

**Advance Questions for Jon T. Rymer**  
**Nominee to be the Inspector General of the Department of Defense**

**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. These reforms have also improved cooperation between the services and the combatant commanders in the strategic planning process, in the development of requirements, in joint training and education, and in the execution of military operations.**

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

Answer. The Goldwater-Nichols Act has strengthened our armed forces by promoting joint operability, increasing readiness, and creating a higher standard of warfighting efficiency. I am unaware of the need for any modifications to this act at this time. If confirmed, I will notify Congress if the Office of 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?**

Answer. Please see response above.

**Relationships**

**If confirmed, what would your working relationship be with:**

**The Secretary of Defense**

Answer. Section 8(c) of the IG 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 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.

### **The Deputy Secretary of Defense**

Answer. 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 10, 2012, 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.

### **The Under Secretary of Defense (Comptroller/Chief Financial Officer)**

Answer. If confirmed, I will 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 have been a longstanding major management challenge for the Department. I will conduct and supervise audits, investigations, and inspections relating to the programs and operations of the establishment in order to promote economy, efficiency, and effectiveness.

### **The Under Secretary of Defense for Acquisition, Technology and Logistics**

Answer. I have been advised that the office of the DoD IG has also identified acquisition processes and contract management as a major management challenges 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.

### **The Assistant Secretaries of Defense**

Answer. I will work with the various Assistant Secretaries of Defense in managing challenges faced by the Department.

### **The General Counsel of the Department of Defense**

Answer. If confirmed, I will work with the General Counsel of DoD who serves as the Chief Legal Officer of DoD. I have been advised that 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 DoD on September 23, 2008. I believe that the establishment of this independent Office of Counsel ensures that the IG receives independent legal advice and is in accordance with the provisions of the National Defense Authorization Act of 2009 and the IG Reform Act of 2008.

### **The Director of Operational Test and Evaluation**

Answer. I have been advised that the IG and the DOT&E have a common interest in ensuring that equipment and weapons systems provided 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.

### **The Director of Cost Assessment and Program Evaluation**

Answer. I am told that 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 office.

### **The Inspectors General of the Military Departments, Defense Agencies, and the Joint Staff**

Answer. 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 coordinates and avoids duplicative efforts. As I understand it, the DoD oversight community uses internal coordination mechanisms to deconflict potential duplicative efforts. In addition, DoD directives govern certain programs in which the IGs of the military departments participate.

### **The Inspectors General of subordinate commands**

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

### **The Criminal Investigative Services of the Military Departments**

Answer. 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 mandated 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 IG 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.

### **The Audit Agencies of the Military Departments**

Answer. 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 work with the audit agencies of the military departments to ensure audit resources are used effectively within the Department.

### **The Defense Contract Audit Agency**

Answer. If confirmed, I will 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.

### **The Defense Acquisition Regulatory Council**

Answer. As I understand it, 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.

### **The Director of Defense Procurement and Acquisition Policy**

Answer. It is my understanding that the Director of Defense Procurement and Acquisition Policy is responsible for oversight of a large segment of the DoD'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.

#### **The Comptroller General and the Government Accountability Office**

Answer. It is my understanding that 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. I also understand that the DoD IG GAO liaison office serves as the central liaison between GAO and DoD management during GAO reviews of DoD programs and activities. I have served on both the yellow book and blue book advisory committees at GAO. If confirmed, I would work to maintain these cooperative relationships with the Comptroller General and GAO.

#### **The Special Inspector General for Afghanistan Reconstruction**

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

#### **The - Council of Inspectors General on Integrity and Efficiency**

Answer. 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. As the Inspector General of the Federal Deposit Insurance Corporation I serve as Chair of the Audit Committee and as a Member the CIGIE Executive Council since 2008. If confirmed, I plan to continue to be a very active participant in the CIGIE

#### **The Defense Council on Integrity and Efficiency**

Answer. 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.

### **The Office of Management and Budget**

Answer. As chairman of the Audit Committee of Council of Inspectors General for Integrity and Efficiency (CIGIE) I have worked with OMB on numerous occasions on matters of accounting and audit policy. If confirmed, I will ensure that this office works with the Office of Management and Budget regarding budget and policy issues. In addition, the Deputy Director for Management of the OMB serves as the Executive Chairperson of the CIGIE.

