

Advance Questions for Gordon S. Heddell
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.

Based on your experience as the Acting Inspector General for the Department of Defense, do you see the need for modifications of any Goldwater-Nichols Act provisions?

At this time, I do not know of the need for any modifications to the Goldwater-Nichols Act. It has led to enhanced jointness, increased readiness, and created a higher standard of warfighting efficiency. However, if confirmed I will notify Congress if the Office on Inspector General identifies the need for 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?

I have 8 years of experience as an Inspector General and was responsible for the conduct of audits and investigations related to matters at the Department of Labor. I have extensive experience as an investigator with the United States Secret Service. Additionally, I have been serving as the Acting Inspector General for the Department of Defense since July 2008 and am responsible for the conduct of

audits, evaluations, and investigations related to matters at the Department of Defense.

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

I believe that learning is a life long and continuing process. I learned a great deal during my tenure as Inspector General at the Department Labor. I will take those 8 years of experience and build upon them as the Inspector General of the Department of Defense, if confirmed.

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?

Since arriving at the DoD IG in July 2008, I've recognized the need to make certain adjustments to the organization as well as a need for additional resources. Those include an establishment of an Office of Professional Responsibility, a Deputy Inspector General for Administrative Investigations, and the Ombudsman. If confirmed, I will continue to assess the current organizational alignment and will make further changes, as needed.

Relationships

If confirmed, what would your working relationship be with:

A. The Secretary of Defense

Section 8(c) of the Inspector General Act of 1978, as amended (the IG Act) states that the IG 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 continue to consult directly with the Secretary of Defense as necessary and appropriate, especially with respect to matters governed by section 8(b)(1) of the IG Act. I will seek to maintain a strong and effective relationship with the Secretary that enables me to carry out my statutory duties with the independence required under the IG Act, while enabling the Secretary to exercise his statutory supervisory authority.

B. The Deputy Secretary of Defense

Section 3(a) of the IG Act states that "each IG 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.” DOD Directive 5106.01, dated April 13, 2006, states that “the IG of the DOD shall report to and be under the general supervision of the Secretary of Defense and the Deputy Secretary of Defense . . .”

Accordingly, if confirmed, my relationship with the Deputy Secretary of Defense will be similar to my relationship with the Secretary of Defense.

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

If confirmed, I will continue to work with the USD(C/CFO) to formulate the IG’s portion of the annual President’s budget for submission to Office of the Secretary of Defense (OSD) and Office of Management and Budget (OMB), as well as request required resources to conduct the IG’s mission. I will work with the USD(C/CFO) on areas of concern within the financial management arena which the IG has identified as a major management challenge for 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.

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

The office of the DoD IG has also identified acquisition processes and contract management as a major management challenge for DOD. It is therefore essential for the IG to maintain an effective working relationship with the USD(AT&L). If confirmed, I anticipate working closely with the Under Secretary concerning the allocation of IG resources in the acquisition area, and how best to implement audit recommendations pertaining to acquisition processes. As IG, 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 Assistant Secretaries of Defense

We have and will continue to work with the various Assistant Secretaries of Defense in managing challenges faced by the Department, as outlined in our Semiannual Report to Congress. For example, recent interactions have involved the Assistant Secretary of Defense (Health Affairs) pertaining to our work on TRICARE fraud.

F. The General Counsel of the Department of Defense

If confirmed, I will continue to work with the General Counsel of the Department of Defense who serves as the Chief Legal Officer of the Department of Defense.

Effective September 23, 2008, an Office of General Counsel within the Office of Inspector General was established outside of the authority, direction and control of the General Counsel of the Department of Defense. The establishment of this independent Office of Counsel ensures that the Inspector General receives independent legal advice and is in accordance with the provisions of the national Defense Authorization Act of 2009 and the Inspector General Reform Act of 2008.

G. The Director of Operational Test and Evaluation

The IG 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.

H. The Director of Cost Assessment and Program Evaluation

The IG and the Director of Cost Assessment and Program Evaluation will have a common interest in ensuring that acquisitions made by the Department undergo cost assessments and program evaluations. I will seek to establish a cooperative working relationship with this new office.

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

Section 8(c)(2) of the IG Act states that the IG of DoD “shall . . . initiate, conduct, and supervise such audits and investigations in the DoD (including the military departments) as the IG considers appropriate . . .” Section 8(c)(9) adds that the IG “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 . . .”

