

**Testimony**

**of**

**Assistant Secretary David T. Johnson**

**Bureau of International Narcotics and Law Enforcement Affairs**

**U.S. Department of State**

**before the**

**Senate Committee on Homeland Security and Government Affairs**

**Ad Hoc Subcommittee on Contracting Oversight**

**Thursday, April 15, 2010**

Thank you Chairwoman McCaskill, Ranking Member Brown, and other distinguished Members of the Subcommittee. I am grateful for the invitation to appear before you today to testify about the Department of State's programs to train the Afghan National Police (ANP).

The Department of State's Bureau of International Narcotics and Law Enforcement Affairs (INL), which I have the honor to lead, has supported the Government of the Islamic Republic of Afghanistan with assistance for ANP training since 2003. The Department of State has constructed seven Regional Training Centers in provincial centers throughout Afghanistan as well as a Central Training Center in Kabul.

In 2005, the Department of State's civilian police training efforts were re-configured to support the Department of Defense's (DOD) umbrella responsibility for the development of Afghan National Security Forces (ANSF), which includes both the Afghan National Army and the Afghan National Police. Since 2005, the Department of State has worked in partnership with – and under the authority of – the United States military to provide training in essential core policing skills. INL's international police advisors – all individuals with extensive law enforcement experience on American streets – teach Afghan trainers how to conduct basic training, oversee their work, and then provide feedback to those

Afghan trainers so they can further improve and adapt their teaching methods as well as the curriculum that they teach. This train-the-trainer approach builds the capacity of the ANP to provide its own, sustained basic training in the future. The Department of State has also embedded civilian police advisors with U.S. military Police Mentor Teams at more than 40 Forward Operating Bases (FOBs) to provide post-training support and mentoring to the ANP in the course of its daily operations.

In support of the United States military for nearly five years, INL has been responsive to emerging and often urgent program demands made by our uniformed colleagues. The Department of State has been able to rapidly deploy police advisors within Afghanistan to support Focused District Development and other priority programs such as training of the Afghan Gendarmerie (formerly the Afghan National Civil Order Police). Additionally, INL developed and launched a Women's Police Corps program in 2008 to train women in a single-gender environment and to enable the Ministry of Interior more easily to recruit female police officers. As needs have been identified and to better meet the demands of the environment in which the police operate, we have developed and implemented specialized programs, such as medic training for ANP and embedded subject matter experts to provide guidance to Ministry of Interior officials. To address the systemic problems of illiteracy, drug use and "ghost police", we have incorporated

elementary literacy training as part of our basic training instruction, we are drug testing all recruits upon enrollment at the Regional Training Centers, and we are collecting data for the issuance of police ID cards. This will allow U.S. and Afghan officials, as well as Afghan banks, to accurately identify police personnel, a step which will improve financial accountability as well as service discipline.

Throughout our partnership, INL and DOD have consistently worked together to address the many and evolving challenges facing Afghanistan in establishing a professional police corps. INL deployed and continues to support approximately 650 U.S. civilian police advisors who train and advise the ANP, as well as Afghan Ministry of Interior (MOI) officials. The U.S. civilian police advisors are recruited nationwide from state and local law enforcement agencies. They bring a range of expertise that includes, but certainly is not limited to; field training instruction, criminal investigation, domestic violence prevention, traffic control, and first responder training. Right now, our several hundred civilian police advisors are embedded with military units to improve assistance to local level police in their efforts to reach self-sufficiency.

## **OVERSIGHT AND MANAGEMENT**

In April 2006, INL established an integrated business model to manage and oversee our police training programs for Afghanistan. In conjunction with the

contracting officer, this model involves three main components: program officers; contracting officer's representative (COR) and COR staff; and in-country contracting officer's representatives (ICORs). INL's contact management oversight team consists of 34 staff, including 12 program officers between Afghanistan and Washington. They provide program direction and policy oversight and they monitor the contractors' performance. Seven ICORs in Afghanistan now provide contract oversight in the field and the COR and thirteen COR staff in Washington are dedicated to conduct contract oversight and contract administration from the U.S. This hybridized arrangement – with Washington providing much greater and more involved support than we would in a peacetime environment – was developed to deal with the unique challenges of ramping up capacity while conflict continued.

