

U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Reporting and Reimbursement Issues Need to be Addressed



July 19, 2011

Report Documentation Page				Form Approved OMB No. 0704-0188	
Public reporting burden for the collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Services, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to a penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.					
1. REPORT DATE 19 JUL 2011		2. REPORT TYPE		3. DATES COVERED 00-00-2011 to 00-00-2011	
4. TITLE AND SUBTITLE U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Reporting and Reimbursement Issues Need to be Addressed				5a. CONTRACT NUMBER	
				5b. GRANT NUMBER	
				5c. PROGRAM ELEMENT NUMBER	
6. AUTHOR(S)				5d. PROJECT NUMBER	
				5e. TASK NUMBER	
				5f. WORK UNIT NUMBER	
7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES) Special Inspector General for Afghanistan Reconstruction, 2530 Crystal Dr, Arlington, VA, 22202				8. PERFORMING ORGANIZATION REPORT NUMBER	
9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)				10. SPONSOR/MONITOR'S ACRONYM(S)	
				11. SPONSOR/MONITOR'S REPORT NUMBER(S)	
12. DISTRIBUTION/AVAILABILITY STATEMENT Approved for public release; distribution unlimited					
13. SUPPLEMENTARY NOTES					
14. ABSTRACT					
15. SUBJECT TERMS					
16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT Same as Report (SAR)	18. NUMBER OF PAGES 26	19a. NAME OF RESPONSIBLE PERSON
a. REPORT unclassified	b. ABSTRACT unclassified	c. THIS PAGE unclassified			



OFFICE OF THE SPECIAL INSPECTOR GENERAL FOR AFGHANISTAN RECONSTRUCTION

July 19, 2011

Executive Departments and Agencies:

This report discusses the results of an audit of U.S. efforts to strengthen Afghanistan's Major Crimes Task Force (MCTF). This report includes two recommendations to improve financial reporting and accountability of U.S. assistance for the MCTF.

When preparing the final report, we considered comments from the Federal Bureau of Investigation, the U.S. Embassy in Kabul, the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL), and the NATO Training Mission – Afghanistan/Combined Security Transition Command – Afghanistan (NTM-A/CSTC-A), which are reproduced in appendices III-VI of this report. The U.S. Embassy, INL, and CSTC-A supported our recommendations and noted actions taken to address them.

A summary of this report is on page ii. This performance audit was conducted by the Office of the Special Inspector General for Afghanistan Reconstruction under the authority of Public Law No. 110-181, as amended; the Inspector General Act of 1978; and the Inspector General Reform Act of 2008.

Herbert Richardson
Acting Special Inspector General
for Afghanistan Reconstruction

List of Addressees

The Honorable Hillary Rodham Clinton
Secretary of State

The Honorable Leon E. Panetta
Secretary of Defense

The Honorable Eric H. Holder, Jr.
Attorney General

General James N. Mattis
Commander, U.S. Central Command

General David Petraeus
Commander, U.S. Forces-Afghanistan, and
Commander, International Security Assistance Force

Lieutenant General William B. Caldwell, IV
Commanding General, NATO Training Mission-Afghanistan/
Combined Security Transition Command-Afghanistan

The Honorable Karl W. Eikenberry
U.S. Ambassador to Afghanistan

Mr. Robert S. Mueller, III
Director, Federal Bureau of Investigation,
Department of Justice

Mr. David T. Johnson
Assistant Secretary, Bureau of International Narcotics
and Law Enforcement Affairs
U.S. Department of State



SIGAR

Special Inspector General for Afghanistan Reconstruction

SIGAR Audit-11-12

July 2011

U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Reporting and Reimbursement Issues Need to be Addressed

What SIGAR Reviewed

Corruption continues to be a significant problem in Afghanistan. To help fight corruption, the Afghan government established the Major Crimes Task Force (MCTF) in 2009 as the principal Afghan government agency responsible for investigating and processing major anti-corruption, kidnapping, and organized crime cases. In particular, the MCTF conducts corruption investigations of high-level Afghan government officials. U.S. government agents, primarily from the Federal Bureau of Investigation (FBI), mentor and train Afghan investigators who are assigned to the MCTF. SIGAR conducted this audit to (1) determine the nature and extent of U.S. assistance for the MCTF and (2) evaluate whether U.S. assistance was provided in accordance with applicable laws and regulations. This report is part of a series of audits by SIGAR addressing U.S. government efforts to strengthen anti-corruption capabilities of the Afghan government. We conducted our work in Kabul, Afghanistan, and Washington, D.C., from September 2010 to July 2011, in accordance with generally accepted government auditing standards.

What SIGAR Found

The U.S. government has provided at least \$15.5 million to assist the MCTF through fiscal year 2010, including refurbishing and maintaining its facilities and training and mentoring its investigators. Funding for fiscal year 2011 is expected to total \$24 million. The Department of Defense (DOD) has provided the majority of funding for U.S. assistance to the MCTF. DOD manages MCTF funding through the Combined Security Transition Command-Afghanistan (CSTC-A). Other U.S. government agencies, including the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL), the FBI, and the Drug Enforcement Administration, have also provided assistance to the MCTF. As of November 2010, the FBI had assigned 14 staff to the MCTF with DOD funding and funded 6 additional mentor positions at its own cost. In addition, as of November 2010, there were 163 Afghan personnel assigned to the MCTF.

In accordance with applicable laws and regulations, DOD provided funding to the FBI and INL to support the MCTF through interagency agreements. To obligate DOD funds, the FBI and INL signed memoranda of understanding with the Defense Security Cooperation Agency (DSCA). SIGAR found several problems with the accountability over U.S. assistance to the MCTF. First, DSCA and the FBI had not de-obligated \$1.6 million in unused funds for the MCTF that expired as of September 30, 2010. Second, INL has not provided DOD required reporting for \$6.2 million in funds used for MCTF operations and maintenance. Third, CSTC-A and INL do not yet have a system to charge and collect reimbursements from international partners receiving services at MCTF facilities, as required.