If confirmed, I will ensure that the DoD IG continues to coordinate and avoid duplicative efforts. The DoD oversight community uses internal coordination mechanisms to de-conflict potential duplicative efforts. In addition, DoD directives govern certain programs in which the Inspectors General of the military departments participate.

J. The Inspectors General of subordinate commands

My relationship with the Inspectors General of subordinate commands will be based on the IG role described above in part I. 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.

K. The Criminal Investigative Services of the Military Departments

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

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

L. The Audit Agencies of the Military Departments

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

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

M. The Defense Contract Audit Agency

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

N. The Defense Acquisition Regulatory Council

The DoD IG regularly provides comments to the Defense Acquisition Regulatory Council on proposed changes to the Defense Federal Acquisition System and also recommends changes as a result of DoD IG work.

If confirmed, I would expect to continue these practices.

O. The Director of Defense Procurement and Acquisition Policy

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 IG.

If confirmed, I would expect to continue the current practice of working with the Director.

P. The Comptroller General and the Government Accountability Office

The DoD IG works very closely with the Comptroller General and the GAO to coordinate planned and ongoing audits and inspections to avoid any duplication of efforts. The DoD IG GAO liaison office 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 these cooperative relationship with the Comptroller General and GAO.

Q. The Special Inspector General for Iraq Reconstruction

The DoD IG has supported the operations of the SIGIR and its predecessor, the Coalition Provisional Authority (CPA) Inspector General. In accordance with the IG Act and Public Law 108-106, title 3, section 3001(f)(4), the DoD IG coordinates activities with the SIGIR as well as other oversight community members, to avoid duplicating oversight efforts and to minimize disruption to military operations. The DoD IG scope of oversight authority encompasses all DOD funded operations and activities in Iraq and elsewhere. The SIGIR focuses his oversight effort only on funds designated for Iraq reconstruction. If confirmed, and in keeping with the IG Act, I will work to ensure that the DoD IG collaborates effectively with the SIGIR to ensure that we protect the public expenditures in Iraq for which we have oversight.

R. The Special Inspector General for Afghanistan Reconstruction

The DoD IG scope of oversight authority encompasses all DoD funded operations and activities in Afghanistan and elsewhere. The SIGAR focuses his oversight effort only on funds designated for Afghanistan reconstruction. If confirmed, and in keeping with the IG Act, I will

continue to ensure that the DOD IG collaborates effectively with the SIGAR to ensure that we protect the public expenditures in Afghanistan for which we have oversight.

S. The Commission on Wartime Contracting in Iraq and Afghanistan

Since its inception, we have worked with the Commission in support of its mission. We have briefed the Commission and its staff and, recently, the Principal Deputy Inspector General testified at the initial hearing held by the Commission. We are providing the Commission copies of reports that address contracting issues in Southwest Asia. We plan to initiate a review of construction of the new Kabul compound in response to a recent Commission request.

T. The President's Council on Integrity and Efficiency

On October 14, 2008, the President signed Public Law 110-409, which established the Council of Inspectors General on Integrity and Efficiency (CIGIE), replacing the PCIE. In my role as Acting Inspector General, I am a member of the Executive Council, serve as the chair of the IT committee, and am a member of the Audit Committee. If confirmed, I plan to continue to be a very active participant in the CIGIE

U. The Defense Council on Integrity and Efficiency

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 and recommend policies for 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." If confirmed, I would organize meetings with the established members of the DCIE to discuss issues of common interest and reinforce close working relationships within the DoD oversight community.

V. The Office of Management and Budget

If confirmed, I will work with the Deputy Director for Management of the OMB, who is the Chairperson of the CIGIE.

Major Challenges, Problems and Priorities

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

We have challenges related to both our workforce and the complexity of our work. Among the human capital challenges are the retirement of experienced senior leadership and developing succession planning and retention within a highly competitive environment for the audit professionals. Further challenges are identified in our Semiannual Report to Congress and some of those challenges involve conducting audits and investigations in a combat environment as well as oversight involving highly technical subjects, such as weapons acquisitions and cyber security.

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

If confirmed, I will continue to focus on the IG strategic human capital plan which among other goals, addresses succession planning and leadership development. I will focus audit, investigative, and inspection efforts on the challenges identified in the Semiannual Report, recognizing the complexity of some of those challenges. I will also work with senior DoD officials and Congress to identify emerging issues that the Department faces.

