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United States Department of State

Washington, D.C. 20520

August 31, 2007

INFORMATION MEMORANDUM  
UNCLASSIFIED

TO: DS/IP/OPO - Justine Sincavage

THRU: DS/IP/OPO/HTP - Division Chief Paul Isaac *Paul Isaac*

FROM: DS/IP/OPO/HTP - Deputy Division Chief Jean Richter

SUBJECT: Blackwater Contractor Performance in Iraq

The purpose of this memorandum is to inform you of a disturbing incident that occurred on August 21, 2007, while I was on TDY in Iraq. I found this incident disconcerting on many fronts; however, most of all, it underscored the lack of professionalism and discipline that has been systemic during the performance of our WPPS contracts in Iraq.

As the Alternate Contracting Officer's Representative, I was sent to Iraq with the mandate of conducting a Program Management Review (PMR) of our High Threat Protection (HTP) contracts in Iraq. While conducting the PMR, I was made aware of a concerning morale and health issue surrounding one of our Dining Facilities (DFAC). More specifically, a US Army officer filed a written report citing that the DFAC was found to be substandard in four critical areas, to include poor food quality and sanitation, accompanied by a letter of unknown authorship, on embassy letterhead, requesting its closure until such a time that these issues could be satisfactorily resolved.

While investigating this claim, I contacted Mr. Daniel Carroll, the WPPS II Camp Baghdad and Task Order 6 Project Manager, and Blackwater Contractor, to inquire if he had seen the letter and to ascertain what actions, if any, had been taken to correct this issue. As neither Mr. Carroll nor the RSO Office noted any steps towards verifying the information in the original complaint or taking corrective measures, I reiterated that the WPPS II Camp Baghdad and DFAC in question was USG property and, accordingly, someone from the RSO's office should have been made aware of the officer's presence in the DFAC. In response to my inquiries, Mr. Carroll

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claimed that the WPPS II Camp Baghdad was not technically Department of State property and therefore not under Chief of Mission (COM) Authority. Mr. Carroll accentuated this point by stating that he could "kill me" at that very moment and no one could or would do anything about it as we were in Iraq. A second individual present, Mr. Donald Thomas, then made a remark that compared the lawless working environment in Iraq to the 'OK corral.'

I was not only surprised by the unnerving remarks related to Mr. Carroll's perceived understanding of what fell under COM Authority and Department property, but also by the cavalier and unrestrained manner in which the Blackwater contractors felt they could respond to a USG official. To me, it was immediately apparent that the Blackwater contractors believed that they were the de facto authority and acted accordingly, in an alarming manner.

In addition, I witnessed Blackwater contractors make disparaging remarks of superiority in reference to the FBI personnel presence in Iraq. These comments along with my COM Authority conversation sent a clear message that the Blackwater contractors saw themselves as "above the law" and actually believed that they "ran the place." Once again, this highlights conduct and performance issues that have been present throughout Blackwater's participation in the WPPS program.




As recent Congressional inquiries have focused on our WPPS contracts and our contractors in Iraq, it has underscored that the management of these contracts remotely from the headquarters level has not been successful. This "hands off" management style from Washington, D.C., to include the signing of invoices without a clear understanding of services rendered on the ground, has served to create an atmosphere where the contractors, instead of Department officials, are in command and in control.

During and after my stay in Iraq, it has become fully apparent to me that the management structures in place to manage and monitor our WPPS contracts in Iraq have become subservient to the contractor themselves. This occurrence has resulted in a situation where the oversight of these high profile and extremely lucrative contracts is merely superficial at best. To correct this unraveling situation and right its course, it is my assessment that direct oversight of the contractor, including an assigned Contracting Officer's Representative, is immediately required on the ground in Iraq. Accordingly, this in-country management oversight should be multi-layered and provide a constant management presence focused on contract

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compliance and performance. Our current structure of managing these contracts remotely from a headquarters level has proven itself to be ineffective, thus creating an environment full of liability and negligence.

