State Department official said that initially Blackwater was brought in a sole-source contract "on the basis of urgent and compelling [reasons] because we were transitioning from the Coalition Provisional Authority to a

[139] SIGIR, *Quarterly Report*, July 2004, Appendix J. As Bremer noted in his own book, *My Year in Iraq*, he already knew his Blackwater team leader, Frank Gallagher. Although not working for Blackwater at the time, Gallagher had been the head of Henry Kissinger's security detail in the 1990s when Bremer worked for Kissinger Associates.

[140] See House Committee on Oversight Memorandum, October 1, 2007 for further details.

State Department entity."[141] Third, "it is not part of the U.S. military's stated mission to provide security to civilian government agencies" as GAO noted in a 2005 report.[142] Fifth, they did not have enough Diplomatic Security Agents on staff.

For such a high-value target, what did Blackwater provide to help keep Bremer alive? Chris Taylor said his former company brought in "thirty-six personnel protection specialists, two K-9 teams, and three helicopters to taxi him around the country."[143] Taylor also spoke about this at talk at George Washington University when he said, "the safety of Ambassador Bremer was crucial to the success of the reconstruction mission. However, his was no ordinary executive protection requirement; it really amounted to a hybrid personal security detail (PSD) solution that had yet to be used anywhere."[144] Peter Singer responded to this new use of contractors by saying "you don't put contractors in positions where they need to carry weapons…a private armed contractor now has the job of keeping Paul Bremer alive—it can't get much more mission-critical than that." [145] Soldiers were busy elsewhere and Bremer wanted Blackwater.

The Worldwide Personal Protective Services (WPPS) Contract

Money and manpower were two outstanding characteristics of Blackwater's operation in Iraq. From federal contracts, the company made $25 million in 2003; by

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[141] William Moser, Testimony, House Committee on Government Oversight and Reform, Hearing, October 2, 2007. http://oversight.house.gov/story.asp?ID=1509.

[142] U.S. GAO, 05-737, "Actions Needed to Improve the Use of Private Security Providers," 10.

[143] Chris Taylor, personal communication with author, November 19, 2008.

[144] Chris Taylor, speech to George Washington Law School, January 28, 2005.

[145] Scahill, *Blackwater*, 70.

2006 it made over half a billion.[146] The prize contract with DoS was the Worldwide Personal Protective Service (WPPS) contract to guard senior diplomats, government officials, and visiting dignitaries. When the CPA disbanded and State arrived, it found "a number of CPA contracts for personal security services in place…they varied in capabilities, costs, and levels of training" so it "worked to immediately reduce the number of different contractors and impose uniform standards for operations."[147] State replaced the diverse contracts with its Worldwide Personal Protective Security (WPPS) Contract.

DynCorp was already on a WPPS contract before Operation Iraqi Freedom but could not fulfill all the requirements so Blackwater and Triple Canopy were added.[148] The three companies created a closed consortium under WPPS. The companies would bid against each other for tasks under the contract but an outside firm could not compete.

The highly-detailed contract (over a thousand pages) stipulated a multitude of criteria, including: rules of engagement (ROE) which are established by the Embassy; the requirement to obtain a security clearance (requiring U.S. citizenship) for close protective details; training requirements; and, evaluations from in-country operations to improve tactics and techniques.[149] These requirements posed a high barrier to entry for companies wishing to compete for the contract. For instance, the required security clearances

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[146] House Oversight Committee Memo, October 1, 2007: 3.

[147] Greg Starr, "Private Security Firms Standards, Cooperation and Coordination on the Battlefield," House Subcommittee on National Security, Emerging Threats, and International Relations, June 13, 2006: 45.

[148] Because these armed contractors protect high-level individuals, they undergo a more stringent screening process; they must be U.S. citizens and obtain a security clearance, typically top secret.

[149] A redacted copy of the WPPS contract was obtained by UPI and David Isenberg under a FOIA request.

normally take up to a year (or more) to obtain. But Blackwater's guards already had them from previous contracts. This factor helped position Blackwater initially for State's work. Finally, personnel costs made outsourcing cheaper for State. According to Doug Brooks, head of IPOA, it is much less expensive to hire a security contractor because "they are far more specialized than DS [diplomatic security] agents so they're better for that particular job and are a fraction of the cost -- $400,000 a year as opposed to $1 million a year."[150]

The WPPS contracts evolved in Iraq. Blackwater's initial no-bid 2004 contract allowed the company to bring in 482 staff. It received $488 million in remuneration. Under WPPS II, in 2006, Blackwater could have more staff (up to 1,020) and the contract was worth $1.2 billion *per company*.[151] [emphasis mine]. John Broder of the *New York Times* reported in October 2007 that the State Department had quadrupled the amount of money, from one billion to four billion, it was paying private security and law enforcement contractors between 2003 and 2007.[152]

In 2003, with the CPA, Blackwater started with 36 security specialists. By 2007 it had almost a thousand contractors in Iraq. Table 2 shows that Blackwater had the highest number of total personnel. By 2007 the chart shows the dominance by a factor of 4:1 versus Triple Canopy and 6:1 versus DynCorp. Over time, Blackwater became the behemoth compared to its partners in the State consortium, in terms of both income and security contractors in Iraq. Working for the U.S. government has clearly been a boon to Blackwater.

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[150] Doug Brooks, President of IPOA, research interview conducted October 13, 2008.

[151] Memorandum, House Committee on Oversight and Government Reform, October 1, 2007: 4.

[152] John Broder, "State Department use of contractors leaps in four years," *New York Times*, October 24, 2007. http://www.nytimes.com/2007/10/24/washington/24contractor.html.

Table 2. Department of State Security Contractors on WPPS Contracts in Iraq[153]

Company	Number of Americans	Number of Iraqis	Number of Third Country Nationals	Total
Blackwater, USA	744	12	231	987
DynCorp International, LLC	100	15	36	151
Triple Canopy	101	2	154	257
Totals for Prime Security Contracts and Related Subcontacts in Iraq Through WPPS	**945**	**29**	**421**	**1,395**

Full-spectrum Capabilities

High-level diplomats, government officials, and military generals would find Blackwater's security details highly reassuring, given their added benefits – air support, heavily-armored personnel carriers, medical evacuation capacity, intelligence-gathering,[154] and extraction assets. These were features other security firms could not offer. In a volatile environment, Blackwater offered a total security package. This gave it a dominant position when competing for high-level, profitable contracts. From the beginning with the CPA contract in 2003, it had a K-9 team, helicopters, typically each

[153] CRS, "Private Security Contractors in Iraq," updated June 21, 2007, 7. The information was provided in May 2007. WPPS: Worldwide Personal Protective Services.

[154] Colonel Chris Mayer who worked at the ROC confirmed this in a personal conversation with the author, July 18, 2008 in Cambridge, MA.

carrying two gunners, and several heavily armored vehicles ("mambas") for the escort convoys with RPK machine guns.[155]

Lastly, Blackwater won an aviation security contract for Iraq to begin in November 2007, which would add 241 personnel and 16 helicopters. This would greatly enhance the "security cocoon" State wanted. It would create an even stronger security perimeter and augment the layers of protection.

Blackwater and the Reconstruction Operations Center (ROC)

When the U.S. Army opened the Reconstruction Operations Center (ROC) in October 2004, it became the nexus of information, intelligence reports, emergency response, and coordination for the security details moving across the battle space. However, Blackwater had its own intelligence, extraction capacity, and use of the State Department's tactical operations center in the Embassy. Unlike other firms, Blackwater did not need to use the ROC.

The Army awarded the contract to manage the ROC to Aegis Defence, a British security firm and competitor of other security companies in Iraq. Andy Melville, an operations executive at Erinys, another security company operating in Iraq on a DoD contract, spoke about the ambivalence of using the ROC

> one of the major concerns that we do have – and it's a concern that is shared by all the security providers here – is that it could give them an unfair advantage over

[155] Robert Pelton, "Riding Shotgun in Baghdad with Blackwater's Security Detail," *Popular Mechanics*, April, 2005. http://www.popularmechanics.com/technology/military_law/1506812.html. During the April 2004 siege of the CPA compound in Najaf, Blackwater used its air support assets to resupply its security contractors on-site and to evacuate a wounded Marine. "With their ammunition nearly gone, a wounded and badly bleeding Marine on the rooftop, and no reinforcement by the U.S. military in the immediate offing, the company sent in helicopters to drop ammunition and pick up the Marine," Dana Priest reported in the *Washington Post*, "Private Guards Repel Attack on U.S. Headquarters," April 6, 2004: A1.