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

Promoting efficiency and preventing fraud in defense acquisitions is obviously a high priority—as well as effective support for the men and women of our armed services and the operations in Iraq and Afghanistan. I will also ensure that the IG pursues aggressive oversight of contracting issues. If confirmed, I look forward to consulting with senior officials of the DoD and with Congress, in establishing broad priorities.

If you are confirmed, what changes, if any, would you expect to make in the organization, structure, and staffing of the Office of Inspector General?

Since arriving at the DoD IG in July 2008, I've recognized the need to make certain adjustments to the organization as well as a need for additional resources. Those include an establishment of an Office of Professional Responsibility, a Deputy Inspector General for Administrative Investigations, and an Ombudsman. If confirmed, I will continue to assess the current organizational alignment and will make further changes, as needed.

Duties

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

The duties and functions of the DoD IG are those specified in sections 3, 4, and 8 of the IG Act. Additional duties and responsibilities of the IG are specified in DOD Directive No. 5106.01, which was signed by the Deputy Secretary of Defense on April 13, 2006.

By statute, the IG conducts and supervises audits and investigations relating to the programs and operations of DoD. The IG also provides leadership and coordination, and recommends policy, for activities designed to: (1) promote economy, efficiency, and effectiveness in the administration of DoD programs and operations; and (2) combat fraud, waste, and abuse. In addition, the IG 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?

The Secretary of Defense has prescribed the duties and functions of the Inspector General in two DoD publications: DoD Directive 5100.1, "Functions of the Department of Defense and Its Major Components," and DoD Directive 5106.01, "Inspector General of the Department of Defense." These publications delineate that the IG DoD provides staff assistance and advice in accordance with the responsibilities specified in the IG Act. Significantly, these publications reinforce that the IG remains an independent and objective unit within DoD. If confirmed, I will consult directly with the Secretary to identify specific areas of concern and emphasis.

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 IG 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 IG Act, I will remain 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 of corrective action." I will do so through the dissemination of IG 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 IG Act creates independent and objective units . . . to provide a means for keeping the head of the establishment and 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 IG 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 IG 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 of 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. Under 8(b)(1) or 8(b)(2) of the IG 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 30 days to this committee and other appropriate committees of 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 of the IG Act directs the IG 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 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 IG shall “be the principal advisor to the Secretary of Defense for matters relating to the preventing and detection of fraud, waste, and abuse in the programs and operations of the Department.” The duties and responsibilities specified in sections 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.

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 and inspections, it is the current practice for the IG to offer officials in the OSD, or other DoD officials, an opportunity to comment before issuing a report to ensure that the information in the report is factually accurate and to resolve or acknowledge 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. The facts that are relevant should be included in the text of the report, and that 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 IG 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 and inspections, the IG practice is to offer officials in the OSD, or other DOD officials, an opportunity to comment before issuing a report to ensure that the information in the report is factually accurate and to resolve or acknowledge disagreements on conclusions, findings, and recommendations. Additionally, in cases where an administrative investigation substantiates allegations involving a senior DoD official, the senior official is given an opportunity to comment on findings and conclusions as part of fairness

and due process. Those comments may request that we alter our findings and are considered before we issue a final report. 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 IG.

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 of 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.

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?

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?

Consistent with the Freedom of Information Act and Privacy Act, it is the practice of the DoD IG to provide unredacted copies of reports to oversight committees of Congress. Additional releases, including those to the public, are redacted in accordance with applicable laws..

In recent years, a number of audits and investigations conducted by the DOD IG in response to congressional requests have taken excessively long periods of time to complete. In some cases, the individuals who have been the subject of such investigations have left office by the time the DOD IG has completed its work.

What is your view of the timeliness and responsiveness of the DOD IG's recent work in response to congressional requests?

In some very important respects we have not been timely. We are, however, striving to improve our timeliness and responsiveness to congressional requests. Recent examples of timely and responsive work in response to congressional requests include our work regarding testing requirements for body armor and the cost, oversight, and impact of congressional earmarks. If confirmed, I will continue to improve on the timeliness of our responses to congressional requests.

What steps, if any, would you take, if confirmed, to ensure the timeliness and responsiveness of such audits and investigations?