### **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?**

Answer. Since July 5 2006, I have served as the Inspector General of the Federal Deposit Insurance Corporation (FDIC). I am a Certified Internal Auditor and a Certified Government Auditing Professional. I am currently serving as the Chair of the Audit Committee of the Council of the Inspectors General on Integrity and Efficiency and as Vice Chair of the Council of Inspectors General on Financial Oversight. I am a member of the Comptroller General's Advisory Council on Government Auditing Standards and Chair of the Green Book Advisory Council. I am also a member of the Federal Accounting Standards Advisory Board's Accounting and Auditing Policy Committee. As the IG at the FDIC, I have led the team that has ensured efficiency, effectiveness, and accountability of the policies, programs and performance at the FDIC.

I have served for over 30 years in the active and reserve components of the U.S. Army and I am a graduate of the U.S. Army's Inspector General School. I worked for seven years in consulting and internal auditing at a major accounting firm and I have over 15 years of experience as a senior manager in the banking industry.

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

Answer. If confirmed, I 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 also intend to continue to work closely with members of the CIGIE. I also intend to spend time with all elements of the DoD IG office to learn and benefit from their insights. I will maintain my professional certifications as an auditor and complete all continuing professional education requirement.

**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?**

Answer. It would be premature to offer any recommendations for change in these areas until I have had an opportunity to conduct the necessary thorough evaluations of the current DoD IG organization and policies and procedures.

### **Major Challenges, Problems and Priorities**

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

Answer. The DoD IG identified the following seven management and performance challenges facing the Department in FY 2012:

1. Financial Management
2. Acquisition Processes and Contract Management
3. Joint Warfighting and Readiness
4. Information Assurance, Security, and Privacy
5. Health Care
6. Equipping and Training Iraq and Afghan Security Forces
7. The Nuclear Enterprise

Additionally, the issue of sexual assaults and suicide prevention within the armed forces are serious issues that demand the attention of the DoD IG. In the context of meeting these challenges, the OIG will need to continue to provide extensive oversight in support of the Department's efforts to address these challenges. It is difficult as a nominee to identify specific problems I will confront if confirmed. 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?**

Answer. If confirmed, I will focus audit, investigative, and inspection efforts on the above discussed management challenges. I will also work with senior DoD civilian and military 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?**

Answer. 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, however, I do plan to make sure that the office stays aware that the foundations of an effective OIG are independence and professional standards. If confirmed, I look forward to consulting with senior officials of the Department of Defense, DoD IG, 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?**

Answer. It would be premature to offer any recommendations for change in these areas until I have had an adequate opportunity to observe the operation of the office and conduct the necessary evaluations.

**Duties**

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

Answer. The duties and functions of the DoD IG are specified in sections 3, 4, 5, 7 and 8 of the IG Act. Additional duties and responsibilities of the IG are specified in DoD Directive 5106.01, which was signed by the Deputy Secretary of Defense on April 20, 2012.

By statute, the DoD IG conducts and supervises audits and investigations relating to the programs and operations of DoD. The DoD 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?**

Answer. If confirmed, I expect the Secretary of Defense will prescribe for me the full range of duties and functions set forth 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 DoD IG 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?**

Answer. Yes. 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?**

Answer. Yes. If confirmed, in accordance with section 2(3) of the IG Act, I will keep 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 reports on audits and inspections. 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?**

Answer. 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?**

Answer. 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 affect the authority and control of the Secretary of Defense over matters delineated in section 8 of the Act?**

Answer. 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?**

Answer. 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?**

Answer. 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?**

Answer. 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 prevention 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?**

Answer. In regards to audits and inspections, I understand 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. This is not the practice with criminal investigations. Additionally, it is not appropriate to discuss ongoing criminal or administrative 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?**

Answer. 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 a written record of all interviews and consultations should be maintained in the working papers.

**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?**

Answer. 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?**

Answer. No one, other than the Secretary of Defense under the provisions delineated in Section 8 of the IG Act, has the authority to ask the DoD IG not to issue a report on a particular matter.

