

# NOMINATION OF ROSLYN A. MAZER

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## HEARING

BEFORE THE

### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED TWELFTH CONGRESS

FIRST SESSION

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NOMINATION OF ROSLYN A. MAZER TO BE INSPECTOR GENERAL, U.S.  
DEPARTMENT OF HOMELAND SECURITY

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NOVEMBER 15, 2011

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## NOMINATION OF ROSLYN A. MAZER

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TUESDAY, NOVEMBER 15, 2011

U.S. SENATE,  
COMMITTEE ON HOMELAND SECURITY  
AND GOVERNMENTAL AFFAIRS,  
*Washington, DC.*

The Committee met, pursuant to notice, at 3:19 p.m., in room SD-342, Dirksen Senate Office Building, Hon. Joseph I. Lieberman, Chairman of the Committee, presiding.

Present: Senators Lieberman, Akaka, Carper, Collins, and Coburn.

Chairman LIEBERMAN. The Committee will come to order. Good afternoon and welcome to the hearing. I apologize for being late, but Senator Collins and I were both in the Armed Services Committee, and we had a special meeting called by Chairman Levin and Senator McCain.

Senator Cardin, unless you really have some deep desire to hear the opening statements by Senator Collins and me, we would be happy to have you do your introduction now.

Senator CARDIN. I assume you will have that emailed to me.

Chairman LIEBERMAN. We may have it embossed and engraved. We will send it to you in some suitable fashion.

### INTRODUCTION OF NOMINEE BY HON. BENJAMIN L. CARDIN, A U.S. SENATOR FROM THE STATE OF MARYLAND

Senator CARDIN. Thank you, Senator Lieberman and Senator Collins. I really appreciate that courtesy. It is a pleasure to be back before this Committee for a really enjoyable thing for me to do and that is to introduce a person whom I have known for a long time. I have known her family for a long time.

It is a real pleasure for me to introduce Roslyn Mazer to this Committee, a nominee to be the Inspector General (IG) for the Department of Homeland Security (DHS). I have known her family. I know her commitment to community service, and I strongly endorse her nomination for confirmation.

Roslyn Mazer, I believe, is ideally qualified for the position. Almost her entire professional life has been spent in public service, nearly a decade in the Inspector General community.

She received her B.A. from Syracuse University, Phi Beta Kappa, and her J.D. from Columbus School of Law at Catholic University. Between 1993 and 2009, she held senior positions at the Department of Justice (DOJ), including 7 years in the Office of the Inspector General's Oversight and Review Division.

In that capacity, she led reviews of the Federal Bureau of Investigation's (FBI) abuses of national security letter authorities, leading to two reports mandated by Congress in the USA PATRIOT Improvement and Reauthorization Act of 2005.

I must tell you that, as a former chairman of the Terrorism and Homeland Security Subcommittee on the Judiciary Committee, I found these reports to be very useful in our committee's deliberations and briefings and on the reauthorization of the expiring Patriot Act authorities.

I know that Senator Coburn served on that committee, and I know that we all found those reports to be helpful in the work that we did.

At the Justice Department, she also conducted investigations of high-level misconduct by officials and employees. She also led a review team on the FBI's implementation of the Attorney General's guidelines. She also held several specialized positions at the Department of Justice, including that of Associate Deputy Attorney General and the President's Chair of the Interagency Security Classification Appeals Panel.

I would also note that she received the Attorney General's Award for Distinguished Service, the Award for Excellence by the President's Council on Integrity and Efficiency in Government, and the Department of Justice Office of Inspector General's Award of Merit.

Mr. Chairman, Roslyn Mazer already had a list of significant accomplishments before taking her current position in 2009, which is the Inspector General of the Office of the Director of National Intelligence (ODNI). Ms. Mazer serves concurrently as the Chair of the Intelligence Community Inspectors General (ICIG) Forum, working with all intelligence community (IC) elements to fulfill community-wide objectives established by Congress.

Roslyn Mazer was involved in both unclassified and classified reviews of the President's Surveillance Program, which again I found useful as a former member of the Judiciary Committee as we considered how to overhaul the Foreign Intelligence Surveillance Act (FISA) to provide for greater oversight by Congress and the Foreign Intelligence Surveillance Court.

In her current position, Ms. Mazer has been instrumental in helping the Office of Inspector General (OIG) prepare to transition the office to become the Inspector General for the intelligence community.

In my view, Mr. Chairman, Ms. Mazer serves as a shining example of public service and doing what is best for our country.

I would just add on a personal note that I am very proud of her connections to the State of Maryland. Ms. Mazer grew up in Baltimore and is a proud graduate of Pimlico Junior High School. She is also a proud graduate of Western High School, which is the oldest public all-girls school in the United States, founded in 1844. She is a product of the Baltimore city public school system, and we are proud of that.

I also take great pride in the Mazer family. I particularly want to acknowledge Ms. Mazer's father, William Mazer, who is a close personal friend and is a great person in our community.

Just a little sidebar on that, Mr. Chairman. William Mazer is well known for his politics in our local synagogues. He is well pre-

pared for those types of challenges. I also want to acknowledge her husband, David Holzworth. Public service is a family sacrifice, and we thank them for their willingness to continue to serve our country.

Chairman LIEBERMAN. Thanks very much, Senator Cardin. That was very thoughtful and obviously a personally supportive statement. I appreciate it.

My own experience is that synagogue politics can be much more intense than regular politics, and so that is quite a statement on behalf of Mr. Mazer.

Thank you very much. You are obviously free to stay but I know you have a busy schedule. We appreciate very much your coming by.

#### **OPENING STATEMENT OF CHAIRMAN LIEBERMAN**

Chairman LIEBERMAN. It is a pleasure to welcome everyone to this hearing. Today, as Senator Cardin made clear, we are considering the nomination of Roslyn Mazer to serve as Inspector General of the Department of Homeland Security, which, of course, is the focus of the activities of this Committee; and therefore, the nomination is an important one to us.

The DHS Inspector General is responsible for overseeing more than \$55 billion in annual spending by the department and investigating suspected waste, fraud, and abuse of those funds.

The IG at DHS carries out audits and inspections of departmental activities that provide important insight into the department's effectiveness and helps inform our oversight and that of the relevant House committees.

The IG is also charged with investigating misconduct among DHS employees, including the significant, unfortunately, and growing problem of drug trafficking organizations attempting to corrupt employees of the U.S. Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE) agencies.

In nominating Ms. Mazer to be the IG at DHS, I think President Obama has chosen someone with a really impressive record, a long and distinguished career as a lawyer in private practice and at the Department of Justice, including 7 years at the DOJ Office of Inspector General where she led important reviews of the FBI's use of national security letters and its compliance with the Attorney General's investigative guidelines.

In recognition of her work on the FBI's use of national security letters, she received the Department of Justice's Distinguished Service Award and the President's Council on Integrity and Efficiency Award for Excellence.

In 2009, a former Director of National Intelligence (DNI), Dennis Blair, selected her to serve as DNI Inspector General; and she has served in that position for the last 2½ years.

The record of the Committee has very strong statements of support from people with whom Ms. Mazer has worked, including the former IG at the Department of Justice, Glenn Fine, and the current Director of National Intelligence, James Clapper.

So, we look forward to hearing from you today and learning more about your vision and priorities for the Office of Inspector General at DHS. Senator Collins.

# **OPENING STATEMENT OF SENATOR COLLINS**

Senator COLLINS. Thank you, Mr. Chairman.

We convene today to consider the nomination of Roslyn Mazer to become the next Inspector General of the Department of Homeland Security.

This Committee's jurisdiction includes not only oversight of the department, but also the work of Inspectors General government-wide. Inspectors General are a vital part of the Federal Government. They conduct oversight of Federal agencies, identify program vulnerabilities, expose fraud and improper payments, and promote effective government.

Most recently, Ms. Mazer served as the Inspector General for the Office of the Director of National Intelligence. She also served as the Chair of the Intelligence Community Inspectors General Forum, working with all intelligence community elements, including DHS.

The ODNI Inspector General's Office employs only approximately 35 people and produces several reports annually. In contrast, the DHS Office of Inspector General employs more than 670 employees, making it the fifth largest IG office in the Federal Government.

The DHS OIG issues about 120 reports each year. My point is that there is an enormous difference in the scope, activity level, and management challenges of the two offices.

Given the mission of DHS and the size of its IG office, it is imperative that we have an Inspector General who not only has extensive experience, but also is a skillful manager. The IG must empower employees to do their jobs and ensure timely, high-quality products.

The nominee's background is, in many ways, impressive and includes considerable experience in the IG community. Notably, in addition to her most recent role, Ms. Mazer served for 7 years in the Justice Department's Office of Inspector General where, as the Chairman has noted, she led reviews of the FBI's use of national security letters. The Committee has also received several endorsement letters.

At the same time, 1 year into Ms. Mazer's tenure as IG and after hearing concerns from some of her employees, the Director of National Intelligence commissioned a climate survey of the OIG staff.

The results of that survey raise many questions about the nominee's effectiveness as a manager and her impact on the office's productivity.

Given these concerns, I asked the Committee staff to review the reports issued by the office during Ms. Mazer's tenure. The staff found a significant drop, by over half, in the number of substantial reports issued by the IG's office.

The Committee also has received an on-the-record statement from the current Assistant Inspector General for Inspections at the Office of the Director of National Intelligence reiterating concerns about Ms. Mazer's management abilities.

I approach this hearing and this nomination with both an open mind and many questions. Has the experience of managing a small IG office prepared the nominee for the challenge of managing one of the largest in the Federal Government?



Is the nominee able to generate high-quality reports and audits quickly enough to be relevant and to lead to policy changes in time to fix problems? And what has she done to overcome the management challenges that were identified in the climate survey?

I look forward to discussing these issues today with our witness.

Let me end my opening statement by saying that I have no doubt that Ms. Mazer is an excellent attorney. That is not, however, the question before us.

This Committee must determine if she has the ability to lead one of the largest and most important Inspector General offices in the entire government.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins.

We will go now to the witness. Ms. Mazer has filed responses to a biographical and financial questionnaire, answered pre-hearing questions submitted by the Committee, and had her financial statements reviewed by the Office of Government Ethics.

Without objection, this information will be made part of the hearing record with the exception of the financial data, which are on file and available for public inspection at the Committee's offices.

Ms. Mazer, as I think you know, our Committee rules require that all witnesses at nomination hearings give their testimony under oath. So I would ask you to please stand and raise your right hand.

Do you swear that the testimony you are about to give to this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Ms. MAZER. I do.

Chairman LIEBERMAN. Thank you. Please be seated. We would welcome your statement now, and you are also free to introduce any family or friends who are with you.

**TESTIMONY OF ROSLYN A. MAZER<sup>1</sup> TO BE INSPECTOR  
GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY**

Ms. MAZER. Chairman Lieberman, Ranking Member Collins, and Members of the Committee, thank you for the honor of appearing before you today as you consider my nomination to serve as the Inspector General of the Department of Homeland Security.

I am deeply honored to have been nominated by the President, and I wish to thank Senator Cardin for taking the time from his busy schedule to be here today in support of my nomination.

I appreciate the opportunity, Mr. Chairman, to introduce my family: My father, William Mazer; my husband, David Holzworth; my stepson, Jeremy Holzworth; and my godson, Paul Swerdlow.

I am also fortunate to have other friends and colleagues from the Department of Justice and other places I have served attending the hearing today.

DHS faces numerous challenges in achieving its vital mission to protect the homeland, as this Committee has well documented, particularly through its hearings. If confirmed, I believe that my progressive experience working in the Department of Justice and in the Office of the Director of National Intelligence, including over 9

<sup>1</sup> The prepared statement of Ms. Mazer appears in the Appendix on page 30.

years in the Inspector General community, and my earlier career in private law practice have prepared me to serve the Congress, the Secretary, and the public as the DHS Inspector General.

At the Department of Justice, I participated as a senior leader in three large successful organizational elements, the Office of the Inspector General with about 450 personnel, the Criminal Division with over 600 personnel, and the DOJ's leadership offices.

When serving in the DOJ OIG, I led many significant reviews, including two congressionally mandated reviews of the FBI's use of national security letters, which found serious abuses in the FBI's use of these authorities. The FBI has accepted the findings and acted promptly to remedy these abuses.

At the ODNI, I managed the Inspector General organization and concurrently chaired the Intelligence Community Inspectors General Forum whose members include the DHS Inspector General.

During my tenure at the ODNI IG, the office completed many hard-hitting, meaty financial audits, inspections, investigative reports, and evaluations on a variety of topics, including the use of national intelligence program funds by DHS intelligence community elements, acquisition and contractor oversight, the status of intelligence community integration, stewardship of appropriated funds, and a review of the IC civilian joint duty program.

If confirmed, my familiarity with DHS and my experience leading cross-component and enterprise-wide reviews will serve me well.

I began my tenure at the ODNI with a clear mission from the Director of National Intelligence to build and sustain the credibility of the relatively new Office of the Inspector General.

In support of my efforts, the current Director of National Intelligence commissioned an office-wide assessment of a number of ODNI components, including the Inspector General's office. That assessment provided two valuable insights.

First, it showed that change can be difficult for employees as well as leadership. Second, it demonstrated how valuable feedback is to successful change management.

The survey gave voice to legitimate employee concerns about the way I was trying to improve the office, and I took those concerns to heart. I acted promptly with my senior leadership team to implement the recommendations, including recommendations to better support employees who had no previous training in the IG community.

As recommended, I also availed myself of leadership development training. I believe the lessons learned from this exercise helped position me both for the success I enjoyed as ODNI Inspector General and, if confirmed, to be a successful leader at DHS.

My dedication to the mission of the Inspector General community is borne out in my accomplishments in both offices. At the Department of Justice and the ODNI, all of my reports were relevant, were factually accurate and fair, were conducted independently and thoroughly, were concise and well-written, and contained targeted recommendations that were accepted by agency management.

Moreover, at the ODNI, I established repeatable processes to mature and sustain the office, including a formal process to ensure that IG recommendations in cooperation with management are

timely implemented and also the first office-wide standard operating procedures to guide our work.

In conclusion, I know that DHS faces major challenges in addressing new, complex threats. Issues such as border corruption, DHS's cyber security mission, and the Federal Emergency Management Agency's (FEMA) capacity respond to disasters and manage its grants are enduring challenges.

As DHS confronts these challenges, the Office of the Inspector General must be innovative, adaptive, and responsive. If confirmed, I pledge to protect the independence of the Office of the Inspector General; to be tenacious; to produce fair, accurate, relevant, and timely reports; to drive implementation of the recommendations; and to continue the effective dialogue between this Committee and the Office of the Inspector General.

If I am confirmed, I am confident we can work together in collaboration in pursuit of DHS's vital mission to protect the homeland.

Thank you once again, Mr. Chairman, Ranking Member Collins, for the opportunity to appear before you today. I look forward to your questions.

Chairman LIEBERMAN. Thanks very much, Ms. Mazer, for that statement.

Let me begin with the standard three questions that we ask of all nominees. First, is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Ms. MAZER. No.

Chairman LIEBERMAN. Second, do you know anything personal or otherwise that would, in any way, prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. MAZER. I do not.

Chairman LIEBERMAN. And finally, do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of Congress, if you are confirmed?

Ms. MAZER. I do.

Chairman LIEBERMAN. Thank you very much. We will start the first round of questions, limited to 7 minutes for each member.

There is no question that, based on your record, you come to us with a very impressive record of service to our government and to our Nation; and obviously based on that record and its various expressions, the President has nominated you for this position.

But I think you know, as Senator Collins indicated in her opening statement, that there have been concerns expressed about whether you are prepared to do this job, and I want to give you an opportunity right up front to respond to those concerns.

These come in a different form than we very often have. Frankly, sometimes when people come before us, there are allegations of ethical wrongdoing or personal wrongdoing. This is not at all the case with you.

The fact is that most everybody we spoke to said that not only were you honorable, but they thought you were intelligent and capable.

So, the concerns expressed when they were expressed by people were really about your management abilities. It is awkward to get into this in public, but I think we have to, and I want to give you an opportunity to respond.

Some people have gone on record, as you know, with the Committee saying that you are a "micro-manager" who was unable to set clear priorities for the office and communicated ineffectively with the staff.

This was not a large number of people, and in contrast, I want to hasten to say, with some really extraordinarily positive statements filed. I mentioned the former IG, Glenn Fine. Your former boss, Dennis Blair, former DNI, sent a very strong statement of support for you. He said you were the best IG that he had worked with in his 35-plus years.

But there are these critiques. Others said that your management of the office had a serious impact on the performance of the IG's office at the Office of Director of National Intelligence, including delay in a number of reports and some attrition at the higher levels of the staff.

So, let me see if I can break this down a little bit and ask you to respond to the micromanagement charge. I have a voice in my head. I can hear my wife speaking to me. We regularly accuse each other of being micromanagers. Perhaps in that relationship, it is acceptable.

But some who have worked for you think that it has had an adverse affect on what you have done, and I wanted to give you a chance to respond to that and other critiques about your management style and frankly the relevant question about whether you can handle an IG office that is so much larger than the one that you oversaw at the DNI.

Ms. MAZER. Thank you very much, Mr. Chairman, for the opportunity to address both questions.

First, if I may, I would like to put the so-called climate survey in context.

Chairman LIEBERMAN. Yes.

Ms. MAZER. As I mentioned, the former Director of National Intelligence recruited me to come to the ODNI Inspector General's Office to bring credibility and maturity to the office.

He sought me out because he wanted me to bring the mature and successful practices from what is widely regarded, I believe, as one of the most successful IG offices, the Department of Justice, to the relatively new ODNI Inspector General's Office.

The climate survey revealed and gave voice to genuine concerns on the part of my staff about how I was bringing about the change I was asked to accomplish, not the goals—

Chairman LIEBERMAN. Right.

Ms. MAZER [continuing]. Not the objectives, but how I was going about it.

As you know, the Inspectors General pride themselves on and their currency is their credibility. In order to sign out on any report, I had to ensure that the work was done objectively and independently, that it was done fairly, that management was given an adequate opportunity to comment on the statements in the report and to help tailor the recommendations.

And all that said, the climate survey revealed that the way in which I was going about bringing these changes and accomplishing the maturation of the office created frustration.

Many members of the staff that I inherited had no Inspector General background. So, as I said in my opening remarks, IGs are all about telling others how to improve themselves.

That is what they do. They identify fraud, waste, and abuse. They identify efficiencies. They identify ways to improve agency performance.

Well, here the spotlight was on me, and I took it very seriously. I embraced the recommendations. My senior leadership team set about to make changes immediately in conformity with those recommendations. And I personally availed myself of leadership development training. And I am a better manager for it.

If I can turn to the scalability question.

Chairman LIEBERMAN. Yes.

Ms. MAZER. Prior to joining the intelligence community in 2009, I was part of the senior leadership in the Department of Justice, including 2 years in the 600-plus employee Criminal Division.

There I led a very important initiative that involved multiple stakeholders across the Federal Government, the private sector, and international alliances to boost our protection of intellectual property rights.

This was the first-ever initiative by the Department of Justice. It entailed employing and leveraging the resources of Customs, the State Department, the Patent and Trademark Office, the FBI, all of our intellectual property alliances, and even the G-8 and other international alliances. It was a very successful initiative, which has been built upon to this day.

Likewise in the ODNI OIG, as you mentioned, Mr. Chairman, in your opening remarks, I had a dual mission, and this dual mission is highly relevant to the office for which I have been nominated. Not only did I manage a small IG office but concurrently chaired the Intelligence Community Inspectors General Forum, which, like the Department of Homeland Security, has a cross-enterprise and cross-mission role.

In serving as chair of the ICIG Forum, we produced joint reports. We sponsored professional training. We shared best practices. We were able to energize that cross-enterprise forum to achieve and work to achieve the vision of this Committee and the Congress when it passed the Intelligence Reform and Terrorism Prevention Act.

Those skills, working successfully cross-enterprise and cross-component, are the very skills that have been used and need to be used in the DHS Inspector General's office.

Chairman LIEBERMAN. My time is up in this round. I thank you. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

Mr. Chairman, let me start by asking unanimous consent that the statement of Ed Haugland, who is the Assistant Inspector Gen-

eral for Inspections with the Office of Director of National Intelligence, be put in the record.<sup>1</sup>

Chairman LIEBERMAN. Without objection, so ordered.

Senator COLLINS. Ms. Mazer, I want to ask you a series of questions based on the prepared statement that we have received from Mr. Haugland.

First of all, I think it is important to put this in some context. It is extremely unusual in my experience in my 15 years in the Senate for a civil servant to go on record expressing concerns about a nominee.

For this reason and given the senior position that Mr. Haugland has within the ODNI, I am concerned about his comments. I would start by noting that you hired him for his position, is that correct?

Ms. MAZER. It is.

Senator COLLINS. So, he was your choice for a senior position in the office. I would like to read some of his testimony and have you respond to it.

"Ms. Mazer's management led to such significant negative impacts on the personnel, mission, and morale of the ODNI OIG that I found it necessary to take action despite significant risks to my career and despite being on probation for 1 year as a new senior executive."

He goes on to say, "Her actions were the major issue that resulted in minimized efficiency, effectiveness of the office's mission, significant morale issues, a large attrition of staff, and not one inspection being initiated during my tenure with her."

What is your response to these concerns?

Ms. MAZER. First, I want to say, Senator Collins, that when I learned that Mr. Haugland had approached the Committee with views that, of course, are fully appropriate for him to express, I recused myself from any personnel action in relation to him because I did not want there to be any question that I, in any way, discouraged or acted in response to whatever information he provided to the Committee.

Senator COLLINS. Well, you are no longer his supervisor, are you?

Ms. MAZER. That is correct. But I think it is important that the Committee understand that when I learned that he had approached the Committee, I recused myself from his personnel review this year.

I also declined to review that statement because I did not want there to be any question because I was still in the position when I learned he had provided this to the Committee. This is the first I am hearing about the content of it, but I am very happy to respond to it.

But I wanted the Committee to understand that I took myself out of any review of his activities so there would be no question about any action I have taken in relation to his statements.

Senator COLLINS. Well, I would like for you to respond to his statements. They are very serious and they echo many of the concerns that the independent consultant found when the consultant conducted the climate survey, and I would note that the concerns

<sup>1</sup> The prepared statement of Mr. Haugland appears in the Appendix on page 108.

reflected in that survey were widespread among the staff. They did not originate with this one individual.

So, what is your response?

Ms. MAZER. I reject his conclusions. But as I said earlier, the climate survey revealed legitimate employee concerns, such as those expressed by Mr. Haugland, about the way I was going about achieving the objectives I was hired to achieve.

Senator COLLINS. Well, I guess I would like to hear more specifics from you. For example, Mr. Haugland says that not one inspection was initiated during his tenure with you.

Why is that?

Ms. MAZER. Well, a number of inspections were underway when he joined the office, several very significant inspections, one of which has been completed, several of which are under way, and one of which was suspended for reasons that Mr. Haugland supported.

So, the inspection that was recently completed is one that I believe is related to the topic of this Committee's hearing tomorrow, which is the ODNI's oversight of its contractor workforce.

I know that this Committee is very interested in aggressive oversight of the contractor workforce across the intelligence community and the ODNI. During Mr. Haugland's tenure, that inspection was conducted and completed.

In addition, there are several other inspections underway, and one inspection that was largely completed by the time Mr. Haugland joined my office has been suspended on the recommendation of Mr. Haugland because of certain dynamic circumstances going on with Director Clapper assuming duty in the ODNI. So, I do not believe that is fully accurate.

Moreover, I would like to say that during Mr. Haugland's tenure and during my tenure in the 2½ years I have had the privilege of serving as ODNI Inspector General, we have completed many meaty, significant reports that go to the core mission of the ODNI—reports on acquisition oversight, contractor oversight, the status of integration of the intelligence community, the joint duty program, one of the main drivers of intelligence integration.

In addition, we have done many investigative reports—reports of serious misconduct and other types of improper activity. So, beyond the inspection division, our office has produced many meaty and significant reports that my staff and I are very proud of.

Senator COLLINS. Well, my time has expired and there are additional people who are waiting to question. But I would note that when one excludes the regularly issued reports, such as the Federal Information Security Management Act reviews or the one-page data summaries, there is, in fact, a substantial drop in the number of substantial reports during your tenure.

That is data that I know we have shared with you, but I will wait until the next round.

Chairman LIEBERMAN. Thank you, Senator Collins. Next is Senator Akaka.

#### **OPENING STATEMENT OF SENATOR AKAKA**

Senator AKAKA. Thank you very much, Mr. Chairman.

Ms. Mazer, I want to add my welcome to you and to your family attending this hearing and also to congratulate you on your nomination.

Ms. MAZER. Thank you very much.

Senator AKAKA. Inspectors General have a unique and important role. IGs help agencies and Congress identify ways, as you have mentioned, to prevent waste, fraud, and abuse. They also protect employees from retaliation when they blow the whistle on waste and wrongdoing.

Earlier this year, I re-introduced the bipartisan legislation to protect whistleblowers. So, I want you to know that, if confirmed, I hope you will continue to work with employees, as you stated you will, who come forward to expose waste, fraud, and abuse.

Ms. Mazer, as you know, while the DHS has made progress, the Department still faces challenges that put it on the Government Accountability Office (GAO) high-risk list year after year, including human capital and contract management as well as integration of its information and financial systems. I look forward to working with you on these issues, and I have a few questions to ask you.

When initiating a project, Ms. Mazer, it is important to design it in a way that encourages optimal use by an agency or Congress.

How do you scope projects so they will be useful and timely?

Ms. MAZER. This is a central function, Senator, as you know, of the IG office. The way to scope projects is to research the topic carefully, to meet with the affected elements, to understand what the issues are that they think need to be addressed, to look at the relevant reports generated by the Inspector General community on that topic if there are any, to sit down with a team going to conduct the review to determine how it can be done in the most efficient fashion.

This is the garden-variety work that IGs do every day. It is also important, as the project is executed, to re-examine the scope of the project. If it turns out that the work needed to be done is far more significant than originally anticipated, it is often prudent to descope the project, to push out the project results in perhaps two or three segments so that agency management has the benefit in a timely fashion of the initial findings.

So, scoping of projects is a very important function, and I appreciate, Senator, your recognizing how important that is for an IG office to understand.

Senator AKAKA. The role of an Inspector General is not only to investigate wrongdoing and waste but also to help agencies institute procedures to prevent those problems.

What is your approach to identifying deficiencies and shortcomings without becoming too involved in operations and policy?

Ms. MAZER. An effective Inspector General does not just document waste, fraud, and abuse. An effective Inspector General includes in his or her reports recommendations designed to prevent those practices from happening in the future. That is the sweet spot for an Inspector General.

In all the reports I have worked on at the Department of Justice IG and then ODNI, we have been able to shape recommendations designed to do just that.



Let me give you just two examples, and I believe this is responsive to Senator Collins' probing questions.

The other judgment that IGs have to make is what to do with the discretionary part of their portfolio. Congress mandates IGs to perform all kinds of work. The DHS IG is under many mandates to perform certain work.

But while serving as the ODNI Inspector General, I initiated two very significant audits. They concern the stewardship of appropriated funds. The first was an audit of the ODNI's fund balance with Treasury.

As the Committee knows, a fund balance with Treasury is one of the three requirements to achieve auditability, along with property plans and equipment, and intergovernmental transfers.

The report contained very significant findings and recommendations that have been fully implemented that will now enable the ODNI chief financial officer and the agency to move toward auditability.