If confirmed, I will ensure that we continue to improve interaction with congressional members and staff to better define and scope reviews that are responsive and have realistic timelines. I have already initiated actions to improve the timeliness of key audits and investigations and have plans to do more in that regard.

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 and thorough manner and that the results of investigations are promptly provided to this Committee?

If confirmed, I will continue efforts I began over the past months to increase staffing significantly in the DoD IG senior official investigations unit to improve the timeliness of investigative work. I am in the process of substantially increasing the authorized number of positions in our senior investigation unit and am convinced that we will be able to recruit highly capable individuals to these positions under the new NSPS pay setting guidelines. I will further ensure that investigations relating to senior officials who are subject to Senate confirmation 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 IGs of the military departments is appropriate to ensure fair and impartial investigations. Currently, the DoD IG assumes investigative jurisdiction in any senior official case where allegations cross service lines or where the Service IG may encounter an impediment to independence or be perceived as having such an impediment.

What additional steps, if any, do you think the DOD IG should take to ensure that investigations carried out by the inspectors general of the military departments are accurate and complete?

If confirmed, I will increase both the frequency and the breadth of interaction between my office and the Inspectors General of the military departments. In doing so, I would hope to enhance both the relationship and the information that is provided by the military IGs. I will ensure the reports of investigation completed by the military department IGs continue to receive a vigorous oversight review for independence, thoroughness, and accuracy. I will not hesitate to assume investigative jurisdiction over cases where appropriate; particularly if the subject of the allegations is a political appointee, outranks the Service IG, or the allegations cross service lines. Additionally, when deficiencies are identified in a report of investigation, I will direct my staff to complete any additional work to ensure timely resolution of the case, while maximizing the independence of the ultimate conclusions.

At what point in an investigation and under what criteria would you initiate action to ensure that a “flag,” or suspension on favorable personnel action, is placed on a military officer?

If confirmed, I will ensure that all senior officials who are under investigation or inquiry are properly reported to the Service IG to ensure they are “flagged” and not eligible for any favorable actions. In cases where an officer is pending nomination for promotion or reassignment, I will also notify the Under Secretary

of Defense (Personnel and Readiness) so that that nomination may be placed on hold pending outcome of the investigation.

Upon receipt of any allegation involving a senior official, my office conducts a review of the complaint to determine if the allegations are credible, if the alleged conduct violated an established standard, and if there is sufficient information to conduct a focused inquiry. If these questions are affirmatively answered, we will open an investigation and notify appropriate authorities.

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.

I believe that the growth in the Department of Defense budget and contracts over the last several years, coupled with the complex operating environment in wartime, has placed the Department at increased risk for fraud waste, and abuse. Providing adequate oversight is a key element in mitigating this increased risk. The resource requirements to provide such oversight have been addressed in our March 31, 2008, report, "Department of Defense Inspector General Growth Plan for Increasing Audit and Investigative Capabilities, Fiscal Years 2008 – 2015." If confirmed, I will continue to work to ensure that the DoD IG's office has sufficient resources to carry out its oversight 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 continue to communicate my concerns regarding the adequacy of our resource requirements.

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 IG Act, section 4(b)(1)(B) establishes the authority of each IG to establish guidelines for determining when it shall be appropriate to use non-Federal auditors. In addition, section 4(b)(1)(C) of the IG Act states that the

IG 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?

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?

The DoD IG supports the National Procurement Fraud Task Force Legislation Committee June 2008 White Paper proposals to improve prosecution and adjudication of procurement crimes. The proposals to expand the authority of Inspectors General, to include expanded subpoena authority, will provide the IG community additional tools to conduct investigations and audits.

Civilian Personnel Management

The DOD IG's office has operated under the National Security Personnel System (NSPS) since 2007.

If confirmed, how would you assess the effectiveness of NSPS in creating an accountable personnel system within the DOD IG's office?

Since the Defense Business Board is currently conducting an assessment to determine the overall effectiveness of NSPS, I am very interested in the results of the Board's review. While I agree with the overall concept of pay for performance, I am interested in finding out more about the system design and its impact on fairness and equity. The Board's assessment of the system should

provide critical information as we plan our own review of our effectiveness in implementing NSPS throughout the DoD IG. We are entering our third year under NSPS and I believe that after this performance cycle, we will have enough information and trend data to conduct a comprehensive review of NSPS and determine its effectiveness as an integrated and accountable personnel system within the DoD IG. Therefore, if confirmed, I plan to direct such an internal review.