**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?**

Answer. 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 require that we alter the findings and are considered before a final report is issued. 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?**

Answer. 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 request. 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. (Additionally, the IG Act requires the Secretary to notify Congress if he exercises his authority under Section 8(b)(1) or (2))

### **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?**

Answer. 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. (should this be expanded?)

**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?**

Answer. Recognizing Congress' oversight role and in keeping with the DoD and DoD IG policy, I would continue to make appropriate information available promptly and to cooperate fully with Members of Congress and congressional committees and their staffs.

**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?**

Answer. 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 past 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?**

Answer. I am unable to speak to the timeliness of specific DoD IG reports. In general, I strongly believe that IG findings must be provided to both management and to Congress in a timely manner while professional standards for report production are maintained.

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

Answer. If confirmed, I will review the timeliness of DoD IG responses to congressional requests and require improvements if necessary.

### **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?**

Answer. If confirmed, I will emphasize the importance of conducting timely, thorough, and accurate investigations. I will continue efforts to promote efficiencies through training and streamlining of investigative processes. I will ensure that cases with Congressional or Secretariat interest— especially flag officers pending Senate confirmation— receive additional resources and attention. I will obtain regular updates from my staff on senior official investigations and will ensure that all results of investigations are promptly provided to the Under Secretary of Defense (Personnel and Readiness) and the Services for review and consideration in the confirmation process.

**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?**

Answer. If confirmed, I will ensure that the allocation of responsibilities between the DoD IG and the Service IGs is appropriate to ensure fair and impartial investigations. The DoD IG customarily asserts investigative jurisdiction in senior official cases in which allegations cross service lines, the subject outranks the Service IG, or the Service IG encounters an impediment to independence. I will insist my office continue prompt and thorough oversight reviews of the Service IG reports of investigation. Vigilant oversight instills public confidence in the integrity and accountability of DoD Leadership.

**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?**

Answer. If confirmed, I will ensure my office continues the vigorous oversight reviews of the Service IG reports of investigation to ensure accuracy and completeness. The quality of the Service IG investigations is enhanced by meetings with the Service IGs, semiannual training symposiums, and daily interaction between OIG and Service IG senior official investigators. These efforts strengthen professional relationships, reinforce best practices, and improve the timeliness and quality of investigative work. I will not hesitate to highlight investigative deficiencies in Service IG reports and will offer assistance or assume investigative jurisdiction when appropriate.

**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?**

Answer. If confirmed, I will promptly notify the Service IG of the initiation of a senior official investigation. If a senior official has a pending nomination or Senate confirmation, I will also notify the Under Secretary of Defense (Personnel and Readiness). The components are responsible to ensure the senior officials are “flagged” and not eligible for favorable actions. Upon receipt of an allegation against a senior official, my office will promptly determine whether the allegation is credible; that is, whether the alleged conduct violates an established standard and whether the allegation includes sufficient detail. If the allegation is determined to be credible, I will take steps to ensure an investigation is initiated and make the appropriate notifications. (This item as brought up by SASC senior staffers on Friday.)

#### **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?**

Answer. If confirmed, I will assess the adequacy of the resources available to the DoD IG. I would make it a priority 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?**

Answer. 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?**

Answer. 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 are only utilized in very limited investigative support roles.

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

Answer. It is my understanding that DoD Instruction 7600.02 establishes guidance 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 instruction 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?**

Answer. In general, I believe the authorities provided by the Inspector General Act, as amended, are adequate. If confirmed, I will review those authorities as they relate to the mission of the DoD IG.

### **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?**

Answer. 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. As the Department improves audit readiness, the requirements for financial statement audits will increase, placing greater demand on DoD IG resources. 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?**

Answer. 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. While audit resources have been redirected to other high priority areas, as the level of audit readiness increases across the Department, there will be a need to focus more resources on those financial statements.