> us. What we do is classified. We don't wish other security companies to know what our clients are, where we're operating and how we're operating, and a very valid concern that we have is that it could give them a competitive and a commercial advantage over us, because it effectively enables them to look inside every security provider here in the country. And one of the other concerns that we have is that every serious-incident report that has to be filed has to be filed and a copy sent to the [ROC]. And again, it lets Aegis see which companies are suffering more than other companies, and it provides them with business intelligence.[156]

Blackwater competed against Aegis in 2007 when the ROC contract came up for re-bid. The Army contract is one of the most lucrative in Iraq, worth $475 million. Blackwater was eliminated from the process and subsequently filed a protest. Aegis continues to manage it.

"A Revolving Door"[157] – The Federal "Brain Drain" to Blackwater

Along with fast-growing income from its contracts and a strong presence in Iraq, Blackwater also has benefited from its federal connections by bringing in-house several key high-level federal officials. The October 2007 House Oversight Committee memo notes that several senior Bush administration officials moved to Blackwater's payroll. Four are noteworthy: Cofer Black, Joseph Schmitz, Rob Richer, and A.B. Krongard.

Black, a former top counter-terrorism official in the CIA who moved to the State Department, became a Vice Chairman of Blackwater in 2004. As Inspector General for DoD, Schmitz oversaw "hundreds of millions of dollars" in DoD contracts that went to

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[156] Andy Melville, interview, "Private Warriors," *Frontline*, June 21, 2005. http://www.pbs.org/wgbh/pages/frontline/shows/warriors/interviews/melville.html.

[157] Term used by Ken Silverstein in a *Harper's Magazine* article, "Revolving Door to Blackwater Causes Alarm at CIA," September 12, 2006. http://www.harpers.org/archive/2006/09/sb-revolving-door-blackwater-1158094722.

Blackwater.[158] Schmitz resigned in 2005 under suspicion that he had interfered with criminal investigations regarding contracts and ignored conflicts of interest. He became General Counsel and CEO of Blackwater's parent company, the Prince Group. With Schmitz, Blackwater had acquired a great deal of insight into how to navigate government investigations. According to *Salon*, Rob Richer, who worked in the CIA in the Near East division with close ties to King Abdullah of Jordan, was hired by Blackwater to become the Vice President of Intelligence in the fall of 2005. Jordan hired Blackwater's intelligence division to train its spies. Ken Silverstein in *Harper's* wrote that Rick Prado, Blackwater's Vice President of Special Programs, was one of several former CIA officials at the company.

A.B. Krongard, the CIA's former Executive Director, and his brother, Howard, the State Department's Inspector General (IG), were caught up in investigations involving Blackwater. In September 2007, Representative Henry Waxman accused Howard Krongard of "refusing to send investigators to Iraq and Afghanistan to investigate $3 billion worth of State Department contracts."[159] The *Associated Press* reported that Howard Krongard actively tried to obstruct a Justice Department investigation into allegations that Blackwater had smuggled weapons into Iraq. Finally, conflict of interest charges forced Howard Krongard to abruptly recuse himself from the State Department's inquiry into Blackwater's weapons charges in October 2007 when he

[158] Ben Van Heuvelen, "The Bush Administration's Ties to Blackwater," Salon.com, October 2, 2007.

[159] Karen DeYoung, "State IG Accused of Averting Probes," *Washington Post*, September 19, 2007, 21.

learned his brother, A.B., had joined Blackwater's Board of Directors in the summer of 2007.

Furthermore, Erik Prince's family has deep and broad connections to the Republican Party. Several journalists have suggested these donations and contacts gave Prince, the CEO of the Blackwater conglomerate, influence and access to high-level decision-makers. For instance, *Salon's* Van Heuvelen asked, "how did Blackwater go from a small corporation training local SWAT teams to a seemingly inseparable part of US operations in Iraq? Good timing, and the connections of its CEO, may be the answer."[160] Prince and his wife "have donated roughly $300,000 to Republican candidates and political action committees."[161] Van Heuvelen offers a detailed account of various contributions and related connections that positioned Prince front and center for the profitable work his company obtained in Iraq.

The Effects of Undue Influence

John Broder of the *New York Times* wrote about the State Department's fast-growing dependence on contractors from 2004 to 2007. He noted that former employees of the Bureau of Diplomatic Security as well as members of Congress and outside experts have criticized the Bureau because it "has grown too reliant on, and too close to, the 1200 private soldiers who now guard American officials overseas."[162] State claimed the office

[160] Van Heuvelen, "The Bush Administration's Ties to Blackwater," Salon.com, October 2, 2007.

[161] Van Heuvelen, "The Bush Administration's Ties to Blackwater," Salon.com, October 2, 2007. See also Jeremy Scahill, *Blackwater: The Rise of the World's Most Powerful Mercenary Army*, for further discussion.

[162] John Broder, "State Department Use of Contractors Leaps in Four Years," *The New York Times*, October 24, 2007. http://www.nytimes.com/2007/10/24/washington/24contractor.html.

was overwhelmed by the oversight workload. Other State Department officials commented they would prefer to see more competition but there are few companies who can deliver the capability in a war zone. Blackwater was one of a handful that could meet the requirements and within that small coterie, only it offered "full-spectrum" capabilities (e.g., extraction capacity, medical evacuation, more firepower, and aviation assets).

Replacing Blackwater immediately after Nisoor Square would be practically impossible. The State Department did not have enough diplomatic security agents to fill the gap and the other two companies in the consortium could not duplicate Blackwater's capabilities. Peter Singer, writing about this incident, went further and called State's dependence on Blackwater et al. an "addiction". He noted that Secretary of State Rice and Ambassador Ryan Crocker were reduced to "begging the Iraqis not to kick out" Blackwater as that would "paralyze nearly all U.S. diplomatic and intelligence efforts inside the country."[163] Singer pointed out that Ambassador Crocker has said that State cannot operate without Blackwater – a sure sign of Blackwater's leverage over State. Singer agreed emphatically that Blackwater had the power in the relationship, "the best examples show the State Department intervening on behalf of Blackwater" in Iraq over and over.[164]

How did the State Department respond to incidents when Blackwater operated outside the parameters of its contract or other serious events occurred? One can find answers in an October 2007 Congressional committee Memorandum, based on

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[163] Singer, *Can't Win with 'Em, Can't Go to War without 'Em: Private Military Contractors and Counterinsurgency*, Brookings, September 2007: 15.

[164] Peter Singer, research interview with author, November 25, 2008.

documents and data supplied by Blackwater and DoS, for the House Oversight Committee's investigation into DoS' security practices.

The State Department requires all its security contractors to report "any operational incidents of weapons discharges, attacks, serious injury, or death. Contractors are also required to report any incident that would reflect negatively on the United States, the Department, the Embassy, or the contractor."[165] First, Blackwater did not report incidents as required, including ones involving Iraqi casualties. The State Department disclosed that "Blackwater sought to cover up a shooting that killed an apparently innocent bystander."[166] Second, it has a higher shooting rate than its two partners combined in the WPPS contract. Per the contract, it can only use force for defensive purpose yet 80% of the time, Blackwater fired first.[167] (See Table 3, "Blackwater Use of Force Data"). Third, its contractors also shoot first more often than contractors for the other two. Additionally, the Committee memo further states that Blackwater acknowledged participating in U.S. military operations as well. Finally, the memo addressed the December 2006 murder of the Iraqi Vice President's bodyguard by an off-duty Blackwater security contractor, Andrew Moonen. State permitted Blackwater to fly its contractor back to the United States within a few days despite Iraq's keen interest in questioning him. Moonen was fined and fired but no charges were ever brought; a $15,000 payment was made to the dead man's family.

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[165] House Committee on Oversight Hearing, Ambassador Griffin testimony, October 2, 2007.