What SIGAR Recommends

Our draft of this report included a recommendation that the FBI de-obligate its unused MCTF funds. In commenting on a draft of this report, the FBI provided documentation that it had de-obligated the \$1.6 million. As a result, SIGAR deleted the recommendation. SIGAR is making two other recommendations to INL. First, to improve accountability over U.S. assistance to the MCTF, SIGAR recommends that INL provide an accounting of the \$6.2 million transferred to INL for operations and maintenance, in compliance with the terms of its agreement with DOD to provide quarterly financial reporting. Second, to ensure that the U.S. government is reimbursed, as appropriate, for some of the costs of assistance to the MCTF, SIGAR recommends that INL, in consultation with CSTC-A, bill and collect funds from non-U.S. international personnel receiving services at MCTF facilities. In commenting on a draft of this report, the U.S. Embassy in Kabul, INL, and CSTC-A supported these recommendations and noted some actions taken to address them.

For more information contact: SIGAR Public Affairs at (703) 602-8742 or PublicAffairs@sigar.mil

TABLE OF CONTENTS

Background	1
U.S. Agencies Have Provided at Least \$15.5 Million to Help Establish and Maintain MCTF Facilities and Train and Mentor Afghan Investigators.....	3
Although U.S. Assistance Was Generally Provided in Accordance with Applicable Laws and Regulations, Financial Accountability Could Be Improved	5
Conclusion.....	7
Recommendations	7
Comments.....	7
Appendix I: Scope and Methodology.....	8
Appendix II: Organizational Structure of the Major Crimes Task Force (MCTF).....	9
Appendix III: Comments from the Federal Bureau of Investigation	11
Appendix IV: Comments from the U.S. Embassy in Kabul	13
Appendix V: Comments from NATO Training Mission-Afghanistan/Combined Security Transition Command-Afghanistan.....	15
Appendix VI: Comments from Bureau of International Narcotics and Law Enforcement Affairs	16

TABLES

Table 1: U.S. Obligations and Disbursements for the MCTF, as of September 30, 2010 (\$ in millions)	4
Table 2: FBI Training Objectives for MCTF Investigators in Fiscal Year 2010.....	5

FIGURES

Figure 1: Budgeting, Funding, and Approval Process for Assistance to the MCTF	3
Figure I: MCTF Organizational Structure.....	9

ACRONYMS

CSTC-A	Combined Security Transition Command-Afghanistan
DEA	Drug Enforcement Administration
DOD	Department of Defense
DOJ	Department of Justice
DSCA	Defense Security Cooperation Agency
FBI	Federal Bureau of Investigation
INL	Bureau of International Narcotics and Law Enforcement Affairs
MCTF	Major Crimes Task Force
MOA	Memorandum of Agreement
MOI	Ministry of Interior
MOU	Memorandum of Understanding
NDS	National Directorate of Security
SIGAR	Special Inspector General for Afghanistan Reconstruction
State	Department of State



U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Funding and Reporting Issues Need to be Addressed

Corruption continues to be a significant problem in Afghanistan. To help fight corruption, the Afghan government established the Major Crimes Task Force (MCTF) in 2009. The MCTF is the principal Afghan government agency responsible for investigating and processing major anti-corruption, kidnapping, and organized crime cases. U.S. government agents, primarily from the Federal Bureau of Investigation (FBI), mentor and train Afghan investigators from the Afghan Ministry of Interior (MOI) and the National Directorate of Security (NDS) who are assigned to the MCTF. In particular, the MCTF conducts corruption investigations of high-level Afghan government officials. U.S. agents provide Afghan counterparts with investigative and legal advice and training without being directly involved in investigations or prosecutions. The U.S. government has provided the MCTF with at least \$15.5 million in assistance through fiscal year 2010 and expects to provide \$24 million during fiscal year 2011.

This report is part of a series of audits by the Office of the Special Inspector General for Afghanistan Reconstruction addressing U.S. government efforts to strengthen anti-corruption capabilities of the Afghan government. Specifically, we (1) determined the nature and extent of U.S. assistance for the MCTF and (2) evaluated whether U.S. assistance was provided in accordance with applicable laws and regulations.

To determine the extent of U.S. assistance to the MCTF, we reviewed various documents including inter-agency agreements and billing statements, and specific agency-reported expenditures. To determine whether U.S. assistance to the MCTF was provided in accordance with applicable laws and regulations, we reviewed applicable laws and regulations and met with U.S. officials in Washington, D.C., from the Department of Justice, the FBI, and the Department of State's (State) Bureau of International Law Enforcement and Narcotics (INL) to discuss their responsibilities, activities, progress, and funding for the MCTF. We conducted our work in Kabul, Afghanistan, and Washington, D.C., from September 2010 to July 2011, in accordance with generally accepted government auditing standards. A discussion of our scope and methodology is in appendix I.

BACKGROUND

Corruption within Afghan society has been widely described as pervasive, entrenched, and systemic. For example, Transparency International ranked Afghanistan the third most corrupt country in the world in 2010—a 2010 Transparency International survey indicated that 39 percent of Afghans believed that their government has been ineffective in fighting corruption.

To help fight corruption, the Afghan government established the MCTF in 2009 as a joint initiative between Afghanistan's MOI and NDS. The MOI planned for the MCTF to be the prototype of the Afghan version of the FBI. The MCTF is staffed by MOI and NDS investigators who work together to investigate

crimes and develop cases for prosecution by the Afghan Attorney General's Office. The task force consists of three investigative units that focus on senior-level corruption, organized criminal networks, and high-profile kidnappings. (See appendix II for more details on how the MCTF is organized.)

The Department of Defense (DOD) has provided the majority of funding for U.S. assistance to support the MCTF. The source of DOD funds for the MCTF is the Afghanistan Security Forces Fund and authorization to use the funds rests with DOD's Combined Security Transition Command-Afghanistan (CSTC-A).¹ Other U.S. government agencies, including INL, the FBI, and the Drug Enforcement Administration (DEA), have also provided assistance to the MCTF. U.S. and international law enforcement personnel, primarily from the FBI, have been posted to Afghanistan to mentor and train Afghan investigators assigned to the MCTF. Mentoring consists of providing Afghan counterparts with investigative and legal advice without being directly involved in investigations or prosecutions. Training consists of formal classroom training concerning investigative techniques and best practices. Current plans call for the U.S. government to continue providing direct funding assistance to the MCTF until December 2012, at which time the Afghan government would assume funding.