The second audit I initiated at ODNI IG was for the first time to examine DHS intelligence elements use of National Intelligence Program (NIP) funds. This was something we did on our own because the National Intelligence Program, of course, has funds distributed throughout many agencies in the government.

We looked at DHS first. Our findings were very significant. The recommendations have been fully implemented, and those recommendations are well serving the ODNI Chief Financial Officer in providing better oversight of the use of NIP funds by other elements in our Federal Government.

So, these are examples of the proactive approach that I have used successfully.

Senator AKAKA. Thank you very much.

As an Inspector General, effectively communicating performance expectations and mutual trust with the workforce are critical to success. Please give specific examples of how you will accomplish these objectives with your Assistant Inspectors General and the rest of the IG workforce.

Ms. MAZER. Thank you, Senator.

Fortunately, I am very familiar with the DHS Office of the Inspector General. I have been exposed to that office, have worked with that office, and have been a hungry consumer of their reports.

Because the DHS IG is a member of the ICIG Forum, the DHS IG and the current Acting IG have participated in the IC-wide work that I have led as chair of the ICIG Forum.

By the same token, I am a member of the DHS IG's Homeland Security Round Table. This roundtable is under the auspices of the Council of the Inspectors General for Integrity and Efficiency and performs very important work for the homeland security enterprise.

For example, I believe this Committee will hear tomorrow from the National Science Foundation Inspector General, Allison Lerner, who co-chaired a very significant report on the under utilization of suspension and debarment tools by Offices of Inspector General.

So, I am very familiar with the DHS mission, the excellent work product, and most significantly the excellent relations that the DHS IG office has with this Committee, and I am confident that,

if I am fortunate to be confirmed, I will be able to sustain and continue that excellent collaboration.

Senator AKAKA. Thank you very much for your responses.

Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Akaka. Senator Carper.

#### OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. Thank you very much, Mr. Chairman.

Ms. Mazer, welcome to you, and I understand I got here after the introductions were made, but I understand you are joined here by several members of your family including your husband, your father, and maybe a child or two. I am not sure, and maybe your extended family.

I read over your background, and I came across the fact that you, in the earlier part of your career, wrote extensively on baseball. And if you ask anybody in the audience what happens almost 3 months to the day from today, they would tell you that pitchers and catchers report to spring training camps all over America.

To what do you attribute your love for baseball?

Ms. MAZER. Well, growing up with my wonderful father. He was actually more of a football fan than a baseball fan. But I grew up in the heyday of the Baltimore Orioles. I was a student at Western High School when the 1966 World Series team paraded down the street, the glory days of Brooks Robinson and Frank Robinson—

Senator CARPER. Those were great days.

Ms. MAZER [continuing]. And Luis Aparicio. And oh, I wish they were back.

Senator CARPER. Well, they may be.

One of the great things about the Orioles system was they had a terrific farm system. They grew their own talent, and the people who started off in Single-A, played Double-A, played Triple-A, and eventually did great things in the major leagues for the Orioles.

Using a baseball metaphor, describe how you have been prepared for this job?

Ms. MAZER. Well, I have been in the major leagues for many years. I started out in the minors, but I have grown with progressively greater experience and success in each position I have been fortunate to serve in.

Senator CARPER. Talk about your growth. As you came up from the minors to the majors, what helped aid and abet your growth and prepared you for these challenges?

Ms. MAZER. Excellent mentors, big challenges. I worked under the leadership and mentorship of Glenn Fine. There was no finer Inspector General. I also have enjoyed the collaboration with fellow Inspectors General; and in preparation for possibly serving as DHS IG, I have called upon the Inspector General community to talk about the challenges of coming into a large IG office.

So, I have spent a lot of time thinking about, studying for, preparing for, and doing the work of an Inspector General, and I look forward to the opportunity, if confirmed, to serve well.

Senator CARPER. Well, we need a major league Inspector General at DHS. Before my colleague Senator Coburn left, you had just testified and were responding to questions from our Chairman and

Senator Collins, I leaned over to him and said, "She is very impressive, really conveys a sense of calmness and a lot of smarts."

In fact, I said to the Chairman, "She really exudes the calm confidence of a Christian holding four aces," is the way I would describe it.

Senator Coburn is gone. He left the room, not the building. He is like me, rabid about identifying wasteful spending. In fact, we all are on this Committee, and it is a big part of what we do, not just homeland security. We try to figure out how to spend money more cost effectively, figure out what works, and do more of that. Find out what does not work, and do less of that.

We need partners at GAO. We need partners at the Office of Management and Budget (OMB). We need partners within the IGs across the Federal Government, and we need to work outside of the Federal Government with all sorts of groups that are focused on waste.

One of the things that I think he is interested in, certainly I am interested in, is an assurance that you are going to be that kind of partner, not somebody who is working for us. That is not your job. But someone who is going to be out there working day in and day out with us in partnership to identify improper payments or another kind of wasteful spending, contractual arrangements that are going on or payments to vendors that we should not be making at all because they are on a do-not-pay list, and information technology (IT) projects that are behind budget and frankly not delivering.

What we really need is to know that we are going to have somebody at the helm who is as passionate about this stuff as we are and will be a terrific partner with us in going after that kind of wasteful spending.

He is not here right now to hear from you, but I would like for you just to take a minute or two and convey a sense of passion about this, if you will.

Ms. MAZER. I am passionately committed to that mission and to working collaboratively with this Committee in furtherance of it. And I will say just for a moment the aspects of my record that ready me for that responsibility.

In my private practice years, I worked on dozens of Federal criminal investigations—investigations of false claims, bribery, official corruption, many of the types of crimes that unfortunately the DHS OIG encounters.

In the DOJ Inspector General's Office, I conducted many investigations of high-level misconduct, which led to suspension, removal, and discipline.

In the ODNI IG Office, of course, I oversaw many investigations of serious misconduct and also investigations of waste, fraud, and abuse.

From time to time, our findings were so significant that we did not wait until the reports were completed, but we did what Inspectors General are trained to do, which is to brief the findings to agency management so that they could swiftly employ measures to remedy those abuses.

And finally, as the chair of the ICIG Forum, I sponsored professional training of IGs in the best practices of forensic auditing and

other anti-fraud tools that arm the IGs to identify fraud at the front-end.

I sponsored and attended that professional training; and if confirmed, I look forward to leveraging those experiences and bringing it to the DHS IG's Office.

Senator CARPER. I do not know if you will have a chance to meet with some of our colleagues, including Senator Coburn, who is not here. He and I have taken turns chairing a subcommittee that deals with Federal financial management. He is rabid about the things that I have mentioned. To the extent that you have the chance to meet with him personally, I urge you to do that.

And last, I just want to wish you well. I appreciate your father for preparing you for a life of not just baseball, but a life of public service.

And if I could use a baseball metaphor, I think one of the pieces that you wrote was called "The Triple, Rounding Third Base," and we know that third base is not like getting home and scoring a run. We want you to make it to home plate.

Mr. Chairman, when will we have the markup on this nomination? Do you know?

Chairman LIEBERMAN. It is not set yet. But obviously, we are not going to have it before Thanksgiving. So, perhaps the first or second week after the recess.

Senator CARPER. Take full advantage of whatever time lies between now and when we actually have a chance to vote on your nomination.

I am very encouraged by what you had to say here. I just think it is important for some of our other colleagues who may have questions about you to have a chance to meet you personally, spend time with you, and get a sense of not only your gravitas, but your passion for some of these issues.

Thank you for your willingness to serve and our thanks for your father and mother for preparing you and for some of these men behind you for being willing to share you with the people of our country. Thank you.

Ms. MAZER. Thank you, Senator. My husband and I had a wonderful evening in Wilmington a few days ago.

Senator CARPER. Did you really. Well, we will talk about that later. Thank you. Come back and come to the beaches. We have great beaches, too. Thank you.

Ms. MAZER. Thank you.

Chairman LIEBERMAN. Thank you, Senator Carper. I always look forward to Senator Carper's questioning because it is like a force of nature. We are not sure exactly where it is going.

I will say that your father was quite serious throughout this hearing until the word baseball was mentioned. [Laughter.]

And then a big smile.

Senator CARPER. And then he knew he was at a home game. This is a home game for him. Right?

Chairman LIEBERMAN. Thanks.

Let me see if I can summarize your reaction because again this is kind of a perplexing and unusual situation. Nobody questions your honor. Nobody questions your intellect.

So, there are some people who worked with you exclusively at the DNI IG office who are questioning your management abilities, and the Human Resources Research Organization (HumRRO) report made some critiques of your management style. Am I right that your response to that is to say that you accepted those critiques, you learned from them, and in fact, you went through some, is it fair to say, training in management skills and that, as a result, from a purely management point of view, you are prepared to take on this assignment for which the President has nominated you?

Ms. MAZER. That is correct, and I will just add one additional point, Mr. Chairman.

Chairman LIEBERMAN. Please.

Ms. MAZER. I did not just take the recommendations to heart, I implemented them. Some of them were already on track to be implemented because my then deputy had recommended them before the climate survey was conducted.

But I did not just internalize them, though I did, I took steps with my senior leadership team to implement the recommendations. So, it was a useful exercise. The exercise validated legitimate concerns, and I believe Director Clapper and others have informed the Chairman and the Committee that I am a better manager for it.

Chairman LIEBERMAN. That is correct. I am going to leave that for now. Let me go onto another matter entirely.

As I am sure you know, allegations of criminal misconduct by DHS employees, specifically those that work for CBP on the southwest border, as I mentioned earlier, continue to grow in quantity and seriousness.

That is partly due to the rapid increase in staffing along the border, I presume, and perhaps partly due to the concerted effort by the drug cartels to target border officials to turn a blind eye as they bring drugs into the United States.

I know that the DHS OIG has primary responsibility for reviewing allegations and determining whether to conduct investigations independently or seek assistance from ICE or CBP integrity offices but that there has been some tension among the different agencies on this matter.

I also understand that the FBI currently leads approximately 20 border corruption task forces that focus on combating corruption along our border but that the DHS OIG does not participate in those task forces.

I must say that I am disappointed that interagency rivalries appear to be hindering efforts to effectively combat corruption at these constituent units at DHS. I wanted to ask you if you are familiar with that, and if you are, or having heard it now from me, what steps you might take to address this issue if you are confirmed.

Ms. MAZER. Thank you, Mr. Chairman.

Border corruption, as this Committee has revealed in multiple hearings, is a very serious and growing challenge for the Department of Homeland Security.

With the increase in Customs and Border Protection personnel has sorrowfully come a significant increase in border corruption

cases. These cases are often big. They are ugly. They involve drugs. They involve human trafficking. It is one of the most serious challenges confronting the DHS enterprise.

I have studied the DHS IG's reports to date. I have been heartened to read the transcript of this Committee's June 9, 2011, hearing at which Acting DHS Inspector General Charles Edwards described, along with CBP Commissioner Alan Bersin, the memorandum of understanding (MOU) that has been entered into that will leverage the resources of the Customs and Border Protection personnel and the Office of the Inspector General.

If confirmed, this will be a very high priority to see what the details are of the implementation of that MOU and to meet with the FBI and U.S. Attorney's Offices, something I have done successfully in my past tenure at the Department of Justice, to see what the opportunities and options are for participating in the border corruption task forces.

Chairman LIEBERMAN. Good. So, you would say that your goal would be to see that the DHS OIG be a participant on those task forces?

Ms. MAZER. It would be premature to give you that commitment, Mr. Chairman, but I commit to you that I will study this as a matter of high priority and understand the options and the opportunities.

Chairman LIEBERMAN. On another subject in DHS, which has been a focus of this Committee, in your opening statement, you noted that as ODNI Inspector General, you led reviews that assessed the status of integration of two intelligence elements of DHS, the Office of Intelligence and Analysis (INA) and the Coast Guard's National Intelligence Element.

Based on what you learned in those reviews, what would you say are the key challenges facing the Department of Homeland Security with respect to its intelligence activities?

Ms. MAZER. Well, the DHS IG's office has already done significant unclassified reports on these topics, and the reports that I generated were classified, and of course, I am prepared to talk about them in a classified setting.

But the DHS IG's office has already determined and studied the great opportunities and challenges for the Department of Intelligence and Analysis. The INA stands at the crossroads between the enormous amount of information that we collect at our borders, that the Transportation Security Administration collects, and fusing that information with the intelligence community's resources.

The fusion centers have been the topic of many IG reviews, and I think the report card is somewhat uneven. Some fusion centers have been remarkably successful. Others have had shortfalls.

So, I think the INA is a work in progress. From my own assessments, I think it is on a path toward achieving a very robust role in the intelligence community.

Similarly, the Coast Guard National Intelligence Element has very unique expertise and capabilities that we were able to document in our recent assessment that was completed this year.

So, I think the trajectory for both is positive, but challenges, including information technology, collection of U.S. person informa-

tion, making sure that is done properly and in accordance with Executive Orders, remain.

Chairman LIEBERMAN. Well, I agree with you that the intelligence activities within the department are a work in progress. They are getting better.

If you are confirmed, based on the experience you have had with intelligence, I hope you will take an active interest in this and make it a subject of oversight because I think you can help this function reach the potential and be a value-added component of DHS, not just a repetition of what exists elsewhere in the intelligence community. Senator Collins.

Senator COLLINS. Thank you, Mr. Chairman.

I want to return to Mr. Haugland's testimony. At one point he was talking about the difficulty in getting reports completed, and he gives an example in which he says that "Ms. Mazer continued to edit and change the scope and contents of the report so that by the time it was released for review, it was no longer timely, relevant, or accurate."

That is a troubling charge because one of the advantages that we had at DHS when Richard Skinner was the IG is he very quickly turned around reports—they issued over 120 in a year's time—so that we in Congress could react either legislatively or by putting pressure on the Secretary to implement findings and recommendations.

So, I am concerned about language in Mr. Haugland's testimony saying that you so delayed reports, they no longer were timely, relevant, or accurate and similar criticisms of the over-editing and micromanaging that are also found in the climate study.

What have you done specifically to respond to those criticisms?

Ms. MAZER. I do not agree with those conclusions, Senator. I signed out every report that met established, professional IG standards for accuracy, fairness, relevance, and actionable recommendations.

There were many reports that were issued and finalized under my tenure. My record speaks for itself. But better than that, Senator, I think you have available to you and the Committee, the letters of support that have come from the chief management officers of the ODNI.

They have documented in detail, I believe, the success of my tenure and the quality, timeliness, and relevance of my reports. Both DNI Blair and DNI Clapper have said I was among the best IGs they had ever worked with, if not the best.

So, I think one measure of my effectiveness would be the views of agency management, and they regarded my tenure as a success. I believe Inspector General Fine is widely regarded as one of the most distinguished Inspectors General in the IG community, and I believe he has also offered a letter of support about the management of very complex, congressionally mandated reviews with statutory deadlines. We met every deadline.

Senator COLLINS. You say you have met every deadline. But it is my understanding that there was a statutory deadline of October 8, 2011, for a study on e-waste that was mandated by the Intelligence Authorization Act for Fiscal Year 2010.

I am told that the study was not completed on time. So, how can you say that, unless our information is wrong, you met every statutory deadline when that report was not completed?

Ms. MAZER. I very much appreciate, Senator, the opportunity to respond to that.

As the Committee knows, the Fiscal Year 2010 Intelligence Authorization Act directed three reviews to the Intelligence Community Inspector General.

The Office of General Counsel at the ODNI provided a formal legal opinion to us that the obligation to produce those reports was not triggered until the Office of the Inspector General of the Intelligence Community was stood up.

Nonetheless, I directed my staff to do baseline work, and we did very important work to position the ICIG, which is now in place as of last week, to undertake that congressionally directed action.

So, in conformity with the legal advice given to my office by the Office of General Counsel, we did not regard that October 8 date as a date that ran to my office as the ODNI IG. But using appropriate Inspector General best practices, I ensured that our office did the baseline work to position the ICIG to begin that study.

Senator COLLINS. So, I want to be very clear on this point. You are saying that you did not consider this to be a report that your office was mandated to be completed by October 8 of this year. Is that correct?

Ms. MAZER. That is what the General Counsel told me.

Senator COLLINS. Let me switch to another issue, which has to do with the productivity of the office. I started to get into that in the last round.

There has been concern expressed about the drop in productivity under your leadership, and the statistics that both the majority and the minority staff collaborated on indicate that there were only three substantial reports that were completed in fiscal year 2010 and fiscal year 2011, under your tenure.

It appears, as has been said in the interviews that we conducted, that there was a drop in the number of reports issued by your office. Would you respond to that concern?

Ms. MAZER. Yes. Thank you for the opportunity again to respond to that question.

In my experience in the IG community now going on 9-plus years, there are many useful measures to assess the productivity of an Inspector General's Office.

I do not believe the best metric is the number of reports. I believe a better metric is the quality, relevance, and timeliness of the reports.

Measured against that standard and considering the number of personnel in my office who had any IG background, I am quite proud of the number of reports issued during my tenure, and I am quite proud of the quality of the reports.

I wish to add, Senator, that because the ODNI OIG is relatively new, I decided to devote a considerable amount of time to establishing repeatable processes that would make the office more efficient.

For example, prior to my tenure, there was no established process to ensure that IG recommendations were implemented. Work-



ing closely with agency management, we established a formal process so that there is now a directive from the Director of National Intelligence that requires periodic meetings with affected elements who have open recommendations to ensure that those recommendations are implemented.

By any standard in the IG community, making sure that IG recommendations are implemented is every bit as important, if not more important, than issuing individual reports.

In addition, I served concurrently as chair of the ICIG Forum. That responsibility required me to make decisions about deploying my senior leadership and my staff to nourish those efforts.

Senator COLLINS. Well, do you think serving as chair of that committee prevented you from doing the kind of quantity of reports that we would expect?

Ms. MAZER. It was part of the workload.

Senator COLLINS. Did you consider resigning as chairman so that you could devote more time to the IG job?

Ms. MAZER. Absolutely not. I made choices on how to ensure that our senior leadership team and our staff as a whole nourished and supported the forum so that we could leverage the resources, just as the DNI is to leverage the resources across the intelligence community so that we work more effectively and efficiently.

Senator COLLINS. Well, let me suggest to you that I do not see quality and quantity as being enemies. I think you can produce a quantity of reports that are all high-quality, and again I would direct you to the experience of Richard Skinner at DHS where the reports were almost always of very high quality, and yet there was a huge quantity of reports both congressionally directed but self-initiated as well.

We have a saying in shipbuilding, which I am sure the Chairman is aware of, which is that quantity has a quality all of its own. The fact is, if you do one fabulous report or in your case three, let us say, top-notch, excellent reports, but you can only do three, you are not fulfilling the mission of the office. That means that too much is not being examined.

It is truly a shipbuilding analogy that we use all the time. Even if you have three very capable submarines, destroyers, or whatever metaphor we want to use, that is not enough. That is why I am concerned about the drop in productivity.

I want to turn to a different issue. You have talked a lot about policy work that you have done as the IG, and you have talked about the work you have done at the Department of Justice and the review of national security letters—important work to be sure.

That is policy work. Those are policy reviews. In fact, the efforts to expose fraud, waste, mismanagement, abuse of taxpayer dollars and to identify improper payments are among the most important functions of an Inspector General, particularly at the Department of Homeland Security where \$55 billion is being spent.

What is your experience? Give me examples of your experience in conducting those types of audits and investigations.

When I asked you this in my office, you said your review of national security letters, but that is not the kind of audit for improper payments or fraud. That is compliance with the law. It is impor-

tant. It is a policy issue. It is entirely different from going after overpayments to FEMA recipients, for example.

Ms. MAZER. A number of my experiences in both private practice and in my government service of 16 years equip me to tackle the DHS fraud and abuse portfolio.

As a partner in private law practice, I participated in many Federal criminal investigations, including investigations of fraud, contract fraud, bribery, and the kinds of charges that the DHS IG investigates.

While serving in the DOJ Office of the Inspector General, I also led serious misconduct investigations and serious abuse investigations of the type conducted by the DHS IG's office.

And as the ODNI IG, though our staff was relatively small, I oversaw many investigations of fraud and abuse that led to misconduct findings that led to discipline, which led to improved oversight.

For example, the report I mentioned a few moments ago about contractor oversight revealed some significant shortfalls in the ODNI's oversight of its contractor workforce, its oversight of contracting officers technical representatives—very similar findings to those made by the DHS IG's office. These are the types of reports that the DHS IG's office generates. I am very familiar with this work. I have done this work. And I am looking forward, if confirmed, to continuing the excellent quantity and quality of work performed by the DHS IG's office in this realm.

Senator COLLINS. Just one final question because I really want to focus in on this. Have you ever led or directed an audit or investigation that identified improper payments and led to their recovery?

Ms. MAZER. No, not improper payments in the narrow sense of the Improper Payments Act. But I have overseen investigations in the ODNI IG's office of improper practices, including practices that led to waste, fraud, and abuse and that led to the termination of contracts, that led to improved oversight of the contractor workforce. That is directly relevant to the DHS IG's office investigative portfolio.

Senator COLLINS. Thank you. Thank you, Mr. Chairman.

Chairman LIEBERMAN. Thank you, Senator Collins.

Thank you, Ms. Mazer, for appearing before the Committee today. As I have said now twice, you present an unusual situation to the Committee.

I wanted to indicate for the record that I intend to support your nomination. I think on balance, notwithstanding some of the criticisms that have come in, you have an exemplary record of public service, and it seems to me that you have responded to the constructive suggestions that were in the HumRRO report.

But I think it probably will be important because there will be some concern among Committee Members that you take every advantage, I know you probably sought them already, to talk to Members of the Committee individually to allow them to ask you whatever is on their minds before the nomination comes to a vote.

So, we will keep the record of this hearing open for 10 days when you or Members of the Committee or others can introduce or offer statements or questions to be answered for the record.

Senator Collins, do you have anything you would like to say?

Senator COLLINS. I do not. Thank you, Mr. Chairman. I appreciated the extra time you gave me. This is a really important nomination.

Chairman LIEBERMAN. I agree, and you are quite welcome. It was more than appropriate. It was the responsibility of the Committee to give you that time.

So, I thank you very much. I thank all your family members. I note some friends—somebody who went to school with my daughter. My decision to support your nomination has nothing to do with the presence of the Swerdlow family here.

With that, the hearing is adjourned.

[Whereupon, at 4:40 p.m., the Committee was adjourned.]



## A P P E N D I X

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United States Senate

Committee on Homeland Security and Governmental Affairs

Chairman Joseph I. Lieberman, ID-Conn.

**Opening Statement of Chairman Joseph Lieberman  
Nomination of Roslyn Mazer  
Homeland Security and Governmental Affairs Committee  
November 10, 2011**

Good afternoon and welcome to the hearing today. The Committee will consider the nomination of Roslyn Mazer to serve as Inspector General of the Department of Homeland Security, which of course is the focus of this Committee's activities and therefore the nomination is an important one to us.

The DHS Inspector General is responsible for overseeing the more than \$55 billion in annual spending by the Department, and investigating suspected waste, fraud and abuse of those funds. The IG at DHS carries out audits and inspections of Departmental activities that provide important insight into the Department's effectiveness and helps inform our oversight and that of the relevant House committees. The IG is also charged with investigating misconduct among DHS employees, including the significant, unfortunately, and growing problem of drug trafficking organizations attempting to corrupt employees of the U.S. Customs and Border Protection and Immigration and Customs Enforcement agencies.

In nominating Ms. Mazer to be the IG at DHS, I believe that President Obama has selected someone who is up to the challenge and will serve effectively in this role.

Ms. Mazer has had a long and distinguished career, as a lawyer in private practice and at the Department of Justice, including seven years at the DOJ Office of Inspector General, where she led important reviews of the FBI's use of National Security Letters and its compliance with the Attorney General's investigative guidelines. In recognition of her work on the FBI's use of National Security Letters, she received the Department of Justice's Distinguished Service Award and the President's Council on Integrity & Efficiency Award for Excellence. In 2009 former Director of National Intelligence Dennis Blair selected her to serve as DNI Inspector General, and she has served in that position for the last two and a half years.

The Committee has very strong letters of support from Ms. Mazer's current and former colleagues, including the Former Department of Justice IG, Mr. Fine, and the current Director of National Intelligence Jim Clapper.

So we look forward to hearing from you today, and learning more about your vision and priorities for the Office of Inspector General at DHS.

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**Statement of Ranking Member****Senator Susan M. Collins****Nomination Hearing for Roslyn Mazer  
to be Inspector General, Department of Homeland Security****November 15, 2011**

We convene today to consider the nomination of Roslyn Mazer to become the next Inspector General for the Department of Homeland Security. This Committee's jurisdiction includes not only oversight of the Department of Homeland Security but also the work of Inspectors General, government-wide.

Inspectors General are a vital part of the federal government -- conducting oversight of federal agencies, identifying program vulnerabilities, exposing fraud and improper payments, and promoting effective government.

Most recently, Ms. Mazer served as the Inspector General for the Office of the Director of National Intelligence. She also served as the chair of the Intelligence Community Inspectors General Forum, working with all Intelligence Community elements, including DHS.

The ODNI Inspector General's Office employs approximately thirty-five people and produces several reports annually. In contrast, the DHS Office of Inspector General employs more than 670 employees, making it the fifth largest IG office in the federal government. The DHS OIG issues about 120 reports each year. So there is an enormous difference in the scope, activity level, and management challenges of the two offices.

Given the mission of DHS and the size of its IG Office, it is imperative that we have an Inspector General who not only has extensive relevant experience but also is a skillful manager. The IG must empower employees to do their jobs and ensure timely, high-quality products.

The nominee's background is, in many ways, impressive and includes considerable experience in the IG community. Notably, in addition to her most recent role, Ms. Mazer served for seven years in the Justice Department's OIG. The Committee has received several endorsement letters.

At the same time, one year into Ms. Mazer's tenure as IG -- and after hearing concerns from some of her employees -- the Director of National Intelligence commissioned a climate survey of the OIG staff. The results of that survey raise many concerns about Ms. Mazer's effectiveness as a manager and her impact on the Office's productivity.

Given these concerns, Committee staff have reviewed the reports issued by the office during Ms. Mazer's tenure. Staff found a significant drop--by over half--in the number of substantial reports issued by the Office of Inspector General. The Committee has also received an on-the-

record statement from the current Assistant Inspector General for Inspections at the ODNI reiterating concerns about Ms. Mazer's management abilities.

I approach this nomination with both an open mind and many questions. Has the experience of managing a small IG office prepared Ms. Mazer for the challenge of managing one of the largest? Is the nominee able to generate high-quality reports and audits quickly enough to be relevant and to lead to policy changes in time to fix problems? And, what has she done to overcome the management challenges specified in the climate survey?

I have no doubt that Ms. Mazer is an excellent attorney. This is not the question before us. This Committee must determine if she has the ability to lead one of the largest and most important IG offices in the entire government.

**OPENING STATEMENT OF SENATOR BENJAMIN L. CARDIN AT  
CONFIRMATION HEARING FOR ROSLYN A. MAZER  
INSPECTOR GENERAL, DEPARTMENT OF HOMELAND SECURITY  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS COMMITTEE  
THURSDAY, NOVEMBER 10, 2011**

Chairman Lieberman, Ranking Member Collins, and members of the Committee, thank you for the opportunity to appear before you today to introduce Roslyn A. Mazer. I have known the Mazer family for many years, and am pleased to introduce Roslyn to you today.