[166] House Committee on Oversight Memorandum, October 1, 2007, 2.

[167] House Committee on Oversight Memorandum, October 1, 2007, 2.

According to Steve Fainaru, a *Washington Post* reporter who won a Pulitzer for his coverage of private security in Iraq, the State Department was afraid that the Iraqi government would ban Blackwater from working in Iraq after this murder. Initial death compensation amounts suggested were as high as $250,000 but senior officials at DoS balked at that amount. In the end, State paid the family $15,000, the same amount as the Blackwater bonus denied to the contractor who is accused of committing the murder.[168]

Table 3**:** Blackwater Use of Force Data[169]

Year	**Total Incidents with Shots Fired by Blackwater**	**Incidents where Blackwater Fired First**	**Confirmed Iraqi Casualties**	**Incidents with Property Damage**
2005	77	71	7	71
2006	61	53	3	52
2007 (*see footnote*)	57	39	6	39
Total	**195**	**163**	**16**	**162**

The Committee memo expressed concern about how the State Department dealt with these infractions and incidents: "There is no evidence in the documents that the Committee has reviewed that the State Department sought to restrain Blackwater's actions, raised concerns about the number of shooting incidents involving Blackwater or

[168] Fainaru, *Big Boy Rules*, 166.

[169] House Committee on Oversight Memorandum, October 1, 2007, Table B, 7. Data for 2007 does not include the September 17 Nisoor Square incident; if it did, that would add 17 confirmed Iraqi deaths.

the company's high rate of shooting first, or detained Blackwater contractors for investigation."[170] Certainly, evidence points to the conclusion that Blackwater had the power and the leverage, not DoS.

Three other episodes are emblematic of this dynamic: the CS gas, the sniper, and the most publicized of all, Nisoor Square. First, the *New York Times* reported that in May 2005 Blackwater instigated a bizarre episode at a busy checkpoint at the Green Zone in Baghdad. One of their helicopters dropped a canister of CS gas on the crowd below in an attempt to assist in securing the route for their convoy. This is a prohibited riot control agent that the military are not allowed to use. According to the *New York Times*, the State Department contract did not authorize nor prohibit the use of the gas. The gas dispersed around the soldiers, Iraqi civilians, and traffic. One soldier reported there was no provocation for the use of the gas. About 10 soldiers were affected by the gas. Another soldier added, "it's not a good thing to cause soldiers who are standing guard against car bombs, snipers and suicide bombers to cover their faces, choke, cough and otherwise degrade our awareness."[171] Blackwater claimed it thought it was using a smoke canister and did not intend to use the gas. The article could not confirm embassy or military investigations into the incident nor any record of any disciplinary action taken against Blackwater.

Steve Fainaru described the February 7, 2007, sniper incident. A Blackwater sniper at the Justice Ministry killed three Iraqis on the roof of the nearby Iraqi Media Network building in Baghdad over a period of an hour. Without interviewing any Iraqi

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[170] House Committee on Oversight Memorandum, October 1, 2007, 2.

[171] James Risen, "2005 Use of Gas by Blackwater Leaves Questions," *New York Times*, January 10, 2008. http://www.nytimes.com/2008/01/10/world/middleeast/10blackwater.html.

witnesses, a State Department review cleared the Blackwater contractors who said the Iraqis fired on them. An Iraqi police report strongly disputed State's conclusion, claiming Blackwater attacked without cause.

The biggest event for Blackwater in terms of damage to its client's operational capacity that also caused far-reaching, costly consequences occurred on September 16, 2007. As Blackwater conducted a DoS security convoy through Nisoor Square in Baghdad, a car bomb exploded nearby. Chaos ensued and Blackwater contractors shot and killed 17 Iraqis. This created an international incident. It shut down all CIA and DoS travel outside the Green Zone for several days. Iraqi President al-Maliki demanded that Blackwater leave the country. It sparked four official investigations (the FBI, Iraqi government, the State Department, and a Congressional hearing).

Fainaru reported that although the initial incident ("SPOT") report was on State Department letterhead and the author, Darren Hanner, was identified as the "Regional Security Office Watch Officer" (a State Department job), the truth is Hanner was a Blackwater employee. The SPOT report apparently was a misrepresentation of who was really writing the report. The SPOT report declared that Blackwater had not been at fault. However, the U.S. military's initial findings "concluded that there was 'no enemy activity involved' and described the shootings as a 'criminal event.'"[172]

The State Department gave some of the Blackwater contractors involved in the shootings immunity soon after the episode. This immunity deal made the Justice Department's investigation harder. Indictments have been handed down, in December 2008, against five of the guards. But prosecuting them will be more complicated if their

[172] Sudarsan Raghavan and Josh White, "Blackwater Guards Fired at Fleeing Cars, Soldiers Say," *Washington Post*, October 12, 2007, A1.

initial statement cannot be used due to the immunity deal. It appeared that State was trying to shield its contractors from a successful prosecution, although the case will be difficult regardless due to several issues, jurisdiction being one.

Six months after the Nisoor Square episode, Blackwater's State Department contract was renewed. Ambassador Patrick Kennedy said, "we cannot operate without private security firms in Iraq. If contractors were removed, we would have to leave Iraq."[173] The renewal came over Iraqi objections, a military review that "concluded the shootings were unjustified," and despite the fact that the FBI concluded Blackwater had killed 14 Iraqis in Nisoor Square without cause.[174]

When questioned about this renewal at a State briefing on April 4, 2008, Greg Starr, head of Diplomatic Security at State, said there would be some changes. For instance, there was a Memorandum of Agreement with the military that had been signed in December 2007 as a result of the Nisoor incident. It laid out new, mandatory coordination procedures and the rules on the use of force would be tightened. Starr commented that the FBI report was not finished and that the State Department could terminate its Blackwater contract at any time if it felt the need to do so.

Theoretically, Blackwater could be removed from the contract at will. But in 2007, Ambassador Crocker reiterated that "the State Department's Bureau of Diplomatic Security could [n]ever have enough full-time personnel to staff the security function in

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[173] James Risen, "Iraq Contractor in Shooting Case Makes Comeback," *New York Times*, May 10, 2008. http://www.nytimes.com/2008/05/10/world/middleeast/10blackwater.html.

[174] David Johnston and John Broder, "F.B.I. Says Guards Killed 14 Iraqis without Cause," *New York Times*, November 14, 2007. http://www.nytimes.com/2007/11/14/world/middleeast/14blackwater.html.

Iraq. There is no alternative except through contracts."[175] Even in 2008, after Nisoor Square, the contract was renewed and Ambassador Crocker praised Blackwater as "essential" to DoS' work in Iraq.[176] So, the State Department claims it is not free to acquire the same level of skills quickly and it is not inclined to build that capacity in-house since it has been using contractors far longer than it would take to hire, train, and field its own Diplomatic Security Agents.

Discussion

What reasons would Blackwater or other security firms have for not coordinating through the ROC or with the military generally? First, coordinating with the military through the ROC meant extra paperwork; if that task is not stipulated in the contract, it is a nuisance to be avoided and a task for which contractors would not be compensated. David Isenberg, a military analyst, surmised Blackwater bypassed the ROC because of paperwork and reporting requirements. He said, "everything the client [DoS] tells them to do is not always written in the contract."[177] Because State cuts the checks, Isenberg believes it can dictate terms beyond the contract. Isenberg offered examples: if the military required certain things (i.e., obtaining a new identification card, filling out an incident report, or coordination), then that added layer of paperwork or scheduling might be viewed as an onerous burden by State, which could then pressure the PSCs to circumvent those requirements by withholding pay in ways "off the radar." Second, both

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[175] Adam Zagorin, "Iraq Limits Blackwater's Operations," *Time*, September 17, 2007.

[176] Blackwater USA, *Communique*, "Lines of Authority Are Now Clear," May 2008.

[177] David Isenberg, personal interview, October 9, 2008.

the State Department and Blackwater were apprehensive about coordinating through the ROC due to a fear of leaks of information to insurgents or militias, who could then know when a U.S. diplomat would be on which roads, according to a Chris Taylor, a Blackwater executive.[178] Third, such participation would give the ROC management firm, Aegis, a competitor, sensitive and key information and thereby creating a business vulnerability for Blackwater. With enough influence, Blackwater could conduct its operations in ways the company found preferable and to make the business more profitable.