The Economy Act (31 U.S.C. 1535) provides the authority for federal agencies to enter into funding agreements with each other. The act provides that an agency may place an order with a major organizational unit within the same agency or another agency for goods or services if:

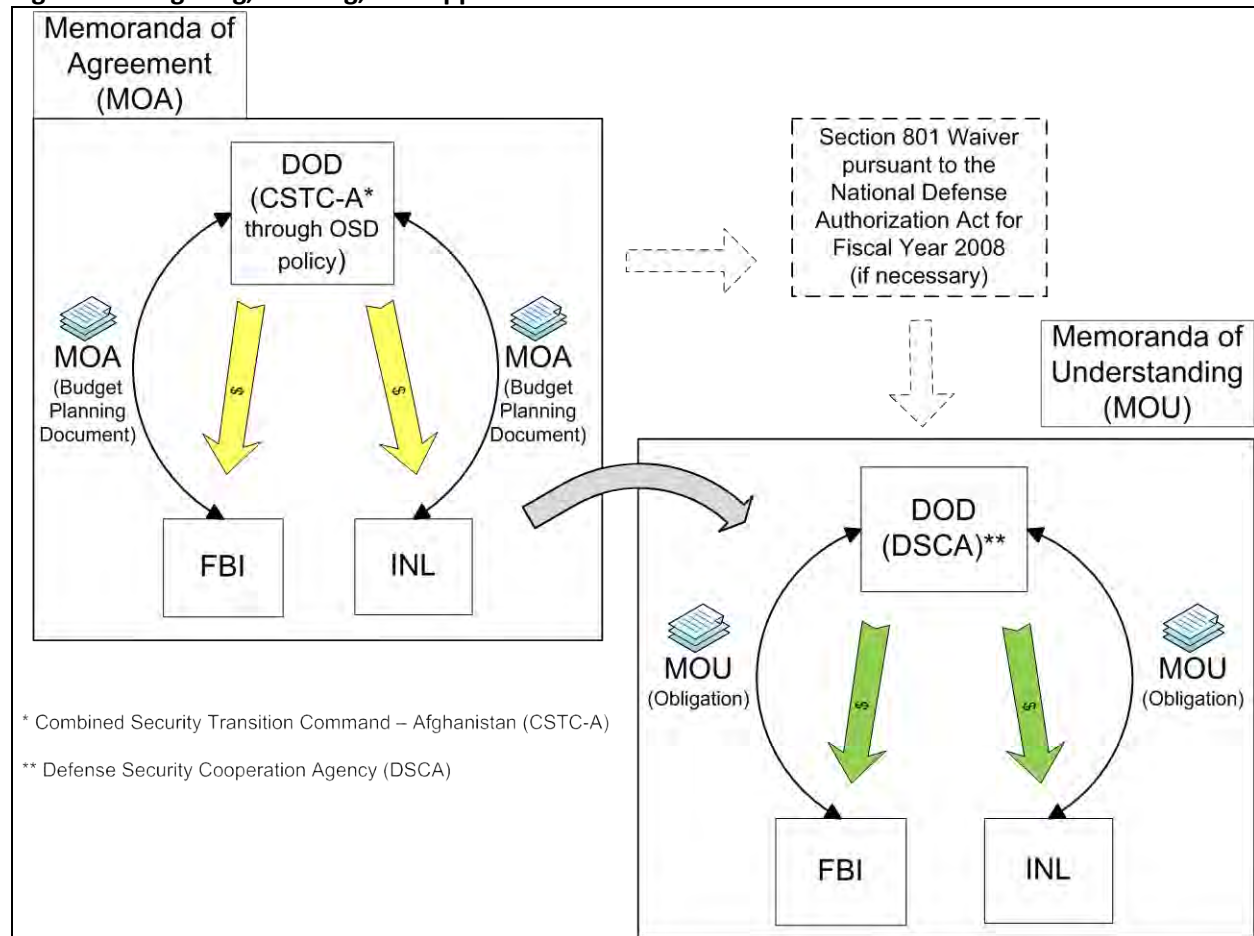
- a) amounts are available;
- b) the ordering agency decides that the order is in the best interest of the U.S. government;
- c) the agency to fill the order is able to provide or get by contract the ordered goods or services; and,
- d) the agency determines ordered goods or services cannot be provided by contract as conveniently or cheaply by a commercial enterprise.

According to a DOD official, to provide funds from DOD for goods and services to support the MCTF, DOD needed to sign interagency agreements with the FBI and INL. First, the Office of the Secretary of Defense² signed memoranda of agreement (MOA) with the FBI and INL in 2009. According to a DOD official, MOAs were required because CSTC-A is procuring goods and services outside of DOD. The MOA provided a budget planning estimate; it did not provide authority to commit any funding. The FBI signed an MOA in August 2009, and INL signed one in October 2009. Second, to obligate DOD funds, the FBI and INL signed memoranda of understanding (MOU) with the Defense Security Cooperation Agency (DSCA). The MOU is the obligating document once DSCA and the agency involved sign the document. DSCA processes accounting for the funding, but does not make any decision on how the funding is used. DSCA signed MOUs with the FBI and INL in September 2009 and October 2009, respectively. Figure 1 illustrates the flow of DOD funding through the FBI and INL to support MCTF.

¹ CSTC-A executes the overall Afghan National Security Forces Development Program and has authority over DOD-funded efforts to organize, train, and equip the Afghan security forces, including the Afghan National Police, of which the MOI portion of MCTF is a part. CSTC-A does not fund the NDS personnel assigned to MCTF.

² The agreements were signed by the Deputy Assistant Secretary of Defense for Afghanistan, Pakistan, and Central Asia.

Figure 1: Budgeting, Funding, and Approval Process for Assistance to the MCTF



Source: SIGAR analysis of interagency agreements provided by DOD, FBI, and INL.