I must tell you that I believe that Roslyn is the ideal nominee for the position of Inspector General of the Department of Homeland Security. I need not tell the committee the importance of this position for such a relatively new but large cabinet agency in our government. Particularly in a time of scarce resources, we need an Inspector General at DHS who has a proven track record of conducting investigations, supervising audits, and rooting out waste, fraud, and abuse.

Roslyn has spent almost her entire professional life in public service, and has nearly a decade of work experience specifically in the Inspector General community.

Roslyn earned her B.A. magna cum laude from Syracuse University, where she was elected to Phi Beta Kappa. She earned her J.D. from the Columbus School of Law, Catholic University of America here in Washington, DC. She is a member of the District of Columbia Bar, and before her government services was a partner at Dickstein Shapiro.

From 1993 to 2009, Roslyn served in senior positions at the Department of Justice, including seven years in the Office of Inspector General's Oversight and Review Division. In that capacity she led reviews of the FBI's abuses of national security letter (NSL) authorities, leading to two reports mandated by Congress in USA PATRIOT Reauthorization Act of 2005. I must tell you that as the former Chairman of the Terrorism and Homeland Security Subcommittee of the Judiciary Committee, I found these reports to be very useful in our committee's deliberation and briefings on the reauthorization of expiring Patriot Act authorities.

Partly due to these reports, the committee proposed new oversight provisions for the use of NSL's by the government.

At the Justice Department she also conducted investigations of high-level misconduct by officials and employees. She also led a review team on the FBI's implementation of the Attorney General's guidelines. She also held several specialized positions at DOJ, including that of Associate Deputy Attorney General and the President's Chair of the Interagency Security Classification Appeals Panel. I would also note that she received the Attorney General's Award for Distinguished Service, the Award for Excellence by the President's Council on Integrity and Efficiency in Government, and the DOJ Office of the Inspector General's Award of Merit.



Mr. Chairman, Roslyn already had a list of significant accomplishments before taking her current position in 2009, which is the Inspector General of the Office of the Director of National Intelligence (ODNI). Ms. Mazer serves concurrently as the chair of the Intelligence Community Inspectors General Forum, working with all Intelligence Community elements to fulfill community-wide objectives established by Congress.

Roslyn was involved in both unclassified and classified reviews of the President's Surveillance Program (PSP), which I again found useful as a former member of the Judiciary Committee as we considered how to overhaul the Foreign Intelligence Surveillance Act (FISA) to provide for greater oversight by Congress and the Foreign Intelligence Surveillance Court (FISC).

In her current position Roslyn has been instrumental in helping the OIG prepare to transition the office to become the Inspector General for the Intelligence Community (IC), as recently required by Congress. And I will remind the committee that the ODNI is a newer agency than even than DHS, as the first Director of National Intelligence did not take office until 2005. So once again Roslyn was given an enormous challenge and opportunity, and she rose to the occasion. She has overseen efforts to better integrate the IC, use funds more wisely, improve contractor and acquisition oversight, and enhance the effectiveness of the ODNI and IC. In particular, I am pleased with Roslyn's work to track the implementation of IG recommendation made to IC elements.

In my view, Mr. Chairman, Roslyn serves as a shining example of public service and doing what is best for your country.

In conclusion, Mr. Chairman, I want to express a little home-state pride as well. Roslyn grew up in Baltimore, Maryland, and is a proud graduate of Pimlico Junior High School. She is also a proud graduate of Western High School, which is the oldest public all-girls school in the United States, founded in 1844. Most of the Mazer family still lives in Baltimore, and I look forward to their introduction to the committee today. Let me thank the Mazer family, in particular Roslyn's father, William Mazer, and her husband, David Holzworth, for agreeing to share in the sacrifices that public service demands, as well as the rewards it provides.

Thank you, Mr. Chairman.

## STATEMENT FOR THE RECORD

Roslyn A. Mazer

Nominee for Inspector General of the Department of Homeland Security

Senate Committee on Homeland Security and Governmental Affairs

November 15, 2011

Chairman Lieberman, Ranking Member Collins, and Members of the Committee. Thank you for the honor of appearing before you today as you consider my nomination to serve as the Inspector General of the Department of Homeland Security (DHS). I am deeply honored to have been nominated by the President, and I wish to thank Senator Cardin for taking the time from his busy schedule to be here today in support of my nomination.

I appreciate the opportunity to introduce my family: my father, William Mazer; my husband, David Holzworth; my stepson, Jeremy Holzworth; and my godson, Paul Swerdlow. I would also like to recognize Mr. and Mrs. Willard Hackerman, who are here today with my father from Baltimore. Mr. Hackerman, who is President and CEO of Whiting-Turner, and my father met when they were teenagers and have been close friends ever since. I am delighted that Charles McCullough, my former Deputy in the ODNI Office of the Inspector General, who was sworn in two days ago as the first statutory Inspector General of the Intelligence Community, is here. I am also fortunate to have other friends and colleagues attending the hearing today.

DHS faces numerous challenges in achieving its vital mission to protect the homeland, as this Committee has well documented, particularly through its hearings. I believe that my deep experience in the Inspector General Community for the last nine and one-half years, my service in senior leadership positions in the Department of Justice, and my years in private law practice well qualify me to serve as the Inspector General at DHS. Serving in a senior position in the

Department of Justice's Office of the Inspector General (OIG) and as the Inspector General of the Office of the Director of National Intelligence, I established a strong track record of conducting and supervising accurate, timely, and relevant audits, inspections, investigations, and other reviews that contained significant findings and actionable recommendations to improve agency performance. This is what both Congress and agency leadership valued from my service and what I will bring to the DHS Inspector General position if I am confirmed.

For example, when serving in the Department of Justice (DOJ) OIG, I led teams of investigators, auditors, and attorneys in conducting many important reviews. I led two congressionally mandated reviews of the FBI's use of national security letters (NSL), a tool for obtaining telephone, financial institution, and credit card transactional data on U.S. citizens and others. The FBI's authority to use NSLs was significantly expanded by Congress following the September 11 attacks when Congress enacted the USA PATRIOT Act. When it reauthorized the PATRIOT Act in 2005, Congress directed the Office of the Inspector General to assess whether these authorities were used lawfully. The DOJ OIG's first review found serious abuses in the FBI's use of these authorities, and the report contained recommendations designed to halt these abuses. The FBI accepted the report's findings and concurred in the recommendations. Our follow-up report a year later found that the FBI had taken our recommendations seriously and had made significant progress in implementing them.

As the Inspector General of the Office of the Director of National Intelligence – an organization only two years younger than DHS – I developed, implemented, and sustained rigorous processes for identifying, scoping, planning, and performing audits, inspections, and evaluations that aligned with the National Intelligence Strategy, the DNI's priorities, and the

management challenges of the Intelligence Community. Reports issued during my tenure focused on improving intelligence integration, stewardship of appropriated funds, acquisition and contractor oversight practices, and financial management. These reports identified deficiencies and shortfalls as well as successes in ODNI mission areas. They also included recommendations designed to improve the efficiency and effectiveness of the ODNI and the Intelligence Community.

At the Department of Justice, I built a strong track record of working effectively with multiple agency components, and with federal, private sector, and international partners. My work at the ODNI also provided the opportunity to rigorously examine systemic, cross-cutting issues that involved multiple stakeholders. Of particular relevance to the position of DHS Inspector General, while serving as the ODNI Inspector General, I led several reviews that assessed the status of integration of the two intelligence elements of DHS: the Office of Intelligence and Analysis and the Coast Guard's National Intelligence Element. Our office also audited the use of National Intelligence Program funds by DHS. While serving as the ODNI Inspector General, I concurrently chaired the Intelligence Community Inspectors General Forum, whose members include the Inspectors General from the core intelligence agencies as well as the Inspectors General of other Departments with intelligence elements, including DHS. During my tenure, members of the Forum conducted joint reviews, sponsored cross-enterprise professional training, and shared best practices. These cross-component and cross-enterprise audits and reviews well prepare me for the type of cross-component work conducted by the DHS Inspector General and for assessing the efficacy of DHS's vital relationships with its state, local and tribal partners, the private sector, and international partners.

Likewise, as the ODNI Inspector General, I participated in the Homeland Security Roundtable, a group of Inspectors General who meet regularly under the sponsorship of the Council of the Inspectors General on Integrity and Efficiency (CIGIE). The Homeland Security Roundtable facilitates an excellent dialogue across the mission areas of Inspectors General involved in homeland security issues. The Roundtable issues important reports, such as its recent reports on underutilization of suspension and debarment authorities and how Offices of Inspector General can meaningfully address cyber threats. These cross-enterprise activities have provided additional insights, resources, and professional relationships, that, if confirmed, I will bring to the DHS Office of the Inspector General.

In conclusion, I know that DHS faces major challenges in addressing new, complex threats. Issues such as border corruption, DHS's critical cyber mission, and FEMA's capacity to respond to disasters and manage its grants are enduring challenges. As DHS confronts these challenges, the Office of the Inspector General must be innovative, adaptive, and responsive. If confirmed, I pledge to continue to live by the mantra of Glenn Fine, former Inspector General at the Department of Justice: "Be tough but fair." If confirmed, I also pledge to protect the independence of the Office of the Inspector General; to be tenacious; to produce fair, accurate, relevant, and timely reports; to drive implementation of report recommendations; and to continue the effective dialogue between this Committee and the Office of the Inspector General so that, together, we can work to improve the performance of DHS's vital mission to protect the homeland.

Thank you again for the opportunity to appear before you today. I look forward to your questions.

**United States Senate**

COMMITTEE ON  
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS  
ROOM SD-340  
(202) 224-2627

WASHINGTON, D.C. 20510-6250

**BIOGRAPHICAL AND FINANCIAL INFORMATION REQUESTED OF NOMINEES**

**A. BIOGRAPHICAL INFORMATION**

1. **Name:** (Include any former names used.)  
Roslyn A. Mazer
2. **Position to which nominated:**  
Inspector General, Department of Homeland Security
3. **Date of nomination:**  
July 21, 2011
4. **Address:** (List current place of residence and office addresses.)  
Residence: REDACTED  
  
Office: Office of the Director of National Intelligence  
1500 Tysons McLean Drive  
McLean, VA
5. **Date and place of birth:**  
May 19, 1949  
Baltimore, MD
6. **Marital status:** (Include maiden name of wife or husband's name.)  
Married to David A. Holzworth
7. **Names and ages of children:**

Stepson: Jeremy D. Holzworth, 25

8. **Education:** List secondary and higher education institutions, dates attended, degree received and date degree granted.

Syracuse University, 1967-1971  
Bachelor of Arts in Political Science, *magna cum laude*, June 1971

Columbus School of Law, Catholic University of America, 1972-1975  
Juris Doctor, May 1975

9. **Employment record:** List all jobs held since college, and any relevant or significant jobs held prior to that time, including the title or description of job, name of employer, location of work, and dates of employment. (Please use separate attachment, if necessary.)

National Advisory Commission on Criminal Justice Standards & Goals, 1971 - 1972  
Editor of report.  
Washington, DC

Lobel, Novins & Lamont, Summer 1973, summer law clerk  
Washington, DC

Fried, Frank, Harris, Shriver, & Kampelman, 1974, law clerk  
Washington, DC

Dickstein, Shapiro & Morin, 1974 – 1993, summer law clerk, associate, partner  
Washington, DC

United States Department of Justice, Nov. 1993 – Jan. 2001; April 2002 – April 2009  
Washington, DC

- Deputy Assistant Attorney General, Office of Policy Development, Nov. 1993 – Nov. 1996
- Associate Deputy Attorney General, Nov. 1996 – Jan 1998
- Special Counsel for Intellectual Property, Criminal Division, Jan 1998 – January 2001
- Investigative Counsel, Oversight & Review Division, Office of the Inspector General, April 2002 – April 2009

Self-Employed, Sept. 2001 – April 2002, Lawyer  
Washington, DC

Office of the Director of National Intelligence, April 2009 to date, Inspector General

Washington, DC

10. **Government experience:** List any advisory, consultative, honorary or other part-time service or positions with federal, State, or local governments, other than those listed above.
  - U.S. Rule of Law Task Force, Legal Needs Assessment in the former Czechoslovakia (program jointly administered by the Department of State, Department of Justice, and United States Information Agency), 1991
  - Merit Selection Panel, U.S. District Court for the District of Columbia (appointed by then Chief Judge Thomas Hogan) regarding reappointment of Magistrate Judge John Facciola, 2005
  - Chair of and the Attorney General's Representative to the Interagency Security Classification Appeals Panel, 1996 – 2001
  - Delegate, Judicial Conference for the U.S. Court of Appeals for the District of Columbia Circuit, 1991, 1994, 1996, 2000, 2004, 2006, 2010
  - Multi-Door Mediation Program, District of Columbia Superior Court, mid-1980s
11. **Business relationships:** List all positions currently or formerly held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.
  - Partner, Dickstein, Shapiro & Morin (1982 – 1993)
  - Bill of Rights Institute, College of William and Mary, Advisory Board (approx. 1990 - 1994)
  - BNA Media Law Reporter, Advisory Board (approx. 1990 - 1995)
  - Committee on Revision of the Czechoslovak Constitution (participated with academics, lawyers, judges, and former heads of state from major western countries in advising Member of the Czechoslovak parliament on constitutional mechanisms and options for addressing human rights, federalism, separation of powers, and Bill of Rights issues) (approx. 1989 – 1991)
12. **Memberships:** List all memberships, affiliations, or and offices currently or formerly held in professional, business, fraternal, scholarly, civic, public, charitable or other organizations.
 

District of Columbia Bar (active, 1976 to date)  
 Comment Editor, Catholic University Law Review (1974 – 1975)  
 American Bar Association (former member, approx. 1977 - 1998)  
 Women's Bar Association of the District of Columbia (former member, intermittent, approx. 1985-2007)



American Law Institute (current member, 2010 to date)  
 The Barristers (current member, 1986 to date; President, 2000; Vice President, 1998;  
 Executive Committee Member, 2001)  
 American Bar Foundation, Society of Fellows (current member, approx. 1995 to date)  
 Women's Legal Defense Fund (now National Partnership for Women & Families),  
 President's Club (approx. 1994 - 2007)  
 Society for American Baseball Research (former member, approx. 1986 - 1992)

13. **Political affiliations and activities:**

- (a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None.

- (b) List all memberships and offices held in and services rendered to any political party or election committee during the last 10 years.

Democratic Party (intermittent until 2009)

- (c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$50 or more during the past 5 years.

Democratic Senatorial Campaign Committee - \$ 300 (Oct. 2006). I may also have made contributions to District of Columbia mayoral candidates, but could not locate records to verify any such contributions.

14. **Honors and awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

- John Ben Snow Journalism Scholarship, Syracuse University, 1967-1968
- Syracuse University Trustee Scholarship, 1968 - 1971
- Bachelor of Arts in Political Science, *magna cum laude*, Syracuse University, 1971
- Phi Beta Kappa, Syracuse University, 1971
- Honors Convocation, Syracuse University, 1968, for second highest grade point average in Freshmen Class
- American Association of University Women Fellowship, 1973-1975
- Director of Central Intelligence Award for service as Chair of the Interagency Security Classification Appeals Panel, 1996 - 2001

- United States Department of Justice *Distinguished Service Award* for leading the team that identified serious abuses in the FBI's use of national security letters, 2007
  - President's Council on Integrity & Efficiency *Award for Excellence* in recognition of outstanding efforts in producing comprehensive reports on the FBI's use of national security letters and Section 215 orders to obtain business records, 2007
  - President's Council on Integrity & Efficiency *Award for Excellence* in recognition of exceptional efforts in completing follow up reviews of the FBI's use of national security letters and Section 215 orders to obtain business records, 2008
  - United States Department of Justice Inspector General's *Award of Honor* in recognition of significant contributions to the Office of the Inspector General, 2003, 2006
  - United States Department of Justice Inspector General's *Award of Merit* in recognition of exceptional contributions to the Office of the Inspector General, 2008
15. **Published writings:** Provide the Committee with a list and two copies of any books, articles, reports, or other published materials which you have written. These items can be provided electronically via e-mail or other digital format.

Terrorist Financing:

- "From T-Shirts to Terrorism: That Fake Nike Swoosh May be Helping to Fund Bin Laden's Network," *Washington Post* (September 2001)

First Amendment and Media Law:

- "The Reconcilable Rights to a Fair Trial and a Free Press," published by The First Amendment Congress (January 1991)
- "The Quotation Wars: Legal Hazards of Attributed Quotations," *Authors Guild Bulletin* (Spring-Summer 1991)
- "Monday Memo," A First Amendment Commentary (on *Masson v. The New Yorker*), *Broadcasting* (February 11, 1991)
- "It's Time to Change Libel Law," *The Washington Post* (October 24, 1988)

Emerging events in central Europe:

- "Rita Klímová: At Home in the New World," *The Washington Post* (January 4, 1994)
- "Burning Flags and Writing the Czechoslovak Constitution," *Roll Call* (June 21, 1990)
- "Exporting a Free Press," *The Quill* (Society of Professional Journalists, October 1991)

- OP-ED, "Exporting USA's Rights Overseas," USA TODAY (September 17, 1991)
- "Ústavní ochrana svobody projevu, svobody tisku a svobody sdružování shromažďování" ("Constitutional Protection of Freedom of Speech, Freedom of the Press and Freedom of Association and Assembly"), *Právník* (Czechoslovakia) (January 1991) Cannot locate a copy.

Law Journal Articles:

- Case Note, *Palmore v. United States*, 23 Cath. U. Law Rev. 195 (1973)
- Taxing Political Contributions: The IRS Balks at Reform, 23 Cath. U. Law Rev. 322 (1973 )

Baseball:

- "Take a Kid to the Ball Game," *Newsweek* (April 6, 1987)
- "Giamatti Loved the Game That Broke His Heart," *Hartford Courant* (September 8, 1989) Cannot locate a copy.
- "Architecture's Bridge to Ballpark Memories," *Baltimore Sun* (April 7, 1991)
- "Romance In Right Field," *Baltimore Magazine* (April 1992)
- "Frank Robinson Inspires Orioles Magic," *The National Pastime*, published by the Society for American Baseball Research (1992)
- "He's Going for Three! A celebration of the triple, the most exciting play in baseball," *World Series Official Souvenir Program* (1993)

16. **Speeches:**

- (a) Provide the Committee with a list and two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated. Provide a list and copies of any testimony to Congress, or to any other legislative or administrative body. These items can be provided electronically via e-mail or other digital format.  
  
None.
- (b) Provide a list of all speeches and testimony you have delivered in the past 10 years, except for those the text of which you are providing to the Committee. Please provide a short description of the speech or testimony, its date of delivery, and the audience to whom you delivered it.

- 15<sup>th</sup> Annual Intelligence Community Inspectors General Conference, May 2009 (introductory remarks describing the work of the IC IG community in the past year and conference topics)
- 16<sup>th</sup> Annual Intelligence Community Inspectors General Conference, May 2010 (introductory remarks describing the work of the IC IG community in the past year and conference topics)
- 17<sup>th</sup> Annual Intelligence Community Inspectors General Conference, May 2011 (introductory remarks describing the work of the IC IG community in the past year and conference topics; moderated a panel on how the IC OIG community is addressing efficiencies)
- Council of the Inspectors General on Integrity and Efficiency (CIGIE) 2010 Annual Leadership Conference, "The Tradecraft of OIG Recommendations and Follow Up," May 5, 2010 (highlighting the challenges of crafting specific, measurable, and meaningful OIG recommendations and tracking their implementation)
- American Bar Association Forum on Communications Law, Panel on 15<sup>th</sup> Anniversary of *Hustler Magazine v. Falwell*, Scottsdale, AZ, Winter 2003 (describing strategic decisions involved in representing *amici curiae* in this seminal First Amendment case)

17. **Selection:**

- (a) Do you know why you were chosen for this nomination by the President?

I believe I was chosen because I was among those recommended for the position by the Council of the Inspectors General on Integrity & Efficiency (CIGIE) and because of my service and record of accomplishment in the OIG community for the last 9 years.

- (b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

I believe that my service as Inspector General of the Office of the Director of National Intelligence combined with my service in the Department of Justice – including seven years in the Office of the Inspector General – well qualify me to serve as IG for the Department of Homeland Security. I am fully familiar with the tools and practices, as well as the roles and responsibilities, of Offices of Inspector General, including the role of audits, inspections, evaluations, and investigations. Moreover, as chair of the Intelligence Community Inspectors General Forum – whose membership includes the DHS IG – I have developed inter-agency reviews and evaluations that leverage a variety of OIG disciplines. These skills and experiences will translate well into the DHS OIG mission. In addition, as ODNI IG, I am familiar with DHS's intelligence element, Intelligence & Analysis, and with the participation of DHS in the vital mission of the National Counterterrorism Center and other Intelligence Community missions. My familiarity with these important intersections will help facilitate OIG reviews on the

effectiveness of collaboration between DHS and both Intelligence Community and law enforcement elements.

My years in private law practice will also serve me well. I have worked on numerous criminal investigations, including false statements, perjury, false claims, and fraud investigations as well as investigations involving breaches of the public trust. These experiences will help guide the important investigative portfolio of the DHS OIG.

#### **B. EMPLOYMENT RELATIONSHIPS**

18. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?  
  
N/A.
19. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.  
  
No.
20. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization, or to start employment with any other entity?  
  
No.
21. Has anybody made a commitment to employ your services in any capacity after you leave government service?  
  
No.
22. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?  
  
Yes.
23. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.  
  
No.

**C. POTENTIAL CONFLICTS OF INTEREST**

24. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

I am not aware of any such matters. In connection with the nomination process, I have consulted with the Office of Government Ethics to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with guidance I will obtain by the Office of Government Ethics and the Ethics Office in the Department of Homeland Security.

25. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

None.

26. Do you agree to have written opinions provided to the Committee by the designated agency ethics officer of the agency to which you are nominated and by the Office of Government Ethics concerning potential conflicts of interest or any legal impediments to your serving in this position?

Yes.

**D. LEGAL MATTERS**

27. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint, to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

I have never been disciplined or cited for a breach of ethics or unprofessional conduct. However, I was suspended from the D.C Bar for 15 days in 1995, as a result of missing the deadline for dues because of a misunderstanding of dues payable by government employees. Upon payment, the matter was resolved and I was reinstated.

I have been the subject of two complaints, detailed below:

In 2010, in connection with an EEO discrimination complaint against the Federal Bureau of Investigation, the complainant alleged that I acted inappropriately during an interview I conducted while serving as Investigative Counsel, Oversight & Review Division,

Department of Justice. In response to a request from the FBI, I provided information responsive to this allegation. To my knowledge, this EEO matter is still pending.

Also in 2010, an anonymous complaint was made to the CIA Office of the Inspector General alleging that I had interacted improperly with contractor personnel assigned to the ODNI Office of the Inspector General. In accordance with protocols established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE), the complaint was forwarded to the CIGIE Integrity Committee. The CIGIE Integrity Committee concluded that the allegations did not meet the Committee's threshold standard for consideration.

28. Have you ever been investigated, arrested, charged or convicted (including pleas of guilty or nolo contendere) by any federal, State, or other law enforcement authority for violation of any federal, State, county or municipal law, other than a minor traffic offense? If so, provide details.

No.

29. Have you or any business of which you are or were an officer, director or owner ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

In addition to the EEO complaint detail above, I have been involved as a party of interest in the following matters:

- An ODNI OIG employee alleged a violation of USERRA in connection with an OIG management decision I made to realign OIG division personnel. The complaint was rejected by ODNI management, and the decision was upheld by the Director of National Intelligence.
- In approximately 1981, while serving as administratrix of the Estate of Jerry G. Landauer, two claims were lodged against the Estate. Both were resolved, and all estate matters were closed in approximately 1982.

30. For responses to question 30, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

See responses above.

31. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

None.

**E. FINANCIAL DATA - REDACTED**

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

**AFFIDAVIT**

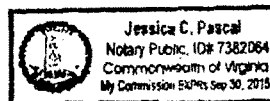
Roshyn A. Mazer being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Roshyn A. Mazer 8/5/11

Subscribed and sworn before me this 5 day of AUGUST, 2011

Jessica C. Pascal JESSICA PASCAL

Notary Public





**U.S. Senate Committee on Homeland Security and Governmental Affairs  
Pre-hearing Questionnaire  
For the Nomination of Roslyn A. Mazer to be  
Inspector General, Department of Homeland Security**

**I. Nomination Process and Conflicts of Interest**

1. Why do you believe the President nominated you to serve as the Inspector General (IG) of the Department of Homeland Security ("DHS" or "the Department")?

**ANSWER:** I believe the President nominated me to serve as the Inspector General (IG) of the Department of Homeland Security (DHS) because of my qualifications and experience serving in the Inspector General community as Inspector General of the Office of the Director of National Intelligence (ODNI), as chair of the Intelligence Community Inspectors General Forum (which includes the DHS Inspector General), and in the Department of Justice (DOJ) Office of the Inspector General. I believe my work in other senior positions in the Department of Justice, including the Criminal Division, and my years in private law practice were also considered valuable experience for serving as DHS IG.

2. Were any conditions, expressed or implied, attached to your re-nomination? If so, please explain.

**ANSWER:** No.

3. If confirmed, are there any issues from which you may have to recuse or disqualify yourself because of a conflict of interest or the appearance of a conflict of interest? If so, please explain the procedures and/or criteria that you will use to carry out such a recusal or disqualification.

**ANSWER:** In connection with the nomination process, I consulted with the DHS Office of the General Counsel and the Office of Government Ethics regarding potential conflicts of interest. If confirmed, any potential conflicts of interest will be resolved in accordance with advice provided by the DHS Office of the General Counsel and the Office of Government Ethics.

4. What specific background and experience affirmatively qualifies you to be Inspector General?

**ANSWER:** I have served in the Inspector General community for over nine years. I served as the Inspector General of the ODNI for two and a half years. Prior to my service at ODNI, I served for seven years as Special Investigative Counsel in the Oversight & Review Division of the DOJ OIG.

As the ODNI IG, I developed and sustained a rigorous process for identifying, scoping, planning, and performing audits, inspections, and evaluations that were aligned with the National Intelligence Strategy, ODNI and Intelligence Community (IC) management challenges, DNI priorities, and other strategic assessments of the ODNI and the IC. Reports issued during my tenure focused on improving intelligence integration, stewardship of appropriated funds, acquisition and contractor oversight practices, financial management, and a variety of investigative reports on fraud, waste, abuse, and mismanagement. These reports identified deficiencies and shortfalls as well as successes in ODNI/IC mission areas, and included recommendations designed to improve the efficiency and effectiveness of the ODNI and the IC.

Equally important, during my tenure the OIG developed and implemented business processes and procedures that helped transition the organization into a more mature IG office. For example, I led development of the first office-wide resource manual to guide OIG personnel in developing project proposals; drafting and vetting semiannual reports; drafting semiannual reports and management challenges reports; conducting lessons learned exercises; and tracking open recommendations. Working with ODNI management, I also formalized the process for driving and tracking implementation of OIG recommendations. These efforts have led to a more effective working relationship between ODNI management and the OIG.

