

Advance Questions for Claude M. Kicklighter
Nominee for the Position of Department of Defense Inspector General

Defense Reforms

The Goldwater-Nichols Department of Defense Reorganization Act of 1986 and the Special Operations reforms have strengthened the warfighting readiness of our Armed Forces. They have enhanced civilian control and clearly delineated the operational chain of command and the responsibilities and authorities of the combatant commanders, and the role of the Chairman of the Joint Chiefs of Staff. They have also clarified the responsibility of the Military Departments to recruit, organize, train, equip, and maintain forces for assignment to the combatant commanders.

Do you see the need for modifications of any Goldwater-Nichols Act provisions?

Having served in the Armed Forces before and after the Goldwater-Nichols Act, I have seen the very positive benefit of more civilian control. The Goldwater-Nichols Act greatly strengthened the role of the Joint Chief of Staff and greatly enhanced the war fighting ability of the Combatant Commanders through jointness. If confirmed, I would work with the Department and Congress to recommend policy for activities designed to promote combat readiness, economy, efficiency, and effectiveness in the future. At this time, I do not know of the need for any modifications to the Act.

If so, what areas do you believe might be appropriate to address in these modifications?

Please see response above.

Qualifications

Section 3 of the Inspector General Act of 1978 provides that Inspectors General shall be appointed on the basis of their "integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations."

What background and experience do you possess that you believe qualifies you to perform the duties of the Department of Defense Inspector General (DOD IG), particularly in the area of oversight, audit and investigation?

In a career of over 35 years of military service, followed by 15 years in the Senior Executive Service of the civil service, I have had extensive executive responsibility and experience working with issues related to public administration, management analysis, accounting, auditing, financial analysis, law and investigation. I obtained a Masters of Management degree to further develop a number of these skills.

I have learned what to expect from an IG in terms of their duties and responsibilities; my career has required that I maintain a close professional relationship with the Inspector General in each military and civilian organization in which I have held senior management positions. I have been part of and led several high-level government investigations and have conducted numerous inspections intended to strengthen planning and implementation of policies, programs and performance at the Departments of Defense, Veterans Affairs and State.

During my years of public service, I have gained a broad-based understanding of the functioning of the Department of Defense, in particular. I have made an enduring commitment to the welfare and development of its civilian and military personnel, and strive to set an appropriate example for them in my personal conduct, integrity and loyalty.

Do you believe that there are any steps that you need to take to enhance your expertise to perform these duties?

If confirmed, I plan to become more familiar with statutes and regulations applicable to government contracting in general and defense procurement in particular. I also plan to meet with a broad cross-section of officials and personnel within the Department of Defense, including members of the armed forces here and overseas, to listen to their concerns and identify issues that might merit action by the Office of the Inspector General. Also, I plan to spend time listening to the concerns of the members of Congress and their staffs

If confirmed, I plan to engage the members of the Defense Council on Integrity and Efficiency and the President's Council on Integrity and Efficiency to better understand their effective roles.

I also intend to spend time with all elements of the DOD IG Office to learn and benefit from their invaluable grass roots level insights.

Based on your background and experience, are there any changes that you would recommend with respect to the current organization or responsibilities of the DOD IG?

If confirmed, I plan to examine how the Office of the Inspector General is organized to determine if any structural changes in the office are appropriate. I also plan to determine whether the office is meeting the full range of its statutory responsibilities within the context of the resources available. It would be premature to offer any recommendations for change in these areas until I have an opportunity to conduct the necessary thorough evaluations.

Relationships

If confirmed, what would your working relationship be with:

A. The Secretary of Defense

Section 8(c) of the Act states that the Inspector General shall “be the principal adviser to the Secretary of Defense for matters relating to the prevention and detection of fraud, waste, and abuse in the programs and operations of the Department”

If confirmed, I will seek to establish a strong and effective relationship with the Secretary of Defense that enables me to carry out my statutory duties with the independence required under the Act, while enabling the Secretary to exercise his statutory supervisory authority. I will consult directly with the Secretary as necessary and appropriate, especially with respect to matters governed by Section 8(b)(1) of the Act. I also expect to continue the current practice of providing weekly updates on ongoing issues to the special assistants for the Secretary of Defense and Deputy Secretary of Defense, monthly meetings with the Deputy Secretary of Defense, and quarterly briefings to the Under Secretaries on matters warranting their attention.

B. The Deputy Secretary of Defense

Section 3(a) of the Inspector General Act states that “each Inspector General shall report to and be under the general supervision of the head of the establishment involved or, to the extent such authority is delegated, the officer next in rank below such head.” Department of Defense Directive 5106.01, dated April 13, 2006, states that “the Inspector General of the Department of Defense shall report to and be under the general supervision of the Secretary of Defense and the Deputy Secretary of Defense” Accordingly, if confirmed, I would expect my relationship with the Deputy Secretary of Defense to almost mirror my relationship with the Secretary of Defense.

C. The Under Secretary of Defense (Comptroller/Chief Financial Officer)

If confirmed, I will work with the USD (C/CFO) on areas of concern within the financial management arena which, I am told, the Office of the Inspector General has identified as a major management challenge for the Department. I will conduct and supervise audits and investigations relating to the programs and operations of the establishment in order to promote economy, efficiency, and effectiveness. I would continue to work with the USD(C/CFO) to formulate the OIG's portion of the annual President's Budget for submission to OSD and OMB, as well as request required resources to conduct the Inspector General's mission.

D. The Under Secretary of Defense for Acquisition, Technology and Logistics

I am informed that the Office of the Inspector General has also identified acquisition processes and contract management as a major management challenge for the Department of Defense. It is therefore essential for the Inspector General to maintain an effective working relationship with the Under Secretary for Acquisition, Technology and Logistics. If confirmed, I anticipate to work particularly closely with the Under Secretary concerning the allocation of OIG resources in the acquisition area, and how best to implement audit recommendations pertaining to acquisition processes.

As Inspector General, I would also recommend policies, in coordination with the USD (AT&L) and the USD (Comptroller), to ensure that audit oversight of contractor activities and financial management are coordinated and carried out in an efficient manner to prevent duplication.

E. The General Counsel of the Department of Defense

The Office of the General Counsel has extensive legal expertise and resources that are valuable to the Office of the Inspector General and, if confirmed, I will work as closely as possible with the Counsel without compromising, or creating the appearance of compromising, the independence of the Office of the Inspector General.

It is my understanding that the former DoD Office of the Deputy General Counsel (Inspector General) was re-designated as the OIG Office of the General Counsel. The nine positions that comprise the office were transferred, with associated funding, from the Office of the Secretary of Defense to the Office of the Inspector General. The Office of the Inspector General is the appointing authority for all personnel and is responsible for budgeting, personnel services, and other administrative support for the OIG Office of General Counsel.