U.S. AGENCIES HAVE PROVIDED AT LEAST \$15.5 MILLION TO HELP ESTABLISH AND MAINTAIN MCTF FACILITIES AND TRAIN AND MENTOR AFGHAN INVESTIGATORS

The U.S. government has provided at least \$15.5 million to assist the MCTF through fiscal year 2010, including refurbishing and maintaining its facilities and training and mentoring its investigators. Regarding funding for MCTF facilities, in April 2010 the task force moved to its current location at Camp Falcon, a U.S.-funded facility located near Kabul International Airport. DOD provided \$1.9 million to refurbish MCTF facilities. DOD also provided \$6.2 million to maintain and operate MCTF facilities at Camp Falcon through a contract managed by INL. Through its contract with DynCorp International, INL operates and maintains MCTF's Camp Falcon facilities, including providing housing, life support, and security for MCTF personnel and international advisors. Regarding funding for U.S. mentors, DOD reimbursed the FBI for \$2.3 million in costs associated with providing U.S. agents to the MCTF. The FBI also used about \$4.6 million of its own funding for additional U.S. mentors above the number covered by DOD's funding. DEA reported providing approximately \$500,000 for specialized mentoring and training for MCTF investigators. Table 1 provides a breakdown, as of September 30, 2010, of U.S. assistance to the MCTF. U.S. assistance to the MCTF is projected to total \$24 million during fiscal year 2011.

Table 1: U.S. Obligations and Disbursements for the MCTF, as of September 30, 2010 (\$ in millions)

Funding Agency	Purpose	Obligated	Disbursed
DOD	Facility refurbishment and start-up costs	\$1.9	\$1.9
DSCA through INL	Food and lodging services	\$6.2	\$6.2
DSCA through FBI	Training and mentoring	\$3.9	\$2.3
FBI	Costs of additional agents not covered by DOD agreement	\$4.6	\$4.6
DEA (estimated)	Specialized mentoring and training	\$0.5	\$0.5
Total		\$17.1	\$15.5

Source: SIGAR analysis of DOD, FBI, INL, and DEA data.

Note: Totals do not include salary support for MCTF investigators funded through the Law and Order Trust Fund for Afghanistan. Although the United States is a major contributor to Law and Order Trust Fund for Afghanistan, we were unable to determine the amount of U.S. contributions used specifically to fund the salaries of MCTF personnel because Law and Order Trust Fund for Afghanistan funds from various donors are commingled.

The FBI developed a 5-year strategic plan to guide the MCTF's development and to assess the FBI's performance against goals and targets from 2009 through 2014. As part of its 5-year plan, the FBI was to fill 11 U.S. positions during 2010, including 1 assistant legal attaché and 10 FBI mentors. As of November 2010, the FBI had assigned 1 assistant legal attaché, and 4 1-year and 9 short-term mentors to the MCTF with DOD funding. Further, the FBI funded 6 additional mentor positions at its own cost. Although the number of FBI mentors at Camp Falcon varied throughout the year due to scheduled leave, redeployments, etc., the number of positions filled collectively exceeded the staffing objective for 2010. The 5-year plan also called for a total of 180 Afghan personnel to be assigned to the MCTF (120 from MOI and 60 from NDS). As of November 2010, there were 163 Afghan personnel assigned to the MCTF (100 from MOI and 63 from NDS). FBI mentors were required to vet all Afghan personnel assigned to the MCTF by conducting polygraph examinations to verify that they had no known ties with terrorist, extremist, or anti-government organizations.

The FBI's 5-year plan included the provision of specific training objectives for MCTF investigators in basic and specialized investigative skills. Table 2 illustrates the FBI's coursework objectives for 2010.

Table 2: FBI Training Objectives for MCTF Investigators in Fiscal Year 2010

Basic objectives	Specialized objectives
Interview and interrogation	Kidnapping investigations
Basic investigator training	Transnational organized crime
Source development	Public corruption
Law enforcement safety and survival	Law enforcement executive development seminar

Source: FBI 5-year plan for the MCTF.

As of November 2010, FBI mentors, in conjunction with international mentors, had instructed courses in all of the above categories. Some courses were taught multiple times. In all, the mentors taught 48 courses with 1,098 graduates. MOI and NDS leaders stated that the FBI's mentorship and training were invaluable in developing their investigators' skills. Similarly, each of the international mentors spoke highly of the FBI's efforts in developing and conducting training courses.

ALTHOUGH U.S. ASSISTANCE WAS GENERALLY PROVIDED IN ACCORDANCE WITH APPLICABLE LAWS AND REGULATIONS, FINANCIAL ACCOUNTABILITY COULD BE IMPROVED

In accordance with the Economy Act, DOD provided funding to the FBI and INL through interagency agreements to support the MCTF. However, we found several problems with the accountability over U.S. assistance to the MCTF. First, DSCA and the FBI had not de-obligated \$1.6 million in expired, unused DOD funds. Second, INL has not complied with the terms of its interagency agreement with DOD that require quarterly reporting on DOD's funds. Third, CSTC-A and INL do not yet have a system to charge and collect reimbursements from international partners receiving services at MCTF facilities.

DOD and FBI Had about \$1.6 Million in Unexpended Obligations No Longer Available for the MCTF

DSCA provided the FBI with \$3.9 million for mentoring and training activities at the MCTF through fiscal year 2010; however, according to the FBI it had expended only \$2.3 million as of September 30, 2010, leaving a balance of about \$1.6 million. According to the MOA between DOD and the FBI, the funding expired on September 30, 2010.³ DOD's Financial Management Regulation requires DOD agencies to reconcile the obligation status of funding provided and de-obligate any unused funds, as needed, prior

³The MOA between DOD and FBI states that "the [fiscal year] 2009-2010 Afghanistan Security Forces Fund currently expires for new obligations on September 30, 2010. In accordance with P.L. 111-32, these funds must be obligated by that date. If obligated on a contract, the period of performance must not exceed one year. Any unused funds will be returned prior to September 30, 2010 or September 30 of the appropriate fiscal year. The FBI will keep complete records and exercise due diligence in the use of funds provided under this MOA."

to the expiration of the availability of those funds in order to ensure that funds are put to better use.⁴ This regulation requires that funds be de-obligated by both the requesting and servicing agencies (in other words, by DSCA and the FBI). DSCA did not de-obligate the unexpended obligations before they expired because the FBI had not submitted its final billing by September 30, 2010. Consequently, we found that \$1.6 million in obligated funds were no longer available for MCTF assistance and should be de-obligated.