Blackwater was well-positioned to develop undue influence over the State Department. The evidence that points in that direction: (1) having been the experienced security contractor already on the ground when DoS arrived; (2) proving it could keep clients alive and safe consistently; (3) essentially creating a monopoly (within the WPPS consortium even) on the contract with State by offering valuable capabilities beyond its competitors; and, (4) bringing insider knowledge of Pentagon contracting and a well-connected federal executives in-house.

However, Doug Brooks counters that State had the power, not Blackwater, because DoS dictated the terms in the WPPS contract – who the firms can hire and how they are trained. But does the contract address security detail coordination with the military? In the 2004 contract, it is highly unlikely as the ROC did not open until months after Blackwater went to work for State. Perhaps the renewal contract included it but given so much of the WPPS contract is redacted, that is not easy to know. However,

[178] Chris Taylor, research correspondence, November 19, 2008. Also, a 2007 RAND study supported this notion of the Ministry of Interior "harboring Shia squads" suspected of using MoI information to attack "political opponents" and some Sunnis. Olga Oliker, et al. "U.S. Policy Options for Iraq," Santa Monica, CA: 31.

there are clues. For instance, the extensive Glossary and Acronym pages (pp. 36-37) have no mention of the Army's ROC.

After Nisoor Square, why did State not turn to the other two consortium companies to conduct security details since Blackwater had enraged the Iraqi government? State said it could not because Blackwater provided a range of security capabilities well beyond theirs, or any others. State was caught up short with no real options. It had allowed itself to be under Blackwater's influence too much.

When problems arose or Blackwater wanted favorable terms, the State Department was not working from a position of strength. As Congressional hearings, GAO, and CRS reports have noted since 2004, it is very difficult to gather complete information to gain a deeper understanding of Blackwater's operation, influence, and leverage with DoS in Iraq. Both DoS and Blackwater are famously private, even secretive, about their interactions, contracts, and working relationship. The available evidence strongly suggests undue influence exists but the results are inconclusive without further data and information.

An Alternate Hypothesis: The Contract

Besides the three explanations for the ineffective coordination raised here, one alternative explanation deserves discussion – coordination could have been much improved if the contracts had required it. As the DoD section 1206 report pointed out,

> the interaction between U.S. Military forces and security contractors in Iraq is one of coordination rather than control because private security contractors have no direct contractual relationship with the Commander. If a Federal agency or a reconstruction contractor issued a contract that requires a private security firm to

> coordinate with military units... such a contract would need to contain clauses... giving Commander coordination authority over private security contractors.[179]

In fact, battle space commanders do control the movements of DoD security contractors now due to fragmentary order 07-428 that gave Multi-National Corps-Iraq that authority in 2008.[180] In addition to the order, DoD security contracts now must include specific language on coordination requirements. Participation in the "contractor operation cells" (CONOCs) (which assumed coordination responsibility from the ROC in 2008) is written in the contract along with the extra element of control by the military.[181]

Since the earlier contracts did not require coordination but could have, one has to look beneath this issue of the contract language. If coordination was not written into the contract, one has to ask, why? State did not want to require it according to Peter Singer. He said "why would they [DoS] want to be so linked to this other agency [DoD] with whom they had tensions, with whom they see it's not related to their daily activities? [DoS] is looking at it as a classic diplomatic security process."[182]

Doug Brooks understood it was State's decision not to require coordination. He believed that State had the control because it wrote the contract. It set clear criteria and the consortium contractors had to meet the standards. Also, Brooks added the cost factor: private security contractors who qualify for diplomatic security details "are far more specialized than DS [diplomatic security] agents so they're better for that particular job and are a fraction of the cost – $400,000 a year as opposed to $1 million a year. So it's a

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[179] Public Law 108-375, Section 1206 Report: 6.

[180]GAO 08-966: 21.

[181] GAO 08-966: 21.

[182] Peter Singer, research interview with author, November 25, 2008.

lot cheaper for State to use these guys. But they can and do lose their contracts if they don't follow what State says."[183] But Blackwater did not in spite of providing several opportunities for State to exercise that option.

Colonel Cornett believes that when the State Department PSDs did not coordinate through the ROC it was because they were told not to by State. He speculated the reasons to bypass the ROC might include a "high security concern or element of secrecy."[184] He concurred with those who point to the contract language; if the "statement of work" does not require them to coordinate their movements with the military, they do not have to do it. Cornett said, "you get what you contract for."[185] Profitability matters – if there's an additional function such as coordination that the company is not paid for, Cornett said it probably would not be done. He believed that contract officers initially did not understand the situation on the ground and so did not write contracts to match the reality; the "very concept of not being willing to coordinate and integrate their operations very much reflects [that] misunderstanding."[186]

Chris Taylor recounted that "there were not enough contracting specialists on the ground to deal with the myriad of issues that come when you lay a static contracting process over a very dynamic environment."[187] But that does not address the deeper cause – given the serious consequences of ineffective coordination, why were DoS contracts not amended to require coordination with the military to resolve some of the problems?

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[183] Doug Brooks, research interview, October 13, 2006.

[184] Col. Tim Cornett, research interview, October 20, 2008.

[185] Col. Tim Cornett, research interview, October 20, 2008.

[186] Col. Tim Cornett, research interview, October 20, 2008.

[187] Chris Taylor, research interview, November 19, 2008.

Doug Brooks said "it's about being independent from DoD. Essentially after the CPA, State is [DoD's] boss."[188] Yet the State Department did amend the WPPS contracts on several occasions to add several critical elements recommended after the Nisoor incident – in-vehicle cameras, audio recording devices, cultural awareness training, and translators. Amending the contract was a common practice.

Isenberg believes the reason coordination was ineffective had more to do with the poor quality of the contracts initially but that over time that State did not want them to coordinate. He thinks State contract managers "didn't know enough frankly to think about the larger issues of how contractors should work with the military"; ultimately Isenberg concluded that "the State Department was both fearful and arrogant."[189] State wanted to keep its people safe but however the private security contractors managed it was acceptable.

Conclusion

In an interview with Peter Singer in November 2008, he cited several factors for the ineffective coordination of private security contractors with the military from 2004 to 2007. He listed five reasons, that when mixed together, created a "classic recipe for ineffectiveness": multiple clients (from DoD to ABC News), a myriad of companies in that marketplace [of varying capabilities, many of which were inexperienced], the newness ("some clients have never worked in this field before"), the chaotic

[188] Doug Brooks, research interview, October 13, 2008.

[189] David Isenberg, research interview, October 9, 2008.

environment, and a "lack of ownership over problems" by federal agencies.[190] Although he dislikes the word "interagency", he allowed that if it meant the two agencies suffered from a poor cooperation, communication, and follow-up, then indeed, it was a factor. He noted, "you had senior leaders in denial of the problem, avoidance of the problem, and…just didn't care. That trickles down [to the operational level]."[191]

Contracts alone were not sufficient to compel companies do certain tasks. For instance, the contractors often avoided accounting for activities that were required. Even though DoD and DoS contracts required PSCs "to report all weapons discharges,…few comply fully, according to U.S. officials and security company employees. Two company officials familiar with the system estimated that as few as 15 percent of all shooting incidents are reported."[192] Contractors fired their weapons and did not report the incidents much of the time, even though the contracts required reporting. The answer therefore to improved coordination would not come solely through the contract. To require an important task that would involve DoD, DoS would have to elicit DoD's approval as well.

Additionally, both DoD and State made a range of changes since Nisoor that reflected a new cooperation between the two agencies. The increased engagement that sprang from interagency cooperation included not only the MOA but liaison officers, a review board, increased sharing of intelligence, and more effective radio

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[190] Peter Singer, research interview, November 25, 2008.

[191] Peter Singer, research interview, November 25, 2008.

[192] Steve Fainaru, "Private Security Guards in Iraq Site Frequent Shootings," *Washington Post*, October 3, 2007, A1.

communications. Further, DoS coordinates with the military's new Armed Contractor Oversight Division (ACOD) when its PSCs are involved in a serious incident.