F. The Director of Operational Test and Evaluation

I am advised that the Inspector General and the Director of Operational Tests and Evaluation have a common interest in ensuring that equipment and weapons systems allocated to the warfighter perform effectively and as planned. If confirmed, I would expect to consult as appropriate with the Director concerning the initiation of oversight efforts in these areas.

G. The Inspectors General of the Military Departments, Defense Agencies, and the Joint Staff

Section 8(c)(2) of the Act states that the Inspector General of the Department of Defense "shall . . . initiate, conduct, and supervise such audits and investigations in the Department of Defense (including the military departments) as the Inspector General considers appropriate" Section 8(c)(9) adds that the Inspector General "shall . . . give particular regard to the

activities of the internal audit, inspection, and investigative units of the military departments with a view toward avoiding duplication and ensuring effective coordination and cooperation...”

As I understand it, the DoD oversight community uses internal coordination mechanisms to de-conflict potential duplicative efforts. In addition, Department of Defense directives implementing statute govern certain programs in which the Inspectors General of the Military Departments participate. If confirmed, I will ensure that the DoD IG continues to coordinate and avoid duplicative efforts and works as a team.

H. The Inspectors General of subordinate commands

My relationship with the Inspectors General of subordinate commands will be based on the OIG role described above in part G. If confirmed, I will work closely with the other DoD Inspectors General to carry out applicable policies and guidance; avoid duplication, overlapping, and gaps; and work to build a strong team.

I. The Criminal Investigative Services of the Military Departments

Under the Act, the Inspector General has the authority to initiate, conduct and supervise criminal investigations relating to any and all programs and operations of the Department of Defense. In addition, the Inspector General is statutorily authorized to develop policy, monitor and evaluate program performance, and provide guidance regarding all criminal investigative programs within the Department. It is my understanding that the DoD Inspector General works frequently in close coordination with the Military Criminal Investigative Organizations (MCIOs) on joint investigations.

If confirmed, I will work closely with each of the MCIOs to ensure that investigative resources are used effectively.

J. The Audit Agencies of the Military Departments

Section 4(a) of the Act establishes broad jurisdiction for the Inspector General to conduct audits and investigations within the Department of Defense, and Section 8(c)(2) states that the Inspector General “shall . . . initiate, conduct, and supervise such audits and investigations in the Department of Defense (including the military departments) as the Inspector General considers appropriate.”

If confirmed, I will continue to work with the audit agencies of the military departments.

K. The Defense Contract Audit Agency (DCAA)

If confirmed, I will continue to work with DCAA, as prescribed in the Inspector General Act. Although DCAA reports to the Under Secretary of Defense (Comptroller), it operates under audit policies established by the Inspector General.

L. The Defense Acquisition Regulatory Council

As I understand it, the DoD OIG regularly provides comments to the Defense Acquisition Regulatory Council on proposed changes to the Defense Federal Acquisition Systems and also recommends changes as a result of DoD OIG work. If confirmed, I would expect to continue these practices.

M. The Director of Defense Procurement and Acquisition Policy

It is my understanding that the Director of Defense Procurement and Acquisition Policy is responsible for oversight of a large segment of the Defense Department's acquisition and contracting operations and, accordingly, is a major recipient of reports provided by the OIG. If confirmed, I would expect to continue the current practice of working with the Director.

N. The Comptroller General and the Government Accountability Office (GAO)

It is my understanding the DoD OIG works very closely with the Comptroller General and the GAO to coordinate planned and ongoing audits and inspections to avoid any duplication of efforts. It is my further understanding that the DoD OIG also has a GAO affairs office that serves as the central liaison between GAO and DoD management during GAO reviews of DoD programs and activities. If confirmed, I would work to maintain this cooperative relationship between the Comptroller General and GAO.

O. The Special Inspector General for Iraq Reconstruction (SIGIR)

It is my understanding that the DoD OIG has supported the operations of the Special Inspector General for Iraq Reconstruction and its predecessor, the Coalition Provisional Authority Inspector General. In accordance with the IG Act and Public Law 108-106, Title 3, section 3001(f)(4), the DoD OIG coordinates activities with the Special Inspector General for Iraq Reconstruction as well as other oversight community members, to avoid duplicating oversight efforts and to minimize disruption to military operations.

As I also understand it, the DoD IG scope of oversight authority encompasses all DoD funded operations and activities in Iraq and the Global War on Terror, which today amounts to about \$463 billion in supplemental appropriations. The Special Inspector General for Iraq Reconstruction focuses his oversight effort only on funds designated for Iraq reconstruction, which has been appropriated at about \$30 billion. If confirmed, and in keeping with the IG Act, I will work to ensure that the DoD OIG collaborates effectively with the Special Inspector General for Iraq Reconstruction to ensure that we protect the public expenditures in Iraq for which we have oversight.

P. The President's Council on Integrity and Efficiency (PCIE)

If confirmed, I plan to be a very active participant in the Council. As a Presidential-nominated and Senate-confirmed IG, the DoD IG is a member of the President's Council on Integrity and Efficiency (PCIE) which meets on a monthly basis. It is my understanding that the DoD OIG currently serves on the PCIE Audit Committee and chairs the Information Technology Committee. I intend to participate fully and actively in the meetings of the PCIE and its committees.

Q. The Defense Council on Integrity and Efficiency (DCIE)

If confirmed, as its chairperson I would organize meetings with the established members to discuss issues of common interest and reinforce close working relationships.

Sections 2 and 3 of the DCIE Charter state that, in accordance with Section 2(2) of the IG Act, the DoD IG, who is the DCIE Chairman, is responsible to provide "leadership and coordination [in] activities designed (A) to promote economy, efficiency, and effectiveness in the administration of, and (B) to prevent and detect fraud and abuse in, such programs and operations".

R. The Office of Management and Budget

If confirmed, I will work with the Deputy Director for Management of the Office of Management and Budget, who is the Chairperson of the PCIE.

Major Challenges, Problems and Priorities

In your view, what are the major challenges and problems facing the next DOD IG?

Currently, I do not have sufficient knowledge to respond to this question. However, if confirmed, it will be my top priority to learn what challenges and problems the DoD IG office needs to address and to ensure the adequacy of resources required to accomplish its mission.

If you are confirmed, what plans do you have for addressing these challenges and problems?

If confirmed, I will focus audit, investigative and inspection efforts on the challenges identified in the Semiannual Report, while working to identify new issues in consultation with senior Department of Defense officials and Congress. I will also work with senior Department of Defense IG officials to determine what additional resources the Office of the Inspector General may need to fulfill its statutory responsibilities.

If you are confirmed, what broad priorities would you establish in terms of issues which must be addressed by the DOD IG?