INL Has Not Provided DOD Required Reporting for \$6.2 Million in DOD Funds Used for MCTF Operations and Maintenance

DOD provided INL with \$6.2 million for operations and maintenance of MCTF facilities at Camp Falcon; however, INL has not provided DOD with a full accounting for these funds, as required by their MOA. Specifically, the agreement required INL to provide DOD and CSTC-A with quarterly reports of goods and services provided, including accounting or audit information concerning the funding received. However, DOD and CSTC-A officials stated that they had not received any such reporting from INL. An INL official stated that INL had been submitting quarterly reports to DOD regarding the overall DynCorp International contract, but that those reports did not include accounting data specifically for operations and maintenance of Camp Falcon. An INL official indicated that INL would begin to include this information in future quarterly reporting to DOD. According to officials from DOD and CSTC-A, further funding to INL was suspended until INL accounted for the \$6.2 million that it received from DOD.

DOD and INL Not Charging International Law Enforcement Partners for Services at Camp Falcon

The MOA between DOD and INL states that any personnel using Camp Falcon facilities who are not Afghan National Police or their mentors should provide reimbursement for facilities and services used. Therefore, according to CSTC-A and INL, all non-U.S. international personnel using the Camp Falcon facilities should be charged for those services. In November 2010, there were seven non-U.S. international personnel from the United Kingdom, France, Australia, and Canada living at the MCTF Camp Falcon facility. As of March 2011, INL and CSTC-A had not yet developed a system for charging non-U.S. international personnel at Camp Falcon. As a result, the U.S. government has not been reimbursed for some of the costs of assistance to the MCTF. An Army Budget Office analysis in October 2010 determined that basic life support costs for U.S. forces in Afghanistan averaged about \$100 per day. At this rate, charges for the seven non-U.S. international personnel utilizing Camp Falcon facilities could total as much as \$210,000 per year.⁵

⁴According to DoD Financial Management Regulation Volume 11A, Chapter 3, section 030404, funds must be de-obligated by both the requesting and servicing agency to the extent that the servicing agency or unit filling the order has not (1) provided the goods or services, or (2) entered into an authorized contract with another entity to provide the requested goods or services.

⁵ Calculation: \$100 x 7 personnel x 300 days (assuming most expatriates spend about 65 days per year out of country).

CONCLUSION

During the MCTF's first year of operation, U.S. assistance has contributed to advances in the MCTF's capability and capacity. Despite identifying some areas for improving financial accountability and reporting, SIGAR found that FBI mentors and trainers were meeting interim objectives in the areas of staffing and training. The MCTF's future success will depend on its continued support from the international community, and more importantly, the Afghan government.

RECOMMENDATIONS

To improve accountability over U.S. assistance to the MCTF, we recommend that the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs:

1. Provide an accounting, as required by the MOA between the Office of the Secretary of Defense and INL, of the \$6.2 million already transferred to INL to cover operations and maintenance costs for the MCTF Camp Falcon facility.

To ensure that the U.S. government is reimbursed, as appropriate, for some of the costs of assistance to the MCTF, we recommend that the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, in consultation with the Commanding General of CSTC-A:

2. Develop and implement a system to bill, collect, and appropriately use such funds received from non-U.S. international personnel receiving services at the MCTF Camp Falcon facility.

COMMENTS

The FBI, the U.S. Embassy in Kabul, CSTC-A, and INL provided written comments on a draft of this report. Those comments are included in appendices III, IV, V, and VI, respectively. The FBI, DSCA, and DOD also provided technical comments to the draft report, which we incorporated into the final report, as appropriate.

In its comments, the FBI concurred with SIGAR's observations regarding the staffing and mentoring that it provided to the MCTF. Our draft of this report included a recommendation that the FBI de-obligate its unused MCTF funds. Because the FBI subsequently did so, we deleted the recommendation.

In their comments, the U.S. Embassy and INL indicated that INL had implemented the first recommendation by submitting an accounting of the expenditures covering operations and maintenance costs for the MCTF Camp Falcon facility. However, in reviewing the documentation provided, we determined that it did not present information on the goods or services provided with the \$6.2 million or indicate how the funds were allocated, as required by the MOA.

The U.S. Embassy and INL's comments also supported the second recommendation, indicating that CSTC-A and INL had taken some actions to address it. In addition, CSTC-A concurred with this recommendation and indicated that, as of April 29, 2011, the Department of State has taken over full responsibility for Camp Falcon operations and maintenance.

APPENDIX I: SCOPE AND METHODOLOGY

This report provides the results of the Office of the Special Inspector General for Afghanistan Reconstruction's review of U.S. funding to support Afghanistan's Major Crimes Task Force (MCTF). The objectives of the audit were to (1) determine the nature and extent of U.S. assistance for the MCTF, and (2) evaluate whether U.S. assistance was provided in accordance with applicable laws and regulations.

To determine the extent of U.S. assistance to the MCTF, we reviewed various documents including inter-agency agreements and billing statements, and specific agency-reported expenditures for the period May 27, 2009 to September 30, 2010. The inter-agency agreements, and their amendments, between the Department of Defense (DOD) and the Federal Bureau of Investigation (FBI), and between DOD and the Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL), committed various funding amounts for MCTF support. The billing statements provided evidence of expenditures by the FBI and INL in support of the MCTF. Further, we reviewed specific agency-reported expenditures in support of the MCTF from the FBI, the DOD Combined Security Transition Command-Afghanistan (CSTC-A), and the Drug Enforcement Administration (DEA). To verify the accuracy of computer-generated expenditure data, we compared data provided by the requesting agency (DOD) with data from the servicing agencies (FBI and INL), traced reported amounts to source documents, and reconciled any differences. To determine the nature of FBI's assistance to the MCTF, we reviewed planning documents that the FBI created including a MCTF 5-year development plan and a MCTF Concept of Operations. Further, we reviewed FBI-published monthly progress reports, which included data on MCTF activities and investigator training. From October 2010 to December 2010, we conducted fieldwork in Kabul, Afghanistan. We met with U.S. officials in Kabul, Afghanistan, and several times with officials from Department of Justice, the FBI, INL, and the DOD CSTC-A to discuss their responsibilities, activities, progress, funding, and challenges in standing up and strengthening the MCTF. We visited the MCTF facility at Camp Falcon in Kabul, Afghanistan, and observed the newly renovated facility where the MOI and NDS conduct MCTF operations.