The contracts were not the root cause. A dysfunctional interagency relationship, abetted by a chaotic and unsecured environment that allowed contractors to develop bad habits initially, is the stronger explanation for why coordination was ineffective for so long. Whether Blackwater had undue influence over State is strongly suggested, but further data need to be available to be reviewed. The ultimate proof of this can be seen in the fact that once the interagency MOA from December 2007 went into effective, problems decreased substantially. The MOA dictates that all security details have to notify the ROC several days to two weeks' in advance about their planned trip and they cannot deviate from the route. In addition, the military commander can deny the request. This was unheard of until the MOA.

Chapter V

Conclusion

Armed civilians hired under a government contract to provide security and work alongside soldiers in a conflict zone – this is a new scenario for the U.S. government. In Operation Iraqi Freedom, it became a reality but without forethought or safeguards. The genesis was organic and ad hoc; its implementation poor. The State Department (and its predecessor in Iraq, the CPA) did not require its PSCs to coordinate their movements with the military for over three years. It took the Nisoor incident in 2007 to end that laissez-faire approach. Those shootings finally forced the U.S. government to undertake a formal review of the State Department's security practices in Iraq and institute a broad range of management and coordination procedures and policies.

This thesis on operational coordination has investigated three possible explanations for the ineffective coordination of State's PSCs with the military: interagency dysfunction, chaos in Iraq, and Blackwater's undue influence over its client, the State Department. This topic needs more research but one can make some preliminary assessments about coordination. A dysfunctional interagency process allowed for gaps in coordination for several years. Chaos in the battle space in the first two years contributed to this ineffective coordination. Although the evidence points to undue influence, we cannot positively conclude that Blackwater exerted such influence or that it negatively affected coordination. Of the three hypotheses, the interagency process

appears to be the strongest theory, especially since several interagency efforts since Nisoor definitively contributed to the improved coordination.

First, the Pentagon created the Armed Contractor Oversight Division in Iraq in November 2007, which "facilitates coordination for PSCs matters among DoD, the State Department, the government of Iraq and the PSC community."[193] Second, the Memorandum of Agreement (MOA) between DoD and DoS in December 2007 established core standards for U.S. government PSCs, including their management and coordination. As part of the MOA, local U.S. Army commanders were given the ability to deny, approve, or alter DoS PSC requests for personnel movements.[194] Further, the MOA states that PSC contracts would be written to include language that reflected the intent of the MOA. Third, the Defense Department (through MNF-I) opened several Contractor Operations Cells (CONOCs) in 2008 around Iraq to take over the battlefield coordination of PSCs that had been done by the Reconstruction Operations Center (ROC). The CONOCs offer advantages that the ROC did not. Fourth, the Army consolidated various orders pertaining to security contractors into one overarching order, Fragmentary Order 07-428, in late 2007. The State Department followed suit in the spring of 2008 with several directives equivalent to the fragmentary order. Lastly, in July 2008, the DoD and DoS signed another Memorandum that further clarified coordination issues regarding PSCs (among other issues).

Martha Clark's conclusions that structural and identity factors caused the problems can be extended to a deeper root cause embedded in the interagency process.

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[193] GAO 08-966: Highlights.

[194] As GAO 08-966 states, this authority is informal as the final decision technically rests with the Embassy's Chief of Mission. However, the understanding between DoS and DoD is that if a commander makes such a request, it will be honored.

Doctrine can only go so far; it does not apply to State unless it is interagency doctrine. The dramatic drop in coordination problems as a result of the Memorandum between State and DoD in 2007 and other efforts listed above proves that the interagency process can resolve coordination issues.

Regarding the interagency theory, one final observation must be added. It seems more than coincidence that interagency cooperation improved dramatically when Secretary Gates replaced Secretary Rumsfeld in November 2006. Gates displayed great interest in interagency cooperation from the beginning, as evidenced in his Kansas State speech in November 2007 in which he advocated for increased funding for the State Department, an atypical attitude from the DoD. Pertinent to this thesis topic, Secretary Gates initiated interagency discussions immediately after the Nisoor incident that led directly to the Memorandum of Agreement in December 2007. It is highly unlikely that the MOA would have been generated under former Secretary Rumsfeld's tenure. Leadership, therefore, contributes greatly to the quality of the interagency relationship.

When a state hires an armed security force, such as Blackwater, it loosens its control on the use of violence. Working on a U.S. government contract, private security personnel are officially sanctioned to use violence on behalf of the State. This extension of government authority demands that the government implement strict supervision and oversight of such contractors. Certainly operational control on the battlefield is necessary since soldiers are conducting operations alongside these private armed actors. When soldiers do not know that "friendly" armed actors are moving around their area of operation, serious problems occur.

Recommendations

Security contracting in Iraq has received more scrutiny from the U.S. government since the Nisoor incident. Recommendations on various aspects such as oversight, accountability, and coordination have come from both the Defense and State Departments as well as Congress. Two specific topics that have not received attention are interagency doctrine and joint training.

Interagency Doctrine

As OIF has shown, it is high time that the State and Defense Departments create an interagency doctrine regarding the use, oversight, and operational coordination of DoS security contractors in stability and reconstruction operations. Given that the U.S. military has produced doctrine and a multitude of regulations for its own contractors (armed and unarmed), it is a reasonable and prudent step to co-author an interagency doctrine, particularly since there is a high probability security contractors will be utilized in future operations.

The Defense Authorization for 2009 outlines more interagency cooperation in conflict zones (a prime example of State's role in this regard is the military's new combatant command, Africom, where both DoD and DoS are co-leaders). Further, it acknowledges that future conflict scenarios that most likely will require interagency efforts to overlap again as they did in Iraq: combat and reconstruction operations. The 2009 Authorization specifically notes Section 1206 – this addresses training and equipping foreign security forces (and not just soldiers). Funding for this comes from the DoD, along with input from the State Department. If the United States can allocate funds

and personnel for such a program, why not expand the template and create one for private security contractors on U.S. government contracts? This leads to the second recommendation.

Training

The Pentagon and the State Department's Bureau of Diplomatic Security should implement a joint training program. Military commanders, Diplomatic Security Agents, and security contractors who will be operating alongside each other should train together, pre-deployment. GAO also recommended pre-deployment training for the military, as did Martha Clarke in her dissertation.

However, I suggest joint training between armed security contractors who are either under contract already with the U.S. government or who are in the process of receiving such a contract. This extends other recommendations by engaging both soldiers and contractors in training exercises and dovetails with the spirit of the Section 1206 mentioned above. For instance, this concept has been implemented at the strategic level by the National Defense University with its Interagency Coordination Symposium or by the Joint Interagency Coordination Group at CENTCOM, closer to the actual theater of operation. These are but two examples of where the training could originate from; there are several possibilities. Programs can be custom-designed and scaled for specific needs and targeted for operational and tactical levels with the goal of improved integrated-operations skills. Comprehensive training programs would include both classroom discussion and field exercises for each rotation of soldiers, contractors and State Diplomatic Security personnel, including contracting office representatives, and be

geared to communicating and understanding various actors' roles, capabilities, and responsibilities. Certainly OIF would make compelling first "case study".

One further recommendation, discussed in government, academic, and think tank circles, is to prohibit private security contractors from operating on the battlefield during combat operations. While the military is engaged in Phase III, active combat, it seems prudent to bar armed security contractors from that battle space. One lesson learned from Iraq is that having two armed groups (soldiers and contractors) operating independently even on the same side invites disaster. It produces results that are counterproductive to the military operations. The battlefield in Phase III should be left to the combatants.

Following on this issue of security transitions, the question arises as to whether the State Department should assume responsibility for the contractor coordination centers once major combat is over. It seems prudent that while soldiers are still operating in the theater and major construction projects are underway, those centers should continue under DoD control. At present, most security contractors work for the DoD, providing security for reconstruction. There is no compelling reason to switch authority.