I also chair the Intelligence Community (IC) Inspectors General Forum, which promotes collaboration and coordination among IC Inspectors General to address the IC's most significant intelligence integration issues and other challenges. During my tenure the IC IG Forum members developed and conducted joint or collaborative reviews, generated ideas for cross-cutting projects, developed approaches for peer reviews and training programs, and shared best practices. One of these reviews examined the President's Surveillance Program (PSP). In a series of both classified and unclassified reports, five participating OIGs assessed the facts, establishment, and implementation of the program; legal reviews of the Program; communications with the private sector, and interactions with the Foreign Intelligence Surveillance Court. In another collaborative project, IC IG Forum members examined their own agency's terrorist watchlisting practices. This review proved very valuable following the Christmas 2009 bombing attempt on Northwest Flight 253 as I was able to use the Forum platform to quickly identify outstanding open recommendations from their terrorist watchlisting reports that could inform various reviews of this incident. Serving as chair of the Forum enabled me to appreciate the enterprise-level activities of all IC OIGs – the type of perspective that will be invaluable in addressing the challenges of the homeland security enterprise.

During my seven years in the DOJ OIG, I led some of the most complex, sensitive reviews the OIG undertook. I led teams of attorneys, inspectors, investigators, and auditors in conducting complex reviews of law enforcement and intelligence authorities and allegations of criminal misconduct and performance irregularities. I conducted investigations of high-level misconduct by Department of Justice officials and employees, including individuals accused of misleading federal prosecutors, prohibited personnel practices, favoritism, financial misconduct, contracting irregularities, and

violations of the Ethics in Government Act. I led a multi-disciplinary team conducting a two-year review of the FBI's implementation of the Attorney General's Guidelines governing the use of confidential informants, undercover operations, racketeering and terrorism enterprise investigations, and consensual monitoring. This review identified significant deficiencies in the FBI's compliance with the Guidelines and provided recommendations designed to mitigate these deficiencies.

I also led a multi-disciplinary team of investigators, auditors, attorneys, and evaluators of a review of the FBI's use of national security letter authorities. The OIG team generated two reports in 2007 and 2008 which were mandated by the USA PATRIOT Reauthorization Act of 2005. The reports documented serious abuses in the FBI's use of these authorities and contained recommendations to address these abuses. Because the report's findings were uncontested, the FBI Director accepted the report recommendations and took prompt action to implement them. Our follow-up report noted the significant progress made by the FBI in implementing our recommendations, while recognizing the need to sustain oversight and training on an ongoing basis.

The DOJ OIG initiated a follow-on review of the FBI's use of improper exigent letters to acquire telephone transactional records from communication service providers. I led the multi-disciplinary team that conducted this review. The OIG's report documented serious abuses in the FBI's use of exigent letters, rather than NSLs or other legal process, to obtain telephone transactional records.

Prior to my government service, I was a partner in a major D.C. law firm. As part of the firm's criminal defense practice group, I worked on numerous criminal investigations, including investigations of false statements, perjury, false claims, tax, and fraud investigations as well as investigations involving breaches of the public trust, including lying to Congress. If I am confirmed, my criminal defense work and my work in the DOJ Criminal Division will help guide the important investigative portfolio of the DHS OIG.

5. Have you made any commitments with respect to the policies and principles you will attempt to implement as Inspector General? If so, what are they, and to whom were the commitments made?

**ANSWER:** No.

6. Have you ever been asked by an employer to leave a job or otherwise left a job on a non-voluntary basis? If so, please explain.

**ANSWER:** No

## **II. Background of the Nominee**

7. What do you believe are the qualities of an effective manager?

**ANSWER:** An effective manager sets strategy, teaches and inspires, supports and encourages, gets results, holds people accountable, celebrates accomplishments, and

rewards performance. Effective managers are deeply committed to the success of the mission and the needs of the work force, are approachable and inclusive, and continually look for ways to support their teams in improving their performance, improving the performance of the organization, and sustaining excellence.

a. How would you describe your management style?

**ANSWER:** My management style is flexible and adaptive, depending on the work force or teams I am leading, the nature of the challenge, and the strategic and tactical objectives to be accomplished. Generally speaking, my leadership style is 1) affiliative, meaning that my goal is to integrate the talents and expertise of my team, promote harmony and a sense of shared mission, encourage inclusiveness, and reward performance; and 2) goal-oriented, meaning that I set high standards, communicate clear goals and expectations, and hold myself, my leadership team, and my staff accountable for organizational results.

b. What are the most important lessons you have learned about management during your time as Inspector General of the Director of National Intelligence (ODNI), and in previous management positions you have held, including as Associate Deputy Attorney General and Deputy Assistant Attorney General at the Department of Justice (DOJ), as a senior attorney in the DOJ OIG, and as a partner in a law firm?

**ANSWER:** These are two important lessons I learned while working in the OIG community at the ODNI and DOJ:

- Be tough, but fair. This was the mantra of Glenn A. Fine, former Inspector General of the Department of Justice, with whom I worked for seven years. It cannot be improved upon as the goal of all OIG professionals.
- Convey in formal and informal ways, regularly and emphatically, the unique *mission* of the OIG: to provide independent, objective, timely, and relevant assessments in order to promote greater efficiency and effectiveness and to prevent and detect waste, fraud, abuse, and mismanagement. Simultaneously convey the unique *responsibilities* that come with this mission: the need to conduct our work carefully, responsibly, fairly, efficiently, and with utmost integrity and discretion.

While serving in other positions in the Department of Justice, the most valuable lesson I learned was the capacity of the Department of Justice to perform its vital missions with integrity and professionalism and its commitment to adapt to the ever-changing landscape of terrorism, violent crime, financial crimes, and official corruption. While serving as a partner in private law practices, I learned many important lessons: the need to ensure that all firm personnel adhere to the highest professional and employment standards; the need to serve clients with integrity, creativity, and efficiency; the need to promote ever-increasing responsibility on the part of younger attorneys and to support continuing professional development; the need to provide pro bono services to those who cannot

afford steep legal fees; and the need to engage as lawyers in the broader communities we serve.

c. What qualities do you look for in assembling a management team?

**ANSWER:** In assembling a management team, first and foremost, I look for the essential qualities of integrity, professionalism, collegiality, and good judgment. I also look for dedication to mission, necessary skill sets and experiences, and a mature, well-rounded personality. Across the team as a whole, I look for complementary skills and experiences amongst all team members, which enable the organization to perform at the highest level.

d. What is your approach to delegating work and responsibilities to others?

**ANSWER:** In my years in the OIG community, both at DOJ OIG and ODNI OIG, my approach has been to delegate work and responsibility to others, provide regular guidance, support and encourage teamwork, and provide necessary resources and assistance.

8. As Inspector General of the Office of the Director of National Intelligence, how would you describe —

a. your working relationship with senior managers within the ODNI?

**ANSWER:** My working relationship with ODNI senior managers is strong and effective. I base this assessment on interactions with the three principals of the ODNI and with various senior managers. I also base it on regular interactions with the OIG's major organizational "touch points": Office of the General Counsel, Civil Liberties and Privacy Office, Office of Legislative Affairs, Chief Information Officer, Equal Employment and Diversity Office, Public Affairs Office, Mission Support Division, and the Assistant Deputy Director of National Intelligence/Chief Financial Officer, among others. In all of my interactions with ODNI personnel, I strive to improve working relationships and deepen my understanding of the ODNI and IC mission.

b. your working relationship with other employees of ODNI?

**ANSWER:** My working relationship with other ODNI employees is strong and effective. Over the course of my tenure at ODNI, I have identified various subject matter experts and attended a number of the regular integration meetings sponsored by ODNI senior leadership in order to be knowledgeable about ODNI and IC initiatives and to put my staff in touch with ODNI officials who can help the OIG develop new project proposals and stay abreast of ongoing policy changes and management initiatives.

9. In your work in the Offices of Inspector General (OIGs) at ODNI and Department of Justice, have you ever been pressured by the agency head or senior staff to drop or modify any work being done by the OIG? If so, how did you respond?

**ANSWER:** I have never been pressured either at DOJ OIG or at ODNI OIG to drop any work being done by the OIG.

While serving at DOJ OIG, I recall many, many conversations with FBI officials and employees and other Department personnel about the terminology, conclusions, and recommendations contained in draft OIG reports. This type of engagement was routine and professional, and ensured that our final reports were factually accurate. It also often narrowed any differences on OIG recommendations. In many of these conversations, agency officials and employees urged the OIG to “modify” terminology in draft reports. However, I regarded all of these exchanges as the usual give-and-take – explicitly recognized in professional standards established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE). In the end, the final judgment about whether to modify language in OIG reports rested with the IG or his designees, and these judgments were reached independently. My staff at ODNI OIG reported similar conversations to me from their various meetings with personnel from affected elements at which draft OIG reports were discussed, and I have had several similar discussions.

10. What process did you use as ODNI Inspector General to assess whether the ODNI (or other agency, as appropriate) had adequately fulfilled recommendations made within ODNI OIG reports?

**ANSWER:** Prior to my arrival at the ODNI OIG, there was no formal process through which the OIG engaged with senior management and IC elements affected by our recommendations to ensure that the recommendations were tracked and implemented. As a result of an initiative that began prior to my tenure, which was formalized in February 2011, the OIG now meets at least quarterly with the ODNI Chief Management Officer (CMO) and all IC elements affected by open report recommendations to track progress and drive implementation. At these meetings, OIG subject matter experts work with affected IC elements to close these recommendations, and the CMO ensures that affected elements remain focused on closing these recommendations quickly. Progress on implementing OIG recommendations is reported to Congress semiannually and during other congressional engagements. In the last several years, the ODNI has made significant progress in closing many report recommendations – including some longstanding recommendations – but more work must be done to close all of them.

11. During your time as ODNI Inspector General, how did you identify the priorities of the office, and what steps did you take to reflect those priorities within the office?

**ANSWER:** To identify relevant and timely topics for OIG review, the ODNI OIG initially obtained input from ODNI senior officials, reviewed the reports of other Intelligence Community OIGs, evaluated congressional reporting requests, and considered the suggestions from other IC IGs and the IC IG Forum’s various working groups. We also sought to ensure that our work aligned with the National Intelligence Strategy, the management challenges identified by our office and other IC OIGs, and other ODNI priorities. At least annually, our senior management team has engaged in a

robust exercise to refresh the OIG's biannual work plan. Working with the Deputy IG, I have also identified priorities to improve our office's business processes, IT support, professional development training, and physical plant through regular discussions with my senior leadership team and OIG Front Office personnel.

In addition, during FY 2011, to support a smooth transition to the Office of the Inspector General of the Intelligence Community, which was created in the FY 2010 Intelligence Authorization Act, I directed the Deputy IG to launch a strategic planning exercise to map the new duties and responsibilities of the IC IG, benchmark the best practices of other IC OIGs and other newer IG offices, and develop notional priorities and projects that can be further developed and finalized once the IC OIG is established.

12. Based on your experiences at the DOJ Office of Inspector General and the ODNI Office of Inspector General, what is your view on the use of contractors within Offices of Inspector General?

**ANSWER:** OIGs in the federal government, including the Intelligence Community, have sometimes relied upon contractors to support their activities. In considering whether to use contractors, I believe that an OIG needs to determine on a case-by-case basis the need for contractor support and, if contractors are used, to ensure that internal controls for contract execution are in place to properly supervise their work and ensure that contractors do not perform inherently government functions.

13. What were the most important lessons you learned during your tenure with the ODNI and DOJ OIGs and how would you apply these lessons in improving DHS OIG operations and reporting?

**ANSWER:** See response to Question 7(b). In addition, I have had the privilege of working with the previous DHS Inspector General, with the current Acting DHS Inspector General, and with members of his staff. Throughout my tenure as ODNI IG, DHS has been a member of the IC Inspectors General Forum, which I chair, and I am a member of the CIGIE Homeland Security Roundtable, which the DHS IG chairs. I also have read many of the public reports produced by the DHS OIG, and my office has worked with DHS OIG on two joint audits during my tenure. If I am confirmed, these experiences and relationships will help inform establishing priorities for the office.

To help identify ways to improve DHS operations and reporting, following briefings by the OIG leadership team, if confirmed, I plan to schedule meetings with DHS leadership, in advance of scheduling "deep dives" on the major challenges facing DHS.

14. Please describe the review process for reports prepared by staff of ODNI OIG. Do you have goals for timelines associated with different parts of the review process?

**ANSWER:** Generally, reports drafted by ODNI OIG employees are reviewed by team members, by the Assistant Inspector General (AIG) of the division generating the report, by a Front Office senior advisor (legal review), and by the Deputy Inspector General

before they are reviewed by the IG. In addition, OIG teams often ask personnel from another division to lay "fresh eyes" on a mature draft report. Timetables for different parts of the project, including review of draft reports, and the projected completion date are set forth in the initial audit guide or evaluation/inspection plan. These dates are adjusted as the project proceeds if circumstances warrant. Through in-progress reviews (IPRs) and other informal exchanges, AIGs and OIG Front Office personnel track progress of the status of all OIG projects. At weekly senior leadership meetings, the IG, Deputy IG, Chief of Staff, senior advisor, and the AIGs discuss the status of planned and ongoing projects and the need to schedule IPRs. To expedite Front Office review, the IG and the Deputy IG often take turns conducting the first review of draft reports and often provide their combined comments to the pertinent AIG. This is virtually identical to the process used for reviewing reports at the DOJ OIG and at many other OIG offices with which I am familiar.

15. Do you believe there is any tension between the need to issue high quality reports and the need to issue those reports in a timely manner so as to ensure findings and recommendations remain relevant? If so, as ODNI Inspector General (and, if relevant, as an attorney at the DOJ ODNI), how did you balance those potentially conflicting requirements?

**ANSWER:** Yes. Indeed, CIGIE standards recognize this tension in the *Quality Standards for Inspections and Evaluation* (January 2011), which incorporate the principles of *quality control* (particularly the reference to "adequate supervision" as a "key aspect of inspection quality control" by "providing important judgment and an additional level of oversight to the work done by subordinate, often less experienced, staff"), *evidence*, and *timeliness*, among others. During my tenure at DOJ OIG and at ODNI OIG, to ensure that OIG findings are timely briefed to agency management, there have been occasions when I have briefed report findings, even if the underlying reports were not yet complete. This approach, explicitly recognized in CIGIE quality standards, enables management to take prompt corrective action prior to receiving the final reports.

16. What steps have you taken as ODNI Inspector General to ensure the appropriate timeliness, and quality of the OIG's work?

**ANSWER:** I have taken various steps to ensure timeliness and quality of the OIG's work: I provide clear guidance on how OIG projects are to be executed; the Deputy IG and I regularly engage with our senior management team and with each AIG to assess if projects are on track and to provide any necessary guidance or support; I periodically schedule in-progress reviews to assess the status of our projects; I support training of all OIG professional staff to hone skills, develop relationships across the IG community, and bring back best practices to other staff; and I use the auspices of the IC IG Forum to sponsor conference programs on all OIG disciplines (audits, inspections, and investigations), many of which have focused on performing our work more effectively and efficiently. When appropriate, I also use regular meetings with the Director of National Intelligence (DNI) and the Principal Deputy Director of National Intelligence



(PDDNI) to have OIG staff brief OIG findings and recommendations before final reports are issued and to provide updates on investigative matters.

17. As ODNI Inspector General you chaired the Intelligence Community (IC) Inspectors General forum, which is intended to integrate the activities of Inspectors General within the intelligence community. What is your assessment of the status of integration and coordination among the IC Inspectors General today? What steps did you take as ODNI Inspector General to improve this integration and coordination?

**ANSWER:** The IC Inspectors General Forum has made important strides to achieve its integration and coordination mission. The Forum's audit, inspections, and investigations working groups and the Deputy Inspectors General meet regularly to identify systemic IC issues and deficiencies; areas for deconfliction between and amongst OIGs; training opportunities; peer review activities; training opportunities, and best practices. For example, the Deputy Inspectors General recently met to address congressionally directed actions and the requirements for performing financial statement audits. The Assistant Inspectors General for Audits recently discussed the Wikileaks incident and best practices for safeguarding classified information. Best practices for short-cycle inspections were discussed at a recent meeting of the Assistant Inspectors General for Inspections. The Assistant Inspectors General for Investigations collaborated on best practices for detecting fraud, waste, and abuse, including recent fraudulent schemes that may be affecting other IC elements.

During my tenure as chair of the Forum, I led a variety of efforts to support and integrate the IC OIG community. For example, in December 2010 I hosted a meeting of the CIGIE leadership for the purpose of acquainting the new Designated Federal Entity (DFE) IGs – Defense Intelligence Agency (DIA), National Geospatial-Intelligence Agency (NGA), National Reconnaissance Office (NRO), and National Security Agency (NSA) – with CIGIE and provide a forum for CIGIE to acquaint the new DFE IGs with the mission, activities, and expectations that go along with CIGIE membership. IC IGs from DoD, CIA, Treasury, and State – who already are members of CIGIE – also attended and contributed to the dialogue. The four new DFE IGs discussed their respective missions and organizations. CIGIE leadership identified the subgroups and major rhythms of the organization, and, together with the IC IGs, identified opportunities for collaboration. The IC IGs discussed their own peer review activities, the IC OIGs' Joint Duty Exchange program, the IC IG Annual Professional Awards programs, and how the IC IG Forum, through its working groups, promotes collaborative projects, peer reviews, and best practices for conducting audits, inspections and investigations.

In addition, this year, the DFE IGs asked me to facilitate obtaining clarification of the role to be played henceforth by the Department of Defense (DoD) OIG, the ODNI OIG, and the future Office of the Inspector General of the Intelligence Community in performing financial statement audits. As a result of the dialogue with all affected parties, which included the Assistant Deputy of National Intelligence/Chief Financial Officer, the "lanes in the road" were usefully clarified.

I led these additional activities in furtherance of the integration of the IC OIGs:

- Working with other Forum members, the OIG initiated a capstone review of agency Federal Information Security Management Act (FISMA) reports, which is now an annual exercise. In FY 2010, the OIG assumed the responsibility for consolidating the IC agencies' FISMA reports from the Intelligence Community Chief Information Officer (IC CIO). The capstone report synthesizes the findings of other IC OIGs and identifies information security trends and challenges across the IC.
- Working with other Forum members, the OIG conferred about how to address congressionally directed actions on several topics to avoid duplication and ensure the reviews were conducted efficiently.
- Established the first Intelligence Community Inspector General Awards Program, which recognizes outstanding efforts in all OIG disciplines (audits, inspections, and investigations) and for leadership, collaboration, and lifetime achievement.
- Through the IC IG Forum working groups, promoted IC peer review processes and assisted in developing rotating peer reviews for each discipline: audits, inspections, and investigations. Each working group performed baseline reviews of peer review policies, processes, and best practices.

The IC IG Forum also sponsors an annual conference at which over 200 IC OIG professionals participate in plenary and working group sessions on current topics of interest in all OIG discipline areas. In the last three years, conference topics included legislative oversight, procurement integrity, the cyber challenge, intelligence oversight activities, forensic auditing, cybersecurity and the insider threat, United States Attorneys Office overview on prosecuting OIG cases, and practical tools for OIG audits.

Earlier this year, I proposed and the Forum endorsed the launch of the first IC OIG Community of Interest, an online community that fosters and facilitates collaboration among IC OIG personnel on ongoing work, project proposals, training opportunities, and best practices.

The successful construct of the IC IG Forum was recognized by the intelligence oversight committees and the Congress when Congress established the Forum as a statutory entity in the FY 2010 Intelligence Authorization Act. If confirmed, as a member of the Forum representing DHS OIG, I look forward to supporting these and other integration activities under the leadership of the Inspector General of the Intelligence Community.

18. During the time that you have served as ODNI Inspector General, intelligence community agencies undertook significant internal reviews of intelligence community activities in relation to attacks such as Northwest Flight 253 and the Khost bombing that resulted in significant findings on key IC policy and management issues. As DNI

Inspector General, what was the nature of your interactions with these inquiries, and how have the results of these inquiries informed the ODNI OIG's agenda and work plan?

**ANSWER:** The OIG had various interactions with ODNI and other IC elements regarding both reviews. I am available to discuss those interactions in a classified setting.

19. In 2010, a third party climate study of the DNI OIG was conducted. The report provided recommendations to address the "climate issues" that it identified, including to (1) empower the Assistant Inspectors General (AIGs) and hold them accountable, (2) increase transparency and communication, (3) ensure that deviations from project plans are closely tied to the project mission, purpose, and office priorities; and (4) carefully consider the need for edits before making them. What changes, if any, did you make in your management of the office to address the recommendations of this study?

**ANSWER:** In response to recommendations first developed by the Deputy IG at my request and later supported by the results of the climate survey, the Deputy IG and I recalibrated the performance objectives for OIG senior managers, which then cascaded to the staff's performance objectives; required OIG training for all employees coming to the OIG with little or no prior OIG experience; required a writing sample of all job applicants; and made adjustments in management meetings and attendance at ODNI leadership meetings to promote greater transparency. In my years in the OIG community, I have always ensured that deviations from project plans are closely tied to project mission, purpose, and office priorities, and have always carefully considered edits. One of the remaining open recommendations involves hiring a full-time report editor. I believe the Inspector General of the Intelligence Community nominee is considering that recommendation along with other personnel issues he will address as the head of the new IC OIG office.

20. According to a recent ODNI OIG Semi-Annual Report, the ODNI OIG's report on the President's Daily Briefing (PDB), which was begun in 2009, is still pending. We understand that work on this report has been suspended.

a. What is the status of this report? Has work on the report in fact been suspended?

**ANSWER:** I am available to provide a response in a classified setting.

b. If so, how long was the time between the initial decision to undertake the report and the decision to suspend?

**ANSWER:** The evaluation was announced in August 2009. Phase One was conducted between August and December 2009, Phase Two was conducted between January 2010 and August 2010, at which point James R. Clapper, Jr. was sworn in as the fourth Director of National Intelligence. The draft findings and recommendations were orally briefed to Director Clapper in September 2009. Additional work was performed thereafter, including obtaining comments on the draft report. The evaluation was suspended in February 2011 based on sound and well-supported reasons that were

consistent with CIGIE *Quality Standards for Inspection and Evaluation*.

- c. Do you still expect to issue this report? If so, when do you anticipate the report will be issued?

**ANSWER:** The decision whether to issue this report rests with the Inspector General of the Intelligence Community.

21. In a letter to Senators Grassley and Coburn dated March 2, 2011, you mention an inspection on advanced geospatial intelligence (AGI) that was initiated in 2007. The letter states that the OIG administratively closed this inspection after June 2010 based upon the recommendation of the Assistant Inspector General of Inspections and the Deputy Inspector General. However, this project ceased to be listed as an ongoing inspection in the ODNI OIG Semiannual Report that covers July to December 2009.

- a. What is the exact date the AGI inspection was administratively closed?

**ANSWER:** February 18, 2011.

- b. Did you receive any recommendation from ODNI on whether to continue or close this inspection?

**ANSWER:** Yes. In mid-2009, several OIG personnel recommended that aspects of the inspection be salvaged and refashioned into another work product. Ultimately, however, after thoroughly reviewing the matter and the options available, the new Assistant Inspector General for Inspections, who joined the OIG in June 2010, recommended that the inspection be cancelled, and the Deputy IG concurred. The reasons supporting the proposed cancellation of the inspection were sound and well-supported and were consistent with CIGIE *Quality Standards for Inspection and Evaluation*.

- c. If it was closed prior to June 2010, as suggested by its disappearance from the ongoing inspections in 2009, why was it not included in your initial response to Senators Grassley and Coburn on June 15, 2010? If it was closed after your initial response, why did the OIG cease to list it as an ongoing inspection on the Semiannual Report that covers July to December 2009?

**ANSWER:** This matter was covered in my March 2, 2011 letter to Senators Grassley and Coburn because it was administratively closed on February 18, 2011. The matter was not listed as an ongoing inspection in the semiannual report for the period July 1 – December 31, 2009 because to my knowledge there was no ongoing work on this inspection during that period.

### **III. Role and Responsibilities of the DHS Inspector General**

22. How do you view the role of the Inspector General as well as the Office of Inspector General at DHS?

**ANSWER:** The *Homeland Security Act of 2002* established the DHS Office of the Inspector General. The IG reports directly to the Secretary of DHS and to Congress. The Inspector General Act of 1978, which is applicable to the DHS OIG, charges OIGs to create independent and objective units to (1) conduct and supervise audits, inspections, and investigation relating to the programs and operations of the department; (2) provide leadership and coordination and recommend policies for activities designed to promote economy, efficiency, and effectiveness in the administration of, and to prevent and detect fraud and abuse in, such programs and operations; and (3) provide a means for keeping the head of the department and the Congress fully and currently informed about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective actions.

In fulfilling these objectives, the DHS OIG has an especially challenging mission. As a key element in the security framework put in place following the 9/11 attacks, DHS brought together 22 separate agencies and offices into a single, Cabinet-level department. As testimony before the Committee has revealed in hearings coincident with the 10<sup>th</sup> anniversary of the 9/11 attacks, fashioning a homeland security enterprise has been a complex undertaking. As the Department has evolved and matured, the DHS OIG has played a unique role in providing the Department and Congress with independent, objective assessments of the Department's performance and its capacity to respond to continuously-evolving threats, both man-made and natural. I believe the DHS OIG must continue performing its vital role in improving economy and efficiency, promoting accountability, and otherwise assisting the Department in accomplishing its core missions.

23. If confirmed, what will be the immediate highest priority issues that you expect to address? What longer-term goals would you like to achieve in your tenure as DHS Inspector General?

**ANSWER:** There are many high priority issues and challenges in DHS. I consider the following to be among the highest priority issues:

- Cooperation between the OIG and the Customs and Border Protection and the Federal Bureau of Investigation to address border corruption
- The Federal Emergency Management Agency's (FEMA) capacity to respond to natural disasters and its stewardship of grant funds
- Acquisition Oversight
- DHS's Cybersecurity Mission

As to longer-term goals, if confirmed, I will engage in the OIG's ongoing strategic planning exercise that aligns with development of the Department's Strategic Planning

efforts. I also want to work with the CIGIE Homeland Security Roundtable and the IC IG Forum to continue to identify cross-agency topics relevant to participating OIGs.

24. The DHS Office of Inspector General is one of the larger OIGs within the federal government, with approximately 670 FTE's and a \$130 million annual budget. If confirmed as the Inspector General for DHS, you will be responsible for managing an organization that is significantly larger than the size of ODNI OIG. What experiences in your background have prepared you for the management and leadership challenges associated with running such a large and complex office?

**ANSWER:** If confirmed, the set of experiences and responsibilities I have had during my career in the Inspector General community and in various other positions in both the public sector and the private sector well qualify me to serve as DHS IG.

Along with other IGs covered by the Inspector General Act of 1978, as amended, the DHS OIG is charged with providing policy direction for and conducting, supervising, and coordinating audits and investigations relating to the programs and operations of DHS. As the Inspector General of the ODNI, I have led an office similarly responsible for planning, conducting, supervising, and coordinating inspections, audits, investigations, and other inquiries relating to the programs and operations of the ODNI and the authorities and responsibilities of the Director of National Intelligence. The ODNI IG is charged with detecting fraud, waste, and abuse; evaluating performance, and making recommendations to promote economy, efficiency, and effectiveness of the ODNI and the Intelligence Community. In performing these duties, I have developed work plans, prepared and defended budgets, enforced personnel policies, developed and implemented OIG hiring and training programs, collaborated with fellow oversight offices (including the Office of the General Counsel, Office of Civil Liberties and Privacy, Equal Employment Opportunity Division), engaged in strategic planning to support transition to the Office of the Inspector General of the Intelligence Community, and participated as an ODNI office head in all appropriate agency-level activities and events. I have also led the successful effort to formalize the process by which the OIG and ODNI management track implementation of OIG recommendations and engaged the ODNI's senior leadership to advance and protect the unique, independent role of the ODNI OIG. These activities are similar to the responsibilities and activities undertaken by the DHS IG.