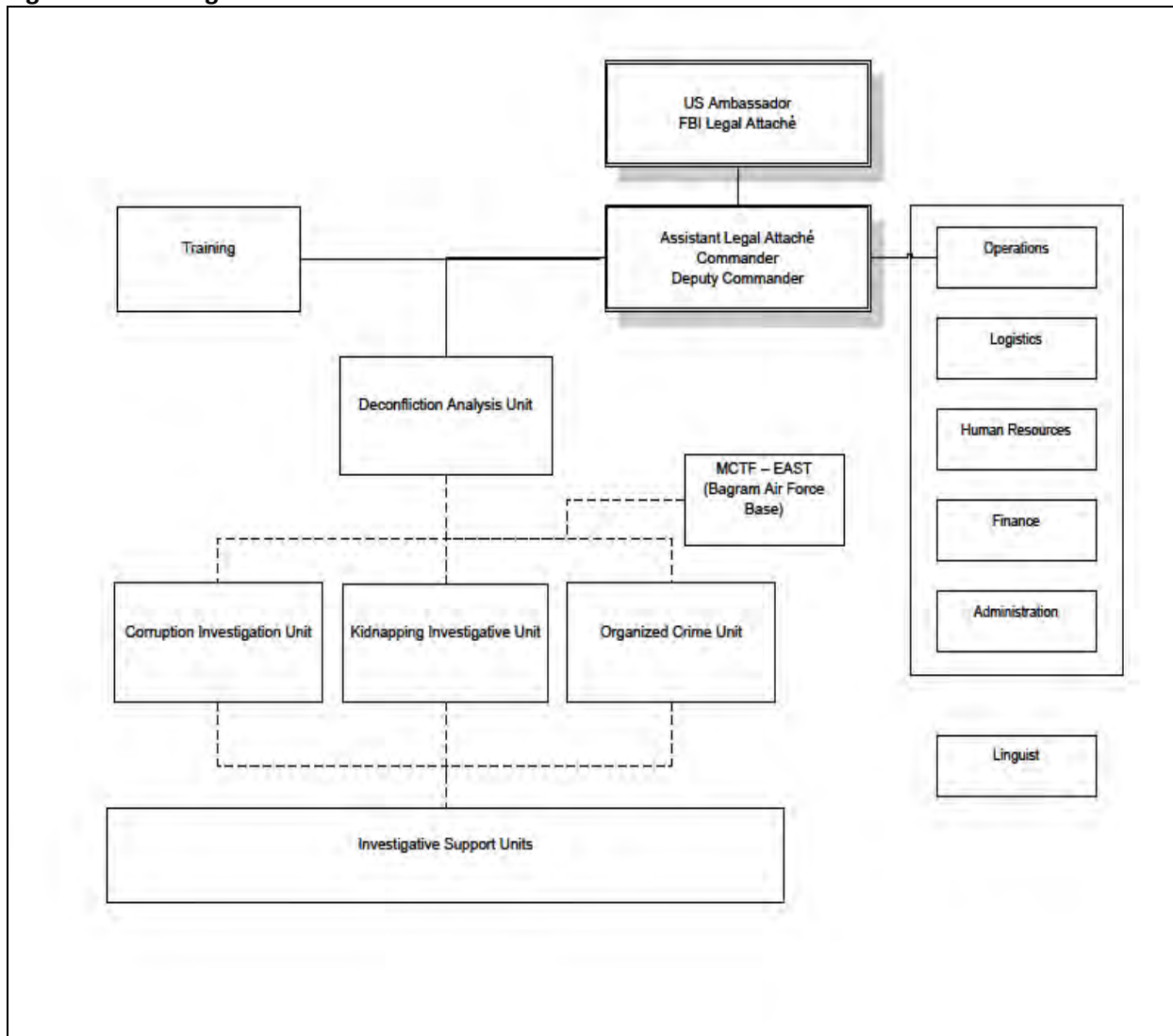
To determine whether U.S. assistance to the MCTF was provided in accordance with applicable laws and regulations, we reviewed applicable laws and regulations and met with U.S. officials in Washington, D.C., from the Department of Justice, the FBI, and INL to discuss their responsibilities, activities, progress, and funding for the MCTF. We did not assess the applicability of Afghan law on U.S. government efforts regarding the MCTF. Also, we did not audit the contract between INL and DynCorp or interview any DynCorp officials because the Department of State's Office of Inspector General was beginning a contract audit of DynCorp during the time of our fieldwork in Afghanistan. Instead we relied on interviews with INL officials in Kabul, Afghanistan to obtain some of the information that we required.

We conducted this performance audit from September 2010 to July 2011, in accordance with generally accepted government auditing standards and under the authority of Public Law 110-181, as amended, the Inspector General Act of 1978, and the Inspector General Reform Act of 2008. These standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

APPENDIX II: ORGANIZATIONAL STRUCTURE OF THE MAJOR CRIMES TASK FORCE (MCTF)

Figure I shows the organizational structure of the MCTF, as of November 2010. This figure is followed by a description of each MCTF unit.

Figure I: MCTF Organizational Structure



Source: FBI

MCTF Deconfliction Analysis Unit

The mission of the Deconfliction Analysis Unit is to coordinate the flow of intelligence in the MCTF units. The Deconfliction Analysis Unit acts as repository for all intelligence information received by the MOI and NDS from various informant sources. The unit then processes and analyzes the information to secure the identity of the informant source that reported the information. The information is then recorded on an intelligence intake form and re-distributed to the relevant MOI and NDS unit(s) for

action regarding the information. The Deconfliction Analysis Unit also provides information on cases that need to be de-conflicted between the various MOI and NDS units. According to the FBI, all of these activities are done in accordance with MOI and NDS internal policies and Afghan law.

MCTF Corruption Investigation Unit

The mission of the Corruption Investigation Unit is to conduct criminal investigations to substantiate senior level corruption allegations throughout the Afghan Government. The MCTF Corruption Investigation Unit combines the strengths of the MOI and NDS to form a joint law enforcement task force to effectively combat high level corruption. Corruption Investigation Unit mentors meet daily with their MOI and NDS MCTF counterparts to improve coordination and communication between technical assets and street level investigators. Additionally, Corruption Investigation Unit mentors provide specialized law enforcement training to MOI and NDS investigators on a daily basis through consultation on pending investigations and advice on the use of sophisticated investigative techniques.