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 <b>UNITED STATES DEPARTMENT OF STATE</b> <b>DIPLOMATIC SECURITY SERVICE</b> <b>REPORT OF INVESTIGATION</b> 			
TITLE <p style="text-align: center;">CARROLL, Daniel (Blackwater)</p>		DS CASE NUMBER <p style="text-align: center;">01-MC09-102007-248-0205</p>	
TRUE NAME SSN: <span style="background-color: black; color: black;">XXXXXXXXXX</span>		CASE TYPE <p style="text-align: center;">Misconduct/Suitability</p>	
FIELD OFFICE <p style="text-align: center;">DS/ICI/PR</p>	DATE REPORTED <p style="text-align: center;">10/19/2007</p>	DATES INVESTIGATED <p style="text-align: center;">10/05/2007-10/19/2007</p>	REPORTING AGENT <p style="text-align: center;">D. Cole Pasquale</p>
<b>SYNOPSIS</b> <p>On October 5, 2007, DS/ICI/PR was contacted regarding a threatening statement made by a Blackwater contractor. From August 1-23, 2007, Special Agent Jean Richter (Richter) and Donald Thomas, Jr. (Thomas) conducted a Program Management Review (PMR) of the Blackwater, USA Task Orders in Iraq. On August 21, 2007, Blackwater's Program Manager, Daniel Carroll (SUBJECT) made a threatening statement to Richter in the presence of Thomas. On August 24, 2007, Thomas and Richter left Post per the request of Special Agent Ricardo Colon, Deputy RSO Baghdad.</p> <p>DS/PR investigation has identified pertinent issues as indicated on pages 4 and 5 at the end of this report for whatever action deemed appropriate.</p> <p style="text-align: center;">--CLOSED--</p>			
APPROVED  <p style="text-align: center;">_____ (Special Agent in Charge)</p>		DO NOT WRITE IN THIS SPACE	
COPIES REFERRED 1 - DS/ICI/PR Case File, 1- DS/IP/OPO, 1- DS/IS/IND		DATE RECEIVED	
REVIEWED BY AGENT SUPERVISOR <p style="text-align: center;"> (Initials)</p> <p style="text-align: center;">11/5/07 (Date)</p>			

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GPO : 1981 O - 341-526(8549)

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OPTIONAL FORM 249  
(FORMERLY DS-833)  
JULY 1996  
DEPT. OF STATE

Exempt From Automatic Decontrol By Statute  
CONTENT MUST NOT BE DISCLOSED TO UNAUTHORIZED PERSONS

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Misconduct/Suitability

**BACKGROUND**

Special Agent Jean Richter, Deputy Division Chief DS/IP/OPO/HTP, and Mr. Donald Thomas, Jr. Acquisition Management Analyst DS/IP/OPO were sent to Iraq to conduct a Program Management Review (PMR) of the Blackwater, USA Task Orders in Iraq. During a conversation about who should investigate complaints about the dining facility, SUBJECT made a threatening statement to Richter. In response to this statement, both Richter, and Thomas took steps to maintain a low profile including not using Blackwater aviation to return to the airport in Baghdad upon departure from Post.

**INVESTIGATIVE HISTORY**

08/20/2007 – Justine Sincavage (Sincavage) Office Director DS/IP/OPO receives a call from SA Richter. Richter explained that he had been called in by Baghdad Regional Security Officer Bob Hanni (Hanni). Hanni explained to Richter that he (Hanni) had received a phone call from headquarters asking him to document Richter's inappropriate behavior. Sincavage requested that Thomas, and Richter to attend all further meetings together. (See, Attachment F)

08/21/2007 – Daniel Carroll, The WPPSS II Camp Baghdad and Task Order 6 Project Manager for Blackwater, (SUBJECT) made a threatening statement to Special Agent Jean Richter stating he could kill Richter and no one would do a thing about it as they were in Iraq.

08/23/2007 – Thomas and Richter are directed by the then Acting Regional Security Officer, Ricardo Colon, to depart Post prior to the completion of their review.

In his email dated 08/23/2007, SA Colon wrote, "Regrettably, the pattern of behavior exhibited by the team members [Richter and Thomas] reached a level that became unsustainably disruptive to day-to-day operations and created an unnecessarily hostile environment for a number of direct hire and contract personnel. That left us no recourse but to request that the team wrap up its work and depart Post at the earliest opportunity (24 Aug)." (See, Attachment G & I)

08/26/2007 – Thomas emails a Memorandum for Record detailing the statement made by SUBJECT to Paul Isaac, Justine Sincavage, and Douglas Brown. (See, Attachment D)

08/31/2007 – Richter drafts a Memorandum regarding Blackwater Contractor Performance in Iraq addressed to Sincavage. This memorandum reports a conversation between SUBJECT, and Richter about the Dining Facilities and who should investigate whether the facility was substandard. During this conversation, SUBJECT indicated WPPSS II Camp Baghdad was not technically Department of State property and therefore, could not be investigated by Diplomatic Security as it was not under Chief of Mission Authority.