Currently, members of my staff are conducting a barrier analysis to determine if there are any implementation factors that lead to different outcomes for any of a broad spectrum of employee groups and categories. I am also keenly aware that there are trials and errors associated with the implementation of any new system and I want to ensure that we minimize the negative impact on our workforce; so we are continuously assessing and taking advantage of lessons learned.

What experience have you had with personnel systems other than the general schedule and the senior executive service?

While my personal experience is limited to the General Schedule, I have a team of human resource professionals who have extensive experience with other personnel systems. I regularly confer with these professionals to ensure that as we implement the provisions under NSPS, we do so with a focus on fairness and equity, and a vision of improving both individual and organizational performance.

What, in your opinion, are the strengths and weaknesses of alternative systems which link pay with performance?

As previously stated, I agree with pay for performance in concept. Those who perform the best should see rewards through higher pay. To achieve this result, it is imperative that performance management systems and the pay systems be linked in a way that is clearly transparent and easily understood by employees. Pay for performance systems work best where individual performance is valued and accurately measured. If implemented well, these systems reward and encourage superior performance. If not implemented well, these systems can discourage teamwork and can inadvertently de-link pay from performance if the system can be manipulated or the system design is flawed.

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 Initiatives, 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 IG 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.

What is your view of the requirements of section 1008 of the National Defense Authorization Act for Fiscal Year 2002, regarding resources directed to the audit of financial statements?

Section 1008 directs the IG to significantly reduce the level of audit work when the Department has asserted that the financial statements are not reliable and do not meet accounting standards. This allows the IG flexibility to redirect audit resources to other areas within the Department. If confirmed, I will continue to work with the Department and Congress to ensure that the appropriate level of resources is dedicated to audit the Department's financial statements. As the level of audit readiness increases across the Department, we will focus more audit resources on those financial statements.

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

If confirmed, I will work with the Department and 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 IG is to serve as a catalyst for improvements in the Department's financial management processes. That role should be consistent with the Department's top priorities, and statutory requirements. If confirmed, I will ensure that the DOD IG 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 role, if any, do you believe the Office of the Inspector General should play in achieving acquisition reform?

The role of the DOD IG 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 Initiatives, the Department's top priorities, and statutory requirements. If confirmed, I will ensure that the DOD IG continues this vital function.

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, conducting effective oversight over the Department's acquisition programs will be one of my 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 IG 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 IG, the Department, and Congress to work together in a timely way to assess whether the IG 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 DOD IG 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 IG continues its important advisory role.

Oversight of DOD Activities in Iraq and Afghanistan

What is your understanding of the responsibilities and activities of the Office of the DOD IG in investigating and preventing fraud, waste, and abuse in the course of Department of Defense operations in Iraq and Afghanistan?

The DoD IG 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 and Afghanistan. In theater, we are looking at the planning and execution of contracts in support of the operations of coalition forces. The purpose of these reviews is to determine that the forces are receiving the right equipment and support to conduct successful operations. We are also looking at the accountability of equipment provided to coalition forces, contractors, and the Iraq and Afghan security forces. Additionally, audits are also being conducted in the continental United States (CONUS) on contracts awarded and funds expended in the United States that provide significant resources to support the warfighter, for military Services materiel and equipment, and for other purposes in Iraq, Afghanistan, and in Southwest Asia.

The Defense Criminal Investigative Service (DCIS), the law enforcement arm of the DoD IG, 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. Currently, 13 DCIS agents and one administrative specialist are deployed to Iraq, Afghanistan, 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, 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. 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 IG continues to focus oversight efforts to investigate and prevent fraud, waste, and

abuse of U.S.-provided resources for reconstruction and other purposes in Southwest Asia.

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 Southwest Asia remain a top priority. I will also 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 in the IG Act and is sufficient to provide assurance to 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 (SIGIR) and the Special Inspector General for Afghanistan Reconstruction (SIGAR) have jurisdiction over contracts for the reconstruction of Iraq and Afghanistan. However, the SIGIR and the SIGAR do 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 play 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. Also, we chair the Southwest Asia Joint Planning Group, which is a forum for oversight agencies to coordinate audit efforts in Southwest Asia.