The DHS OIG and the DOJ OIG have dual reporting responsibility to both their agency heads and the Congress. While serving both as ODNI IG and in the DOJ OIG, I have been responsible for briefing Members of Congress and congressional staff on OIG reports, OIG work plans, and other initiatives. These efforts led to strong, effective working relationships with Congress. If confirmed, I hope likewise to build strong relationships with Congress and to be responsive to congressionally mandated reporting requirements and other areas of congressional interest.

To accomplish its core missions, the DHS OIG must work effectively with other OIGs who are also in service of the homeland security enterprise. My experience serving as chair of the Intelligence Community Inspectors General Forum (IC IG Forum), which is

comprised of the IGs from intelligence agencies and IGs from agencies that have larger missions but which have intelligence elements, entails similar responsibilities. The IC IG Forum is charged with promoting and furthering collaboration, cooperation, and coordination of IC OIGs in order to support OIGs in the performance of audits, inspections, investigations, and evaluations, and to strengthen the collective role and effectiveness of IC OIGs and their activities in support of the National Intelligence Strategy. The DHS IG serves as chair of the CIGIE Homeland Security Roundtable, whose members include the IGs from the ODNI and the Departments of Justice, Treasury, Defense, State, Energy, and other OIGs that have a homeland security mission. Like the IC IG Forum, the Homeland Security Roundtable fosters cross-enterprise dialogue for the purpose of leveraging the resources of the OIGs, identifying systemic issues, conducting collaborative projects that would be insufficient if performed by a single agency IG, and sharing best practices.

To accomplish its core missions, the DHS OIG conducts a variety of audits, investigations, and other reviews to assess the effectiveness and efficiency of DHS programs and operations, including their impact on civil liberties and privacy. While serving in the DOJ OIG, I led multi-disciplinary teams of attorneys, investigators, and auditors in performing complex, congressionally mandated reviews of the FBI's compliance with authorities that were expanded by the USA PATRIOT Act and with Attorney General Guidelines. The OIG reports on Patriot Act authorities identified serious abuses and contained recommendations for improvement. A follow-up review showed that the FBI had taken the report findings seriously and had implemented training, information technology improvements, and other measures to correct these abuses. DHS OIG likewise conducts audits and reviews to assess the effectiveness of the agency's programs. My experience at DOJ OIG will help inform this important part of the DHS OIG portfolio.

To accomplish its core missions, DHS OIG conducts criminal and administrative misconduct investigations, including investigations of border corruption and grant fraud. The DHS OIG must leverage its resources with other DHS investigative elements and coordinate with United States Attorneys Offices (USAOs). While serving in the DOJ OIG, I conducted a variety of misconduct investigations, including investigations of high-level misconduct by DOJ officials and employees, individuals accused of misleading federal prosecutors, prohibited personnel practices, favoritism, financial misconduct, contracting irregularities, and violations of the Ethics in Government Act. Some of these investigations required coordination with USAOs and agency ethics officials. While serving as ODNI IG, I have overseen the work performed by OIG investigators, including investigations of administrative misconduct and intelligence oversight matters.

To accomplish its core missions, DHS must effectively partner with other federal agencies, the private sector, the military, and international alliances. While serving in the DOJ Criminal Division, I led this type of initiative. Specifically, I helped devise and implement the first DOJ-led federal initiative that integrated federal government agencies, private sector partners, and international alliances to promote enforcement of criminal laws protecting intellectual property. By mobilizing investigative and

prosecutorial resources in the United States, aligning the efforts of the FBI, Department of State, customs authorities, and the Patent and Trademark Office, fostering closer alliances with copyright and trademark industries, and promoting engagement with domestic and international law enforcement and economic alliances committed to IP enforcement, the DOJ initiative led to sustained improvement in the protection of intellectual property rights and in public awareness of the perils of supporting counterfeiting enterprises. I also chaired the September 2000 G-8 Senior Law Enforcement Experts Meeting on Intellectual Property Crime, the first occasion in which IP crimes were placed on the agenda of this important forum. Having led this type of effort will help inform my ability to evaluate DHS efforts to work with other federal agencies, private sector partners, and international alliances in its core mission areas.

Finally, during my tenure as ODNI IG, I have become familiar with some of the important intersections between DHS and the Intelligence Community. If confirmed, I look forward to using this expertise to sustain the strong working relationship between the DHS OIG and the Office of the Inspector General of the Intelligence Community and to identify audits, inspections, and other reviews that will assist the further integration of the DHS intelligence elements into the broader IC enterprise.

25. What challenges at the DHS OIG do you anticipate will be different than those you faced in the Offices of Inspector General at ODNI or DOJ? How do you intend to address these new challenges?

**ANSWER:** All Offices of Inspector General face similar challenges in conducting independent assessments of agency programs, policies, and activities for the purpose of improving the efficiency and effectiveness of the organization and to prevent, detect, and address waste, fraud, abuse, and mismanagement. The DHS has an especially challenging mission since it was established, resourced, and built while performing critical operational missions. Like DHS, the ODNI is a new organization with a cross-enterprise mission; unlike the cabinet official who heads DHS, the ODNI's authority over budget and personnel is somewhat ambiguous, and, while he has no operational responsibilities, is nonetheless responsible for directing and coordinating the efforts of 16 agencies in the Intelligence Community. DHS and the ODNI face similar challenges in a) adapting their mission, goals, and objectives to the ever-changing landscape of terrorism and the roiling geopolitical environment in many parts of the world; and (b) developing effective, adaptive working relationships with other federal agencies and with state, local, tribal, territorial, military, foreign, and private sector partners. The unique challenges of each organization must be reflected in the work undertaken by the respective OIGs.

Among the differences between the two organizations are a) the different set of legal authorities under which they each operate and b) how each organization engages with its governmental, foreign, and private sector partners. Having observed both at DOJ OIG and ODNI OIG how the offices of General Counsel, Civil Liberties and Privacy Offices, and OIGs work in a complementary fashion, I am well positioned to assess how the corresponding offices in DHS implement, provide guidance for, and oversee the various



legal authorities accorded to DHS. I also am well positioned to lead assessments of the effectiveness of DHS's engagements with its governmental, foreign, and private sector partners.

26. If confirmed, how do you plan to keep both Congress and the Secretary of the Department informed about issues identified by your office? How do you foresee your working relationship with both the Congress and the Secretary?

**ANSWER:** If confirmed, in addition to informing Congress about the OIG's work through mandatory report requirements and other reports generated by the office, I would engage directly with Members and staff on an ongoing basis. As I have during my tenure as ODNI IG, I also plan to promote a dialogue with congressional staff on the OIG's annual performance plan to ensure that congressional concerns and ideas are duly considered.

In keeping with the best practices of OIGs throughout the federal government and my practice at the ODNI OIG, if confirmed, I plan to meet with DHS leadership to establish a regular meeting schedule. As required by the Homeland Security Act, I would keep the Secretary informed of fraud and other serious problems and abuses and deficiencies relating to the administration of programs administered or financed by DHS. Beyond these formal engagements, if confirmed, I hope to build trusting relationships and a sense of shared mission with DHS senior management and component heads. I also plan to continue my engagement with the broader OIG community by participating in CIGIE, in the IC IG Forum, and continuing the excellent work of the Homeland Security Roundtable. By sustaining these types of relationships, the DHS OIG will be best positioned to assist the Department and the Congress in fulfilling the Department's vital mission to protect the homeland.

27. In addition to uncovering waste, fraud, and abuse within the executive branch, Inspectors General can play an important role in helping agencies avoid problems rather than just auditing for mistakes after the fact.
- a. Do you believe an Inspector General should take this more pro-active role, which necessarily requires a more collaborative relationship with agency managers, while also serving as the independent watchdogs who expose agency mismanagement?

**ANSWER:** Yes. As ODNI IG, my leadership team has communicated to ODNI senior leadership and others throughout the organization the OIG's role in improving the efficiency and effectiveness of the organization and the IC at large. While the "compliance" portfolio is a critical part of an OIG's work plan, I believe it is also vital to initiate proactive projects and assessments.

For example, OIG audit personnel participate in audit working groups comprised of OIG and management personnel to discuss topical issues, policy initiatives, legislative requirements, and best practices. These working groups provide OIG personnel with valuable insight into management concerns that may require review.

In addition, OIG investigators keep senior ODNI management officials abreast of issues that are uncovered in the course of certain investigations. Depending on the sensitivity and type of investigation, this "heads up" approach affords ODNI management the opportunity to take immediate corrective action on such matters as internal controls over contractors, improving clarity of personnel guidance, and engaging with ODNI managers to address urgent personnel or work force matters. The ODNI OIG leadership team encourages all OIG personnel to maintain strong but independent working relationships with ODNI management officials in order to assist the ODNI in avoiding or perpetuating problems.

- b. If confirmed, how would you balance the two approaches?

**ANSWER:** In my experience in the OIG community, OIG reports that uncover fraud, waste, mismanagement, and abuse typically contain recommendations designed to prevent the abuses identified in the reports from occurring in the future. This is true of many DOJ OIG reports, DHS OIG reports, and ODNI OIG reports. By developing these types of recommendations, OIG reports can have a "multiplier effect" in identifying how management can avoid the same types of problems in the future. If confirmed, I plan to continue the DHS OIG practice of developing these types of recommendations in all appropriate OIG reports.

Apart from this observation, if confirmed, determining the optimal balance between reviews focused on uncovering waste, fraud, and abuse after-the-fact, on the one hand, and other types of reviews that will help the agency avoid problems, on the other, is one of the fundamental strategic judgments I will make. To inform this judgment, I will consider the recommendations of the OIG leadership team, DHS leadership, other senior DHS managers, DHS component heads, and other subject matter experts with whom I will consult early in my tenure.

28. Inspectors General are required by law to report their findings to Congress, as well as to executive branch officials. Inspectors General also routinely provide testimony at hearings on key issues of concern. If confirmed, what additional methods, if any, would you take to ensure timely and effective communications with Congress?

**ANSWER:** If confirmed, I will ensure that OIG personnel are available to respond to congressional inquiries and questions and to provide updates on such matters as the status of implementation of report recommendations and annual performance plans.

29. If confirmed as Inspector General, you would be charged with achieving a balance among conflicting demands on your resources, including fulfilling statutory and other obligations, responding to direct requests from Congress, and furthering your own priorities. How would you strive to achieve the appropriate balance among these competing demands?

**ANSWER:** It is my understanding that the majority of the DHS OIG's resources are devoted to fulfilling statutory and other obligatory reporting obligations and to

responding to direct requests from Congress. To ensure that other priorities are addressed as resources allow, I plan if confirmed to engage in a rigorous strategic planning exercise to assess how the mandatory aspects of the OIG's work can be performed in the most efficient fashion so that other important priorities may also be addressed. The strategic plan in turn will inform the OIG's annual performance plan, which guides the OIG's work each year.

30. What is your assessment as to the current workforce balance within the DHS Office of Inspector General among the various functional staffs (*i.e.*, audit, IT audit, inspections, investigations, emergency management oversight). If confirmed, will you conduct an initial assessment of the OIG workforce to ensure there is an appropriate balance among functional roles and an appropriate mix of expertise?

**ANSWER:** I have not yet performed an assessment of the workforce balance and expertise within the DHS OIG. If confirmed, I plan to conduct this assessment early in my tenure.

31. The Government Accountability Office (GAO) also does extensive auditing and evaluation work covering DHS mission areas. What policy or operational mechanisms do you believe should be adopted to coordinate OIG and GAO work, prevent work duplication and overlap where possible, and avoid gaps in coverage of important mission area programs?

**ANSWER:** The GAO has done important work in the two OIG organizations with which I am familiar – the DOJ and the ODNI – and also engages regularly and productively with CIGIE. If confirmed, I believe it is important to confer periodically with GAO to de-conflict work plans, ensure effective cooperation and coordination, identify gaps in coverage, and be currently informed of work performed and recommendations made that relevant to DHS mission areas.

32. The DHS Inspector General produces quarterly oversight reports for the President's Intelligence Oversight Board on the Department's compliance regarding intelligence on U.S. persons, consistent with the requirements of Executive Order 13462. What is your view on whether these reports may be shared with Congress upon request, including with the House and Senate homeland security and intelligence committees?

**ANSWER:** I believe that it is critical that Congress be given access to the information necessary to conduct appropriate oversight. While there may be certain sensitivities with providing Congress reports prepared for the President's Intelligence Oversight Board, I believe that in many cases Congress can be provided the information reported to the IOB. Indeed, my experience has shown that there is often significant overlap in an IC element's obligation to report something to Congress and an IC element's obligation to report something to the IOB.

33. In 2008, Secretary Chertoff issued a memorandum to all DHS employees on "Cooperation with the Office of Inspector General" in response to concerns expressed at the time by the DHS OIG about inadequate cooperation by parts of DHS with the OIG.

- a. Do you believe that this memorandum provides an adequate framework for ensuring an effective OIG relationship with the rest of the Department?

**ANSWER:** Yes, the memorandum usefully reminds DHS employees of their obligation to assist the OIG in performing its statutory role. If confirmed, I plan to confer with the OIG's senior management to determine if there are any unaddressed areas and if there have been any problems in timely and full cooperation by DHS employees. If there are any such problems, I will address them with the Secretary.

- b. If you are confirmed and uncover any systemic issues related to Departmental cooperation with the OIG, will you notify Congress about these issues?

**ANSWER:** Yes.

#### **IV. Policy Questions**

##### *Department of Homeland Security*

34. In your view, what are the critical challenges facing DHS and what role do you believe the OIG should play in helping the Department address those challenges?

**ANSWER:** Based on my reading of various DHS OIG reports and recent reports and testimony offered in conjunction with the 10<sup>th</sup> anniversary of the 9/11 attacks, I believe some of the critical challenges facing DHS are: Acquisition Management, Information Technology Management, Emergency Management, Grants Management, Financial Management, Infrastructure Protection, Border Security, Transportation Security, and Trade Operations and Security.

The DHS OIG plays a vital role in addressing each of these challenges. Through its audits, inspections, investigations, and other reports, the OIG is uniquely positioned to provide independent evaluations that will assist the Department. By building a cadre of experienced OIG personnel and maintaining awareness of the Department's initiatives and capabilities, the OIG can also look at systemic problems – such as border corruption, human capital strategic planning, and acquisition practices – and make actionable, tailored recommendations to address these enduring challenges.

35. If confirmed, what will be the priority areas on which you will have DHS OIG focus?

**ANSWER:** See response to Questions 23.

36. You released two reports while serving as ODNI Inspector General related to management challenges within the intelligence community and more narrowly within

ODNI. How would you compare the management challenges faced by the ODNI – in its role as a relatively new entity integrating the elements of the intelligence community – with the management challenges faced by DHS, which arguably has faced similar management challenges since its creation with respect to its operational components?

**ANSWER:** In its November 2010 report, the DHS OIG identified the following major Management Challenges facing DHS: Acquisition Management, Information Technology Management, Emergency Management, Grants Management, Financial Management, Infrastructure Protection, Border Security, Transportation Security, and Trade Operations and Security. The management challenges identified in the ODNI OIG's 2010 report are classified.

If confirmed, performing an assessment of DHS management challenges and the OIG's past and planned work addressing these challenges will be a top priority. My experience with conducting broad management challenges reviews of the IC as well as more specific reviews of ODNI components well position me to present challenges to DHS leadership that are systemic to the DHS enterprise as well as narrowly tailored challenges facing specific DHS components. These two different approaches to management challenges are reflected in the IC and ODNI Management Challenges reports issued by my office in FY 2009 and 2010.

37. Two members of the intelligence community are part of the Department of Homeland Security – the DHS Office of Intelligence and Analysis and Coast Guard Intelligence. What is your familiarity with the activities of these two offices and the challenges that they face based on your experience as ODNI Inspector General?

**ANSWER:** In FY 2011, my office completed a review of the status of integration of the Intelligence Community's Departmental and Service Elements. The resulting report, which is classified, included an assessment of the status of integration of the DHS Office of Intelligence and Analysis and DHS Coast Guard Intelligence and contained recommendations designed to accelerate their integration. If confirmed, I plan to engage with the leadership of these DHS elements to identify ways to further leverage their unique roles and capabilities and accelerate their integration into the broader IC.

38. DHS has experienced a number of serious acquisition failures over the past eight years that have wasted hundreds of millions of taxpayers' dollars.
- a. What do you believe is the appropriate role of the DHS Inspector General with respect to acquisition oversight?

**ANSWER:** The DHS OIG plays a vital role in assisting the Department and Congress in improving acquisition practices. I have reviewed some of the OIG's recent reports on acquisition practices. From reading these reports, it appears that the OIG is using a balanced strategy of reviewing both individual high-value acquisition programs, such as the acquisition of the National Security Cutters for the U.S. Coast Guard, and performing Department-wide audits of acquisition oversight policies and

procedures. This approach enables the OIG to leverage its resources to provide critical recommendations to improve acquisition policies and practices.

- b. During your tenure as ODNI Inspector General, what projects and activities did the ODNI OIG undertake with respect to acquisition oversight?

**ANSWER:** In FY 2010, the OIG issued a classified report on ODNI acquisition oversight strategies, policies, and processes. The report contained recommendations to provide for more effective stewardship of major investments through total acquisition lifecycle management. The OIG reported in its latest semiannual report that all recommendations have been closed.

39. The Department has been on GAO's High Risk List since 2003 due to "failure to effectively address DHS's management and mission risks could have serious consequences for U.S. national and economic security." GAO cites that weaknesses in DHS's management functions continue to hinder the Department's transformation efforts and its ability to meet its missions. GAO also points out that challenges within DHS's acquisition, information technology, financial, and human capital management have resulted in performance problems and mission delays.

- a. What role, if any, do you believe DHS OIG has in assisting the Department in addressing its management, acquisition and other challenges so that it is no longer on the GAO's High Risk list.

**ANSWER:** The DHS OIG has a unique role in addressing the Department's management, acquisition, and other challenges. Each year the DHS OIG issues audits, management reports, investigations reports, and other assessments that identify deficiencies and shortfalls in these and other areas. These reports contain recommendations designed not only to address the identified deficiencies but also to help the Department mature its management and acquisition policies and processes over the longer term. If confirmed, I look forward to continuing to produce these types of reports and work with the Department to see that the recommendations are implemented in a timely fashion.

- b. If confirmed, how would you work with the Secretary and the Under Secretary for Management to implement GAO's recommendations?

**ANSWER:** It is my understanding that the DHS OIG has not worked with the Department on implementing GAO recommendations. However, the DHS OIG does review all GAO audit reports related to a topic when the OIG initiates an audit to assess whether previous recommendations have been implemented. In some circumstances, DHS OIG can play a complementary role with GAO. For example, if GAO recommends that the Department obtains an independent assessment of a particular topic or program, in some circumstances the OIG could perform that independent assessment.

40. In the past several years cybersecurity has become one of the most significant missions of DHS. Based on your experiences as ODNI Inspector General and at DOJ, what is your perspective on the issues and challenges faced by the Department with respect to cybersecurity?

**ANSWER:** I have not yet performed an assessment of the issues and challenges facing the Department on cybersecurity. However, during my tenure as the ODNI IG, we have engaged with DHS OIG on several cyber-related projects through the IC IG Forum audit working groups, including progress of the Comprehensive National Cybersecurity Initiative (CNCI). I am available to discuss these engagements in a classified setting.

41. The Department of Homeland Security, like all other federal agencies, is dealing with shrinking budgets, and is facing challenges in identifying cost savings and efficiencies while minimizing negative impacts on its mission performance. What do you view as the role of the DHS Inspector General with respect to proactively identifying potential savings and efficiencies within the Department?

**ANSWER:** Like other OIGs throughout the federal government, the DHS OIG is uniquely positioned to identify cost savings and efficiencies while minimizing negative impacts on mission performance. For example, in its semiannual report for the period ending March 31, 2011, the DHS OIG reported identifying questioned costs of over \$100,000,000, of which \$21,929,543 was not supported by documentation. The OIG also reported recovering \$15,302,903 as a result of disallowed costs identified from current and previous audit reports and from investigative efforts. The same report stated that OIG investigations resulted in 248 arrests, 173 indictments, 222 convictions, and 94 personnel actions, and reported over \$8,000,000 in collections resulting from fines and restitutions, administrative cost savings, and other recoveries. These are illustrative of the types of cost savings and efficiencies identified by the OIG. On a broader level, various OIG reports on DHS acquisition practices have identified shortfalls and deficiencies in acquisition management. Once implemented, OIG recommendations should result in significant cost savings.

If confirmed, I look forward to continuing the OIG's focus on cost savings and efficiencies in acquisitions, disaster relief funding, and other priority mission areas.

42. What is your perspective on the appropriate relationship between the DHS Office of Inspector General and other offices within DHS that have an oversight function, including the DHS Privacy Office and the Office of Civil Rights and Civil Liberties?

**ANSWER:** Across the federal government, OIGs have identified best practices for coordinating their oversight function with other offices that have specialized oversight functions, such as the DHS Privacy Office and the Office of Civil Rights and Civil Liberties. If confirmed, I will examine the memoranda of understanding between the DHS OIG and those offices and the business processes used by these offices, meet with the leadership of these offices and the OIG senior staff, and assess the effectiveness of these vital working relationships. It is very important that there are strong working

relationships between and among these offices to avoid duplication, maintain awareness of ongoing work and congressional interest, and avoid gaps in coverage.

43. The DHS OIG has primary responsibility for investigating allegations of criminal misconduct by DHS employees and currently has approximately 220 Special Agents assigned to conduct these investigations. Some components have their own internal affairs unit. For example, Immigration and Customs Enforcement's (ICE) internal affairs unit has approximately 300 Special Agents to investigate criminal allegations made against ICE and Customs and Border Protection (CBP) personnel when the OIG declines to investigate. CBP also has its own internal affairs unit with approximately 220 officers that conduct investigations involving administrative allegations. Despite having limited investigative resources, the OIG has been taking on a large number of integrity investigations when it has the option of passing them to the components that have criminal investigative authority. Over the last three years, the OIG reviewed, retained, and investigated roughly ten percent of the 10,000 allegations of misconduct made against ICE and CBP employees each year.

- a. In your view, what is the role of the OIG in working with components to investigate reported integrity cases? Do you believe that the OIG should continue to investigate such cases at the current rate?

**ANSWER:** I have not yet had the opportunity to assess the OIG's critical role in investigating allegations of criminal misconduct by DHS employees. To perform this assessment, if confirmed, it will be among my highest priorities to meet with the OIG's senior leadership and the components' internal affairs and professional responsibility offices to assess the use of investigative resources throughout the Department. While the OIG maintains primacy in conducting criminal misconduct and serious administrative misconduct investigations and in supervising such investigations, the OIG has reported that its resources to conduct these investigations have not kept pace with the growth in the DHS work force. If confirmed, I plan to continue the ongoing efforts by the OIG to expedite corruption allegations, recognizing, however, that complex corruption investigations are often time-consuming. If confirmed, I also plan to meet with the Immigration and Customs Enforcement Homeland Security Investigations Directorate and the heads of the internal affairs and professional responsibility units on a regular basis to ensure that their vital, complementary role in preventing, detecting, and addressing corruption is fully supported and leveraged.

- b. There have been concerns that these investigations often take many years to develop and complete due to staffing constraints. If confirmed, what will you do to ensure that the OIG integrity investigations are conducted thoroughly and in a timely manner?

**ANSWER:** If confirmed, determining how the OIG's resources can best be deployed to discharge its responsibilities to conduct integrity investigations in concert with other investigative resources throughout the Department will be among my highest priorities.



- c. Given the OIG's critical role in evaluating the management practices of DHS and its components, what is your view regarding the current allocation of staffing and resources to integrity investigation versus management oversight in the OIG?

**ANSWER:** I have not performed this assessment. If confirmed, I plan to do so as a high priority.

44. Although the DHS OIG is primarily responsible for supervising, coordinating, and conducting investigations into allegations of criminal misconduct of DHS employees, the FBI currently leads approximately 20 Border Corruption Task Forces (BCTFs) that focus on corruption along U.S. borders, including corruption related to transnational smuggling organizations. The BCTFs are made up of federal, state, and local law enforcement partners, and they often investigate DHS employees at the border accused of wrongdoing. While CBP and ICE often have personnel assigned to the BCTFs and fully participate in these investigations, DHS OIG does not have personnel assigned to any of the taskforces.

- a. Do you believe the Department, CBP, and ICE would benefit from DHS OIG's participation in these taskforces?

**ANSWER:** I have not yet performed an assessment of the benefits and opportunities for the DHS OIG to participate in Border Corruption Task Forces. If confirmed, this will be a high priority. In performing this assessment, I plan of meeting with CBP, ICE, FBI, and United States Attorneys Office officials responsible for addressing border corruption allegations.

- b. What steps, if any, do you believe DHS OIG should take to ensure that DOJ and DHS components are not investigating the same allegations, targets, and/or criminal organizations?

**ANSWER:** If confirmed, I plan to address as a high priority ensuring that DHS OIG investigative resources are used wisely and efficiently, which will include an assessment of how to avoid duplication amongst the DOJ and DHS components responsible for conducting these types of investigations.

45. The Federal Emergency Management Agency (FEMA) has a number of longstanding management difficulties. Over the past several years, the DHS OIG and GAO have called attention to problems FEMA faces in financial management, human capital, information technology, and performance management. If left uncorrected, these problems could hinder FEMA's ability to respond to disasters and lead to opportunities for waste, fraud, and abuse. How important do you view management deficiencies relative to other challenges at FEMA and what are your priorities in this area?

**ANSWER:** I have read some of the recent DHS OIG and GAO reports on FEMA's challenges involving financial management, human capital, information technology, and

performance management. OIG reports document FEMA's need for a comprehensive information technology strategic plan with clearly defined goals and objectives, acquisition management performance measures, experienced contracting officers to work at disasters, and improved coordination with stakeholders. In addition, the National Flood Insurance Program (NFIP) has been on GAO's high-risk list since 2006 and, recently, GAO has brought attention to legislative changes GAO believes necessary to increase the financial stability of the program and limit taxpayer exposure.

I have not yet had the opportunity to assess how these challenges rank against other challenges FEMA faces. If confirmed, after being fully briefed by the OIG senior leadership team and senior DHS management, I plan to meet with the FEMA Administrator to discuss his assessment of these challenge areas, the status of FEMA's implementation of OIG report recommendations, other challenges FEMA confronts, and ultimately identify additional areas for OIG engagement for the purpose of improving the efficiency and effectiveness of FEMA in performing its vital mission.

46. Since 2003, DHS has issued more than \$30 billion in preparedness grants. While the Post-Katrina Emergency Reform Act (P.L. 109-295) and the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53) require FEMA to develop performance measures and a comprehensive assessment system to evaluate their effectiveness, FEMA has yet to meet these requirements. As a result, there is no systematic analysis of grant effectiveness and it's difficult to gauge how much the grants have contributed to strengthening preparedness. What steps can the OIG take to encourage FEMA to make further progress in this area?