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Misconduct/Suitability

"SUBJECT accentuated this point by stating that he could "kill me" at that very moment and no one could or would do anything about it as we were in Iraq." (See, Attachment H)

10/05/2007 – DS/ICI/PR is notified by Sincavage regarding threatening statements made by SUBJECT to Special Agent Jean Richter. DS/ICI/PR opens case. RA contacts both Thomas and Richter via email requesting an interview, and informing both of their right to have representation present at the interview. (See, Attachment K)

**10/05/2007 – Interview Donald Thomas, Jr. Contractor, Acquisition Mgt. Analyst, DS/IP/OPO**

On 10/05/2007, Thomas was interviewed by RA and SA Paul Hussar at DS/ICI/PR offices regarding a conversation between Richter and SUBJECT in which SUBJECT allegedly made a threatening statement. Thomas was informed of his right to representation and given a Warning and Assurance to Employee Requested to Provide Information on a Voluntary Basis form which he signed. Thomas completed a written statement. (See, Attachment C & A)

Thomas claims to have witnessed a conversation between Richter and SUBJECT during which SUBJECT made a threatening remark to Richter. Thomas does not recall the conversation which lead up to the threatening statement, however, he did hear SUBJECT state, "I could shoot, and kill you here in Iraq and no one would do anything about it because that is the way it is here." Thomas then responded, "So, it is that dangerous here in Iraq like the O.K. Corral?" SUBJECT then responded, "Yes, that's right, because no one here cares." Thomas then went back to work on the computer. Thomas characterized these statements as "unprofessional, and threatening in nature." Thomas stated both he and Richter took the threat seriously especially because they were in a combat zone, and everyone was armed. When asked, Thomas stated that he did not know if SUBJECT was armed at the time of the threatening statement.

A few days later, Thomas and Richter are called to the Regional Security Office and told that they are to leave Post as soon as possible because they have been recalled by Headquarters. Thomas and Richter left Post the next morning.

On the date of the incident, Thomas drafted a Memorandum to File which he later forwarded via email to Paul Isaac, Douglas Brown, and Justine Sincavage. (See, Attachment D)

**10/12/2007 – Interview Special Agent Jean Richter, Deputy Division Chief DS/IP/OPO/HTP**

Richter was interviewed by RA and SA Zach Kendall in his office at SA-20, 16C04, also present per Richter's request was Sharon Papp, General Counsel America Foreign Service Association. Richter was informed the interview involved a conversation between himself and SUBJECT in which SUBJECT allegedly threatened Richter. Richter was given a Warning and Assurance to Employee Requested to Provide Information on a Voluntary Basis form which both he and his counsel reviewed, and Richter signed. Richter completed a written statement, which was reviewed by Papp. (See, Attachments B & F)

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According to Richter, SUBJECT entered the office used by Richter, and Thomas during the program review. SUBJECT stood in the doorway. SUBJECT and Richter began a conversation regarding a complaint about the Dining Facility. SUBJECT stated HE had an investigator that could look into it, and Richter reminded HIM that the RSO not Blackwater should be conducting official investigations. SUBJECT then made some disparaging remarks about DS, and the FBI saying, HE wouldn't trust them to do an investigation. Richter claimed that SUBJECT then made a statement, "I can kill you right now where you sit and no ones going to do a thing about it because of where we are at" or words to that effect. Richter stated, SUBJECT's voice was lowered during this statement, and that HIS look was unmistakable. Richter took this statement to be a threat not only to his physical wellbeing but also an attempt to get him to back away from the program review. At the time the threatening statement was made, Richter was unsure if SUBJECT was armed. In addition, Richter expressed concern about SUBJECT's threatening and cavalier attitude and belief that Blackwater was the de facto authority would permeate through everyone in HIS command, many of whom are armed.

Richter stated, because of SUBJECT's training as a Navy Seal, and the combat zone they were in, Richter took SUBJECT's threat seriously. As a precaution, Richter and Thomas began working as a team, attempting to keep a low profile, even going as far as skipping dinner the night before they left post. In addition, they chose to use the U.S. Military escorted ground transportation rather than Blackwater aviation when going to the airport for departure.