It is difficult as a nominee to formulate priorities because I have not had access to the full range of information and considerations that should inform them. Promoting efficiency and preventing fraud in defense acquisitions will obviously be a high priority – as well as effective support for the men and women of our armed services serving in Iraq and Afghanistan. I will also ensure that the OIG pursues aggressive oversight of contracting issues. There undoubtedly are several other key matters that will merit prioritization. If confirmed, I look forward to consulting with senior officials of the Department of Defense and OIG, and with the Congress, in establishing broad priorities.

Are there any areas currently under investigation or review by the Office of the Inspector General which you do not believe are appropriate for investigation or review by the DOD IG?

If so, why?

I have no knowledge of any inappropriate areas at this time.

Duties

What is your understanding of the duties and functions of the DOD IG?

The duties and functions of the Inspector General of the Department of Defense are those specified in Sections 3, 4 and 8 of the Inspector General Act of 1978, as amended. Additional duties and responsibilities of the Inspector General are specified in Department of Defense Directive No. 5106.01, which was signed by the Deputy Secretary of Defense on April 13, 2006.

By statute, the Inspector General conducts and supervises audits and investigations relating to the programs and operations of the Department of Defense. The Inspector General also provides leadership and coordination, and recommends policy, for activities designed to (1) promote economy, efficiency, and effectiveness in the administration of Department of Defense programs and operations; and (2) combat fraud, waste and abuse. In addition, the Inspector General is responsible for keeping both the Secretary of Defense and Congress fully and

currently informed about problems and deficiencies in defense programs, the need for corrective action, and the status of such action.

Assuming you are confirmed, what duties and functions do you expect that the Secretary of Defense would prescribe for you?

If confirmed, I expect that the Secretary of Defense will prescribe for me the full range of duties and functions set forth in the Inspector General Act, as amended, as well as the additional duties and responsibilities specified in Department of Defense Directive No. 5106.01. I also anticipate he will provide specific areas that he is concerned about and would like reviewed. I believe he would also expect for me to protect the independence and objectivity of the office.

Section 2 of the Inspector General Act of 1978 states that its purpose is to create independent and objective units to conduct and supervise audits and investigations; to provide leadership and coordination and recommend policies designed to promote economy, efficiency, and effectiveness; to prevent and detect fraud and abuse; and to provide a means for keeping the Congress and agency heads fully and currently informed about problems and deficiencies relating to the administration of programs and operations and the necessity for and progress of corrective action.

Are you committed to maintaining the independence of the DOD IG, as set forth in the Inspector General statute?

If confirmed, I will maintain the independence of the office of the Inspector General consistent with the provisions of the IG Act.

Are you committed to keeping the Committee on Armed Services "fully and currently informed," and, if so, what steps will you take, if confirmed, to ensure that this responsibility is carried out?

Yes. If confirmed, in accordance with Section 2(3) of the Act, I will be committed to keeping the Committee on Armed Services "fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress corrective action." I will do so through the dissemination of OIG products such as the Semiannual Report to Congress and audit reports. In addition, I will provide briefings for Members and staff, and testimony at hearings, when requested, with the intent of maintaining a close relationship.

Section 3 of the Inspector General Act of 1978 provides that the head of an agency, shall exercise "general supervision" over an IG, but shall not "prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation."

What is your understanding of the supervisory authority of the Secretary of Defense over the DOD IG with respect to audits and investigations, in view of the independence provided by sections 2 and 3?

Section 2 of the Act creates independent and objective units...to provide a means for keeping the head of the establishment and the Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action. Section 3 states that each Inspector General shall report to and be under the general supervision of the head of the establishment involved or, to the

extent such authority is delegated, to the office next in rank below such head, but shall not report, or be subject to supervision by, any other officer of such establishment. Moreover, neither the head of the establishment nor the office next in rank shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

If confirmed, what action would you take if a senior official of the Department sought to prevent you from “initiating, carrying out, or completing” any audit or investigation within the jurisdiction of the Office of the DOD IG?

If the action was taken outside the authority given to the Secretary of Defense in Section 8 of the IG Act, I would notify the Secretary and request his assistance in ensuring compliance with the IG Act by the senior official involved. Failure to resolve the issue, would, in my view, constitute a “particularly serious or flagrant problem, abuse or deficiency” under section 5(d) of the IG Act. Under this section, the IG is required to report the matter to the head of the establishment, who is then required to transmit the IG’s report to Congress within 7 days.

Section 8 of the Inspector General Act of 1978 states that the DOD IG shall "be under the authority, direction, and control of the Secretary of Defense with respect to certain audits or investigations which require access to information concerning sensitive operational plans, intelligence matters, counterintelligence matters, ongoing criminal investigations by other administrative units of the Department of Defense related to national security, or other matters, the disclosure of which, would constitute a serious threat to national security.

What is your understanding of the procedures in place to effect the authority and control of the Secretary of Defense over matters delineated in section 8 of the Act?

To my knowledge the procedure in place is to follow the IG Act of 1978. Under 8(b)(1) or 8(b)(2) of the Inspector General Act, the Secretary has the “authority to stop any investigation, audit, or issuance of subpoenas, if the Secretary determines that such a prohibition is necessary to preserve the National Security interests of the United States.” I am informed that this provision has never been exercised. However, in the event that the Secretary exercises this authority, I would submit an appropriate statement within thirty days to this Committee and other appropriate committees of the Congress, as required under Section 8(b)(3).

What is your understanding of the extent to which the Inspector General has, as a matter of practice, initiated and conducted audits or investigations covered by section 8 differently from other audits or investigations?

It is my understanding that the practice of the DoD IG with respect to the initiation and conduct of audits and investigations covered by Section 8 is the same as for other audits and investigations.

What changes, if any, do you believe are needed in the practices of the DOD IG for initiating and conducting audits or investigations covered by section 8?

None to my knowledge.

Sections 4 and 8 of the Inspector General Act of 1978 set forth various duties and responsibilities of Inspectors General beyond the conduct of audits and investigations.

What is your understanding of the supervisory authority exercised by the Secretary of Defense with regard to these issues?

Beyond the conduct of audits and investigations, Section 4 directs the Inspector General to “review existing and proposed legislation and regulations” and make related recommendations in semiannual reports; recommend policies to promote economy and efficiency in the administration of Department programs and operations, and to prevent and detect fraud and abuse; keep the Secretary of Defense and the Congress fully and currently informed about fraud and other serious problems, abuses, and deficiencies; recommend corrective actions for such problems, abuses, and deficiencies; and report on the progress made in implementing such corrective actions. Section 8(c)(1) adds that the Inspector General shall “be the principal advisor to the Secretary of Defense for matters relating to the preventing and detection of fraud, waste, and abuse.

It is my understanding that the operations above specified in Section 4 and 8 come within the general supervisory authority of the Secretary of Defense established under Section 3(a).

