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United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

RICHARD D. DeBOBES, STAFF DIRECTOR
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April 19, 2011

The Honorable Robert M. Gates
Secretary of Defense
1000 Defense Pentagon
Washington, DC 20310-1000

Dear Secretary Gates:

The Ike Skelton National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2011 included authority for the activities of the Task Force on Business and Stability Operations (TFBSO), under the leadership of Mr. Paul Brinkley. The Senate Armed Services Committee included this authority in the defense authorization bill because it recognized the valuable benefits that the activities of the Task Force have provided to the counterinsurgency campaign in Afghanistan.

In recent weeks, Administration witnesses have testified to the Committee in support of the TFBSO. In your testimony in February, you stated that Paul Brinkley and his task force have made “a huge contribution” in both Iraq and Afghanistan, including sponsoring the U.S. Geological Survey report that identified more than one trillion dollars of mineral wealth in Afghanistan. Admiral Mullen stressed the “extraordinary” work of the TFBSO, often “under incredibly difficult circumstances.” In the Committee’s hearing on Afghanistan, General Petraeus also highlighted the important role that the task force has played in getting U.S. businessmen to consider investing in Afghanistan.

We think the TFBSO continues to have an important role to play in U.S. policy toward Afghanistan. For that reason, we are concerned to hear reports that the Task Force is preparing to shut down its operations at the end of the 2011 fiscal year. In March, Under Secretary of Defense for Policy Michele Flournoy testified that the TFBSO’s authority “is basically going away.” More recently it’s been reported that Mr. Brinkley has announced his resignation as of the end of June and that the staffing of the Task Force is being “gutted” with resignations. Also, Mr. Brinkley has told Committee staff that he has curtailed the task force’s activities on the assumption that the DOD task force will cease as of the end of September. It appears that this may be due in part to the provisions in the FY2011 NDAA being mistakenly interpreted as requiring the transfer of the TFBSO to the Department of State. We believe that interpretation is wrong.

The provisions of the FY2011 NDAA provide one-year authority for the activities of the Brinkley Task Force. However, this should not be interpreted as requiring the termination of the task force at the end of the current fiscal year. Numerous Department of Defense (DOD) programs are authorized on an annual basis, and Congress will have the opportunity to re-visit the authority of the TFBSO as part of its consideration of the fiscal year 2012 defense authorization bill.

The provision also requires a report to Congress on a plan, to be developed jointly by the Secretary of Defense, the Administrator of the Agency for International Development and the Secretary of State, on transitioning activities of the TFBSO in Afghanistan to the Department of State (DOS). This report is to include, among other things, information on what current activities of the TFBSO, if any, would not be continued under a transition plan and why. This report is intended to inform the Committee's deliberations on the TFBSO's authority going forward. However, the provisions of the FY2011 NDAA do not mandate that the TFBSO must transition to the DOS nor do they include a timeline for such a transition.

We urge the Department to correct any misinterpretation of the provisions of the FY2011 NDAA as requiring the elimination of the TFBSO in DOD and to mitigate any negative impacts this misunderstanding may have caused. We hope that the task force can continue to serve as an important strategic tool for General Petraeus' counterinsurgency campaign in Afghanistan.

We look forward to receiving the reports on the activities of the TFBSO as required by the provisions of the FY2011 NDAA to inform the Committee's consideration of the task force's authority for fiscal year 2012 and beyond.

Sincerely,



John McCain
Ranking Member



Carl Levin
Chairman