Richter spoke with the contract officer Paul Desitels regarding this incident, as well as drafted a Memorandum to his superiors upon return to the United States. (See, Attachment H)

10/19/2007 - Richter provided a voluntary written statement. (See, Attachment E)

**PERTINENT ISSUES:**

- On August 21, 2007, SUBJECT made threatening statements to SA Jean Richter in violation of State 111761 June 2002 which states threatening behavior will not be tolerated. (See, Attachment L)
- SUBJECT threatened to do bodily harm to SA Jean Richter, SUBJECT had the ability to carry out the threat thus SUBJECT's words satisfy the common law definition of assault which is part of the definition of criminal assault in Virginia Code 18.2-57, in the United States Code 18 USC 111 and as defined by Black's Law Dictionary. (See, Attachments M, N & O)

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- Both Richter and Thomas took SUBJECT's statements seriously, believed that SUBJECT and/or his subordinates could carry out the threat, changed their activities and behavior, and adopted a low profile to help ensure their own safety (satisfying the standards as stipulated by the METZ factors which are the listener's reaction, listener's apprehension of harm, speaker's intent, conditional nature of the statements, and the attendant circumstances). (See, Attachment P)

ATTACHMENTS:

- A – Warning and Assurance to Employee Requested to Provide Information – Thomas
- B – Warning and Assurance to Employee Requested to Provide Information – Richter
- C – Voluntary Statement Donald Thomas, Jr.
- D – Memorandum for Record by Donald Thomas, Jr., dated 08/21/2007
- E – Voluntary Statement by Jean Richter
- F – Memorandum for File by Justine Sincavage, dated 08/20/2007
- G – Memorandum from Justine Sincavage to Gary Gibson and Charlene Lamb
- H – Memorandum from Jean Richter to Justine Sincavage dated 08/31/2007
- I – Comments Regarding PMR Team by Blackwater USA
- J – Blackwater USA Statements
- K – Email from RA to Richter and Thomas
- L – State 111761
- M – Virginia Code 18.2-57
- N – 18 U.S.C. 111
- O – Black's Law Dictionary definition of Assault
- P – A Guide for Supervisors of Foreign Service Employees Chapter 10- Workplace Violence

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MFR Witness to Statement's made by PM Danny Carroll during WPPSII PMR 21 Aug 07 (25 Aug 07)

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From: dthomas [REDACTED]  
To: [REDACTED]@state.gov; [REDACTED]@state.gov; [REDACTED]@state.gov  
Cc: DThomas [REDACTED]

Subject: MFR Witness to Statement's made by PM Danny Carroll during WPPSII PMR 21 Aug 07 (25 Aug 07)

Date: Sun, 26 Aug 2007 4:51 pm

Attachments: WPPS\_II\_MFR\_PM\_Carroll\_Comments\_21\_Aug\_07.doc (26K)



All,

Enclosed is the MFR of the comments made to Jean Richter by Blackwater PM Danny Carroll while we where in Baghdad performing the DS WPPS II PMR. Please note that these comments are based on my observation and only my observation. DS Richter has not seen this Memorandum For Record (MFR) for the record to ensure its integrity, and creditability. You may add this to the PMR report as a attachment once received today. Should anyone have any questions, I may be reached on the cell at 703-[REDACTED] or home at 703-[REDACTED].

Thanks.

Don

Email and AIM finally together. You've gotta check out free [AOL Mail!](#)



21 Aug 07

Memorandum for Record:

On 21 Aug 07 while reviewing my notes for the Program Management Review (PMR) supporting the WPPS II Program at the Baghdad Iraq Blackwater Main Camp office, I witnessed Danny Carroll the Blackwater Project Manager's conversation with HTP WPPS II COR DS Special Agent Jean Richter. I do not recall the entire conversation leading up to this statement. However, I indeed heard the comments as stated below.

Per Danny Carroll, "I could shoot, and kill you here in Iraq and no one would do anything about it because that is the way it is here". Per Don Thomas, "So it is that dangerous here in Iraq like the OK Corral". Per Danny Carroll, "Yes, that's right, because no one here cares". Per Don Thomas, "Hum".

Thereafter, I immediately turned towards the computer and continued to review my PMR notes of that day. Blackwater PM Danny Carroll, and DS Special Jean Richter continued the conversation for awhile, and thereafter PM Danny Carroll left the office.

From that I moment, I continued to observe PM Danny Carroll for the purpose of trying to assess whether his comments represented his demeanor on a regular basis while we performing the PMR. During this PMR, I crossed PM Danny Carroll's path at least 5-10 times daily in the main camp areas or other areas on the RSO embassy compound.

I would view our environment as dangerous due to the regular rocket attacks, and the fact that many DoD and Contractor personnel have guns. We were told by many to be very careful considering the fact that we are performing a review that could jeopardize job security for many on this contract. Further, that Iraq is a volatile and war zone environment where many things happen to many people by accident or intentional.