Independence

The DOD IG must ensure that the independence of the Office of the Inspector General is maintained, that investigations are unbiased, particularly those involving senior military and civilian officials, and promptly and thoroughly completed, and that the highest standards of ethical conduct are maintained.

Based on your background and work experience, are there any matters currently under investigation or review by the DOD IG from which you may be required to recuse yourself if confirmed? If so, why?

None to my knowledge.

What is your understanding of the methods currently in place to address incidents of alleged misconduct by the DOD IG? Do you believe that these methods are adequate?

It is my understanding the PCIE Integrity Committee, chaired by a representative from the Federal Bureau of Investigation, has been established to ensure that administrative allegations against IGs and certain staff members of the OIGs are appropriately and expeditiously investigated and resolved. The results of Integrity Committee investigations are provided to the Chair of the PCIE who may forward the findings to the IGs agency head. The agency head is required to respond to the Integrity Committee within 30 days regarding the actions taken or planned to be taken in response to the investigative findings. I also note that the President has the authority to remove an Inspector General.

To the best of my knowledge, these methods are adequate. I believe this process, if properly applied, can be an effective means to investigate alleged misconduct by IGs. However, I have not reviewed specific cases referred to the Integrity Committee to determine if those procedures are working effectively.

Under what circumstances, if any, do you believe it would be appropriate for the DOD IG to consult with officials in the Office of the Secretary of Defense (or other DOD officials outside the Office of the Inspector General) before issuing a report, regarding the findings and recommendations in the report?

In regards to audits, inspections, senior official investigations and reprisal investigations, it is the current practice for the OIG to consult with officials in the Office of the Secretary of

Defense, or other DoD officials before issuing a report to ensure that the information in the report is factually accurate and to resolve or minimize disagreements on conclusions, findings, and recommendations. However, for criminal investigations, it is not appropriate to discuss the results of ongoing investigations.

To the extent that you believe such consultation is appropriate, what steps, if any, do you believe the Inspector General should take to keep a record of the consultation and record the results in the text of the report?

I believe it is necessary to consult with all parties to gather the facts to develop findings and recommendations. I am advised that the facts that are relevant should be included in the text of the report. A written record of all interviews and consultations are maintained in the working papers. The procedures are in place to redact certain information from reports in the appropriate circumstances.

Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the DOD IG not investigate or review a particular matter?

Under Section 8 of the Inspector General Act, the Secretary of Defense has the authority to prohibit the IG from initiating, carrying out, or completing any audit or investigation. That authority may be exercised when the audit or investigation requires access to information concerning: sensitive operational plans, intelligence matters, counterintelligence matters, ongoing criminal investigations by other administrative units of DoD related to national security, or other matters the disclosure of which would constitute a serious threat to national security. As noted previously, the Secretary of Defense has never exercised his authority under Section 8.

Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the DOD IG not issue a report on a particular matter?

No one has the authority to ask the DoD IG not to issue a report on a particular matter unless it is the Secretary of Defense, under the provisions delineated in Section 8.

Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the DOD IG alter findings, recommendations, or other pertinent material in a report on a particular matter?

In the course of conducting audits, inspections, and senior official investigations, the OIG practice is to consult with officials in the Office of the Secretary of Defense, or with other senior level DoD officials, before issuing a report to ensure that the information in the report is factually accurate and to resolve or minimize disagreements where appropriate. However, for criminal investigations, it is not appropriate to discuss the results of ongoing investigations. The final decision on the content of reports rests with the Inspector General.

If confirmed, how would you react to a request, which you believed to be inappropriate, to not investigate a particular matter, not issue a report on a particular matter, or alter findings, recommendations, or other pertinent material in a report on a particular matter?

With respect to the initiation or completion of an audit or investigation, if the request was inappropriate and made outside the authority given to the Secretary of Defense in Section 8 of the IG Act, I would reject the proposal. If and when necessary, I would notify the Secretary and request his assistance in ensuring compliance with the IG Act by the senior official involved.

Failure to resolve the issue, would, in my view, constitute a “particularly serious or flagrant problem, abuse or deficiency” under section 5(d) of the IG Act. Under this section, the IG is required to report the matter to the head of the establishment, who is then required to transmit the IG’s report to Congress.

What is your understanding of the corrective measures that were taken by the Office of the Inspector General in response to the report of the independent assessment team tasked by the DOD IG in 2002 to evaluate the overall effectiveness of the Office?

I know of the report and have read the Executive Summary. If confirmed, I plan to review the report and the response in detail and determine if corrective action were appropriate and effective.

Do you believe that these corrective actions were appropriate and effective?

Please see my response to the previous question.

What is your view of the professionalism and expertise of the career staff of the Office of the Inspector General?

During the briefings I have received, I have found the staff at the DoD IG to be knowledgeable and professional.

What relationship, if any, do you see between the career staff of the Office of the Inspector General and the independence of the Office?

The credibility and effectiveness of IGs require a well-trained and professional staff that is aware of the agency’s unique role and whose conduct and work products will be accepted as both independent and objective.

What role, if any, do you believe that the senior leadership of the Department of Defense should play in personnel decisions within the Office of the Inspector General?

In personnel matters, Section 6 of the IG Act provides the IG the authority to “select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties” of his office.

The Office of Inspector General currently relies upon legal advice provided by the DOD Office of General Counsel. The Inspectors General of many other federal agencies have their own lawyers.

Do you believe that reliance on the legal advice of the DOD Office of General Counsel has the potential to compromise the independence of the Office of Inspector General?

I would expect to work with the DoD General Counsel on a variety of matters. However, I would rely on the OIG General Counsel legal advice for internal work products and processes.

Please also see my answer to the earlier question concerning the relationship with the DoD General Counsel. See Section G of Relationships.

Congressional Requests

The Office of Inspector General frequently receives requests from congressional committees and Members of Congress for audits and investigation of matters of public interest.

What is your understanding of the manner in which the Office of Inspector General handles such requests?

It is my understanding that the DoD IG receives many requests from congressional committees and Members of Congress for oversight reviews, but adheres to the same principles of independence in responding to those requests.

If confirmed, will you ensure that the Office of Inspector General continues to respond to congressional requests for audits or investigations in a manner consistent with past practice?

Yes.

Under what circumstances, if any, do you believe it would be appropriate for the Office of the Inspector General to redact the contents of any information contained in a report it provides to Congress?

It is my understanding that consistent with the Freedom of Information Act (FOIA), the practice of the DoD IG is to provide unredacted copies of reports to oversight committees of Congress. The DoD IG redacts information in reports released to the public in accordance with the FOIA and the Privacy Act.

Senior Official Investigations

The Office of the DOD IG plays a key role in the investigation of allegations of misconduct by senior officers and civilian employees of the Department of Defense. The Committee on Armed Services has a particular interest in investigations concerning senior officials who are subject to Senate confirmation, and relies upon the DOD IG, as well as the Office of the Secretary of Defense, to ensure that these investigations are accurate, complete, and accomplished in a timely manner.