**ANSWER:** DHS OIG has generated a variety of reports addressing this topic, including reports on DHS grant programs, FEMA's Emergency Management Performance Grants, an Annual Report to Congress on States' and Urban Areas' Management of Homeland Security Grant Programs for FY 2010, and its 9/11 grant audits. To further encourage FEMA's progress in this area, if confirmed, I will want to study these and other reports on this topic, assess the status of implementation of OIG recommendations in these reports, and determine how to identify promising practices that can be shared with other states and with FEMA. I also would want to consider whether a separate OIG assessment could usefully consolidate information from a variety of reports to document the progress made in developing performance measures to evaluate grant effectiveness.

47. The OIG has recently released a report which summarizes the results of Public Assistance Program grant audits performed during fiscal year 2010. After the OIG audited 54% of the awarded public assistance funds, over \$165 million was found in potential monetary benefit that FEMA could collect. How should the OIG work with FEMA to improve oversight and reduce waste, fraud and abuse, in the agency's public assistance grants.

**ANSWER:** If confirmed, I plan to build on the DHS OIG's current practice of taking proactive measures to improve FEMA's oversight of the agency's public assistance funds. I understand that in addition to the OIG's ongoing audit efforts, the OIG's Office of Emergency Management Oversight (EMO) frequently deploys staff to major disaster

sites to advise FEMA and state and local officials on ways to ensure that disaster relief funds are spent appropriately. The EMO keeps the Congress, DHS leadership, FEMA's Administrator, and others informed of problems relating to disaster operations and assistance programs, and progress made in taking corrective actions. EMO's focus is weighted heavily toward prevention, including reviewing internal controls, and monitoring and advising DHS and FEMA officials on contracts, grants, and purchase transactions before they are approved.

If confirmed, I am committed to working with FEMA to improve oversight and reduce waste, fraud and abuse, in the agency's public assistance grants.

*Intelligence-Related Issues*

48. What do you believe are the root causes of the management challenges at the Office of Director of National Intelligence identified in the ODNI Inspector General's 2010 report entitled "Office of Director of National Intelligence Management Challenges?" To what extent do they relate to the adequacy or inadequacy of the ODNI's authorities in the Intelligence Reform and Terrorism Prevention Act (P.L. 108-458) (IRTPA)? To what extent do they derive from other causes?

**ANSWER:** The referenced OIG report is classified. I am available to discuss this report in a classified setting.

49. Is information sharing within the IC an issue that was examined by the DNI OIG during your time leading that office? What is your assessment of the state of information sharing within the intelligence community today? How would you assess the progress that has been made within the IC to implement Intelligence Community Directive 501 since it was signed by former ODNI McConnell in January 2009? What do you believe are the key challenges associated with improving information sharing within the IC and with entities outside of the intelligence community?

**ANSWER:** Yes. Several OIG reports examined various aspects of IC information sharing during my tenure. Based on these reports and steps taken by ODNI management to address these findings, I believe the IC has made significant progress in reducing stovepipes and embedding a culture of information sharing. The OIG reports on these topics are classified; however, I am available to discuss this matter in a classified setting.

In addition, I hosted an IC IG Forum meeting at which the senior IC official charged with leading the White House review of the WikiLeaks incident briefed the IC IG Forum members on the ongoing reassessment of information sharing best practices in light of Wikileaks. Although OIG reports have documented progress the ODNI has made in information sharing, challenges remain in achieving the ODNI's primary mission: "to forge an Intelligence Community that delivers the most insightful intelligence possible."

50. During your tenure as ODNI Inspector General the ODNI OIG released a report on the IC Joint Duty program, a critical element of the IC reforms included in IRTPA. What is your

assessment of the IC Joint Duty program today? What needs to be done to strengthen its adoption and effectiveness, consistent with the intent of IRTPA?

**ANSWER:** At the request of the ODNI Chief Human Capital Officer (CHCO), the OIG conducted an assessment of the status of implementation of the IC's Joint Duty Program. Our 2009 report found that while significant progress had been made in implementing the program in parts of the IC, there were some start-up challenges that needed to be addressed. These included a need for leadership advocacy and a corporate communications strategy, better tools for efficient management of the program, and improvements needed for gaining elements and for reintegration into home elements. The report contained 20 recommendations to improve the program and increase IC participation. The OIG reported in its latest semiannual report that all 20 report recommendations have been closed.

51. The Reducing Over-Classification Act (P.L. 111-258) requires Inspectors General of Departments and agencies that have senior officials with original classification authority to conduct evaluations of the administration of classification activities policies and procedures. The Act requires covered departments and agencies to complete two such audits by the end of 2016.
- a. What steps have you taken, if any, as ODNI Inspector General to begin to carry out the requirements of this Act with respect to audits by the ODNI Inspector General and by other Inspectors General that include elements of the intelligence community?

**ANSWER:** My office conducted an initial review of the requirements of the Act shortly after passage. As part of this initial review, OIG personnel reached out to the ODNI Office of General Counsel, Information Management Office, and other ODNI components to assess how the ODNI planned to implement the provisions of the Act. Given that the due dates for the first and second OIG evaluations are 2013 and 2016. Respectively, the decisions on how to address the OIG evaluations required by the Act have not yet been determined.

- b. As ODNI Inspector General did you undertake (or encourage or require other IC Inspectors General to undertake) any other reviews of classification policies and procedures, in particular with respect to the implementation of new requirements within Executive Order 13526?

**ANSWER:** See response to Question 51(a).

- c. If confirmed as DHS Inspector General, will you ensure that audits are conducted of classification policies and procedures at the Department of Homeland Security consistent with the requirements and deadlines of this Act?

**ANSWER:** Yes.

52. Legal protections have been established to protect employees against reprisal for the lawful disclosure of information which the employee reasonably believes is evidence of a violation of law, or mismanagement, gross waste of funds, an abuse of authority, or substantial and specific danger to public health or safety. These protections exist because legitimate whistleblowers are an invaluable resource for the oversight of government operations. If confirmed, what steps would you take to protect from reprisal or threat of reprisal individuals who bring such evidence to the attention of your office?

**ANSWER:** While serving as ODNI IG, I initiated the effort to send out annual reminders to the ODNI work force of the policies and protections afforded whistleblowers in the Intelligence Community Whistleblowers Protection Act. I also led the effort to incorporate notification of these policies and protections in the ODNI's Entry-on-Duty training.

If confirmed, I will assess the adequacy of the DHS whistleblower outreach program, including its Hotline procedures and its web site notifications to ensure that potential whistleblowers – be they employees, contractors, or members of the general public – are informed about whistleblower policies and protections. I will also ensure that the DHS OIG plays an appropriate role in ensuring that whistleblower protections are enforced, that allegations of reprisal are investigated, and that any legislative proposals on whistleblower protection are evaluated.

#### **V. Relations with Congress**

53. Do you agree without reservation to respond to any reasonable summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

**ANSWER:** Yes.

54. Do you agree without reservation to reply to any reasonable request for information from any duly constituted committee of the Congress if you are confirmed?

**ANSWER:** Yes.

#### **VI. Assistance**

55. Are these answers your own? Have you consulted with DHS or any interested parties? If so, please indicate which entities.

**ANSWER:** These answers are my own. I have consulted with staff from DHS and ODNI on a number of questions, including officials within ODNI responsible for classification review.

## AFFIDAVIT

I, Roslyn A. Mazur, being duly sworn, hereby state that I have read the foregoing Pre-Hearing Questionnaire and that the information provided in the answers therein are, to the best of my knowledge, current, accurate, and complete.

Heather L. Vachon

Subscribed and sworn before me this 1 day of November, 2011.

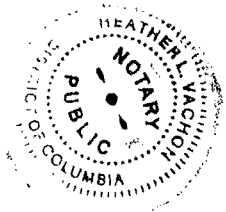
Heather L. Vachon

Notary Public

NOTARY PUBLIC

DISTRICT OF COLUMBIA

MY COMMISSION EXPIRES OCTOBER 14, 2013





United States  
**Office of Government Ethics**  
1201 New York Avenue, NW, Suite 500  
Washington, DC 20005-3917

**AUG 05 2011**

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security  
and Governmental Affairs  
United States Senate  
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Roslyn A. Mazer, who has been nominated by President Obama for the position of Inspector General, Department of Homeland Security.

We have reviewed the report and have also obtained advice from the agency concerning any possible conflict in light of its functions and the nominee's proposed duties. Also enclosed is an ethics agreement outlining the actions that the nominee will undertake to avoid conflicts of interest. Unless a date for compliance is indicated in the ethics agreement, the nominee must fully comply within three months of confirmation with any action specified in the ethics agreement.

Based thereon, we believe that this nominee is in compliance with applicable laws and regulations governing conflicts of interest.

Sincerely,

A handwritten signature in black ink, appearing to read "Don W. Fox".

Don W. Fox  
Acting Director

Enclosures - REDACTED (Financial Disclosure Report)

July 25, 2011

Joseph Maher  
Designated Agency Ethics Official  
Department of Homeland Security  
Washington, DC 20528-3650

Dear Mr. Maher:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Inspector General, Department of Homeland Security.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter that has a direct and predictable effect on my financial interests or those of any person whose interests are imputed to me, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I will divest my interests in the following entities within 90 days of my confirmation: Apple, Inc., General Electric and Windstream. With regard to each of these entities, I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of the entity until I have divested it, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

My spouse is currently a shareholder with the law firm of Holzworth & Kato, P.C. I will not participate personally and substantially in any particular matter that has a direct and predictable effect on the financial interests of the firm, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1). I also will not participate personally and substantially in any particular matter involving specific parties in which a client of my spouse is a party or represents a party, unless I have been authorized pursuant to 5 C.F.R. § 2635.502(d). In addition, for the duration of my appointment to the position of Inspector General, my spouse has agreed not to communicate with the Inspector General, Department of Homeland Security on behalf of the firm or any client.



Finally, I understand that as an appointee I am required to sign the Ethics Pledge (Exec. Order No. 13490) and that I will be bound by the requirements and restrictions therein in addition to the commitments that I have made in this or any other ethics agreement.

Sincerely,

A handwritten signature in black ink, appearing to read "Roslyn A. Mazer", with a long horizontal flourish extending to the right.

Roslyn A. Mazer

**Senator Joseph I. Lieberman**  
**Additional Questions for the Record**  
**Confirmation Hearing of Roslyn A. Mazer**  
**November 15, 2011**

1. The role of an inspector general is not only to investigate wrongdoing and waste, but also to help agencies institute procedures to prevent those problems from happening in the first place. What is your approach to identifying efficiencies and shortcomings without becoming too involved in operations and policy? Provide examples of your experience in this area.

**ANSWER:** Throughout my tenure in the OIG community, both at the Department of Justice and the Office of the Director of National Intelligence, I have led important reviews and evaluations that not only identified problems and abuses, but contained recommendations designed to prevent these problems and abuses. My approach to identifying efficiencies and shortcomings without becoming too involved with operations and policy is to ensure that my leadership team and all OIG staff are deeply committed to learning the mission of the agency, attend regular training and programs to stay abreast of agency initiatives and programs, and develop subject matter expertise over time on the agency's mission areas. It is also important to engage in regular strategic planning in all areas of OIG discipline to ensure that the OIG is aligned with mission priorities and strategic objectives and incorporates priorities identified by the larger IG community, such as the best practices for identifying and preventing wrongdoing and waste developed by the Recovery Accountability and Transparency Board. As the question suggests, to maintain their objectivity and independence, OIG personnel should not participate in policymaking activities or operations undertaken by management.

**Department of Justice Office of the Inspector General**

I led complex reviews of the FBI's use of national security letter authorities and its adherence to the Attorney General Guidelines. I also led a multi-disciplinary team of investigators, auditors, attorneys, and evaluators that reviewed the FBI's use of national security letter authorities. The OIG team generated two reports in 2006 and 2007 which were mandated by the USA PATRIOT Reauthorization Act of 2005. The reports documented serious abuses in the FBI's use of these authorities and also contained recommendations to address these abuses. Because the FBI Director accepted the report recommendations and took prompt action to implement them, our follow-up report noted the significant progress made by the FBI in adhering to these authorities.

I also led a follow-on review of the FBI's use of improper exigent letters to acquire telephone transactional records from communication service providers. The OIG's report documented serious abuses in the FBI's use of exigent letters, rather than NSLs or other legal process, to obtain telephone transactional records. The FBI concurred in all of the recommendations, which included recommendations for training, Information Technology Support, and internal compliance, all of which were focused on identifying and preventing similar abuses.

### **ODNI Office of the Inspector General**

Many OIG reports issued during my tenure contained targeted recommendations designed to avoid problems and abuses. Examples include the following:

- Joint Audit of National Intelligence Program Funds at Department of Homeland Security Office of Intelligence & Analysis
- Report on the President's Surveillance Program
- Audit of Internal Controls over the ODNI's Fund Balance with Treasury
- Evaluation of the Administration and Management of ODNI Core Contracts Supporting Critical Missions

As a result of the first noted OIG audit, the Assistant Director of National Intelligence/Chief Financial Officer can determine if findings identified in this audit are relevant to its oversight of other Intelligence Community elements that also receive National Intelligence Program funding. Similarly, in a recent inspection report, the OIG examined the ODNI's administration and management of core contractors supporting critical missions. The OIG's findings are assisting affected elements to avoid future problems in contractor oversight.

The OIG's collaborative work with the ODNI Office of General Counsel (OGC) in performing intelligence oversight activities also has generated findings and recommendations designed to improve oversight. For example, the DNI designated the ODNI OIG and OGC as the official offices for ODNI Intelligence Oversight Board (IOB) reporting responsibilities. OIG and OGC advise ODNI personnel of their obligations to report intelligence activities that may be in violation of law or executive order; write quarterly ODNI reports on IOB matters; conduct semiannual assessments on the quality and timeliness of other the IC elements' IOB reporting; and work closely with the IOB members and staff to ensure that the President is advised in a timely manner of sensitive intelligence activities.

At the suggestion of my Assistant Inspector General for Investigations, I also recommended to ODNI management that the agency send out periodic reminders to the work force about ways to avoid certain types of misconduct such as Time and Attendance Fraud or violations of post-employment ethics rules. These types of notices to the ODNI work force are in the best tradition of OIG work by informing employees and contractors of their obligations and of traps for the unwary. I also ensured that incoming employees and contractors were informed during Entry-on-Duty training about the OIG Hotline and protections afforded by the Intelligence Community Whistleblower Protection Act, which are other opportunities for OIGs to learn about, investigate, and take steps to prevent fraud and misconduct.

In describing optimal working relationships and communication with management, CIGIE's *Quality Standards for Inspection and Evaluation* (January 2011) state that OIGs should –

*Be engaged.* While maintaining OIG statutory independence of operations and recognizing that OIGs need to conduct work that is self-initiated, congressionally requested, or mandated by law, OIGs should interact with Department/Agency management to identify any specific needs or priorities management may have regarding the reviews to be conducted by the OIG.

*Be knowledgeable.* The OIG will continually strive to keep abreast of Department/Agency programs and operations, and Department/Agency management should be kept appropriately informed of OIG activities and concerns being raised in the course of OIG work.

The types of engagement with ODNI that I have encouraged and adopted, described above, are consistent with CIGIE's professional standards and with maintaining the independence of the OIG.

#### **Intelligence Community Inspectors General Forum**

As chair of the Intelligence Community Inspectors General Forum, I helped develop the agenda for our annual Intelligence Community Inspectors General Annual Conference. Several conference sessions were hosted by OIG investigators, who described state-of-the-art forensic tools for identifying different types of fraud. These sessions led to follow-up presentations at individual OIGs and elevated awareness of the best practices used in the OIG community to identify and prevent contract, procurement, and other types of fraud.

2. As an inspector general, effectively communicating performance expectations and mutual trust with the workforce is critical to success. Please provide examples of how you plan to accomplish these objectives with your assistant inspectors general and the rest of the OIG workforce. Please also provide examples of how you addressed workplace communication and expectations with the workforce during your tenure as ODNI Inspector General.

**ANSWER:** During my tenure at the OIG, I communicated expectations with the workforce in a variety of formal and informal ways. Following a top-to-bottom review I requested of my new Deputy, he and I modified the performance objectives of our leadership team, and these objectives cascaded to the performance objectives of OIG staff. My Deputy or I chaired weekly meetings with our leadership team, which were supplemented by a) 2-1 meetings between the Assistant Inspectors General and my Deputy and me, generally biweekly, when we discussed division-specific project, personnel, and other issues, b) brown bag lunches with the full staff of each Division, when OIG staff could raise any issues and my Deputy and I discussed ODNI management initiatives and any other matters we wanted to discuss, c) annual off-sites, at which we sponsored talks by distinguished outside speakers and featured OIG work in the past year, and d) In Progress Reviews conducted periodically in the course of most OIG projects. I also communicated expectations by regularly sending congratulatory e-mails to all OIG staff upon the completion of OIG projects, upon the receipt of awards,

upon receiving information from ODNI senior leadership about the value and impact of our work, and on the occasion of other milestones.

If confirmed, I plan to use a variety of formal and informal mechanisms to communicate expectations to the DHS OIG work force. I also plan to use a variety of communication tools to stay in close touch with my management team and with the OIG staff generally. Early in my tenure, I will confer with my leadership team on the best mechanisms to foster two-way communication with the work force as a whole and regularly with the Assistant Inspectors General and Front Office. For example, while serving under the current Director of National Intelligence, I have found that his use of certain communication tools have been highly effective in keeping him informed about significant ongoing and planned work, while keep ODNI principals simultaneously informed.

3. Another subject in DHS, which has been the focus of this Committee, is the status of integration for DHS intelligence elements into the broader Intelligence Community. In your opening statement, you noted that as ODNI Inspector General, you led reviews that assessed the integration status of two intelligence elements of DHS: the Office of Intelligence & Analysis, and the Coast Guard's National Intelligence Element. Based on what you learned in those reviews, what would you say are the key challenges facing the Department of Homeland Security with respect to its intelligence activities?

**ANSWER:** The OIG's report on the Implementation Status of Intelligence Community Departmental and Service Elements is classified, and I am available to discuss the full report in a classified setting. Overall, we found that the DHS Office of Intelligence and Analysis and the Coast Guard's National Intelligence Element are each playing a significant and expanding role in the Intelligence Community and are making valuable contributions to the IC enterprise. Additionally, we found that the ODNI has made meaningful progress integrating these elements through strategy realignment, participation in governance bodies and other collaborative venues, and access to information sharing tools. However, we also found that there is inconsistent awareness across the Intelligence Community of the unique capabilities and expertise of these IC elements, and their missions are not always well understood. We recommended that the Director of National Intelligence (DNI) regularly promote broad understanding of these and all Intelligence Community elements, build upon successful outreach efforts, and continue to address certain enduring challenges to broader integration. Together with important work already done by this Committee, by the DHS OIG, and by GAO, this work will inform my ability to address the key challenges facing DHS with respect to its intelligence activities.

4. Efforts to expose fraud, waste, mismanagement, and abuse of taxpayer dollars, including the identification of improper payments, are among the most important functions of an inspector general, particularly at the Department of Homeland Security where \$55 billion is being spent annually. Please provide examples of your experience in overseeing, supervising, or collaborating with others in conducting these types of fraud audits and

investigations, as well as the amount of taxpayer dollars recovered or saved as a result of waste, fraud, or abuse identified by those efforts.

**ANSWER:** My major assignments in the Department of Justice OIG involved investigations of possible abuses of law enforcement authorities by the FBI. I also led an investigation of abuse of official position, violation of personnel rules, and improper relationships by a senior Department official, which led to disciplinary action. I was not assigned to conduct any fraud audits at DOJ OIG. At the ODNI OIG, I oversaw dozens of investigations of contractor fraud (including falsification of contractor billing records, time and attendance fraud, Procurement Act violations, and other types of fraud) and voucher fraud that led to the recovery of in excess of \$ 110,000 taxpayer dollars. During my 14 years in private law practice with a major Washington DC law firm, I participated in dozens of investigations of fraud (securities fraud, tax fraud, contract fraud, and false claims to the government), bribery, and official corruption. Many of these were complex, multi-year investigations that entailed extensive interviews, forensic document analysis, and presentations to United States Attorneys Offices.

5. During the hearing, the Committee entertained questions about the productivity level of the ODNI IG office during your tenure. Could you provide for the record a list of the reports completed under your tenure? Please identify whether each report was new or ongoing, whether the work was self-initiated, and whether the work was performed a result of congressional mandate/request.

**ANSWER (italicized reports responded to congressional mandates or requests):**

#### 2009 REPORTS

- Joint Audit of National Intelligence Program Funds at Department of Homeland Security Office of Intelligence & Analysis (ongoing)
- Implementation Status Review of the Intelligence Community Joint Duty Program
- *Response to Congressional Request for Information on National Counterterrorism Center's Railhead Program (ongoing)*
- Office of the Director of National Intelligence Acquisition Oversight Policies, Processes, and Strategies: Findings and Recommendations for Action (ongoing)
- *Report on the President's Surveillance Program (ongoing)*
- *Review on the Use of the Whistleblower Protection Act (ICWPA) in the Intelligence Community*
- *Intelligence Community Management Challenges Report*
- *Fiscal Year 2009 Independent Evaluation of ODNI Compliance with the Federal Information Security Management Act (FISMA) of 2002 (ongoing)*
- Semiannual Report 1 July 2009 – 31 December 2009 (ongoing)

#### 2010 REPORTS

- Audit of Internal Controls over The ODNI's Fund Balance with Treasury (FBWT) (ongoing)
- Status Update on the Implementation of IC OIGs' Watchlisting Recommendations

- Increasing the Value of the IC Federal Information Security Management Act (FISMA) Reports
- *Fiscal Year 2010 Independent Evaluation of ODNI Compliance with the Federal Information Security Management Act (FISMA) of 2002*
- Fiscal Year 2010 Consolidated Federal Information Security Management Act (FISMA) of 2002 Capstone Report for the Intelligence Agencies' Inspectors General
- Increasing the Value of the Intelligence Community Federal Information Security Management Act (FISMA) Reports
- *Office of the Director of National Intelligence Management Challenges*
- Semiannual Report 1 January 2009 – 30 June 2010
- Semiannual Report 1 July 2009 – 31 December 2010

#### 2011 REPORTS

- Audit of the DNI's Monitoring and Coordination of the Comprehensive National Cybersecurity Initiative (CNCI)
  - Status of Integration of the Departmental and Service Intelligence Community Elements
  - Evaluation of the Administration and Management of ODNI Core Contracts Supporting Critical Missions
  - Semiannual Report 1 January 2011 – 30 June 2011
  - Joint Audit (with DHS OIG) of the Status of Sharing Cyber-Threat Information (issued in November 2011)
  - *FY 2011 Federal Information Security Management Act (FISMA) Review (issued in November 2011)*
  - Fiscal Year 2011 Consolidated Federal Information Security Management Act (FISMA) of 2002 Capstone Report for the Intelligence Agencies' Inspectors General (pending)
6. In the hearing, Sen. Collins entered a statement in the record from Ed Haugland, an ODNI OIG employee. You stated during the hearing that you had not seen or reviewed the statement prior to the hearing. Since the hearing, have you had an opportunity to view the statement? If you have reviewed the employee's statement for the record, please provide the following:
- a. Your general thoughts, views, or characterization of the statement.

**ANSWER:** Yes, I have had the opportunity to review the statement since the hearing. As I stated at the confirmation hearing, I reject the characterizations and conclusions in Mr. Haugland's statement. My efforts and the efforts of my Deputy to elevate professional standards faced some resistance. In the course of implementing changes to improve the office's performance, I encountered pushback from some OIG staff, particularly in response to the increased amount of editing and review of draft reports. Findings in OIG reports are often scrutinized and can have life-altering consequences for the subjects investigated, so there is an expectation under OIG standards that draft reports – even reports written by very senior, experienced OIG personnel – will be carefully reviewed and edited. When I worked at the DOJ OIG, this phase of the project – while

often tedious – ensured factual accuracy and made the reports more concise. What I had come to expect as routine supervisory scrutiny in my prior, successful work in the OIG community was regarded as “micromanagement” by some in ODNI OIG, particularly those like Mr. Haugland with no OIG background.

Against the statement of Mr. Haugland, the Committee has received letters and other statements of support from the two Directors of National Intelligence to whom I reported as ODNI Inspector General, the principal ODNI management liaisons with the ODNI OIG, the chairman of the National Intelligence Council, the ODNI General Counsel, the Treasury Department Inspector General (who is an active member of the Intelligence Community Inspectors General Forum), the former Department of Justice Inspector General for whom I worked for seven years, and a former Deputy Attorney General and 9/11 Commissioner for whom I worked. These officials have observed my commitment to the principles of IG independence and integrity and my record of success in assignments of increasing responsibility throughout my 16 years of public service. The Committee has heard from two Directors of National Intelligence that I effectively elevated the level of credibility and professionalism of the ODNI Office of the Inspector General, which I was hired to do.

b. Your response to the allegation of micromanagement made in the statement.

**ANSWER:** Upon my arrival, senior ODNI management officials and my new OIG leadership team informed me that while some of the work generated by the office was useful, professionally conducted, and credible, other work was not. ODNI senior officials and members of the OIG staff told me that some of the work generated by the office was inconsistent with widely accepted Inspector General standards and contributed to an uneven reputation for the office. My own assessment of the work force reinforced these observations and the reasons for the noted shortfalls: First, while there was significant, impressive *Intelligence Community* experience and talent in the office, there was little or no *Inspector General* experience in several divisions. Second, many OIG employees had little complex writing experience prior to coming to the OIG, there was no requirement to submit a writing sample when applying for positions in the OIG, and there was no encouragement of OIG training for new employees who had not previously worked in the IG community.

The consequence of the uneven work force experience and skill sets was evident in the work products I began to see in the early months of my tenure:

- Many of the draft reports that came to the OIG front office were in excellent shape. They were well organized, well written, contained targeted recommendations, addressed the stated goals of the review, and had been thoroughly vetted with affected elements. These work products required only minimal editing, were finalized by Division personnel, and were sent on to senior leadership and the DNI.



- Some reports that came to the OIG front office were poorly organized, did not address all review objectives, contained gaps in critical information, failed to include prior coverage of the topic by other Offices of Inspector General or the General Accountability Office, failed to assess the root causes for shortfalls or the impact of the findings on agency programs, were unclear, or contained grammatical errors and misspellings.

Since my signature appeared on all OIG reports, I needed to ensure that all work products were accurate and fully complied with professional standards. My approach to addressing the subpar work products varied depending on consultations with my Deputy and front office team, the Assistant Inspectors General, and the team producing the draft report. In some instances, we sent the subpar work products back to the Assistant Inspectors General with verbal direction on the steps that needed to be taken to improve the draft. In other instances, my Deputy, other OIG front office personnel, or I revised the draft reports ourselves, noting organizational suggestions, text edits, grammatical and spelling corrections, and additional information needed to finalize the report. During my successful tenure in the Department of Justice (DOJ) OIG, both of these approaches were used. Moreover, at the DOJ OIG and in other offices of Inspector General with which I am familiar, there is an expectation that draft reports – even reports written by very senior, experienced OIG personnel – will be carefully reviewed and serially edited. When I worked at the DOJ OIG, this phase of the project – while often tedious – ensured factual accuracy and made the reports more concise.

In some instances, when my ODNI OIG leadership team sent draft reports back to division personnel with directions to fill in information gaps, edit, and finalize, the subsequent drafts did not fully address these directions. In those instances, there were further delays. In one instance, after several revised drafts of a particular report were sent to my Deputy, my Deputy informed me that he would be re-writing the report from scratch, with assistance from Division staff, to make it shorter and more concise.