From my perspective, the comments stated above are out of character, unprofessional, and threatening in nature for someone of Danny Carroll's position as the Project Manager supporting the DS HTP Iraq WPPS II \$3.6B Program.

Very Respectful

Donald P. Thomas Jr  
WPPS II Team Lead, Acquisition Mgt.

  
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Statement

On August 21, 2007, I had a conversation with Mr. Daniel Carroll, Blackwater, USA's Baghdad Project Manager, regarding an unannounced inspection of the Dining Facility located on the Department's mancamp in Baghdad, Iraq. Mr. Donald Thomas and I had been sent to Iraq on a three week TDY to perform a Program Management Review of Task Order 6, Baghdad, Iraq. During this conversation with Mr. Carroll, a retired U.S. Navy Sea Air Land (SEAL) who had been in Iraq for more than two years as a Blackwater employee, he stated that he "could kill me right where I sat and no one would do anything about it because of where we were at (Iraq)" or words to that effect. Mr. Carroll's statement was made in a low, even tone of voice, his head was slightly lowered; his eyes were fixed on mine. Mr. Carroll made this statement while standing in the door well of the office where Mr. Thomas and I were working. The left side of his body was turned towards me. I could not see his right side. Therefore, I do not know if he was armed. Mr. Thomas then made a remark that compared the lawless working environment in Iraq to the 'Ok Corral.' Mr. Carroll then said something to the effect that, 'yeah, nobody here cares.' Mr. Thomas then returned to his work.

Prior to Mr. Carroll making these remarks, we had been discussing an incident relating to the dining facility. I had informed Mr. Carroll that the Regional Security Office has an investigative body and that it was their purview, not Blackwater's, to review the matter, determining if an investigation was warranted. I emphasized to Mr. Carroll that Blackwater was not an investigative body and that the mancamp fell under Chief of Mission Authority. Incidents requiring an investigation are determined by the RSO and in some cases, referred to the FBI. Mr. Carroll then made some disparaging remarks about the RSO's investigative staff and the FBI. To the former, Mr. Carroll stated that the RSO's investigators were not as experienced as his investigator, Senior Iraqi Detail Leader, Terry Base. To the latter, Mr. Carroll stated that all the FBI does in Baghdad is "stand around," insinuating that both investigative bodies were inferior to that of Blackwater. It was then that Mr. Carroll stated that he could kill me where I sat. I continued to speak with Mr. Carroll for a few minutes more, but changed the subject to the RSO's investigative responsibility, downplaying Mr. Carroll's threat.

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When Mr. Carroll left, I stated to Mr. Thomas that Mr. Carroll had just threatened us. Mr. Thomas agreed. Having been trained as a U.S. Army Special Forces officer, I was cognizant of Mr. Carroll's training as a former U.S. Navy SEAL Team 6 operative. Mr. Carroll had concluded his tenure with the Navy and had hired himself out to Blackwater. Because of Mr. Carroll's training and the environment we were in, I took Mr. Carroll's threat seriously. We were in a combat zone where things can happen quite unexpectedly, especially when issues involve potentially negative impacts on a lucrative security contract. I fell back to my previous tenure as the Regional Security Officer in Karachi and determined that as a precautionary measure, we would move and work together. We could no longer risk working on the review individually because of the environment we were in. On our last night in Baghdad, we decided not to eat dinner to further lower our profile as a precautionary measure. In addition, we chose to use the U.S. military escorted ground transportation vice Blackwater aviation for our movement to the airport. Later that day, I called the Contracting Officer, Paul Desilets, in Washington, D.C. and told him what Mr. Carroll had said. Mr. Desilets stated that if Carroll had said this, then Carroll should go.

In addition to my concern about my personal safety as a result of Mr. Carroll's threat, I was also concerned by his comments because of his position as the in-country Project Manager for Blackwater, USA in Baghdad. As such, Mr. Carroll is responsible for the management of 313 Personal Security Specialists, 34 Shift Leaders, 16 Detail and Deputy Detail Leaders, and 282 support personnel with the great majority under arms. Anything Mr. Carroll says or does will permeate throughout the rank and file of personnel under his charge. Organizations take on the attitudes and mannerisms of their leader. This dynamic is referred to as 'Command Emphasis.' Consequently, anything Mr. Carroll says or does, will ultimately manifest itself through the personnel within his sphere of influence. A person with his sphere of influence should have better judgment than to make such a provocative statement in that environment to U. S. Government officials.

- End Statement -

*John*  
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