If confirmed, what steps will you take to ensure that the investigations relating to senior officials are completed in a timely manner and that the results of investigations are promptly provided to this Committee?

If confirmed, I will ensure that the investigations relating to senior officials to include those who are subject to Senate confirmation are completed in a timely manner and that the results of investigations are promptly provided to the Committee.

Do you believe that the current allocation of responsibilities between the DOD IG and the Inspectors General of the military departments is appropriate to ensure fair and impartial investigations?

If confirmed, I will ensure that the current allocation of responsibilities between the DoD IG and the Inspectors General of the Military Departments is appropriate to ensure fair and impartial investigations.

Resources and Authorities of the DOD IG's Office and Investigators

Do you believe that the DOD IG's office has sufficient resources (in personnel and dollars) to carry out its audit and investigative responsibilities?

If confirmed, I will attempt to ensure that the DoD IG's office has sufficient resources to carry out its audit and investigative responsibilities.

If confirmed, will you communicate any concerns that you may have about the adequacy of resources available to the Office of Inspector General to Congress and this Committee?

If confirmed, I will.

Some federal agencies have reacted to limited Inspector General resources by using contractors to perform some audit and investigative functions.

What is your understanding of the DOD IG's role in determining whether the use of contractor resources to perform audit or investigative functions is appropriate?

For the audit function, the Inspector General Act, Section 4(b)(1)(B) establishes the authority of each Inspector General to establish guidelines for determining when it shall be appropriate to use non-federal auditors. In addition, Section 4(b)(1)(C) of the Act states that the Inspector General shall take appropriate steps to ensure that any work performed by non-federal auditors complies with the standards established by the Comptroller General.

With regard to the criminal investigative function, it is considered inherently governmental and therefore contractors do not perform such functions.

Under what circumstances, if any, do you believe that the use of contractor resources to perform such functions would be appropriate?

It is my understanding that there is specific guidance in DoD Directive 7600.2 on when it is permissible to use contractor resources to perform audit functions. It specifically permits DoD Components to contract for audit services when applicable expertise is unavailable, if augmentation of the audit staff is necessary to execute the annual audit plan, or because temporary audit assistance is required to meet audit reporting requirements mandated by Public Law or DoD regulation. However, the directive includes an approval process to ensure the appropriate use of non-Federal auditors and that they comply with the Government Auditing Standards issued by the Comptroller General of the United States.

In recent years, the DOD IG has sought and obtained increased authority to issue subpoenas, carry weapons, and make arrests.

Do you believe that the authorities of the Office of Inspector General and its agents are adequate in these areas, or would you recommend further changes in the law?

If confirmed, I will review the IGs current authorities for adequacy.

DOD Financial Accounting and Audits

The performance of mandatory statutory duties, such as the performance of financial audits, has consumed a growing share of the resources of the Inspector General's office, crowding out other important audit priorities.

What is your view of the relative priority of financial audits, and the resources that should be devoted to such audits?

Financial audits will continue to be a high priority consistent with the President's Management Agenda Initiative, the Secretary of Defense's top priorities, the Chief Financial Officers Act of 1990, and the Federal Financial Management Improvement Act of 1994. It is my understanding that the OIG has received sufficient resources to conduct financial statement audits under the current Departmental approach. However, as the Department improves audit readiness and the requirements for financial statement audits increase, a reevaluation may be necessary. If confirmed, I will work with the Department and Congress to ensure that the

appropriate level of resources continues to be dedicated to financial audits. I will also seek to ensure that resources committed to financial audits do not come at the expense of other audit priorities.

Do you believe that resources currently directed to the audit of financial statements that are generally acknowledged to be unreliable would better be directed to other objectives?

Without the benefit of first hand knowledge of resource challenges faced by the Department of Defense Inspector General, I am not currently in a position to determine whether resources would be better directed to other objectives.

Do you see any need for legislative changes to give the Inspector General greater flexibility to target audit resources?

If confirmed, I am prepared to work with the Department and the Congress to assess whether legislation in this area is appropriate.

What is your view of the role of the DOD IG in evaluating and contributing to improvements made in the Department's financial management processes?

The role of the DoD OIG is to serve as a catalyst for improvements in the Department's financial management processes. That role should be consistent with the President's Management Agenda Initiatives, the Department's top priorities, and statutory requirements. If confirmed, I will ensure that the DoD OIG continues this vital function.

Oversight of Acquisition Programs

Problems with procurement, acquisition, and the ability of the Department and the military departments to effectively oversee acquisition programs have called into question the capability of existing DOD oversight mechanisms.

What are your views on the need for reform in how the Department of Defense procures property and services?

I am informed that recent IG audit reports have identified contracting and acquisition problems and that the auditors are working with DoD management to correct those problems. If confirmed, I will work with the Department to address ways to improve acquisition procedures.

What role, if any, do you believe the Office of the Inspector General should play in achieving acquisition reform?

The role of the DoD OIG is to serve as a catalyst for improvements in the Department's acquisition processes and contract management. That role should be consistent with the President's Management Agenda Initiatives, the Department's top priorities, and statutory requirements. If confirmed, I will ensure that the DoD OIG continues this vital function.

Do you believe that the DOD IG and the various Defense auditing and contracting management activities have the resources needed to conduct effective oversight over the Department's acquisition programs?

If confirmed, conducting effective oversight over the Department's acquisition programs will be among our top priorities in the IG office. The men and women of our armed forces, and our nation's taxpayers, have a right to expect that the funds appropriated by Congress for defense acquisitions are being utilized with cost-efficiency and integrity.

Based on the information made available to me thus far, I am concerned that the audit resources of the Office of the Inspector General have not kept pace with the growth in contract expenditures for defense acquisitions. I am also concerned that the current trend, if unchecked, will significantly increase the risk of fraud, waste, and abuse in acquisition programs.

Therefore, if I am confirmed, it will be vital for the Office of the Inspector General, the Department, and Congress to work together in a timely way to assess whether the Office of the Inspector General has adequate resources to conduct this essential oversight.

Over the last 15 years, the DOD IG has gone from having one auditor for every \$500 million on contract by the Department of Defense to one auditor for every two billion dollars on contract.

Do you believe that the DOD IG has the resources it needs to conduct effective oversight over the Department's acquisition programs?

If confirmed, I am prepared to work with the Department and Congress to assess whether the Office of the Inspector General has adequate resources to conduct this essential oversight.

The DOD IG has played an important role in advising the Department of Defense and the Congress on the sufficiency of management controls in the Department's acquisition programs and the impact that legislative and regulatory proposals could have on such management controls.

How do you see the DOD IG's role in this area?