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

Answer. 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?**

Answer. 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?**

Answer. 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?**

Answer. If confirmed, ensuring that the DoD IG has the resources needed to conduct effective oversight over the Department's acquisition programs will be one of my top priorities. 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 efficiently and effectively. I understand that the Congress has supported DoD IG efforts to increase its oversight resources. It is essential that the IG, the Department, and Congress to work together in a timely way to ensure that the IG has adequate resources to conduct its essential oversight mission.

**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?**

Answer. 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 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 Afghanistan?**

Answer. The DoD IG, in accordance with its legislatively mandated mission, conducts audits, investigations and inspections aimed at identifying and preventing fraud, waste, and abuse of funds appropriated to the DoD for its operations in Afghanistan. I am aware that conducting oversight of operations and activities associated with an overseas contingency presents unique challenges. Nevertheless, as with oversight elsewhere within the Department, the purpose of these reviews should be to ensure our men and women in uniform are receiving the right equipment and support to conduct successful operations.

I also understand that, 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, and other countries in that theater.

If confirmed, 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, in keeping with the IG Act.

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

Answer. 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 Afghanistan?**

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

**The Special Inspector General for Afghanistan Reconstruction (SIGAR) has jurisdiction over contracts for the reconstruction of Afghanistan. However, the SIGAR does not have primary jurisdiction over contracts to support our troops in Afghanistan.**

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

Answer. 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. I understand the DoD IG chairs 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 is necessary to perform this role?**

Answer. Yes. While many oversight activities can be conducted from the continental United States, effective oversight requires being on site to assess conditions, examine documents and talk to witnesses and sources. I am aware that the DoD IG currently maintains offices in Afghanistan and Qatar. As the draw down in U.S. troops in Afghanistan 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 SIGAR?**

Answer. See response to the previous section regarding “Relationships.”

**Intelligence**

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

Answer. 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. I am informed that the Inspector General, through the Deputy Inspector General for Intelligence and Special Program Assessments, has responsibility for oversight of DoD intelligence activities and components to 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 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).

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 Special Program Assessments 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?**

Answer. 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 April 24, 2013. (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?**

Answer. I understand that the DoD IG’s primary relationship with the Intelligence Community IG (IC 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 IC 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 IC IG. The IC IG also coordinates with the DoD IG on all ongoing projects relating to DoD intelligence organizations and activities. The IC IG is an Ex-Officio member of the Joint Intelligence Oversight Coordination Group (JIOCG). The JIOCG is a chartered organization which is the DoD focal point for inspectors and auditors general collaboration and deconfliction of project and planning activities.

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

Answer. The DoD IG has statutory responsibility for oversight that extends to detainee and interrogation matters. It is my understanding that the DoD IG prepares a summary report every six months on investigations of detainee abuse conducted by the MCIOs which is provided to the office of the Under Secretary of Defense for Policy.

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

Answer. Please see my answer to the previous question.

### **Whistleblower Protection**

**What is your understanding of the role played by the DoD IG in investigating complaints of reprisal against members of the military, DoD civilian employees, and DoD contractor employees, who “blow the whistle” on alleged fraud, waste, and abuse?**

Answer. It is my understanding that the DoD IG maintains a robust whistleblower protection program that seeks to ensure that whistleblowers may report fraud, waste, and abuse within the programs and operations of the Department of Defense without fear of reprisal. The DoD IG is responsible for investigating or overseeing investigations conducted by the DoD component inspectors general, regarding allegations of whistleblower reprisal made by members of the armed forces, appropriated and nonappropriated fund DoD civilian employees, and DoD contractor/subcontractor employees. Disclosures brought to light by whistleblowers are critical to DoD IG’s mission of providing independent, relevant, and timely oversight of the Department.

**What is your understanding of the relationship between the DOD IG and the Office of Special Counsel in the protection of DoD civilian employee whistleblowers?**

Answer. The Office of Special Counsel is a partner with the Inspector General in the protection of DoD’s civilian appropriated-fund employees. OSC receives and has primary jurisdiction to investigate a majority of the civilian whistleblower cases across the Federal government, pursuant to the Whistleblower Protection Act (WPA), Title 5, United States Code, Section 2302. Under the authority of the Inspector General Act, DoD IG provides an alternate means by which DoD civilian appropriated-fund employees may seek protection analogous to protection from reprisal provided by the WPA.