MCTF Kidnapping Investigation Unit

The mission of the MCTF Kidnapping Investigation Unit is to identify, locate and secure the safe release of kidnapping victims; to detect, identify, locate, deter and/or arrest individuals and to disrupt groups and enterprises engaged in kidnapping, threats of kidnapping, and attempted kidnappings throughout Afghanistan; to coordinate and maintain liaison with other Afghan law enforcement/intelligence agencies with overlapping or concurrent kidnapping jurisdiction; to maintain reports of nationwide kidnapping and kidnapping trends; and to carry out other investigative and law enforcement activities within its jurisdiction and in accordance with Afghan law at the direction of the Director of the MCTF and/or Minister of the Interior.

MCTF Organized Crime Unit

The mission of the MCTF Organized Crime Unit is to investigate violations of Afghan criminal law. The MCTF Organized Crime Unit is assigned to investigate cases, develop sources, gather evidence and present to prosecutors cases that target dangerous individuals and highly sophisticated criminal enterprises. According to the FBI, the cases are investigated and developed within the framework of rules and procedures established by the Ministry of the Interior and National Directorate of Security, which adhere to Afghan Law.

MCTF Training Unit

The training unit develops, facilitates and delivers enhanced investigative and operational instruction for MCTF Ministry of Interior (MOI) and National Directorate of Security (NDS) investigators in support of the mission to detect and investigate serious and complex Afghan crimes. The training unit takes a lead role in ensuring the continued evaluation and assessment of training in the promotion of an accountable and professionally focused MCTF investigative capability.

APPENDIX III: COMMENTS FROM THE FEDERAL BUREAU OF INVESTIGATION



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535-0001

July 6, 2011

Ms. Kathryn Bernet
Acting Assistant Inspector General for Audits
Office of the Special Inspector General for Afghanistan Reconstruction (SIGAR)
400 Army Navy Drive
Arlington, VA 22202

Dear Ms. Bernet:

The Federal Bureau of Investigation (FBI) appreciates the opportunity to review and respond to your draft report entitled, "U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Funding and Reporting Issues Need to be Addressed" (hereinafter "Report").

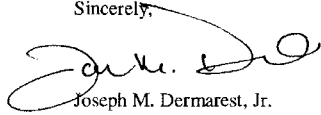
As found in your Report, the FBI has fulfilled its obligation to staff the Afghan's Major Crimes Task Force (MCTF) with mentors and trainers, even funding six additional mentor positions at our own cost. The FBI is very pleased to learn both the Afghanistan Ministry of Interior and National Directorate of Security leaders you interviewed stated, "[t]he FBI's mentorship and training were invaluable in developing their investigator's skills."

As evidenced to your auditors, the FBI's training has greatly enhanced the Afghan's investigative capacity through the utilization of numerous sophisticated techniques. This operational expansion has significantly contributed to the remarkable progress of the MCTF in investigating and processing major anti-corruption, kidnapping, and organized crime cases.

Most notably, the FBI personnel assigned overseas overcame many domestic and international obstacles to lead the MCTF into an operational task force. Recently, fifteen of these employees were selected to receive the FBI's 2011 Director's Award for Distinguished Service to Law Enforcement. Therein, each recipient demonstrated an exceptional ability to work with outside agencies, resolve difficulties and differences, and achieved significant results through coordinated law enforcement and governmental agency efforts.

In conclusion, the efforts of SIGAR in completing this Report are greatly appreciated.
Please feel free to contact me at 202-324-5904 should you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Dermarest, Jr.", with a stylized flourish at the end.

Joseph M. Dermarest, Jr.
Assistant Director
International Operations Division

APPENDIX IV: COMMENTS FROM THE U.S. EMBASSY IN KABUL



Embassy of the United States of America
Kabul, Afghanistan

UNCLASSIFIED
MEMORANDUM

June 29, 2011

TO: Acting Deputy AIG for Audits Al Huntington

FROM: Ambassador Karl W. Eikenberry *KEE 4 July 11*

SUBJECT: Embassy Comments on the SIGAR Draft Audit Report, "U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Funding and Reporting Issues Need to be Addressed" (Audit 11-12, June 14, 2011)

Embassy Kabul welcomes the opportunity to provide its own comments on this draft report, understanding that they were directed primarily to INL Washington. The Embassy strongly supports the need for accurate accounting for the reimbursement for services associated with the Major Crimes Task Force (MCTF) Camp Falcon facilities.

The Embassy's comments on the specific recommendations cited in the draft report are outlined below. We note that INL Washington will be providing its own comments.

Recommendation 2:

"To improve accountability over U.S. assistance to MCTF, we recommend that the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs provide an accounting, as required by the Memorandum of Agreement (MOA) between the Office of the Secretary of Defense and INL, of the \$6.2 million already transferred to INL to cover operations and maintenance costs for the MCTF Camp Falcon facility."

Embassy response: This recommendation has already been implemented. On June 13, INL provided an accounting of the expenditures covering operations and maintenance costs for the MCTF Camp Falcon Facility to the Office of the Under Secretary of Defense (comptroller), as required by the MOA between the Office of the Secretary of Defense and INL. INL believes it has complied with the intent of this recommendation.

Recommendation 3:

"The Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, in consultation with the Commanding General of CSTC-A, should develop and implement a system to bill, collect, and appropriately use such funds received from non-U.S. international personnel receiving services at the MCTF Camp Falcon facilities."

UNCLASSIFIED

UNCLASSIFIED

Embassy Response: INL supports the intent of this recommendation. CSTC-A has developed and proposed to INL Kabul a mechanism for the reimbursement by MCTF International Partner Nation Mentors of living expenses on Camp Falcon to DOD for costs incurred under the DOD MOA with INL through April 30, 2011. CSTC-A and INL Kabul have prepared a draft MOA for submission to international partners on reimbursement procedures. INL Kabul has requested daily living costs for individuals residing at Camp Falcon from INL/RM/AIJS in Washington. Upon receipt of this information, the MOA will be forwarded to INL/AP and State Legal for review and approval. Once approved, the MOA will be provided to our partner nations for ratification. As of May 1, 2011, Camp Falcon is International Control and Law Enforcement Fund (INCLE) funded, and INL will utilize a Facility Use Agreement (FUR) to track expenses. The FUR will serve as a formal record of INL's desire to house/feed non-INL personnel.