The Department of Defense Inspector General has an important role in helping the Department to effectively and efficiently manage acquisition resources dedicated to the support of the Department's mission, and in accounting for the management of those resources to the taxpayer. If confirmed, I will ensure that the DoD OIG continues its important advisory role.

Human Trafficking

The Department of Defense has adopted a "zero tolerance" position against abuses of human trafficking and modified its policies to ensure that United States military commands and activities and their personnel are informed about factors contributing to human trafficking and take preventative measures against behavior that contributes to this problem. The DOD IG has investigated allegations of human trafficking in Korea and the Balkans, and posted a survey on its web site designed to obtain information about potential human trafficking abuses from DOD personnel.

What is the role of the DOD IG with respect to human trafficking?

It is my understanding that the Inspector General strongly supports the Department's "zero tolerance" policy against human trafficking by evaluating programs and compliance, and by investigating allegations of human trafficking that have a DoD nexus. Over the last two and one-half years, the DoD IG has been called upon to testify before Congress three times and has also addressed international forums on its efforts regarding trafficking in persons.

What is your understanding of the actions that have been taken by the Office of the DOD IG to prevent human trafficking abuses and the current role of the DOD IG in formulating and enforcing the Department's policies?

As referenced above, it is my understanding that the Office of the Inspector General has evaluated DoD programs and compliance in Korea, Bosnia and Kosovo.

On November 21, 2006, the OIG published its report titled "Evaluation of the Department of Defense (DoD) Efforts to Combat Trafficking in Persons." The objective of the evaluation was to determine if DoD Directives, implementing instructions, organization, metrics, and resources were adequate for the DoD Components to develop implementing programs. The report made 14 major recommendations in the areas of coordination, training, policy, and metrics. It is my understanding that the Department published Department of Defense Instruction 2200.01, "Combating Trafficking in Persons," on February 16, 2007, incorporating recommendations from the November 2006 DoD IG report. It is my further understanding that it is the responsibility of DoD management to formulate and enforce policies regarding trafficking in persons.

It is my understanding that DOD IG continues to encourage use of the Defense Hotline to report human trafficking abuses. In October 2004, the OIG distributed over 17,000 Defense Hotline "Trafficking in Persons" (TIP) posters to military and DoD civilian activities worldwide.

In April 2006, the Commander, U.S. Multinational Forces, issued an order titled "Prevention of Trafficking in Persons in MNF-I," aimed at preventing human trafficking abuses by contractors involving possibly thousands of foreign workers on U.S. bases in Iraq. Media reports about the problem of abuses in Iraq among contractors stated that allegations had been raised as early as 2004 with the DOD IG, but that lengthy delays occurred before a response.

What is your understanding of the role the DOD IG has played in investigating human trafficking allegations in Iraq?

It is my understanding that the OIG has worked closely with other human trafficking "stakeholders" within the Department of Defense, and with other Executive departments such as the Department of State.

I also understand that the Inspector General conducted an inquiry, based on a February 2006 request from the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), that reviewed allegations of involuntary servitude occurring under the auspices of DoD contractors in Iraq. In its response to USD(P&R) in April 2006, the OIG concluded that it did not have the authority to investigate foreign nations or foreign companies inside countries which are the sources of laborers. Based on its review, the IG made several recommendations:

- DoD should continue to prosecute military members who become involved in Trafficking in Persons ("TIP") or TIP-related activities, in accordance with the Uniform Code of Military Justice.
- DoD should ensure that all new contracts incorporate the anti-TIP clause required by a proposed change to the Defense Federal Acquisition Regulation (DFAR), once it is approved.

- DoD should evaluate rewriting existing contracts to incorporate the language of the anti-TIP DFAR clause, once it is approved.
- Military Department and Combatant Command Inspectors General should continue their involvement in DoD efforts to combat TIP, within the limits of their authority.

The DoD IG supported changes to the DFAR to provide additional controls regarding TIP for DoD contracts performed outside of the United States. It is my understanding that an interim rule implementing the change to the DFAR was published in October 2006.

What steps would you take, if confirmed as the DOD IG, to investigate and prevent the incidence of human trafficking abuses in connection with DOD activities?

If confirmed, I would promote compliance with the DoD “zero tolerance” policy by periodically evaluating DoD programs to combat human trafficking in coordination with other Inspectors General throughout the Department.

Oversight of DOD Activities in Iraq and Afghanistan

What is the relationship of the DOD IG to the Special Inspector General for Iraq Reconstruction?

It is my understanding that the DoD OIG has supported the operations of the Special Inspector General for Iraq Reconstruction and its predecessor, the Coalition Provisional Authority Inspector General. In accordance with the IG Act and Public Law 108-106, Title 3, section 3001(f)(4), the DoD OIG coordinates activities with the Special Inspector General for Iraq Reconstruction as well as other oversight community members, to avoid duplicating oversight efforts and to minimize disruption to military operations. See Section O in Relationships.

What is your understanding of the responsibilities and activities of the Office of the DOD IG in investigating and preventing fraud, waste, and abuse of U.S.-provided resources for reconstruction and other purposes in Iraq?

I am informed that the DoD OIG has, in accordance with its legislatively mandated mission, conducted audits aimed at identifying and preventing fraud, waste, and abuse of funds appropriated to the DoD for its operations in Iraq. It is my further understanding that the DoD OIG has established a forward operating element at Camp Victory in Baghdad. The DoD OIG has also established an office in Qatar as an in-theater base of operations. The staff in the Qatar office conducts audits as required in Iraq, Afghanistan, Kuwait, and Qatar to support the operational commander. Additionally, audits are also being conducted in the continental United States on contracts awarded and funds expended in the United States that provide significant resources to support reconstruction and other purposes in Iraq.

I am advised that DCIS and its military criminal investigative counterparts, in particular the U.S. Army Criminal Investigative Command (Army CID), investigate major frauds, corruption, thefts, and other compromises of DoD assets in Afghanistan, Iraq, and other countries in that theater. Four DCIS agents are currently deployed to Iraq and Kuwait, collocated with Army CID, to conduct operations and investigations that primarily involve procurement fraud and public corruption. In addition, the DCIS European office and DCIS CONUS offices, along with the investigative partners (e.g., FBI), continue to investigate Iraq-

related matters and travel into theater to conduct investigative operations, such as gathering evidence and conducting interviews, when crimes are reported. However, the bulk of DCIS's investigative activities occur in CONUS where corporate headquarters of DoD contractors, key evidence, and Department of Justice prosecutorial support are located.

Also, I have been informed that DCIS is a participant in the International Contract Corruption Task Force, a formalized partnership between Federal agencies to investigate and prosecute cases of contract fraud and public corruption related to U.S. spending in Iraq. The Task Force has established a Joint Operations Center specifically to formally coordinate investigations and develop a criminal intelligence capability to successfully prosecute fraud. It is my understanding that DCIS has dedicated a special agent to the Joint Operations Center on a full-time basis.