**What is your understanding of the legal standards for substantiating a whistleblower claim of reprisal by a member of the military, a DoD civilian employee, or a DoD contractor employee?**

Answer. In general, whistleblower reprisal is proven when the evidence establishes that a protected communication or disclosure was a factor in the decision to take, threaten to take, or withhold a personnel action (or a security clearance determination), unless evidence establishes that the action would have been taken, threatened or withheld absent the protected communication or disclosure. There are statute-specific variations though, including the standard of proof for showing whether the action would have been taken, threatened or

withheld absent the protected communication or disclosure. Among the statutes and programs administered by DoD IG, the appropriated-fund civilian and contractor/subcontractor investigations require clear and convincing evidence, whereas military and nonappropriated-fund investigations require a preponderance of the evidence to prove that the action would have been taken anyway.

**What is your understanding of the changes made by section 827 of the National Defense Authorization Act for Fiscal Year 2013, regarding DOD contractor employee whistleblowers?**

Answer. The FY13 NDAA, signed by President Obama on January 2, 2013, contained numerous enhancements to the existing law protecting Defense contractor employees from whistleblower reprisal, the most significant of which were:

- Extending coverage to employees of Defense subcontractors and, as noted in earlier answers, elevating the agency's burden of proof in rebuttal to clear and convincing evidence.
- Expanding the scope of what constitutes a protected disclosure and to whom such disclosures can be made.
- Prohibiting actions taken by the employer "even if it is undertaken at the request of a Department or Administration official" (unless the request takes the form of a nondiscretionary directive and is within the authority of the Department official making the request)

**Do you see the need for any further legislative changes to ensure that members of the military, DOD civilian employees, and DoD contractor employees are appropriately protected from reprisal for whistleblowing?**

Answer. I am aware that significant enhancements to whistleblower protection, including the Whistleblower Protection Enhancement Act of 2012 and the FY13 NDAA amendments to the statute protecting Defense contractor employee whistleblowers, have recently been enacted. Prior to recommending further legislation, if confirmed, I would assess the effectiveness of these changes and work with the Congress and others to identify potential gaps in the protections afforded to whistleblowers.

**What level of priority will you give, if confirmed, to the DOD IG's whistleblower protection responsibilities?**

Answer. Whistleblowing, and the protection of the sources for our investigators, auditors, inspectors and evaluators, will be one of my top priorities. Whistleblowers perform an important public service - often at great professional and personal risk - by exposing fraud, waste and abuse within the programs and operations of the Department. If confirmed, I will work to ensure that the DoD



IG plays a leading role in creating an environment in the Department where whistleblowers can disclose wrongdoing without fear of retribution.

### **General Counsel to the DOD IG**

**What is your understanding of the history and purpose of section 907 of the National Defense Authorization Act for Fiscal Year 2009, regarding the General Counsel to the DOD IG?**

Answer. Section 907 provided for a General Counsel to the DoD IG who would serve at the discretion of the IG, report exclusively to the IG, and be independent of the Office of General Counsel, Department of Defense. I am familiar with and fully support such an arrangement for an IG to receive independent legal advice.

**What is your understanding of the role played by the General Counsel to the DOD IG with regard to completed investigations?**

Answer. With regard to administrative investigations, attorneys in the Office of General Counsel (OGC) to the DoD IG perform legal sufficiency reviews of senior official and reprisal reports of investigation prior to the final report being submitted to the Inspector General (IG) or Deputy Inspector General for Administrative Investigations (DIG AI), as appropriate, for final approval. In ensuring administrative investigations are legally sufficient, OGC attorneys determine whether the relevant legal or regulatory standards are identified and applied; evidence of record appears complete, credible, and supports the findings of fact by the appropriate standard of proof; findings of fact support the conclusions reached; and the report is generally understandable.