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

The DoD IG has expanded its presence in Southwest Asia, from 16 permanent positions in September of 2008 to 30 permanent positions in June of 2009, with plans to add an additional six permanent positions, for a total of 36. We now have offices in Iraq, Afghanistan, Kuwait, and Qatar. As the draw down in U.S. troops in Iraq proceeds, we must continually assess personnel needs based on the nature and scope of DoD operations and adjust our on-the-ground presence as appropriate.

What is the relationship of the DOD IG to the SIGIR and the SIGAR?

See responses to “Q.” and “R.” under the previous section regarding “Relationships.”

Oversight of Medical Functions, Including Outpatient Administration and Health Care Fraud

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. In 2007, deficiencies in the housing and administration of severely injured soldiers and Marines in a medical hold status at Walter Reed Army Medical Center raised questions about the adequacy of oversight into the care of outpatients and members involved in the disability evaluation system. In 2008, a federal judge found that DOD’s health care program had been cheated out of \$100 million due to payment of fraudulent health care claims in the Philippines.

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?

I believe the DoD IG has a major role to play in ensuring that the military service members and their dependents should receive the health care they and their families have a right to expect. Accordingly, the DoD IG has identified healthcare as a major management challenge in the most recent DoD Agency Financial Report as well as the last DoD IG Semiannual Report to Congress. In particular, we 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 IG continues to provide the independent review and oversight necessary of the military health system. Oversight is needed in several areas including cost containment, quality of care, access to care, and medical readiness.

The DoD IG audit component plays a defined role in quality areas. By defined, I mean that the audit component focuses on processes that affect or are indicators of quality of care without directly evaluating the professional opinion of health care providers. However, DoD IG auditors are involved in issues such as

credentialing of medical staff, the reporting of adverse medical events, patient safety, and utilization management that improve systemic effectiveness and increase the visibility of quality of care. In addition, much of the DoD IGs work on cost, access, and readiness also impacts medical quality. For example, work in the medical fraud area will help free up resources that can be used to provide needed health care and will help ensure that qualified physicians are providing care to DoD beneficiaries. Additionally, audits of medical equipment used to support operations in Southwest Asia and healthcare provided by military treatment facilities to contractors in Southwest Asia will assist the network supporting our combat medical system and identify additional resources that will allow for more efficient care to our wounded warriors.

As Acting IG, I have directed the expansion of the DoD IG's coverage of healthcare quality issues. Our Inspections and Special Plans and Operations groups bring a focus on health care quality issues. For example our Inspections staff has looked at issues to improve the transition from the Military Health System to the Department of Veterans' Affairs system. DoD and Department of Veterans' Affairs should be working hand in hand to ensure that the transition between the DoD and VA health care systems is seamless. DoD should work with VA to ensure that the best possible treatment and care continues for veterans throughout recovery and in some cases, throughout the life of the veteran.

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, including identifying and preventing health care fraud against the Department of Defense?

We have limited resources in our audit and investigative components that address health care fraud. Accordingly, we have leveraged our resources and have jointly worked with the Office of the U.S. Attorney, Western District of Wisconsin, on the \$100 million Philippine healthcare fraud case that resulted in a successful prosecution. To help maintain our expertise, a number of the audit staff have become Certified Fraud Examiners. DCIS possesses significant expertise in the investigation of health care fraud. Prior to September 11, 2001, DCIS devoted greater resources to these types of investigations. Currently, health care fraud investigations comprise about 9% of the 1800+ DCIS cases in our inventory. I recognize the importance of protecting America's warfighters and families from poor quality of care and fraudulent activity and I remain committed to pursuing these audits and investigations.