If confirmed, and in keeping with the IG Act, I will ensure that the DoD OIG continues to focus oversight efforts to investigate and prevent fraud, waste, and abuse of U.S.-provided resources for reconstruction and other purposes in Iraq.

What is your understanding of the responsibilities and activities of the Office of the DOD IG in investigating and preventing fraud, waste, and abuse of U. S.-provided resources for reconstruction and other purposes in Afghanistan?

It is my understanding that DoD IG is responsible for investigating fraud, waste, and abuse for funds appropriated to DoD for its operations in Afghanistan. It is my further understanding that the DoD OIG is initiating efforts to establish a forward deployed presence in Afghanistan. The DoD OIG has established an office in Qatar as an in-theater base of operations. Pursuant to the tenets of the IG Act, I would ensure the DoD oversight efforts were coordinated with other organizations conducting oversight in Afghanistan.

If confirmed, what changes, if any, would you plan to make to the DOD IG's oversight activities in Iraq and Afghanistan?

If confirmed, I would ensure that DoD IG activities in Iraq and Afghanistan remain as a top priority. I will also want to assess the current level of oversight to ensure that adequate resources are being devoted to this mission and that those resources are being allocated appropriately.

If confirmed, what would be your goals with respect to the oversight, audit, and investigation of ongoing U.S. activities in Iraq and Afghanistan?

If confirmed, it is my goal to ensure that the oversight provided by the DoD IG of ongoing DoD activities in Iraq and Afghanistan is consistent with the responsibilities contained in the IG Act and is sufficient to provide assurance to the Congress, the Secretary of Defense, and to both the American taxpayer and the warfighter that funds supporting DoD activities are expended appropriately and effectively.

The Special Inspector General for Iraq Reconstruction has jurisdiction over contracts for the reconstruction of Iraq, however, the Special Inspector General does not have jurisdiction over contracts to support our troops in Iraq and Afghanistan.

What role do you believe the DOD IG should play in the oversight, audit and investigation of such contracts?

The DoD IG office should have an active role in ensuring stewardship of taxpayers' dollars and effective contract support for our troops through diligent oversight of the contracting function. This would include audits, inspections and investigations, as required.

Do you believe that a significant on-the-ground presence in Iraq is necessary to perform this role?

As noted earlier, the DoD OIG has established an office in Qatar as its in-theater base of operations for entry into Iraq as well as Afghanistan and Kuwait. Additionally, the OIG has established a forward operating presence at Camp Victory in Baghdad, and is in the process of initiating efforts to establish a forward deployed presence in Afghanistan.

You have served as director of the Iraq-Afghanistan Joint Transition Planning Group and a special adviser to the State Department on stabilization and security operations in Iraq and Afghanistan, and Director of the Department of Defense's Iraq Transition Team.

Please describe the role that you have played in U.S. reconstruction activities in Iraq and Afghanistan.

As Director of the Defense Department's Iraq Transition Team, I served as part of a joint team with the Department of State to develop a plan for closing down the Coalition Provisional Authority (CPA) and standing-up the US Mission in Baghdad. We focused on two reconstruction objectives: (1) transforming CPA's Reconstruction Project Management Office into the State Department-run Iraq Reconstruction Management Office (IRMO); (2) establishing initial requirements for Provincial Reconstruction Teams (PRTs) in Iraq with respect to staffing, location and security.

As Special Advisor to the State Department on Stabilization and Security, the office looked at the structure, location and security of PRTs in Afghanistan and also recommended that the US Army Corps of Engineers increase its support for USAID's reconstruction effort in that country. With the departure of the Secretary and Deputy Secretary of State our mission was ended, and we did not have the time to focus on Iraq.

The Iraq/Afghanistan Transition Planning Group (IATPG), for which I am Director, focused on assessing planning coordination of US government activities in these two countries, as directed by the Secretaries of State and Defense. In the specific area of reconstruction, we provided an assessment of PRTs in Afghanistan and made recommendations for improvement in the areas of planning, integration of effort and staffing.

What is your view of the major successes of those efforts?

Standing up the US Embassy, Baghdad, and closing out the CPA was accomplished on time and was successful in establishing the initial framework for integration of our diplomatic and military activities. It also provided the foundation for the development of the PRT program initiative in Iraq. In Afghanistan, the IATPG advanced the planning and evolution of the PRT effort, with special emphasis on the merging of the US PRT initiative with that of the International Security Assistance Force (ISAF).

What is your view of the major failures of those efforts?

We should have pushed harder and sooner to combine police and military training in a strong State and Defense Department partnership in both countries. In the early stages of a counterinsurgency war, when the police have to have both police and para-military skills to be effective, I believe that DoD should have the lead role in training the police and the military, as is the case currently. When the situation is more permissive, then the lead can be shifted. In any event, DoD, State and Justice need to have a strong partnership for police training to succeed rapidly.

To advance reconstruction activities requires security and stability, which depends on effective Rule of Law. There should have been more of an integrated interagency effort on establishing a Rule of Law system from the very start of our engagement in Iraq and Afghanistan.

I wish we could have made more progress in getting the PRTs staffed with a balanced team of both military and especially civilian skill sets required to achieve their mission.

Do you see any potential for conflict between your previous role in these efforts and your new role as DOD IG, if confirmed?

I do not.

If confirmed, what steps would you take to address any such conflict?

I do not believe this will present any conflict. However, if there was every any doubt, I would recuse myself on any potential conflicts of interest.

Recent press articles have criticized the decision by U.S. officials in 2003 and 2004 to shut down Iraqi state-owned enterprises, resulting in the loss of employment for thousands of Iraqis.

What is your view of this issue?

At the time, I was not aware of this decision. But, one of the most critical problems faced today in Iraq is employment and economic development. We should assist the Iraqi Government to increase employment for the Iraqi people to the extent possible.

Did you play any role in this decision?

I did not.

Oversight of Medical Functions, Including Outpatient Administration

Reports of medical cases from military treatment facilities involving tragic outcomes and allegations of medical malpractice have raised questions about the adequacy of existing reporting, investigatory, and readiness systems within the Defense Health Program and military treatment facilities. The ability of those outside the military medical system to fairly evaluate individual cases and overall quality of care is affected by such factors as the tort claim laws and adversarial litigation against the United States, reliance on privileges from the release of documents and information associated with such litigation and separate quality assurance systems, patient privacy requirements, and concern about the reputations of individual providers. Recently, deficiencies in the housing and administration of severely injured soldiers and Marines in a medical hold status at Walter

Reed Army Medical Center have raised questions about the adequacy of oversight into the care of outpatients and members involved in the disability evaluation system.