**If confirmed, how would you address disputes between the General Counsel to the DOD IG and a DOD IG investigative team as to findings of fact and the appropriate weight to be given to such facts in a completed investigation?**

Answer. My understanding is that OGC and the Office of DIG AI have a commendable working relationship and have established procedures for resolving any disagreements related to sufficiency of investigations. Cases where disagreements cannot be resolved between OGC and DIG AI are rare and typically involve matters that impact the outcome of the investigation or supportability of findings and conclusions. Matters unresolved at the directorate level are elevated to the DIG-AI, who consults further with the attorney advisor or the General Counsel to resolve the disagreement. If disputes remain unresolved on cases which require OGC coordination prior to PDIG or IG review/signature, the DIG AI notifies the PDIG or IG of the disagreement and provides additional information as requested. The parties involved continue to address the disagreement, aided by any feedback that the PDIG or IG chooses to provide. I

intend to continue that resolution process and provide my advice and direction based on the evidence of the particular case.

### **Audit Oversight Review and Report Cards**

**In recent years, one congressional office has prepared an annual report entitled an “Audit Oversight Review and Report Card.” These reports have been highly critical of the performance of the audit functions of the DOD IG.**

**Are you familiar with these reports?**

Answer. Yes

**What is your view of the findings and conclusions of these reports?**

Answer. The reports presented some valid concerns and opportunities for improvement in the audit organization at the DoD IG.

**Are there additional steps that you believe the DOD IG should take to address the findings and conclusions of these reports?**

Answer. As an auditor by profession, audit selection and audit quality are very important to me. It is my understanding that there has been improvement over the past few years. If confirmed, I will work with the audit organization to ensure that it continues to meet the mission of producing timely, relevant, and accurate audit products.

**If confirmed, will you review the organizational structure of the DOD IG, with the objective of streamlining the organization, reducing duplication or redundancy, and increasing the performance of the organization?**

Answer. If confirmed, I will have the goal of having a model audit organization. I will ensure we conduct audits that provide return on investment that promote economy, efficiency, and effectiveness within the Department. I will also ensure the audits are carried out in an efficient manner to prevent duplication.

### **Sexual Assault Investigations**

**In June, 2011, the United States Government Accountability Office (GAO) issued a report entitled “MILITARY JUSTICE Oversight and Better Collaboration Needed for Sexual Assault Investigations and Adjudications”, GAO-11-579, finding that the Department of Defense Inspector General has not performed its designated policy development and oversight responsibilities for sexual assault investigations. The GAO recommended that the DoD Inspector General, in conjunction with the**

**military services, develop and implement (1) a policy that specifies procedures for conducting sexual assault investigations and (2) clear goals, objectives, and performance data for monitoring and evaluating the services' sexual assault investigations and related training.**

**What is the status of the implementation of the GAO's recommendations?**

Answer. In response to GAO's first recommendation the DoD IG developed overarching guidance which establishes policy, assigns responsibilities, and provides procedures for the investigation of adult sexual assault within the DoD. This guidance is captured in DoDI 5505.18, "Investigation of Adult Sexual Assault in the Department of Defense" which was published on January 25, 2013.

Regarding the second recommendation in June 2011, the DoD IG established a unit dedicated to the oversight of sexual assault and other violent crime investigations. The DoD IG has developed a program of regular and recurring oversight of sexual assault investigations and training. Since its establishment, the unit has evaluated both Military Criminal Investigative Organizations' (MCIOs') sexual assault investigation training and adult sexual assault investigations completed in 2010. These reports were published in February 2013 and July 2013, respectively. The unit is currently evaluating the MCIOs' investigations of sexual assaults of children completed in 2012, and DoD's compliance with the Sexual Offender Registration and Notification Act

**If confirmed, will you ensure vigorous oversight and evaluation of the services' investigations of sexual assault and the related training of investigators?**

Answer. Yes, if confirmed, I will endeavor to ensure the DoD IG continues to provide optimum oversight and investigative and policy support in this critically important area. I understand that the DoD IG will evaluate the Department's sexual assault and other violent crime investigations and investigative training on a continuing basis. In the coming year the DoD IG intends to evaluate additional closed MCIO sexual assault investigations, and evaluate MCIO sexual assault victim interview training.

### **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, to appear before this Committee and other appropriate committees of the Congress?**

Answer. 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?**

Answer. 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?**

Answer. 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?**

Answer. Yes.