In January 2009, the government of Iraq did not give Blackwater a license to operate going forward so the State Department cannot renew its contract when it expires in April 2009. DoS has turned to the other two companies on the WPPS contract to see if they can pick up the work. Those firms certainly are free to hire former Blackwater contractors but they may also need enhanced capabilities that Blackwater offered. Regardless of which companies are hired to fill the security needs of the Bureau of Diplomatic Security, requirements and policies need to be to a higher standard for armed contractors in the battle space than their unarmed brethren. This is so because "actions in

the security field have implications which go beyond those of normal commercial transactions. They may involve the use of force and the taking of lives" as the United Kingdom noted in its 2002 "Green Paper" on private security.[195] This concern is underscored in the current debate on what functions and roles are "inherently governmental" in the U.S. Congress.

Interagency doctrine and joint training, in addition to the new rules and requirements now in place (e.g., on the use of force, reporting of weapons discharges, etc.) would be the best route to ensure the safety of all actors sharing a battle space. Achieving such integration requires effective interagency engagement. Harmonizing operational coordination of contractors for State would best originate in a cooperative interagency relationship since it is not a military mandate to provide protection for State Department officials or visiting dignitaries.

This research has attempted to deepen the debate on a specific aspect of the use of armed security in a conflict zone – coordination of armed contractors on a U.S. battlefield. By investigating three possible explanations, I conclude that the interagency process is the main reason for the ineffective coordination of the State Department's security details with the military experienced in OIF for several years. As the DoD and DoS move forward together in Africa via Africom, in Iraq, Afghanistan, and in other high-risk areas around the globe, formalizing joint pre-deployment programs and harmonizing in-theater operations via clear and comprehensive regulations and coordination of private security will ensure the safety of all involved, reduce the risk of undermining battlefield operations or compromising international relations.

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[195] House of Commons, "Private Military Companies: Options for Regulation," London: Foreign and Commonwealth Office. February 12, 2002: 20.

Appendix 1

Number of Contractor Personnel Working in the Iraq Theater, by Department or Agency Awarding the Contract[196]

		Nationality			
	Location	U.S. Citizens	Local Nationals	Third-Country Nationals	Total
Department of Defense[a]	Iraq	29,400	62,800	57,300	149,400
	Elsewhere in the Iraq Theater[b]	6,700	3,500	20,100	30,300
Department of State[c]	Iraq	2,300	1,300	3,100	6,700
U.S. Agency for International Development[d]	Iraq	200	2,900	300	3,500
Other Agencies[e]	Iraq	200	100	200	500
Total	**Iraq Theater**	**38,700**	**70,500**	**81,000**	**190,200**

Source: Congressional Budget Office based on data from U.S. Central Command, *2nd Quarter Contractor Census Report* (April 30, 2008); Department of State; U.S. Agency for International Development.

Notes: Estimates of numbers of personnel in Iraq and nearby countries are rough approximations; numbers, nationalities, and functions of contractor personnel continually fluctuate. Including subcontractors who work on contracts for the Department of State and the U.S. Agency for International Development would increase the totals.

For this study, the Congressional Budget Office considers the following countries to be part of the Iraq theater: Iraq, Bahrain, Jordan, Kuwait, Oman, Qatar, Saudi Arabia, Turkey, and the United Arab Emirates.

Local nationals are citizens of the country in which they are working. Third-country nationals are neither U.S. citizens nor local nationals.

a. Data include both prime contractors and subcontractors; they also include contractors working for the Army Corps of Engineers.

b. The Department of Defense is the only government agency with a significant number of contractor personnel who are supporting operations in Iraq but are located in countries elsewhere in the Iraq theater. Although CBO's estimates exclude contractor personnel working in Afghanistan, some personnel located in the Iraq theater may be supporting operations in Afghanistan.

c. The Department of State counts only prime contractors and was therefore unable to provide estimates of the number of subcontractors working on its contracts. The department's data do not include contractors working under its Personal Service Agreements (such individuals are treated as employees of the U.S. government).

d. The U.S. Agency for International Development (USAID) counts only prime contractors and was therefore unable to provide estimates of the number of subcontractors working on its contracts. Those data, collected in the summer of 2007, also exclude USAID grantees and an estimated 75,000 Iraqis (as of fall 2007) who were working on programs sponsored by USAID in Iraq.

e. Includes the Departments of Agriculture, Commerce, Health and Human Services, the Interior, Justice, Transportation, and the Treasury, as well as the Broadcasting Board of Governors and the General Services Administration. Data are CBO estimates using contract obligations from the Federal Procurement Data System—Next Generation.

[196] Congressional Budget Office, "Contractors' Support of U.S. Operations in Iraq," Washington, DC, 2008: 9.

Appendix 2

The National Reconstruction Operations Center (NROC), Baghdad, Iraq[197]



[197] GAO, "Actions Needed to Improve Use of Private Security Providers," 05-737, 23.

Appendix 3

Acronyms and Key Terms

AO: area of operation

ACOD: Armed Contractor Oversight Division

C2: command and control

CENTCOM: U.S. Central Command

CONOC: Contractor Operations Cell

CPA: Coalition Provisional Authority

CRS: U.S. Congressional Research Service

DoD: Department of Defense

DoS: Department of State

GAO: U.S. Government Accountability Office

IAP: interagency process

IPOA: International Peace Operations Association

MNF-I: Multi-National Force-Iraq

MoI: Iraqi Ministry of Interior

NSC: National Security Council

PRT: Provincial reconstruction team

PSC: Private security contractor

QRF: Quick Reaction Force

ROC: Reconstruction Operations Center

WPPS: Worldwide Personal Protective Services

Key Terms

"Area of operations": geographic space where military commanders conduct actions and campaigns. In Iraq, there are several areas of operations.

"Armed contractors": private security contractors (PSC). They typically have three types of duties: guard non-military convoys, guard facilities or installations, provide security details for high-level dignitaries, government officials, NGOs, or the media. This is a subset of private military contractors in the battle space.

"Battle space": the area where combat is conducted. In this thesis, that means "[t]he Area of Operations assigned to the Commander, MNF-1 [multi-national force Iraq] by the Commander, US CENTCOM for the purposes of military operations. This currently includes the air, land, sea, and space contained within the borders of Iraq."[198]

"Coalition Provisional Authority": governing body for Iraq after the U.S.-led invasion in 2003, Operation Iraqi Freedom. It existed from April 2003 through June 2004. The authority's purpose was to oversee U.S. civil government programs in Iraq temporarily, from security to reconstruction activities. Headed by L. Paul Bremer as the U.S. Presidential Envoy and civil administrator for Iraq.

"Contingency operation": a military operation that is "designated by the Secretary of Defense as an operation in which members of the Armed Forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing force; or…[c]reated by definition of law."[199]

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[198] U. S. Department of Defense, "Memorandum of Agreement (MOA) between the Department of Defense and the Department of State on USG Private Security Contractors" (Washington, DC: Department of Defense, December 5, 2007), Appendix "Deliverables". Section II.

[199] U.S. Department of Defense, DoD Instruction 3020.41 "Contractor Personnel Authorized to Accompany the U.S. Forces" (Washington, DC: Department of Defense, 2005), enclosure 2, 24.

"Contractor": any civilian working for a private company hired by the U.S. government or a non-governmental organization (NGO, media, etc.) to perform tasks on behalf of the government. Always signifies non-military personnel. Typically, DoD contractor jobs range from weapons operation and maintenance, construction, communications, to base operations and food services, to translation. A subset of this category is private security contractor (see definition below).

"Friendly fire": this occurs in a conflict when soldiers fire unwittingly on fellow soldiers, on their own contractors or vice-verse; or, when contractors fire on each other.

"Interagency coordination": "Within the context of Department of Defense involvement, the coordination that occurs between elements of the Department of Defense and engaged US Government agencies, nongovernmental organizations, private voluntary organizations, and regional and international organizations for the purpose of accomplishing an objective."[200]

"International Peace Operations Association" (IPOA): Founded in 2001, IPOA is the U.S. trade association, advocacy, and lobbying group for the private military industry.

"Memorandum of Agreement" (MOA): These documents outline mutual responsibilities and activities between two agencies. They are often considered informal and transitory agreements, well below the force of doctrine or regulations. In this thesis, "MOA" refers specifically to the one between DoD and DoS, dated December 5, 2007, on coordination and other issues between PSCs and the military in Iraq.