Do you have any views about the role the DOD IG should play in improving visibility into and objective assessments of the quality of care provided through the military medical system?

It is my understanding that health care is a major management challenge identified in the last DoD IG Semiannual Report to Congress. In particular, the DoD IG noted that the frequency and duration of military deployments further stresses the military health system in both the Active and Reserve components.

If confirmed, I will ensure that the DoD OIG continues to provide the independent review and oversight necessary of the military health system. Without the benefit of detailed information on DoD oversight efforts, I am not currently in a position to offer specific views about actions the DoD OIG might take to improve its oversight of medical functions.

My belief is that the DoD IG and the service IG have a major role to play in ensuring that these great American heroes and patriots are receiving the health care they and their families have a right to expect. But, I don't think it stops there. DoD and VA should be working hand in glove to ensure the transition between the DoD and the VA healthcare system is seamless. DoD should work with VA to ensure that the best possible treatment and care continues throughout recovery and in some case the rest of their life. And, it does not stop there—I think they should do everything possible to bring as many of our injured troops back to military duty, commensurate with their ability. We should also find civilian positions in DoD and other federal agencies for these men and women.

What resources and expertise does the DOD IG currently have -- or lack -- to play a more prominent role in assessing the performance of health care providers in the Department of Defense?

I do not know the answer. If confirmed, this will be a top priority for me to ensure that DoD IG has the resources and expertise to play a prominent role in assessing and ensuring that the wounded troops coming off the battlefield are getting the care they deserve.

Intelligence

What is the role of the DOD IG with regard to intelligence activities within DOD?

I am informed that the Inspector General, through the Deputy Inspector General for Intelligence, has responsibility for oversight of DoD intelligence activities and components as identified in DoD Directive 5240.1, "DoD Intelligence Activities," dated April 25, 1988. These include all DoD Components conducting intelligence activities, including the National Security Agency/Central Security Service (NSA/CSS), the Defense Intelligence Agency (DIA), the Military Department intelligence and counterintelligence activities, and other intelligence and counterintelligence organizations, staffs, and offices, or elements thereof, when used for foreign intelligence or counterintelligence purposes. Other organizations and components under the Inspector General's oversight not specifically identified in DoD Directive 5240.1 include the Office of the Under Secretary of Defense for Intelligence (USD (I)), the National Reconnaissance Office (NRO), and the National Geospatial-Intelligence Agency (NGA). Responsibilities and functions of the Inspector General as outlined in DoD Directive 5106.1, "Inspector General of the Department of Defense (IG, DoD)," include the responsibility to audit, evaluate, monitor, and review the programs, policies, procedures, and functions of the DoD Intelligence Community to ensure that intelligence resources are properly managed.

The DoD IG performs an oversight and coordination role through the Joint Intelligence Coordination Working Group (JIOCG). The JIOCG is a DoD working group chaired by the Deputy Inspector General for Intelligence and includes representatives from the Service audit agencies, Military Department Inspectors General and Defense intelligence agencies Inspectors General. The primary goal of the JIOCG is to avoid duplication of effort and enhance coordination and cooperation among Inspectors General and Auditors General inside the DoD and promote information-sharing among Inspectors General whose functions include audits, inspections, evaluations, or investigations of their respective departments and agencies.

What is the relationship of the DOD IG to the Special Assistant to the Secretary of Defense for Intelligence Oversight?

DoD Directive 5106.1 requires that intelligence-related actions be coordinated, as appropriate, with the Assistant to the Secretary of Defense (Intelligence Oversight) to determine respective areas of responsibility in accordance with DoD Directive 5148.11, “Assistant to the Secretary of Defense for Intelligence Oversight (ATSD (IO)),” dated May 21, 2004. (DoD Directive 5148.11 contains similar language for the ATSD (IO) to coordinate with the Inspector General, as appropriate.) I am advised that the ATSD (IO) is a charter member of the JIOCG, and that the Office of the Inspector General has a long history of coordination and cooperation with the ATSD (IO).

What is the relationship of the DOD IG to the Inspector General of the Office of the Director of National Intelligence (DNI)?

The DoD IG’s primary relationship with DNI IG concerns participation in the Intelligence Community Inspectors General (IC IG) Forum. The IC IG Forum promotes information-sharing among the IGs of the departments and agencies of the Intelligence Community whose functions include audits, inspections/evaluations, or investigations of their respective departments and agencies. The IC IG Forum also strives to avoid duplication of effort and enhance effective coordination and cooperation among IC IGs. The DNI IG chairs the IC IG Forum.

In addition to the IC IG Forum relationship, the DoD IG participates in various projects and initiatives undertaken by the DNI IG. The DNI IG also coordinates with the Office of the Deputy Inspector General for Intelligence on all ongoing projects relating to DoD organizations and activities.

What is the role of the DOD IG with respect to detainee matters?

According to my reading of the Inspector General Act, the Inspector General’s statutory responsibility for oversight extends to oversight of detainee and interrogation matters. In that regard, I am advised that the Office of the Inspector General recently issued two final reports regarding detainee abuse.

What is the role of the DOD IG with respect to interrogation matters?

Please see my answer to the previous question.

Do you have any concerns about whether investigations and reviews conducted by the DOD IG with regard to intelligence activities are or have been appropriate?

It is my understanding that all investigations and reviews conducted have been within the Inspector General's statutory authority.

Investigation into Activities of the Office of the Under Secretary of Defense for Policy

The Office of the Inspector General recently completed an investigation into the activities of the Office of the Under Secretary of Defense for Policy related to pre-war intelligence on Iraq and the purported links between Iraq and al Qaeda. This investigation was conducted in response to requests from the Senate. The Office of the Inspector General has been criticized for conducting this investigation and for the findings of the investigation.

What is your view of the Office of the Inspector General's investigation into the activities of the Office of the Under Secretary of Defense for Policy?

I have no knowledge of this case except a few news clips on the evening news.

Do you believe that the Office of the Inspector General should have conducted this investigation?

Please see my response to the previous question.

Congressional Oversight

In order to exercise its legislative and oversight responsibilities, it is important that this Committee and other appropriate committees of the Congress are able to receive testimony, briefings, and other communications of information.

Do you agree, if confirmed for this high position, to appear before this Committee and other appropriate committees of the Congress?

Yes.

Do you agree, if confirmed, to appear before this Committee, or designated members of this Committee, and provide information, subject to appropriate and necessary security protection, with respect to your responsibilities as the Inspector General of the Department of Defense?

Yes.

Do you agree to ensure that testimony, briefings and other communications of information are provided to this Committee and its staff and other appropriate Committees?

Yes.

Do you agree to provide documents, including copies of electronic forms of communication, in a timely manner when requested by a duly constituted Committee, or to consult with the Committee regarding the basis for any good faith delay or denial in providing such documents?

Yes.