Because many ODNI OIG personnel had no prior OIG experience and did not expect this type of comprehensive front office review, the delays encountered in revising OIG reports led to frustrations voiced early in my tenure and, later, during the climate survey exercise (addressed below). In the end, I ensured that my leadership team adhered to CIGIE *Quality Standards for Inspections and Evaluation* (January 2011), which stress that “adequate supervision” is a “key aspect of inspection quality control” by “provid[ing] important judgment and an additional level of oversight to the work done by subordinate, often less experienced, staff.”

Due to careful review of our work products, ODNI leadership, the heads of ODNI elements to which our recommendations were directed, and ODNI OIG staff uniformly assessed that the work generated by the ODNI OIG during my tenure was excellent and was performed with integrity and rigor. Moreover, there were no challenges to the factual accuracy of our reports, our reports were sent to ODNI senior leadership with actionable recommendations that in almost every instance were concurred in by affected

elements, the vast majority of report recommendations have been implemented. In addition, both Directors of National Intelligence to whom I reported commended my efforts in accomplishing the first performance objective assigned to me beginning in 2009: "to develop and sustain rigorous processes for identifying, scoping, planning, and performing timely and relevant audits, inspections, investigations, and reviews that are aligned with the National Intelligence Strategy, ODNI and Intelligence Community Inspector General management challenges, DNI and other management priorities, and other strategic assessments of the ODNI and the IC." Likewise, the principal ODNI management liaisons with the OIG, Lieutenant General U.S. Army (Ret.) John F. Kimmons (former Director of the Intelligence Staff) and Mark W. Ewing (current ODNI Chief Management Officer) informed me, and have informed the Committee, that the work generated by the office during my tenure was excellent, professionally executed, and contained targeted recommendations.

To address the uneven work force experience and provide clear guidance on expectations for our written products, I worked with my leadership team to produce in collaboration with all OIG personnel the first office-wide manual to guide our work. This manual incorporated best OIG practices for planning and scoping OIG projects, drafting and vetting reports, tailoring recommendations, and all of the "lessons learned" in my first year in the OIG. I observed that after this manual was available to OIG personnel, draft reports coming to the OIG front office improved overall, thereby requiring less editing and front office review. In the end, developing this type of repeatable process led to improved overall performance.

In addition, the revised, more stringent performance objectives my Deputy and I established for OIG personnel and the repeatable processes developed during my tenure ensure that incoming OIG personnel now understand expectations for their products. Moreover, having learned from this experience and because I availed myself of leadership development training, I am armed with more tools and approaches for addressing the types of challenges any leader encounters when joining a new organization.

c. Your response to the assertion that not one inspection was initiated during the employee's tenure, and address the implications of that on the ODNI's Office of Inspector General productivity.

**ANSWER:** During my tenure the Inspection Division completed two major inspections, both of which were initiated prior to Mr. Haugland's tenure:

- Office of the Director of National Intelligence Acquisition Oversight Policies, Processes, and Strategies: Findings and Recommendations for Action
- Evaluation of the Administration and Management of ODNI Core Contracts Supporting Critical Missions

Both of these inspections were “force multipliers” in that they contained findings and recommendations that go beyond what an audit of an individual acquisition or a particular contract could accomplish. In the best tradition of OIG work, both reports will support more effective ODNI oversight of all of its critical acquisition and contracting activities.

The Inspection Division performed other meaningful work for the OIG during my tenure. As I stated at the confirmation hearing, one inspection, which occupied the resources of almost all Inspection Division personnel, was suspended in February 2011. I addressed the circumstances of this inspection in a separate classified briefing with majority and minority staff prior to the confirmation hearing. After Mr. Haugland and the inspection team briefed the DNI and Deputy Director of National Intelligence for Intelligence Integration on the findings and recommendations, the team performed additional work. In accordance with standard inspection practice, the team circulated the draft report to some affected elements for comments on factual accuracy. In so doing, the team learned of additional information necessary to update the report. Ultimately, Mr. Haugland recommended that the inspection be suspended, and my Deputy concurred. While the suspension of this project was frustrating for everyone who worked on it and for OIG leadership, it was the right thing to do. As experienced OIG personnel recognize, it is not uncommon for OIG projects to be suspended or closed when the optimal timing for doing the work shifts.<sup>1</sup> Further, as Mr. Haugland notes, by virtue of the OIG’s briefing to agency management, the DNI and his team had the benefit of the draft report findings and recommendations, and the steps we took following the suspension to stay abreast of ongoing developments made sure that the inspection can be completed expeditiously.

The Inspection Division also led strategic planning efforts to support transition of the ODNI OIG to the Office of the Inspector General of the Intelligence Community, the office created in the FY 2010 Intelligence Authorization Act. In support of these efforts, Mr. Haugland engaged the resources of virtually every inspector for much of the first half of 2011. This entailed benchmarking the best practices of new Offices of Inspector General and Intelligence Community Offices of Inspector General, identifying possible requirements or gaps in current policy and process, initiating development of a cost model to support a separate OIG budget, assessment of staffing requirements for variable workloads, and scoping of objectives to support a phased transition to varying levels of maturity. Mr. Haugland was effective in performing this important strategic work, and our executive leadership team understood that this work would take precedence for many months over the completion of individual inspections. Neither Mr. Haugland nor any other managers to my knowledge objected to the use of Inspection Division resources in support of these important planning activities. During my tenure the Inspection Division also substantially completed foundational work on another planned inspection and a

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<sup>1</sup> The timing for completing ongoing OIG work is particularly challenging when there are changes in agency leadership. During my tenure there were two Directors of National Intelligence. After DNI James R. Clapper, Jr. assumed office in August 2010, the OIG reassessed the scope and options for completing several ongoing reviews in light of new organizational initiatives by new ODNI leadership. Among those matters was the suspended inspection discussed above.

capstone report summarizing the work of the Intelligence Community Inspectors General on that topic. The Inspection Division also contributed to the IC IG Forum Inspections Working Group and other important Forum activities.

d. Your response to the allegation of delaying or ignoring the ODNI's OIG climate survey.

**ANSWER:** There were some delays in briefing the report to OIG staff. First, after the DNI was briefed in mid-December, the ensuing holidays meant that many OIG staff were on leave. The HUMrro project director was on vacation and unavailable for the next several weeks in early 2011. After HUMrro briefed the results to OIG executive management, there were additional delays in briefing the results to the full staff due to the press of other business and staff availability. Mr. Haugland suggests that I delayed the final staff presentation because I was not receptive to the results. This was not the case.

My Deputy and I acted promptly to implement several of his (and, later, HUMrro's) recommendations. Among the recommendations we implemented were shifting and consolidating the schedule of senior leadership meetings, recalibrating the performance objectives of the Assistant Inspectors General to require more polished drafts that complied with office guidance, requiring writing samples of job applicants, and encouraging OIG training for incoming personnel who had no OIG training. A few have not been implemented because they must be evaluated in light of the resources available to and priorities of the newly established Office of the Inspector General of the Intelligence Community. This includes a recommendation to hire a full-time editor. As noted above, I availed myself of leadership training – another HUMrro recommendation – which I found to be very beneficial. Throughout this period I provided the DNI periodic updates on the status of the climate survey briefings.

**Senator Susan Collins**  
**Additional Questions for the Record**  
**Nomination Hearing of Roslyn A. Mazer**  
**November 15, 2011**

1. During the hearing, I asked you a question about the electronic waste report required by the Intelligence Authorization Act for Fiscal Year 2010 (IAA). As you pointed out at the hearing, the IAA also requires two other reports: (1) an audit of the reciprocity of security clearances among the elements of the intelligence community, due no later than 180 days from enactment, and (2) a joint report with the DHS IG on the status of the sharing of cyber-threat information due not later than one year after the date of enactment.

Committee staff have been told that Intelligence Committee staff communicated the expectation that your office should complete the electronic waste report in addition to the others. At the hearing, however, you commented that, per the legal advice of the Office of the General Counsel, "the obligation to produce those reports was not triggered until the office of the Inspector General of the Intelligence Community was stood up." Therefore, my understanding is that your position is that the ODNI OIG technically was not bound by the report requirements in the IAA, regardless of what the Intel Committee intended with respect to these reports.

Apparently contradicting your response and what you told this Committee was the ODNI OIG General Counsel's advice, the Semi-Annual report that was issued in January 2011 listed both the audit of the reciprocity of security clearances and the joint report on the status of the sharing of cyber-threat information as ongoing audits and further states that the reports are in response to the requirements in the IAA.

- a. If you were following the advice of the general counsel that the report requirements outlined in the IAA were not your office's responsibility, why did you initiate and have listed as pending the reports on security clearances and cyber-threat information sharing while also noting in the semi-annual that the reports were responding to requirements in the IAA?

**ANSWER:** Following passage of the FY 2010 Intelligence Authorization Act, I conferred with OIG staff, the ODNI Office of the General Counsel (OGC), and the ODNI Office of Legislative Affairs (OLA) about the three congressionally directed actions (CDA) directed to the "Inspector General of the Intelligence Community." The OGC advised my office in late November 2010 that 1) the statutory requirement would not be triggered until the Inspector General of the Intelligence Community was nominated by the President and confirmed by the Senate, and 2) the ODNI OIG could, if it chose to do so, perform work responsive to the CDAs under its existing authority from the Director of National Intelligence. OGC also advised my office that the ODNI OIG's jurisdiction did not extend to those portions of the CDAs that related to components outside the ODNI.

Nevertheless, I believed it was appropriate and responsible to consider what resources the ODNI OIG could devote, within its existing authorities, at the time, to begin the work necessary to respond to these CDAs. Although I had received definitive legal advice that the legal requirement to conduct these evaluations had not yet been triggered, I decided that it was important to begin the work necessary to respond to these CDAs because they were obviously important to the Congress and the work would eventually need to be done.

*Electronic Waste.* The ODNI OIG never initiated an evaluation on the electronic waste CDA. Instead, we conducted foundational research which I believed would be used by the Office of the Inspector General of the Intelligence Community to perform the CDA. Ultimately, my staff concluded and I agreed that the review could not be completed within the ODNI OIG's authorities.

*Security Clearance Reciprocity:* The ODNI OIG initiated a narrowly scoped review of the ODNI portion of the CDA. As stated in the OIG's semiannual report for the period 1 July 2010 – 31 December 2010 (p. 12), this work responded "in part" to the FY 2010 CDA. The OIG concluded in October 2011 that it could not complete this audit within existing authorities and resources. However the foundational work done on this audit will be used by the Office of the Inspector General of the Intelligence Community to perform the CDA.

*Joint Review (with DHS OIG) of Cyber Threat Information Sharing:* In coordination with the DHS OIG, the ODNI OIG initiated work on the ODNI's portion of this joint audit in January 2011. The audit was substantially completed during my tenure and was reviewed and issued in November 2011 by the Office of the Inspector General of the Intelligence Community.

- b. Why was the electronic waste report not listed as pending, but the other two reports required by the IAA were?

**ANSWER:** As noted above, the ODNI OIG did not initiate the electronic waste evaluation so this matter was not listed as pending in the semiannual report. In contrast, the ODNI OIG did initiate evaluations or audits on the other two projects, so they were listed in the semiannual report.

- c. When did you seek the legal opinion of the general counsel?

**ANSWER:** The ODNI OIG obtained the legal opinion of ODNI OGC in November 2010. ODNI OIG (and all ODNI elements) rely on ODNI OGC to provide the agency's definitive legal advice.

- d. When did you decide not to produce the e-waste report or complete the reports on security clearances and cyber-threat information sharing by the deadline in the IAA?

**ANSWER:** As noted above, the ODNI OIG decided to conduct foundational research only on the electronic waste matter during FY 2011 and did not initiate the evaluation. In coordination with DHS OIG, the ODNI OIG substantially completed its portion of the joint report on cyber threat information sharing during my tenure even though, per guidance from ODNI OGC, this mandate, like the other two mandates, was not triggered until the Office of the Inspector General of the Intelligence Community was established. The ODNI OIG performed work on the security clearance reciprocity audit within its existing authorities and resources at the time. The OIG's semiannual report for the period 1 July 2010 – 31 December 2010 notes that this work would respond "in part" to the security clearance reciprocity CDA.

- e. When you learned of the decision of the general counsel and decided that the IAA requirements did not pertain to your office, when did you communicate this to Congress—given that you previously communicated in the semiannual report your intention to produce two of the reports as a response to the IAA? Please provide a copy of this communication.

**ANSWER:** The OIG did not state in its semiannual report that it intended "to produce two of the reports as a response to the IAA." Following passage of the IAA, the OIG staff met with Senate Select Committee on Intelligence and House Permanent Select Committee on Intelligence staff to discuss the CDAs and the OIG's consideration of possible foundational work on the CDAs. In addition, OIG records reflect that OIG and OLA staff met with intelligence oversight committee staff on March 31, 2011. At that meeting OIG staff discussed the electronic waste matter in particular, described the foundational work underway, and noted the challenges associated with this project. Ultimately, my staff recommended and I agreed that the electronic waste evaluation could not be conducted under ODNI OIG authorities and resources and would be revisited following establishment of the Office of the Inspector General of the Intelligence Community. OIG and OLA staff informed intelligence oversight committee staff no later than March 31, 2011, that OGC and OLA had advised the OIG that the requirement to perform these CDAs was not triggered until the Office of the Inspector General of the Intelligence Community was established. At this meeting, OIG and OLA staff also discussed the challenges associated with the other two CDAs, noting that the OIG was eager to be responsive to congressional interest in these topics and was prepared to do initial work under existing authorities and resources. Congressional staff in attendance said that they appreciated the OIG's efforts to undertake initial work. In the OIG's semiannual report for the period 1 January 2011 to 30 June 2011, the OIG described the OIG's communications with intelligence oversight committee staff about the office's work on these matters.

- f. When did you initiate each of the reports, including the electronic waste report which you indicated at the hearing you started in order to provide baseline work for the new IC IG?

**ANSWER:** The OIG began foundational work on the electronic waste matter in November 2010. The OIG initiated work on the narrowly scoped security clearance reciprocity audit in December 2010. The OIG initiated work on the joint cyber threat information sharing audit in January 2011.

g. What were the initial target dates for completing each report?

**ANSWER:** As noted above, the OIG never initiated the electronic waste evaluation and therefore never established a target date for completion. The initial target date for the ODNI OIG's portion of the joint audit with DHS OIG of the status of cyber threat information sharing was September 2011. The report was completed in November 2011. The OIG concluded in October 2011 that the ODNI OIG could not complete the security clearance reciprocity audit within existing authorities and resources. However, the foundational work done on that audit will be used by the Office of the Inspector General of the Intelligence Community to conduct the CDA.

2. In response to Senator Akaka's question regarding the prevention of wrongdoing and waste, you mentioned that "the second audit I initiated at ODNI IG was, for the first time, to examine the DHS intelligence elements' use of National Intelligence Program funds." According to the ODNI OIG 2008 Annual Report, this audit was listed as pending during the year *prior* to your arrival at the ODNI OIG in April 2009. The executive summary of the audit report states that "the audit was performed at the direction of the Director of National Intelligence," not the IG. Additionally, the report states that the audit work was completed several months prior to your arrival as IG. While the report was eventually issued in June 2009, several months into your tenure at the OIG, the agency response to the report is dated April 13, 2009—which means the draft report most likely was completed and transmitted to DHS before your arrival at the OIG. How is it possible for you to have initiated a report when that report was listed as pending and delivered to agency for comment prior to your arrival at the ODNI OIG?

**ANSWER:** The following ODNI OIG audits were initiated *and* completed during my tenure:

- Audit of the DNI's Monitoring and Coordination of the Comprehensive National Cybersecurity Initiative (CNCI)
- Fiscal Year 2010 Consolidated Federal Information Security Management Act (FISMA) of 2002 Capstone Report for the Intelligence Agencies' Inspectors General (ODNI OIG assumed for the first time responsibility to collect and summarize FISMA reporting from 11 Intelligence Community OIGs, summarizing information security program strengths and weaknesses and recommendations to agency management)
- Increasing the Value of the IC Federal Information Security Management Act (FISMA) Reports (addressed cross-Intelligence Community issues beyond the scope of annual FISMA reporting, resolution of which would promote more meaningful FISMA reporting by IC agencies)



The following audit was initiated and substantially completed during my tenure, but was finalized and issued by the Office of the Inspector General of the Intelligence Community:

- Joint audit (with DHS OIG) of cyber threat information sharing.

I misspoke at the hearing when I said that two OIG audits – Audit of the ODNI Fund Balance with Treasury and Joint Audit of National Intelligence Program Funds by DHS Office of Intelligence and Analysis – were initiated during my tenure. Both audits were initiated by the OIG prior to my tenure (one in early April 2009, just prior to my arrival in late April 2009 and the other in July 2008) and completed during my tenure. I apologize to the Committee for my inadvertent misstatement.

**Senator Tom Coburn**  
**Additional Questions for the Record**  
**Confirmation Hearing of Roslyn A. Mazer**  
**November 15, 2011**

1. During your testimony, you spoke about your experience “leading teams” at the Department of Justice (DOJ). Please describe in detail your management experience at both the Department of Justice and the Office of the Director of National Intelligence (ODNI). Specifically, how many people did you have answering to you and under your management?

**ANSWER:** In the nearly 17 years I have devoted to public service, first at the Department of Justice and recently in the ODNI, I have held positions of increasing responsibility in which I have managed people, programs, initiatives, and, for the last nine and one-half years, important OIG reviews.

- At the 450-employee Department of Justice (DOJ) Office of the Inspector General, over the course of seven years, I led teams of investigators, auditors, attorneys, paralegals, and evaluators in conducting important reviews, including two successive congressionally mandated reviews of the FBI’s compliance with national security letter authorities and a review of the FBI’s adherence to Attorney General Guidelines. The teams ranged in size from 2 to 12 OIG personnel. In conducting the congressionally mandated reviews of the FBI’s use of national security letters and a subsequent review of the FBI’s use of exigent letters, I led teams of auditors, investigators, attorneys, paralegals, and inspectors. These reviews entailed site visits to many FBI field offices, review of FBI Headquarters and field office records, interviews, surveys and other data requests, and the drafting of complex reports. At the conclusion of our work on these reviews, I briefed senior Department officials and Members of Congress and congressional staff on the report findings.

- As Inspector General of the Office of the Director of National Intelligence, I managed the relatively small OIG office, which had during my tenure as many as five divisions: Audits, Investigations, Inspections, Oversight & Policy (later merged into the Management Review Division) and the Management Review Division (later re-named the Oversight & Review Division).<sup>1</sup> I was responsible for conducting, supervising, and coordinating audits, inspections, investigations, and other reviews relating to the programs and operations of the ODNI and the authorities of the Director of National Intelligence (DNI); planning and executing our budget; hiring and training personnel; providing the OIG’s views on ODNI and Intelligence Community policies; keeping the DNI informed of serious problems relating to the administration and programs administered by the ODNI or within DNI authorities; engaging in strategic planning for the ODNI OIG and, during much

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<sup>1</sup> The number of ODNI OIG employees is classified.

of FY 2011, planning for the eventual statutory Office of the Inspector General of the Intelligence Community, which was established in the FY 2010 Intelligence Authorization Act. I also oversaw the OIG's participation in the joint ODNI and Department of Justice oversight team that conducted periodic reviews to assess Intelligence Community compliance with procedures and guidelines issued pursuant to Section 702 of the Foreign Intelligence Surveillance Act (FISA), 50 U.S.C. § 1801 *et seq.*, as amended by the FISA Amendments Act of 2008, 50 U.S.C. § 1881a. The results of these compliance reviews are summarized by the DNI and the Attorney General in joint semiannual reports submitted to Congress. In addition, I oversaw the OIG's participation with the ODNI Office of General Counsel in assessments of Intelligence Community oversight reporting submitted to the President's Intelligence Oversight Board.

- At the ODNI, I concurrently served by direction of the DNI as chair of the 13-member Intelligence Community Inspectors General Forum, an interagency group of IGs from core Intelligence Community elements as well as IGs from other federal departments with IC elements, including the Departments of Homeland Security, Defense, State, Treasury, and Energy. As chair of the Forum and as host of the quarterly meetings, I led efforts to promote collaboration and coordination among Intelligence Community OIGs by exchanging work plans, sharing best practices, identifying and conducting collaborative projects involving two or more OIGs, and responding to congressional inquiries about OIG policies and investigations. I also hosted the Intelligence Community Inspectors General annual conference and the annual IC OIG Professional Awards Program and Ceremony.

- At the Department of Justice Criminal Division (600+ employees), I helped develop and led the first DOJ initiative to boost enforcement of criminal laws protecting intellectual property rights. This initiative created a new architecture for combating commercial-scale counterfeiting and piracy by mobilizing investigative and prosecutorial resources, fostering closer alliances with the copyright and trademark industries, and promoting engagement with domestic and international law enforcement and economic alliances committed to IP enforcement. Together with my colleagues in the Criminal Division, I led this initiative by harnessing the efforts of dozens of senior officials from the Federal Bureau of Investigations, the Departments of State and Commerce, the Patent & Trademark Office, the Customs Service, United States Attorneys' Offices, and private sector partners. This initiative has served as the foundation for DOJ's ongoing IPR enforcement efforts today. The Criminal Division's contingent supporting this initiative was composed of approximately 10 employees, and other participating federal agencies devoted several staff members each to develop and implement the initiative.

- I served for five years as the President's Chair and the Attorney General's representative to the Interagency Security Classification Appeals Panel, a panel established

by Executive Order to review agency mandatory declassification decisions under new post-Cold War standards. Panel members included representatives from the Central Intelligence Agency, National Security Adviser, National Archives, and the Departments of State and Defense. Under my leadership, the panel reached unanimous decisions in over 80 per cent of the appeals presented and, as a result, was able to achieve the balance established by the new Executive Order. I led the DOJ contingent of three staff members and an overall contingent of approximately 25 senior officials and staff from the other participating agencies.

2. How many staff members departed during your tenure as Inspector General at ODNI? What percent of the office departed during your tenure?

**ANSWER:** OIG employees turned over for a variety of reasons, including retirement from government service, promotions to more senior positions both within and outside the Intelligence Community, joint duty assignments in the Intelligence Community (required in order to be promoted to the Senior National Intelligence Service), discontinuation of a special dispensation from the Office of Personnel Management known as dual compensation waivers (affecting investigators), and other reasons. Other employees were recruited to join the office throughout this period, and they joined the OIG through joint duty assignments, temporary details, or permanent staff. ODNI records show that approximately 43 per cent of the staff turned over during my tenure. This compares with approximately 33 per cent staff turnover during the years prior to my tenure.

3. What were your three greatest successes at the Inspector General's Office of the ODNI?

**ANSWER:** My three greatest successes at the ODNI OIG were:

- a. *Building and sustaining the credibility and professionalism of the office.* Upon my arrival at the ODNI OIG in April 2009, senior ODNI management officials and my new OIG leadership team informed me that while some of the work generated by the office was useful, professionally conducted, and credible, other work was not. ODNI senior officials and members of the OIG staff reported that some of the work generated by OIG staff was inconsistent with widely accepted Inspector General standards and contributed to uneven performance and an uneven reputation for the office. Other Intelligence Community Inspectors General voiced the same view. Due in large part to the careful review of our work product during my tenure, ODNI leadership, the heads of ODNI elements to which our recommendations were directed, and ODNI OIG staff assessed that the work generated during my tenure was excellent and was performed with integrity and rigor. Moreover, there were no challenges to the factual accuracy of our reports, our reports were sent to ODNI senior leadership with actionable

recommendations that were accepted by management, and the majority of report recommendations have been implemented.

In addition, both DNIs to whom I reported commended my efforts in accomplishing the first performance objective assigned to me beginning in 2009: “to develop and sustain rigorous processes for identifying, scoping, planning, and performing timely and relevant audits, inspections, investigations, and reviews that are aligned with the National Intelligence Strategy, ODNI and Intelligence Community Inspector General management challenges, DNI and other management priorities, and other strategic assessments of the ODNI and the IC.” Likewise, the ODNI management liaisons with the OIG – Lieutenant General U.S. Army (Ret.) John F. Kimmons (former Director of the Intelligence Staff) and Mark W. Ewing (current ODNI Chief Management Officer) – informed me, and have informed the Committee, that the work generated by the office during my tenure was excellent, professionally and rigorously executed, and contained useful and targeted recommendations that were accepted by management. Given the work force challenges I faced when entering on duty, I regard this as the most significant accomplishment of my tenure. Without credibility and professionalism, an Office of Inspector General cannot generate work that is useful to management or to Congress.

*Establishing repeatable processes to support the OIG.* To address the OIG’s uneven workforce experience and provide clear guidance on expectations for our written products, I worked with my leadership team to produce the first office-wide manual to guide our work. This manual incorporated best OIG practices for planning and scoping OIG projects, drafting and vetting reports, tailoring recommendations, and all of the “lessons learned” in my first year in the OIG. I observed that after this manual was available to OIG personnel, draft reports coming to the OIG front office improved overall, thereby requiring less editing and front office review. The OIG also worked with agency management to formalize agency policy for ensuring that OIG recommendations are timely implemented and for ensuring timely completion of congressionally required reports.

- c. *Issuing relevant, timely, accurate, and professionally executed audits, inspections, investigations, and other reviews that aligned with the National Intelligence Strategy.* Reports issued during my tenure focused on improving intelligence integration, stewardship of appropriated funds, acquisition and contractor oversight practices, and financial management. These reports identified deficiencies and shortfalls as well as successes in ODNI mission areas. For example, the OIG issued an audit report that is supporting more effective oversight by the ODNI of National Intelligence Program Funds sent to other Intelligence Community elements. Another audit report addressed the ODNI’s internal controls over its Fund Balance with Treasury, one of the three

requirements for achieving financial statement auditability. Other OIG evaluations assessed the status of integration of the Intelligence Community's Departmental and Service elements, a report that documented the unique expertise and capability of these elements and impediments to their more effective integration into the intelligence enterprise. In addition, the OIG completed two major inspections on acquisition and contractor oversight. Many of these reports were "force multipliers" in that they contained findings and recommendations that go beyond what an audit of an individual acquisition or a particular contract could accomplish. In the best tradition of OIG work, the OIG's reports on acquisition and contractor oversight will support more effective ODNI management of its critical acquisition and contracting activities and will assist the DNI in continuing to drive integration of the Intelligence Community.

4. What were the instances when your work at the ODNI Inspector General's office yielded the greatest savings for taxpayers, or significant improvement in the performance of the ODNI or other intelligence community agencies?

**ANSWER:** The following reports issued during my tenure are likely to yield significant improvements in the performance of the ODNI. These reports directly aligned with the National Intelligence Strategy and with other ODNI management priorities.

*Intelligence Community Integration.* One OIG evaluation assessed the status of the Intelligence Community's Joint Duty Program, one of the key drivers of Intelligence Community integration. A second evaluation documented the unique expertise and capabilities of the Departmental and Services elements, ODNI successes in driving their integration, and remaining barriers to more effective collaboration and integration:

- Implementation Status Review of Intelligence Community Joint Duty Program
- Integration of Intelligence Community Departmental and Service Intelligence Community Elements

*Financial Management.* ODNI stewardship of appropriated funds and its financial statement auditability were significantly enhanced by the findings and recommendations in these two audit reports:

- Joint Audit of National Intelligence Program Funds at Department of Homeland Security Office of Intelligence & Analysis
- Audit of Internal Controls over The ODNI's Fund Balance with Treasury

*Acquisition and Contractor Oversight.* Over time, effective oversight of ODNI acquisitions and oversight of its contractor work force will yield the greatest savings for taxpayers.