"The Nisoor incident": event in which Blackwater security contractors, conducting a State Department detail, shot and killed seventeen Iraqis on September 16,

[200] Joint Chiefs of Staff, *Interagency Cooperation During Joint Operations*, Joint Pub 3-08, vol. 1 (Washington, DC, October 9, 1996), GL-7-8.

2007 in the Nisoor Square neighborhood of Baghdad. Six of the contractors have been charged with manslaughter in connection with this episode as of December 2008.

"OIF": Operation Iraqi Freedom. The combat operation began March 20, 2003; President Bush declared major combat operations over on May 1, 2003.

"PMF": Private Military Firm. The terms, PMF and PSC, are often used interchangeably; however, there is no standard, well-accepted definition. Sometimes, private security contractors are viewed as a subset of private military firms. Peter Singer, a preeminent scholar on military contracting, defined them as "business organizations that trade in professional services intricately linked to warfare...including combat operations, strategic planning, intelligence, risk assessment, operational support, training, and technical skills."[201]

"PSC": Private security contractor, a new type of contractor on the battlefield. What sets these individuals apart is that they are armed and can use force in defensive operations. Typical jobs include personal bodyguard duty in personal security details (PSDs) for diplomats and other high-value individuals, site/installation security, or non-military convoy guards.

"PSD": private security detail, carried out by private security contractors. This function can be rendered to any agency, organization, or government. Akin to bodyguards. Can be static or mobile; when mobile, some details are conducted in a convoy of several armored vehicles.

"Phase IV": Stability and reconstruction operations. In military planning, this comes after the end of combat (Phase III).

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[201] Peter Singer, *Corporate Warriors: The Rise of the Privatized Military Industry*, 8.

"ROC": The Reconstruction Operations Center, housed within the Project and Contracting Office in Baghdad. The idea for this center began in May 2004 to resolve coordination issues between the military and contractors. The Center opened in October 2004. Run in partnership between the U.S. Army and a British contractor, Aegis Defence Services.

"Unity of effort": "Coordination and cooperation toward common objectives, even if the participants are not necessarily part of the same command or organization - the product of successful unified action."[202]

"Worldwide Personal Protective Services Contract" (WPPS): the contract for the State Department's Bureau of Diplomatic Security contractors. First utilized in March 2000 with DynCorp in the former Yugoslavia. In July 2004, DynCorp and Blackwater were hired under it for the U.S. Embassy in Baghdad. Triple Canopy was added for Basra in southern Iraq. The three companies formed a closed consortium; outside companies were not added to the WPPS contract in Iraq.[203]

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[202] JCS, *Department of Defense: Dictionary of Military and Associated Terms*, Joint Publication 1-02, 2001: 568.

[203] For further details, see statement of Ambassador Richard Griffin, "Private Security Contracting in Iraq and Afghanistan," October 2, 2007. http://www.state.gov/m/ds/rls/rm/93191.htm.

Appendix 4

List of Interviewees

1. Dr. Deborah Avant, Professor, Political Science, U. of California/Irvine.

2. Doug Brooks, President of International Peace Operations Association (IPOA), Washington, DC.

3. Colonel Tim Cornett, U.S. Army, worked at the Reconstruction Operations Center in Iraq.

4. Steve Fainaru, *Washington Post* reporter, Pulitzer Prize winner for his coverage of private security contractors in Iraq.

5. Colonel Darry Johnson, U.S. Army Reserve, logistics, OIF.

6. David Isenberg, reporter for UPI, analyst at BASIC and Cato Institute.

7. Dr. Peter Singer, Director of 21st Century Defense Initiative, Brookings Institution.

8. Chris Taylor, former Vice President of Blackwater (currently Senior Vice President for Global Strategy, Mission Essential Personnel).

9. General William Webster, U.S. Air Force, NORTHCOM, two tours of duty in OIF.

Bibliography

Arnas, Neyla, Charles Barry, and Robert B. Oakley. “Harnessing the Interagency for Complex Operations.” National Defense University. Washington, DC: August 2005.

Avant, Deborah. “The Privatization of Security: Lessons from Iraq.” *Orbis* 50, no. 2 (2006): 327-342.

———. *Market for Force: The Consequences of Privatizing Security*. Cambridge, England: Cambridge University Press, 2005.

Bensahel, Nora, Olga Oliker, Keith Crane, Richard Brennan, Heather Gregg, Thomas Sullivan, and Andrew Rathmell. *After Saddam: Prewar Planning and the Occupation of Iraq*. Arroyo Center, Santa Monica, CA: RAND, 2008.

Blackwater USA, *Communique*, “Lines of Authority are now Clear,” May 2008. http://www.blackwaterusa.com/images/pdf/AlumniNewsletter0805.pdf.

Camm, Frank and Victoria A. Greenfield. “How should the Army use Contractors on the Battlefield?” RAND *Arroyo Center* (2005): 1-248.

Carafano, James. *Private Sector, Public Wars: Contractors in Combat: Afghanistan, Iraq, and Future Conflicts*. Westport, CT: Praeger Security International, 2008.

Caudill, Shannon, Andrew Leonard, and Richard Thresher. *Interagency Leadership: The Case for Strengthening the Department of State.* AmericanDiplomacy.org, 2008, http://www.unc.edu/depts/diplomat/item/2008/0406/comm/caudilletal_strength.html.

Center for Public Integrity. “Private Warriors.” *Blackwater Security Consulting IC Contract; Baghdad PMO Execution Authority.* http://www.publicintegrity.org/articles/entry/660/.

Clark, Martha. “In the Company of Soldiers: Private Security Companies' Impact on Military Effectiveness and the Democratic Advantage.” Ph.D. diss., Cornell University, 2008.

Coalition Provisional Authority and L. Paul Bremer. *Coalition Provisional Authority Order Number 17 (Revised): Status of the Coalition Provisional Authority, MNF - Iraq, Certain Missions and Personnel in Iraq.* 2003, http://www.iraqcoalition.org/regulations/20040627_CPAORD_17_Status_of_Coalition__Rev__with_Annex_A.pdf.

———. Public Notice. "Regarding the Status of Coalition, Foreign Liaison and Contractor Personnel." June 26, 2003.

Congressional Budget Office. "Contractors' Support of U.S. Operations in Iraq." Washington, DC: 2008.

Congressional Research Service. *Private Security Contractors in Iraq: Background, Legal Status, and Other Issues* (RL32419, updated August 25, 2008). Washington, DC: Congressional Research Service, 2008.

———. *Operation Iraqi Freedom: Strategies, Approaches, Results, and Issues for Congress (*RL34387, updated March 28, 2008). Washington, DC: Congressional Research Service, 2008.

———. *Private Security Contractors in Iraq: Background, Legal Status, and Other Issues* (RL32419; July 11, 2007). Washington, DC: Congressional Research Service, 2007.

——— . *Private Security Contractors in Iraq: Background, Legal Status, and Other Issues*, (RL32419; updated June 21, 2007). Washington, DC: Congressional Research Service, 2007.

Dahl, Kenneth. *New Security for New Threats: The Case for Reforming the Interagency Process*. Washington, DC: Brookings, 2007.

Diamond, Larry. *Squandered Victory: The American Occupation and the Bungled Effort to Bring Democracy to Iraq*. New York: Times Books, 2005.

Drechsler, Donald R. "Reconstructing the Interagency Process After Iraq." *The Journal of Strategic Studies* 28, no. 1 (February, 2005): 3-30.

Fainaru, Steve. *Big Boy Rules: America's Mercenaries Fighting in Iraq*. Philadelphia, PA: Da Capo Press, 2008.

Fortner, Joe A. "Institutionalizing Contractor Support on the Battlefield." *Army Logistician* 32, no. 4 (July/Aug, 2000): 12-16.

Gordon, Michael R., and Bernard Trainor. Cobra II: The Inside Story of the Invasion and Occupation of Iraq. New York: Pantheon, 2006.

Government Accountability Office (GAO). *DoD and State Department have Improved Oversight and Coordination of Private Security Contractors in Iraq, but further Actions are Needed to Sustain Improvements* (GAO 08-966). Washington, DC: Government Accountability Office, 2008.

———. *Actions Needed to Improve DoD's Stability Operations Approach and Enhance Interagency Planning* (GAO 07-549). Washington, DC: Government Accountability Office, 2007.