INL ICORs are tasked with substantive oversight of the police training contract. Most of them have been in-country for several years. They provide operational continuity, expertise, and historical insight. ICORs are required to keep their certification current through training every five years as required by the Department. ICORs also are encouraged to take advantage of every State Department COR course offered via distance learning platforms.

As INL has progressively refined our contract oversight, we established a bilateral contract modification that allows us to make provisional payments to

contractors in order to comply with the Prompt Payment Act as well as demand and immediately receive prompt payment back for any questionable goods or services when they are discovered in the course of INL's intense invoice review and reconciliation process.

This post-payment practice has been very successful. It has resulted in a seventeen percent rejection rate of police training invoices for Afghanistan, including \$16.3 million in denied claims from service providers and \$5.7 million in collected refunds. Further to standard audit and reconciliation processes external to the Bureau, this system of provisional payments protects our resources from human error and it minimizes the risk of fraud, waste, and mismanagement to American taxpayers.

As INL has refined our contract management oversight, we have strengthened Statements of Work (SOW) with additional contract accountability tools. For example, INL is applying on the ground in Afghanistan from our own lessons learned a Quality Assurance Surveillance Plan. This plan allows us to evaluate whether contract deliverables and performance comply with the contracted statements of work. We do this through site evaluations, inspections, and representative sample reviews.

INL conducts annual inventories in Afghanistan to account for government property in the custody of the contractor, and we require our police training

contractor to use an accredited and automated inventory system to account for property purchased by contract personnel.

INL's ICORs in the field verify the contractor's use of the automated inventory system and its functions. INL has taken several steps to continually improve our processes and plans to enhance our efforts even further with additional staffing.

INL has advanced in contract management oversight through a variety of methods since our initial arrival in Afghanistan, including working closely with the OIG and DCAA community. As a result, we recognize and value the many recent oversight reports concerning our police programs.

Specifically in response to the recent joint OIG reports by the State and Defense Departments, INL is taking steps rapidly to increase our ICOR accessibility to contract files through web-based tools and we are fully standardizing the duties and responsibilities of ICORs. We also recognize the staffing gaps pointed out by the OIG and DCAA and are taking steps to increase the number of ICORs in Afghanistan from seven to fifteen. Our goal is to do this by July 31, 2010. With respect to the report's recommendations regarding DCAA audits, we are working to resolve an administrative error that resulted in a premature suspension of one of these programs and fully plan to implement the OIG and DCAA recommendations. To increase the opportunities and recruitment for

female police in the ANP, INL established the first Women's Police Corps training facility in Kabul in late 2008 and a second in Jalalabad in late 2009. The Women's Police Corps provides the same basic training that their male counterparts received, only in a single-gender environment. Since 2008, 138 women have graduated from the WPC and the Ministry of Interior recently announced, as part of the ANP's 2010 Strategic Development Plan, it would seek to recruit 1,000 women this solar year (March 2010 – March 2011).

Madam Chairwoman, the Department of State takes very seriously the need to safeguard the public's trust in managing programs and contracts that support our national security and foreign policy objectives around the world. It is, after all, through our programs that our partners around the world have developed the bedrock of civil society, a safe and secure place where people can live free from fear. In Afghanistan; however, our programmatic objectives have been challenged by the high tempo of military operations, a very challenging security environment, and limitations on the size of our staff on the ground. I offer this candid assessment as testimony to the importance of our work, the challenges we have faced, the successes we have had, and the direction of further improvements we seek to achieve. As stewards of increasingly more taxpayer dollars for critical national security and foreign policy objectives, we need consistently to review, adapt, and improve our programmatic contract management, and oversight

requirements. We recognize this critical objective and have increased our financial oversight staffing substantially, though not enough as of yet, to match the growth in resources that have been entrusted to us. Enhancing this capacity is a critical objective of mine, that, with your support, I fully aim to achieve.

Thank you for the opportunity to discuss INL's contract oversight activities for the police program in Afghanistan. I look forward to addressing your questions.