Intelligence

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

The IG, through the Deputy Inspector General for Intelligence, has responsibility for oversight of DoD intelligence activities and components as identified in DoD Directive 5240.01, "DoD Intelligence Activities," dated August 27, 2007. These include all DoD components conducting intelligence activities, including the National Security Agency/Central Security Service, the Defense Intelligence Agency, 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 5240.01 include the Office of the Under Secretary of Defense for Intelligence (USD (I)), the National Reconnaissance Office, and the National Geospatial-Intelligence Agency. Responsibilities and functions of the IG as outlined in DOD Directive 5106.01, "Inspector General of the Department of Defense," 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 IGs, and the IGs of the Defense Intelligence Agencies. The primary goal of the JIOCG is to avoid duplication of effort and enhance coordination and cooperation among IGs and Auditors General inside the DoD, and promote information-sharing among IGs 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 5106.01 requires that intelligence-related actions be coordinated, as appropriate, with the Assistant to the Secretary of Defense (Intelligence Oversight) (ATSD(IO)) to determine respective areas of responsibility in accordance with DOD Directive 5148.11, "Assistant to the Secretary of Defense for Intelligence Oversight," dated May 21, 2004. (DOD Directive 5148.11 contains similar language for the ATSD(IO) to coordinate with the IG, as appropriate.) I am advised that the ATSD(IO) is a charter member of the JIOCG, and that the IG 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?

The DOD IG's primary relationship with the DNI IG involves participation in the Intelligence Community (IC) IG Forum. The IC IG Forum promotes information-

sharing among the IGs of the departments and agencies of the IC 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. The DNI IG is an Ex-Officio member of the JIOCG.

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

The DoD IG has statutory responsibility for oversight that extends to oversight of detainee and interrogation matters. Consistent with that responsibility, the IG 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.

Investigation into Allegations Involving DOD Public Affairs Outreach Program

On January 14, 2009, the Office of the Inspector General issued a report on its examination of allegations involving the DOD public affairs outreach program. On May 5, 2009, the report was withdrawn, due to inaccuracies in data and methodology, and insufficient evidence to support the findings of the report.

What was your role in the issuance and withdrawal of this report?

Shortly after the report was issued on January 14, 2009, I became aware of inaccuracies in the data concerning Retired Military Analyst (RMA) relationships with Defense contractors that appeared in Appendix K and elsewhere in the report. The discovery of those inaccuracies resulted in my decision to initiate an independent internal review of the report and its supporting documentation.

The report was reviewed by two DoD IG components, the Office of the Assistant Inspector General for Audit Policy and Oversight (APO), and the Quality Assurance, Policy and Electronic Documentation Division from the Office of Auditing. The APO review dated May 1, 2009, and the Auditing review of April 29, 2009, both came to the same conclusions and determined that the evidence compiled was insufficient to support the findings and conclusions of the report. As a result, both recommended that the report be withdrawn.

I concurred with those recommendations and on May 5, 2009, directed that the report be withdrawn.

What is your assessment of the problems that led to the withdrawal of this report?

The internal reviews concluded that the report did not meet accepted quality standards for an Inspector General work product. They found that the methodology used to examine the relationships of Retired Military Analysts with Defense contractors such as searches of public websites would not reasonably yield evidence needed to address the issue that the outreach program conveyed some financial advantage to RMAs who participated in the program. Additionally, the reviews noted that the findings relied, in part, on a body of testimonial evidence that was insufficient or inconclusive. In particular, former senior DoD officials who devised and managed the outreach program refused requests for an interview. Furthermore, the judgmental sample of RMAs interviewed was too small – 7 out of 70 RMAs – to allow that testimonial evidence to be used to support conclusions.

In your view, are the problems that led to the withdrawal of this report unique to a single investigation, or are they symptomatic of broader problems in the Office of the Inspector General?

I believe the circumstances involved in this report are unique. In this particular case, the group responsible for conducting this review was comprised of personnel from different DoD IG departments. As a result, competing priorities and lack of clearly defined procedures and objectives resulted in a product that, based upon internal review, did not meet accepted quality standards.

What steps have you taken to address these problems, in your capacity as Acting Inspector General? What additional steps do you plan to take, if confirmed?

Recommendations contained in the internal reviews will be implemented by the Assistant Inspector General for Inspections and Evaluations to include the:

- Development and establishment of formal internal quality controls for ensuring report accuracy prior to draft report issuance;
- Development and establishment of written policies and procedures for internal controls of the inspection and evaluation process and work, in order to provide reasonable assurance of conformance with the PCIE/ECIE Quality Standards for Inspections, January 2005, the “Blue Book.”

I also directed on May 28, 2009, a Special Administrative Review that is being headed by the Deputy Inspector General for Intelligence. That review will examine a variety of issues, such as:

- Can findings be made regarding the structure and policies that governed the Public Affairs Outreach Program and the type of access given to Retired Military Analysts?
- Can judgments be made, or are there lessons learned, regarding the establishment of a similar program in the future?

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.