———. *Rebuilding Iraq: Actions Still Needed to Improve the Use of Private Security Providers* (GAO-06-865T). Washington, DC: Government Accountability Office, 2006.

———. *Actions Needed to Improve Use of Private Security Providers* (GAO 05-737). Washington, DC: Government Accountability Office, 2005.

Geisel, Harold. *Status of the Secretary of State's Panel on Personal Protective Services in Iraq Report Recommendations*. Washington, DC: Department of State, 2008.

Heaton, J. Ricou. "Civilians at War: Re-Examining the Status of Civilians Accompanying the Armed Forces." *Air Force Law Review* 57, no. winter (2005): 155-208.

Human Rights First. *Private Security Contractors at War: Ending the Culture of Impunity*. Washington, DC: Human Rights First, 2008.

Isenberg, David. "The Good, the Bad, and the Unknown: PMCs in Iraq." Bonn, Germany, British American Security Information Council, February 9-10, 2006.

———. "A Fistful of Contractors: The Case for a Pragmatic Assessment of Private Military Companies in Iraq." British American Security Information Council, 2004, http://www.basicint.org/pubs/Research/2004PMC.pdf.

Locher, James R. *Ensuring Security in an Unpredictable World: The Urgent Need for National Security Reform.* The Project on National Security Reform, 2008. http://www.pnsr.org/data/images/pnsr%20preliminary%20findings%20july%202008.pdf.

"The Lost Year in Iraq." DVD. Directed by Michael Kirk. Boston, MA: PBS *Frontline*, 2006.

Miller, T. Christian. *Blood Money: Wasted Billions, Lost Lives, and Corporate Greed in Iraq*. New York: Back Bay Books, 2006.

National Defense University, National Security Presidential Directive-1; slide presentation, February 26, 2001.

Oliker, Olga, Keith Crane, Audra K. Grant, and Terrence K. Kelly. *U.S. Policy Options for Iraq: A Reassessment*. Santa Monica, CA: RAND, 2007.

Pelton, Robert Young. *Licensed to Kill: Hired Guns in the War on Terror*. New York: Crown Publishers, 2006.

———. "Riding Shotgun in Baghdad with Blackwater's Security Detail," Popular Mechanics, April, 2005. http://www.popularmechanics.com/technology/military_law/1506812.html

"Private Warriors." DVD. Produced by Marcela Gaviria and Martin Smith. Boston, MA: PBS *Frontline*, 2005.

Scahill, Jeremy. *The Rise of the World's Most Powerful Mercenary Army*. New York: Nation Books, 2007.

Schreier, Fred and and Marina Caparini. "Privatising Security: Law, Practice and Governance of Private Military and Security Companies." *Geneva Centre for the Democractic Control of Armed Forces (DCAF)* Occasional Paper No. 6, (2005).

Silverstein, Ken. "Revolving Door to Blackwater Causes Alarm at CIA." *Harper's Magazine*. September 12, 2006. http://www.harpers.org/archive/2006/09/sb-revolving-door-blackwater-1158094722

Singer, Peter W. *Can't Win with 'Em, Can't Go to War without 'Em: Private Military Contractors and Counterinsurgency*. Washington, DC: Brookings Institution, 2007, http://www.brookings.edu/~/media/Files/rc/papers/2007/0927militarycontractors/0927militarycontractors.pdf.

———. "Outsourcing the War." *Salon* (April 16, 2004), http://dir.salon.com/story/news/feature/2004/04/16/outsourcing_war/index.html.

———. *Corporate Warriors: The Rise of the Privatized Military Industry*. Ithaca, NY: Cornell University Press, 2003.

Special Inspector General for Iraq Reconstruction (SIGIR). Report to Congress. July 2004. Appendix J. http://www.sigir.mil/reports/quarterlyreports/Jul04.aspx.

Szayna, Thomas, Derek Eaton, and Amy Richardson. *Preparing the Army for Stability Operations: Doctrinal and Interagency Issues*. Santa Monica, CA: RAND, 2007.

Taylor, Chris. "Contractors on the Battlefield." Washington, DC: George Washington University, 2005.

United Kingdom. House of Commons, "Private Military Companies: Options for Regulation." London. Foreign and Commonwealth Office. February 12, 2002.

U.S. Army. *National Reconstruction Operations Center and Regional Reconstruction Operations Centers in Iraq*. Unpublished paper, supplied by Col. Tim Cornett.

———. *Reconstruction Operations Center Watch Officer, "C3 Blue on Blue Analysis"*. Unpublished material, supplied by Col. Tim Cornett.

———. *Field Manual 3-100.21: Contractors on the Battlefield*. Washington, DC: Department of the Army, 2003.

———. *Field Manual 100-10-2: Contracting Support on the Battlefield*. Washington, DC: Department of the Army, 1999.

U.S. Congress. House. Committee on Oversight and Government Reform, Testimony of Ambassador Richard J. Griffin. *Private Security Contracting in Iraq and Afghanistan.* 110th Cong., 1st sess., October 2, 2007. http://oversight.house.gov/story.asp?ID=1509.

———. Testimony of William Moser. Deputy Assistant Secretary for Logistics Management, Department of State. *Private Security Contracting in Iraq and Afghanistan*. 110th Cong., 1st sess., October 2, 2007.

———. *Memorandum: Additional Information about Blackwater USA*. 110th Cong., 1st sess., October 1, 2007.

———. House. Committee on Government Reform. Subcommittee on National Security, Emerging Threats, and International Relations. *Private Security Firms*

Standards, Cooperation and Coordination on the Battlefield. 109th Cong., 2d sess., June 13, 2006.

———. Testimony of Greg Starr. State Department. June 16, 2006.

———. House. Armed Services Committee. Statement of Condoleeza Rice, Secretary of State, *"Building Partnership Capacity and Developing of the Interagency Process"*. 110th Cong., 2nd sess., April 15, 2008.

U.S. Department of Defense. *Contractor Personnel Authorized to Accompany the U.S. Armed Forces: DoD Instruction 3020.41*. Washington, DC: Department of Defense, 2005.

———. *Section 1206 Report, Public Law 108-375*. Washington, DC: 2005.

U.S. Department of Defense and U.S. Department of State. *Memorandum of Agreement (MOA) between the Department of Defense and the Department of State on USG Private Security Contractors,* Edited by Deputy Secretary of State, John Negroponte and Deputy Secretary of Defense Gordon England. Washington, DC: December 5, 2007.

U.S. Department of State. "Blackwater, Triple Canopy and DynCorp: Contract with the U.S. State Department." Worldwide Personal Protective Services (WPPS) contract for personal protective security, Washington, DC. 2005, UPI link: http://www.upi.com/Emerging_Threats/2008/09/19/The_well-ordered_worldliness_of_WPPS/UPI-64411221853811/2/

———. Patrick Kennedy. *Report of the Secretary of State's Panel on Personal Protective Services in Iraq*. Washington, DC: Department of State, 2007.

U. S. Joint Chiefs of Staff. *The Department of Defense Dictionary of Military and Associated Terms*. JP 3-0 ed. Washington, DC: Department of Defense, 2001.

———. *Joint Pub 3-08: Interagency Coordination during Joint Operations, vols. I & II*. Washington, DC: 1996.

Van Heuvelen, Ben. "The Bush administratio''s Ties to Blackwater," Salon.com, October 2, 2007. http://www.salon.com/news/feature/2007/10/02/blackwater_bush/.

The White House. *National Security Presidential Directive-44: Management of Interagency Efforts Concerning Reconstruction and Stabilization*. Washington, DC: 2005.

———. *National Security Presidential Directive-36: U.S. Government Operations in Iraq*. Washington, DC. May 11, 2004.

———. *National Security Presidential Directive-1*: *Organization of the National Security Council System*. February 13, 2001.

Wright, Donald and Timothy Reese. *On Point II: Transition to the New Campaign: The United States Army in Operation IRAQI FREEDOM, May 2003-January 2005*. Fort Leavenworth, KS: Combat Studies Institute Press, 2008.

Zagorin, Adam. "Iraq Limits Blackwater's Operations." *Time*, September 17, 2007. http://www.time.com/time/world/article/0,8599,1662586,00.html.