UNCLASSIFIED

APPENDIX V: COMMENTS FROM NATO TRAINING MISSION-AFGHANISTAN/COMBINED SECURITY TRANSITION COMMAND-AFGHANISTAN



NATO TRAINING MISSION - AFGHANISTAN
COMBINED SECURITY TRANSITION COMMAND - AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356



20 June 2011

MEMORANDUM FOR Office of the Special Inspector General for Afghanistan Reconstruction,
400 Army-Navy Drive, Arlington, VA 22202

SUBJECT: Response to Draft SIGAR Audit Report No. 11-12, Dated July 2011 "U.S. Agencies Have Provided Training and Support to Afghanistan's Major Crimes Task Force, but Funding and Reporting Issues Need to be Addressed"

1. I would like to thank your audit team for their diligent effort in reviewing Afghanistan's Major Crimes Task Force funding and reporting processes. We concur with your recommendations.
2. We also believe that the U.S. assistance has contributed to advances in the MCTF's capability and capacity. The interagency cooperation between the Department of State (INL), the Department of Justice (FBI), and the Department of Defense (NTM-A/CSTC-A) mentors and trainers have been critical in this effort.
3. We would also like to inform you that as of 29 April 2011, the Department of State took over full responsibility for Camp Falcon Life Support. We are currently in discussions with the US Embassy in Kabul to determine if we can be of assistance with partner nation reimbursement. We have provided the US Embassy a copy of the theater Acquisition Cross Servicing Agreement reimbursement instructions for inclusion in any agreements they need to make with partner nations.
4. Thank you again for your continued support.


JOHN G. FERRARI
COL, US Army
Deputy Commander for Programs

APPENDIX VI: COMMENTS FROM BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS



United States Department of State

Washington, D.C. 20520

July 7, 2011

UNCLASSIFIED MEMORANDUM

TO: SIGAR – Al Huntington, Acting Deputy AIG for Audits

FROM: INL/RM – Robert S. Byrnes^{ASB}, Executive Director

SUBJECT: INL Comments to the SIGAR draft audit report, “U.S Agencies Have Provided Training and Support to Afghanistan’s Major Crimes Task Force, but Funding and Reporting Issues Need to be Addressed” (Audit 11-12, June 14, 2011)

The Bureau of International Narcotics and Law Enforcement Affairs (INL) appreciates the opportunity to comment on the draft SIGAR audit report. INL’s responses to each of the inspection recommendations are as follows:

Recommendation 2: To improve accountability over U.S. assistance to MCTF, we recommend that the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs: Provide an accounting, as required by the MOA between the Office of the Secretary of Defense and INL, of the \$6.2 million already transferred to INL to cover operations and maintenance costs for the MCTF Camp Falcon facility.

INL Response (June 2011): Implemented. INL has provided an accounting of the expenditures covering operations and maintenance costs for the MCTF Camp Falcon Facility to the Office of the Under Secretary of Defense (comptroller), as required by the MOA between the Office of the Secretary of Defense and INL on June 13th. INL believes it has complied with the intent of this recommendation.

Recommendation 3: To ensure that the U.S. government is reimbursed, as appropriate, for some of the costs of assistance to MCTF, we recommend that the Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, in consultation with the Commanding General of CSTC-A: Develop and implement a system to bill, collect, and appropriately use such funds received from non-U.S. international personnel receiving services at the MCTF Camp Falcon facilities.

INL Response (June 2011): CSTC-A has developed and proposed to INL Kabul a mechanism for the reimbursement by the MCTF International Partner Nation Mentors of living expenses on Camp Falcon to DOD for costs incurred under the DOD MOA with INL through April 30, 2011. CSTC-A and INL Kabul have prepared a draft Memorandum of Agreement (MOA) for submission to international partners on reimbursement procedures. INL Kabul has requested daily living costs for individuals residing at Camp Falcon from INL/RM/AIJS in Washington. Upon receipt of this information, INL will forward the MOA to INL/AP and State Legal for review and approval. Once approved, the MOA will be provided to our partner nations for ratification. As of May 1, 2011, Camp Falcon is INCLE funded, and INL will utilize a Facility Use Agreement (FUR) to track expenses. The FUR will serve as a formal record of INL's desire to house/feed non-INL personnel.

Drafted by: BBui (x38045)

Cleared by: NAS/Embassy Kabul: BTurner (info)

INL/Embassy Kabul: MHill (info)

INL/AP: AMatano (ok)

INL/AIJS: MPerez (ok)

INL/RM: PYorkman (ok)

(This report was conducted under the audit project code SIGAR-032A.)

SIGAR's Mission

The mission of the Special Inspector General for Afghanistan Reconstruction (SIGAR) is to enhance oversight of programs for the reconstruction of Afghanistan by conducting independent and objective audits, inspections, and investigations on the use of taxpayer dollars and related funds. SIGAR works to provide accurate and balanced information, evaluations, analysis, and recommendations to help the U.S. Congress, U.S. agencies, and other decision-makers to make informed oversight, policy, and funding decisions to:

- improve effectiveness of the overall reconstruction strategy and its component programs;
- improve management and accountability over funds administered by U.S. and Afghan agencies and their contractors;
- improve contracting and contract management processes;
- prevent fraud, waste, and abuse; and
- advance U.S. interests in reconstructing Afghanistan.

Obtaining Copies of SIGAR Reports and Testimonies

To obtain copies of SIGAR documents at no cost, go to SIGAR's Web site (www.sigar.mil). SIGAR posts all released reports, testimonies, and correspondence on its Web site.

To Report Fraud, Waste, and Abuse in Afghanistan Reconstruction Programs

To help prevent fraud, waste, and abuse by reporting allegations of fraud, waste, abuse, mismanagement, and reprisal contact SIGAR's hotline:

- Web: www.sigar.mil/fraud
- Email: hotline@sigar.mil
- Phone Afghanistan: +93 (0) 700-10-7300
- Phone DSN Afghanistan 318-237-2575
- Phone International: +1-866-329-8893
- Phone DSN International: 312-664-0378
- U.S. fax: +1-703-604-0983

Public Affairs

Public Affairs Officer

- Phone: 703-602-8742
- Email: PublicAffairs@sigar.mil
- Mail: SIGAR Public Affairs
400 Army Navy Drive
Arlington, VA 22202