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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*  
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November 9, 2015

### **Via Electronic Transmission**

The Honorable Ashton B. Carter  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, DC 20301-1000

Dear Secretary Carter:

The Special Inspector General for Afghanistan Reconstruction (SIGAR) has issued reports raising concerns about spending on specific projects by the now-defunct Task Force for Stability and Business Operations (TFBSO/Task Force) within the Department of Defense (DoD).<sup>1</sup> I believe that, given DoD's decision to impede SIGAR's access to Task Force documents, a full review of all TFBSO activities in Afghanistan is necessary.

TFBSO was established in 2006 and ceased operations in March 2015. In 2010, the Task Force began work in Afghanistan to "facilitate private development, industrial development, and other projects...[to] strengthen stability or provide strategic support"<sup>2</sup> for the economy of Afghanistan. TFBSO stated that its initiatives would be completed by the time task force activities wound down, but many were just transferred to the Afghan government.<sup>3</sup> State Department and US Agency for International Development officials said they wouldn't consider continuing TFBSO programs because they were "liabilities due to safety concerns, lack of sustainability, and other problems."<sup>4</sup> This raises serious questions about TFBSO's use of taxpayer dollars.

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<sup>1</sup> <https://www.sigar.mil/pdf/special%20projects/SIGAR-16-2-SP.pdf> and <https://www.sigar.mil/pdf/audits/SIGAR-15-55-AR.pdf>

<sup>2</sup> <https://www.sigar.mil/pdf/audits/SIGAR-15-55-AR.pdf>; p. i.

<sup>3</sup> <https://www.sigar.mil/pdf/audits/SIGAR-15-55-AR.pdf>, p. 14.

<sup>4</sup> Id. at p. 15.

On November 3, 2015, I sent a letter to your office questioning DoD's decision to limit SIGAR's access to documents and personnel, in what appears to be violation of the Inspector General Act. This also raises concerns about waste, fraud and abuse of federal funding. DoD stated that SIGAR could review a limited number of TFBSO documents, but only in a specific DoD facility with a DoD-supplied computer and then after DoD determined if the requested documents could be released.<sup>5</sup>

Moreover, in response to the SIGAR request for TFBSO documents regarding the \$43 million compressed natural gas filling station in Afghanistan, DoD stated that TFBSO was shut down and "the Office of the Secretary of Defense no longer possesses the personnel expertise to address [SIGAR's] questions or to assess properly the TFBSO information and documentation retained by [Washington Headquarters Services] in the [Office of the Secretary of Defense] Executive Archive."<sup>6</sup>

Therefore, I am requesting that DoD provide the TFBSO records, as defined in Attachment A, to my Judiciary Committee office. The records should include: all records related to TFBSO activities pertaining to Afghanistan, from January 1, 2009, through March 31, 2015; and all records concerning TFBSO from April 1, 2015 to the date of this request, including all records pertaining to SIGAR's requests for information regarding TFBSO, and all records discussing SIGAR reports, letters, or statements about TFBSO.

It is my understanding that some TFBSO records have been digitized and placed on a hard drive, retained by Washington Headquarters Services. Please provide a complete duplicate copy of that hard drive. Since duplication of a hard drive can be accomplished in less than a day, please deliver the duplicate copy to my office no later than 48 hours from the date of this request.

Please provide copies of the other records covered by this request no later than November 30, 2015. To the extent possible, the requested records should be in machine readable, digital format. If you have any questions regarding this letter, please do not hesitate to contact Janet Drew of my staff at (202) 224-5225.

Sincerely,



Charles E. Grassley  
Chairman  
Senate Judiciary Committee

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<sup>5</sup> <https://www.sigar.mil/pdf/special%20projects/SIGAR-16-2-SP.pdf>, p. 9.

<sup>6</sup> Id. at p. 10.

Cc: The Honorable Jon T. Rymer  
Inspector General  
Department of Defense

The Honorable John Sopko  
Inspector General  
Special Inspector General for  
Afghanistan Reconstruction

The Honorable Patrick Leahy  
Ranking Member  
Senate Committee on the Judiciary

## ATTACHMENT A

1. The term “records” is to be construed in the broadest sense and shall mean any written or graphic material, however produced or reproduced, of any kind or description, consisting of the original and any non-identical copy (whether different from the original because of notes made on or attached to such copy or otherwise) and drafts and both sides thereof, whether printed or recorded electronically or magnetically or stored in any type of data bank, including, but not limited to, the following: correspondence, memoranda, records, summaries of personal conversations or interviews, minutes or records of meetings or conferences, opinions or reports of consultants, projections, statistical statements, drafts, contracts, agreements, purchase orders, invoices, receiving reports, payment vouchers, confirmations, telegraphs, telexes, agendas, books, notes, pamphlets, periodicals, reports, studies, evaluations, opinions, logs, diaries, desk calendars, appointment books, tape recordings, video recordings, e-mails, voice mails, computer tapes, or other computer stored matter, magnetic tapes, microfilm, microfiche, punch cards, all other records kept by electronic, photographic, or mechanical means, charts, photographs, notebooks, drawings, plans, inter-office communications, intra-office and intra-departmental communications, transcripts, checks and canceled checks, bank statements, ledgers, books, records or statements of accounts, and papers and things similar to any of the foregoing, however denominated
2. The terms “relating,” “relate,” or “regarding” as to any given subject means anything that constitutes, contains, embodies, identifies, deals with, or is in any manner whatsoever pertinent to that subject, including but not limited to records concerning the preparation of other records.