These OIG reports provided findings and recommendations to better equip the DNI and the ODNI to provide more effective oversight of its acquisitions and contractor personnel:

- Office of the Director of National Intelligence Acquisition Oversight Policies, Processes, and Strategies: Findings and Recommendations for Action
  - Evaluation of the Administration and Management of ODNI Core Contracts Supporting Critical Missions
5. According to the statistics obtained by the Committee, the ODNI's IG office during your tenure produced only three substantial reports since 2010 after producing twenty-five "substantial reports" between 2006 and 2009. What caused this decline in productivity?

**ANSWER:** The ODNI OIG produced substantial, meaningful reports during my tenure that aligned with the National Intelligence Strategy, Intelligence Community OIG management challenges, and ODNI leadership priorities while at the same time leading the Intelligence Community Inspectors General Forum. Excluding many investigative reports and audits of special access programs, the OIG issued or substantially completed the following reports during my tenure:

#### 2009 REPORTS

Joint Audit of National Intelligence Program Funds at Department of Homeland Security Office of Intelligence & Analysis  
 Implementation Status Review of the Intelligence Community Joint Duty Program  
 Response to Congressional Request for Information on National Counterterrorism Center's Railhead Program  
 Office of the Director of National Intelligence Acquisition Oversight Policies, Processes, and Strategies: Findings and Recommendations for Action  
 Report on the President's Surveillance Program  
 Review on the Use of the Whistleblower Protection Act (ICWPA) in the Intelligence Community  
 Intelligence Community Management Challenges Report  
 Fiscal Year 2009 Independent Evaluation of ODNI Compliance with the Federal Information Security Management Act (FISMA) of 2002  
 Semiannual Report 1 July 2009 – 31 December 2009

#### 2010 REPORTS

Audit of Internal Controls over The ODNI's Fund Balance with Treasury  
 Status Update on the Implementation of IC OIGs' Watchlisting Recommendations  
 Increasing the Value of the IC Federal Information Security Management Act (FISMA) Reports  
 Fiscal Year 2010 Independent Evaluation of ODNI Compliance with the Federal Information Security Management Act (FISMA) of 2002  
 Fiscal Year 2010 Consolidated Federal Information Security Management Act (FISMA) of 2002 Capstone Report for the Intelligence Agencies' Inspectors General  
 Increasing the Value of the IC Federal Information Security Management Act (FISMA) Reports  
 Office of the Director of National Intelligence Management Challenges  
 Semiannual Report 1 January 2009 – 30 June 2010  
 Semiannual Report 1 July 2009 – 31 December 2010

## 2011 REPORTS

Audit of the DNI's Monitoring and Coordination of the Comprehensive National Cybersecurity Initiative (CNCI)

Status of Integration of the Departmental and Service Intelligence Community Elements

Evaluation of the Administration and Management of ODNI Core Contracts Supporting Critical Missions  
Semiannual Report 1 January 2011 – 30 June 2011

*Joint Audit (with DHS OIG) of the Status of Sharing Cyber-Threat Information (issued in November 2011)*

*FY 2011 Federal Information Security Management Act (FISMA) Review (issued in November 2011)*

*Fiscal Year 2011 Consolidated Federal Information Security Management Act (FISMA) of 2002 Capstone Report for the Intelligence Agencies' Inspectors General (pending)*

I have included the following required reports in the above list because of the significance of the information reported and the fact that our office dedicated scarce resources to ensuring that these required reports were thorough and reliable.

- *OIG Semiannual reports:* The ODNI OIG produced semiannual reports during my tenure to inform Congress and agency management about our activities. OIG semiannual reports typically focus on completed and ongoing work. The ODNI OIG reports did more. Our office also included a detailed table showing the status of all OIG report recommendations dating back to 2007. Developing information on the status of hundreds of OIG recommendations was time-consuming to produce, requiring the dedication of OIG personnel in all divisions to meet with affected elements and participate in periodic meetings with the ODNI Chief Management Officer to track all of the open recommendations. During my tenure, intelligence oversight committee staff expressed interest in the most up-to-date data on open OIG recommendations that were reflected in these semiannual reports. The detailed table produced by the OIG in these reports was the basis for monitoring progress on open recommendations throughout the year.
- *OIG Management Challenges reports:* The Reports Consolidation Act of 2000 requires federal agency Inspectors General to identify and report the serious management and performance challenges facing their agencies. In conformity with its cross-enterprise mission, the OIG generated an Intelligence Community Management Challenges report in FY 2010 that synthesized the management challenges across the entire Intelligence Community. To identify these challenges, the OIG drew upon inspections, audits, investigations, and reviews performed over the previous two years by Intelligence Community Inspectors General, challenges identified by the Intelligence Community Inspectors General Forum, and issues identified by ODNI senior leadership. In FY 2011, our report focused solely on ODNI management challenges.



- *Augmenting the ODNI OIG's Annual Federal Information Security Management (FISMA) Reports.* The OIG produced mandatory annual FISMA reports that assessed the ODNI's security measures for information systems that support operations. FISMA requires this annual independent audit to evaluate such matters as inventories, security controls testing, certification and accreditation, security incident response programs, and continuous monitoring programs. In addition to its regular FISMA reporting, in keeping with the OIG's cross-enterprise mission, the OIG issued a separate report during my tenure that focused on making Intelligence Community FISMA reporting more meaningful. Our office also produced a FISMA capstone report that synthesized the findings and recommendations from all Intelligence Community OIG FISMA reports. In FY 2010, once the OIG had sufficient resources to produce this capstone report, the OIG assumed responsibility for producing the capstone report from the Intelligence Community Chief Information Officer.

As I stated at the confirmation hearing, while the number of OIG reports is one metric by which to assess the productivity of an office of inspector general, I do not believe it is the best metric, particularly because the ODNI OIG was still a relatively new office. In particular, when assessing the productivity of a relatively new office of inspector general like the ODNI OIG, I believe a better metric is to assess whether the leadership a) ensured that all reports complied with established professional standards of objectivity and accuracy; b) developed and implemented repeatable processes to enable current and future OIG employees to perform their work more efficiently, and c) worked with agency management to establish a process to ensure that OIG recommendations are implemented.

In addition, given the dual-hatted mission of the ODNI Inspector General, I supported the activities of the Intelligence Community Inspectors General Forum.<sup>2</sup> While several joint reports were issued under the auspices of the Forum during my tenure, the greatest value of the Forum were other types of activities, including:

- Sharing the names of working targets of OIG investigations so that all IC agencies are aware of fraudulent schemes;
- Planning Intelligence Community OIG peer review efforts;
- De-conflicting and coordinating OIG work and hosting presentations on significant OIG reports of interest across the Intelligence Community;
- Discussing the impact of recent legislation, such as the FY 2010 Intelligence Authorization Act;

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<sup>2</sup> Congress deemed the Intelligence Community Inspectors General Forum to be so critical that it accorded the Forum statutory status in the FY 2010 Intelligence Authorization Act.

- Ensuring that new Designated Federal Entity Offices of Inspector General (the Defense Intelligence Agency, National Geospatial-Intelligence Agency, National Security Agency, and National Reconnaissance Office OIGs) were integrated into the Council of the Inspectors General on Integrity and Efficiency;
- Developing and hosting the annual Intelligence Community OIG Professional Awards Program, which recognizes outstanding work in OIG disciplines and also recognizes outstanding leadership, collaboration, and lifetime achievements;
- Developing and hosting the annual conference of IC Offices of Inspector General, where OIG professionals meet to discuss perspectives of congressional overseers, significant work, and best practices (such as state-of-the-art tools to detect fraud);
- Developing and launching the Intelligence Community OIGs' first Community of Interest, an online collaboration tool used by all Offices of Inspector General to collaborate on ongoing projects, share best practices, and engage professionally across the community.

Using all of these metrics, given that the OIG was essentially still a start-up when I joined the office and had many staff who had no prior OIG experience, I believe the ODNI OIG was very productive during my tenure. In so doing, I am confident that I held OIG staff accountable for adherence to professional standards.

6. In your testimony, you stated that many of the staff that you inherited at the ODNI IG's office "had no Inspector General background." Please provide any information that further educates the Committee about this. How many members of your staff at the ODNI IG's office had experience with investigative work in previous professional roles? How many previously worked in other agencies' Inspector General offices? How many of your employees were former FBI special agents? How many had previously served as investigators in the military? How many had served as investigators in other intelligence community agencies?

**ANSWER:** OIG personnel on board at the beginning of my tenure had a variety of backgrounds, experiences, and skill sets. However, many had not worked in a statutory Office of Inspector General or a Designated Federal Entity (DFE) Office of Inspector General. All of our investigators had previously served in the FBI, where they had significant investigative experience. But only one had any prior OIG experience, which was not in the Intelligence Community. Other OIG personnel not serving in the Investigations Division had served in command Inspector Generals' offices or had been military investigators. Still others had served as analysts or collectors in the Intelligence Community.<sup>3</sup> Our office leveraged all of these valuable experiences. After being briefed

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<sup>3</sup> OIG records currently available do not contain precise information on the backgrounds of all former OIG personnel no longer with the office. The exact numbers of OIG personnel is classified.

upon my arrival in April 2009 by the Director of National Intelligence (DNI), ODNI senior leaders, and the OIG leadership team about the uneven performance and reputation of the office and after seeing the initial work products that were sent to me for signature, I assessed that in order to fulfill the first performance objective assigned to me by the DNI, I needed to ensure that OIG staff without previous statutory or DFE OIG experience be paired when feasible with staff who had such experience and that the office devote resources to developing the first office-wide manual to guide our work.<sup>4</sup> In addition, after reviewing the recommendations developed by my Deputy and those developed later by a contractor engaged by the ODNI to conduct a climate survey, I instituted other measures to support OIG personnel who had not served in a statutory or DFE OIG or had no complex writing experience. After these measures were instituted, I found that the work products coming to the OIG front office improved.

7. In a June 10, 2010 letter to Senator Grassley and me, you wrote: "During my tenure, I have not experienced an instance when the ODNI management team has resisted or objected to the OIG's activities." Do you believe that statement at that time to have been accurate?

**ANSWER:** Yes, that statement was accurate when the letter was signed.

8. Do you still believe that this statement is accurate? Were there any instances during your tenure when the ODNI management resisted or delayed the IG office's activities?

**ANSWER:** Yes, the statement is still accurate.

9. In a subsequent March 2, 2011 letter that you wrote to Senator Grassley and me, you acknowledged that the ODNI's IG office had canceled a draft report of an advanced geospatial intelligence (AGI) project that had been initiated in 2007. You wrote "some IC elements agreed with certain draft report recommendations, while other IC elements objected to certain draft report recommendations." Did the ODNI management, or any other Intelligence Community agency, influence the decision of the Inspector General's office to cancel the AGI study?

**ANSWER:** The Assistant Inspector General for Inspections recommended that the inspection be cancelled, and my Deputy concurred. To my knowledge, no one in the OIG during my tenure discussed the possible cancellation of this inspection with ODNI management or any other Intelligence Community agency. Accordingly, to my knowledge,

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<sup>4</sup> The DNI directed me "to develop and sustain rigorous processes for identifying, scoping, planning, and performing timely and relevant audits, inspections, investigations, and reviews that are aligned with the National Intelligence Strategy, ODNI and Intelligence Community Inspector General management challenges, DNI and other management priorities, and other strategic assessments of the ODNI and the IC."

neither ODNI management nor any other Intelligence Community agency influenced the OIG's decision.

10. What compelled you to mention this instance of possible agency interference in your March 2, 2011 letter?

**ANSWER:** In my March 2, 2011, letter, I did not characterize the fact that some IC elements apparently objected to certain draft report recommendations in this report as "possible agency interference." Rather, I stated that I was reporting the matter because the OIG had administratively closed the inspection on the recommendation of the Assistant Inspector General for Inspections and my Deputy. That fact rendered the OIG action responsive to the request to include "updates on all closed investigations, evaluations, and audits conducted by your office that were not disclosed to the public." Moreover, the objections apparently voiced by the other IC elements predated my tenure, and I was not in a position to characterize the nature of the objections. In addition, it is not at all uncommon for affected elements to object to recommendations made in draft OIG reports, whether due to resource constraints or for substantive reasons. The very purpose of circulating a draft report is to obtain and consider the comments of affected elements. I understand that the possibility of reporting this matter was raised by an OIG inspector during the climate survey exercise, and it was thereafter brought to my Deputy's and my attention. My Deputy and I promptly conferred internally with OIG staff, with the ODNI Office of the General Counsel and Office of Legislative Affairs, and with other Offices of Inspector General to determine how other OIGs were providing updates to the April 8, 2010 letter. Based on all of these inputs and the unanimous view of OIG staff, my Deputy and I concluded that it would be appropriate in an abundance of caution to include this matter in the March 2, 2011, letter.

11. As the ODNI IG, did you ever attempt to acquire contractual documents from the CIA related to an investigation into ODNI contracting? Were you successful in obtaining those documents? How long did it take to get them?

**ANSWER:** Yes. During my tenure the ODNI OIG sought documents from the CIA in connection with an OIG evaluation of the administration and management of ODNI core contractors supporting critical missions. The OIG encountered delays in obtaining the documents, as noted in the final OIG report and in the OIG's semiannual report for the period 1 July 2010 to 31 December 2010. I am advised that the OIG received some documents within approximately five weeks, and other documents were provided about nine weeks later. Ultimately, I was informed that once the CIA devoted a senior staff officer to the information request, the OIG obtained some of the information necessary to complete the report. The incomplete response and the consequences of that delay on the timeliness and comprehensiveness of the review were referenced in the final OIG report.

12. If you had any difficulties in obtaining records from the CIA, did you report that to anyone?

**ANSWER:** Yes. As noted above, the OIG referenced the delay in obtaining the documents in its semiannual report for the period 1 July 2010 to 31 December 2010 and in the final OIG report, which noted that the delays “substantially affected the timeliness and comprehensiveness of the review.” I also reported the delay to the DNI.

13. In your testimony, you stated: “While serving as the ODNI inspector general, I initiated two very significant audits.” You mentioned that one of these ‘significant audits’ was an audit of the Department of Homeland Security’s use of national intelligence program funds. What caused you to initiate the audit?

**ANSWER:** The following ODNI audits were initiated *and* completed during my tenure:

- Audit of the DNI’s Monitoring and Coordination of the Comprehensive National Cybersecurity Initiative (CNCI)
- Fiscal Year 2010 Consolidated Federal Information Security Management Act (FISMA) of 2002 Capstone Report for the Intelligence Agencies’ Inspectors General (ODNI OIG assumed for the first time responsibility to collect and summarize FISMA reporting from 11 Intelligence Community OIGs, summarizing information security program strengths and weaknesses and recommendations to agency management)
- Increasing the Value of the IC Federal Information Security Management Act (FISMA) Reports (addressed cross-Intelligence Community issues that arose beyond the scope of annual FISMA reporting and contained suggestions for more meaningful FISMA reporting by IC agencies)

The following audit was initiated and substantially completed during my tenure:

- Joint audit (with DHS OIG) of cyber threat information sharing (issued in November 2011)

I misspoke at the hearing when I said that two OIG audits – Audit of the ODNI Fund Balance with Treasury and Joint Audit of National Intelligence Program Funds by DHS Office of Intelligence and Analysis – were initiated during my tenure. Both audits were initiated by the OIG prior to my tenure (one in early April 2009, just prior to my arrival in late April 2009, and the other in July 2008) and completed during my tenure. I apologize to the Committee for my inadvertent misstatement.

14. On what date that DHS national intelligence program fund audit was initiated and what date was is completed? On what date was the report released?

**ANSWER:** The Joint Audit of National Intelligence Program Funds by DHS Office of Intelligence and Analysis was initiated in July 2008 and issued in September 2009.

15. As described in your testimony, can you please elaborate on the process by which you developed the procedure for compelling management to take IG's recommendations during your tenure at ODNI? Had the ODNI Inspector General's office already undertaken actions to implement this procedure prior to your arrival on ODNI?

**ANSWER:** The ODNI OIG never developed "a procedure for compelling management to take IG's recommendations during [my] tenure at ODNI." The ODNI OIG did not have this authority nor, to my knowledge, does any other Inspector General. As noted in my pre-hearing Questionnaire (Question 10), the initiative that led to the formal agency protocol in February 2011 regarding implementation of OIG recommendations began prior to my tenure. During the tenure of DNIs Blair and Clapper, the OIG worked with the Chief Management Officer – its principal management liaison – to draft and finalize the policy document that codifies the protocol. In addition to the OIG's interactions with management on open OIG recommendations, the protocol included procedures for collaborating with management to ensure timely completion of required OIG reports.

16. When were you notified about the DHS Inspector General position opening? When were you notified about your potential nomination? Who were you notified by?

**ANSWER:** I learned of the DHS Inspector General vacancy in mid-January 2011 when I received a group e-mail from DHS Inspector General Richard Skinner about his planned retirement. I was notified in late June 2011 by a staff member of the White House Office of Presidential Personnel that the Executive Office of the President would likely announce the nomination in the near future.

17. If you are confirmed, what specific measures of effectiveness would you use to guide your performance as the Department of Homeland Security Inspector General?

**ANSWER:** There are many useful measures of effectiveness for Offices of Inspector General (OIG). The Council of the Inspectors General on Integrity and Efficiency (CIGIE) identifies measures of effectiveness in its published professional standards. Accountants and auditors must adhere to Yellow Book standards and attend required training. Adherence to these professional standards is the foundation of any self-assessment of an OIG.

In addition, if confirmed, measures of effectiveness I will employ will include not only the amount of money identified and recovered through OIG audits and investigations but whether the OIG is a) making recommendations that will enable the Federal Emergency

Management Agency and other DHS components to prevent or halt grant fraud and other abuses at the front end, b) assessing whether the methodologies used by DHS to fund acquisitions and other expenditures are rigorous and sound, c) identifying cost savings in all appropriate reports, and d) determining whether past OIG recommendations on waste, fraud, abuse, and mismanagement have been fully implemented. I will also ensure that OIG activities and plans are discussed with HSGAC Members and staff on an ongoing basis for their input on other measures of effectiveness. With respect to the OIG's adherence to professional standards, I will ensure that the OIG's activities continue to be peer reviewed and that OIG leadership closely examines and responds effectively to any other assessments of the office.

**Prepared Statement of Ed Haugland  
Assistant Inspector General for Inspections  
Office of the Director of National Intelligence  
November 15, 2011**

I must reiterate that the following are my opinions alone, my perception alone, and that, in accordance with ODNI policy, does not necessarily reflect those of the DNI or the federal government.

Ms. Mazer hired me into a senior position into the Office of the DNI's IG in June 2010. For that I am very much grateful. But the oath I took upon assuming positions in the military, other IC agencies, ODNI – and for my position into the ODNI IG – was to protect and defend the Constitution – not an individual or for self gain. I sought my current position as Assistant Inspector General for Inspections, in order to drive accountability and enhance the mission, efficiency and effectiveness of the ODNI and IC and stop fraud, waste and abuse. I took this job knowing full well that doing the right thing can be very difficult, at times jeopardize one's career, but in the end will always leads to the best outcomes for all involved.

To this point, I am now adding to my “on the record” comments with the staff as I believe the IC's mission and any federal employees duty is to support the President to the best of our ability while ensuring the best and most accurate information, support and input possible. I do not honestly believe he or others were given a full picture.

During my twenty-six plus years of service in the government and private sector, in a variety of leadership and management positions, I've come across instances where it was necessary to address management issues that severely impacted the people and mission of an organization. Ms. Mazer's management led to such significant negative impacts on the personnel, mission, and morale of the ODNI OIG that I found it necessary to take action – despite significant risks to my career and despite being on probation for one year as a new senior executive.

While I greatly respect her knowledge, intellect, background and the *potential* of her capabilities, those qualities are totally subsumed by her micro-management, lack of leadership and management skills, excessive control, and either willful disregard or negligent ability to realize her actions were the major issue that resulted in minimized efficiency, effectiveness of the office's mission, significant morale issues, a large attrition of staff, and not one inspection being initiated during my tenure with her. It is my belief that there is a total lack of self awareness by Ms. Mazer of the impact of her actions and near complete lack of management/leadership skills. These impairments are so great that I believe they cannot be overcome even with extensive training. I will not get into a specific issue by issue discussion here, because the bottom line is leadership. The buck is supposed to stop at the top. In this instance, it didn't. I hope my on the record comments can help DHS avoid significant impacts to mission and personnel – as it's time to stop passing the buck. Mazer is ultimately responsible for her record and impacts on the personnel and mission of the office she lead.

Upon my arrival in the ODNI OIG I expected an office that upheld the highest professional, ethical and management standards of conduct, but was sorely disappointed by what I observed



during my initial three months. The attrition rate, editing of edits, incredible level of micro-management, disregard for her senior managers input over that of junior staff lawyers, and near total lack of self awareness on the impact of her actions led me to engage the DNI directly to gain assistance in resolving the variety of management challenges we faced. I did so only after engaging her directly and her deputy (Scott Dahl) to address.

When I tried to engage her directly, she seemed to basically shut-down, change the topic, or just ignore my presence. I found the lack of any action by the Deputy at that time (Mr. Dahl) or other AIGs to be astounding – given their awareness of the issues. I say near total lack of self awareness in that, when she hired me, Ms. Mazer spoke of how she looked to me to help resolve a number of issues related to staff morale. The bottom line is that I found her management approach and actions to be severely detrimental to the mission and personnel of the ODNI OIG.

Rather than embracing the resulting the climate survey, Ms Mazer took every measure to avoid, delay, and, once completed, ignore the resulting outcomes. Her actions mirrored her overall management style – delay, obstruct, deny, avoid and blame on others any issues identified. Rather than embracing potential solutions, she would also avoid, delay or take only enough steps to suggest she addressed an issue while never making any real substantive change.

One example. We briefed the DNI on the recommendations of one report in draft. However, Ms. Mazer continued to edit and change the scope and contents of the report that, by the time it was released for review, it was no longer timely, relevant or accurate, key elements of any IG report. Upon my arrival I sat through excessive reviews with her on the report whereby she edited so much that she was editing her edits. It was surreal. Two years effort, not fully wasted because action was taken, but still no report to date due to her impact.

While examples abound, to me, leadership is about taking responsibility, setting clear objectives and then enabling, inspiring, guiding – but the environment she created, through her degree of control and micro-management (while very hard to appreciate unless lived) was directive, controlling, stifling, without focus – and to me exemplified a form of mental abuse.

- Her ability to control the bully pulpit and message outside the office made it very difficult to advance any type of meaningful change.
- Staff who attempted to do so were viewed (based on the perception she created) as trouble makers. Her purposeful delay of the HumRRO effort is one example where I learned through other source that she had portrayed to ODNI senior management that she already had a plan in place and was taking action – none existed.
- I am not suggesting she does not tell the truth, but from my perception, she tells only that portion of the truth that suits or benefits her. My opinion.
- I assumed this position thinking I would spend 99% of my time focusing outside the ODNI OIG, the reality is that I spent 99.9% of my time focused on addressing internal office issues.

- In 16 months since my arrival, as head of inspections, I have yet to conduct or start one inspection due to either her management or attrition from her management.
- She edited the HumRRO climate survey results with the contractor prior to staff getting feedback. I suspected but validated later, that the report back to the AIG's and staff we received indicted the real issues where editing, the AIG's and staff --not her, or her management style which the fuller report apparently notes.
- She manipulated processes and people to benefit her.

I respect our President and his choice of Ms. Mazer for DHS IG. I also respect the role and powers of the Senate and our government. If after reviewing the results of the HumRRO report, reviewing the facts of her record -- regardless of whether one wishes to believe me and my opinion -- and Ms. Mazer is still confirmed, then all I can say is that the accountability shifts.

*Kimberley A. Caprio*  
*Former Assistant Inspector General for Audits*  
*Office of Inspector General*  
*Office of the Director of National Intelligence*  
*Submitted December 1, 2011*

I regret having to write to you but after observing the hearing of the nomination of Roslyn Mazer to be the Inspector General of the Department of Homeland Security (DHS), I couldn't allow the esteemed committee to be swayed by errors, misrepresentations, and the lack of management experience. DHS' mission is too important to this country to not have an experienced, highly qualified and proven Inspector General ensuring that programs are effective and funds are expended appropriately to protect this country.

I have been a member of the audit and inspector general community for almost 30 years, starting with GAO, then 18 years at the Department of Defense Inspector General (DoDIG), and 3 years with the ODNI OIG as the Assistant IG for Audits. I am a CPA, CGFM, and have an MBA. (I retired in June 2011, and now, as a rehired annuitant, I am the Assistant Deputy IG for Audits and Evaluations at another government agency. (Just to put some credibility to my comments, I received the DoDIG Manager of the Year; Director of the Year; and the DoD Meritorious, Superior, Exceptional and Distinguished Civilian Service Awards and Medals, as well as Report of the Year for the last 4 years I was at DoDIG. At the ODNI OIG, I received an outstanding annual appraisal and award for senior executives from Ms. Mazer, and my audit staff produced if I recall correctly, all but 2 of the OIG reports issued during the 3 years I was there.)

I have not seen Ed Haugland's statement, but can corroborate those comments attributed to him during the hearing. In addition, I will make the following points regarding statements made during the hearing.

1. In her testimony Ms. Mazer cites the climate survey as a tool Director Clapper used to help her get a handle on problems in the office. However, the climate survey was in fact, prompted specifically by complaints to senior ODNI officials about Ms. Mazer's poor management. The results were provided to her in December 2010 and she met with the DNI at that time to discuss the results. She stated in her testimony that she acted immediately to address issues identified in the climate survey. However, she did nothing. She chose not to even discuss the results with her senior managers or staff until April 6, 2011 and no changes were made prior to April except for merging her Monday meeting with her administrative staff and her special assistants with her Wednesday meeting with the Assistant IGs. However, the merger didn't address the question of whom she considered her "senior staff." A concern raised in the HumRRO study was that she treated her special assistant and executive assistant (GS-15 lawyers with no prior IG audit, investigative or inspection experience) as her "senior team" and barely acknowledged her SNIS (SES equivalent) Assistant IGs or valued their opinions. Every year as part of ODNI senior executives'

appraisal process, they are required to receive a “360 degree” review by their subordinates, their peers, and a selected number of senior personnel they have reviewed or worked with over the year. Every senior executive in the ODNI OIG received this review but Ms. Mazer declined to have one done on her. (This was another reason the staff asked the IG to do the climate survey.)

2. In April 2011, after HumRRO presented the climate survey results, Ms. Mazer asked the AIGs to provide her our recommendations within a couple of days to implement changes and said she and her “executive team” would review them and discuss them with the AIGs in a week. Actually the AIGs were anxious to provide input and to demonstrate changes to the staff in the hopes of building productivity and morale. We each quickly provided our list of substantive suggestions. Actually some AIGs were reluctant because they felt it was pointless or they feared retribution if they were honest. But as a group, we agreed that if we didn’t provide recommendations, then we became part of the problem! However, Ms. Mazer never discussed our detailed recommendations with us individually or as a group and never implemented anything but merging the Monday and Wednesday management meetings into one. Nothing changed, in fact it got worse. For example, one complaint was that reports never got out or took too long. To resolve that, she cancelled 3 projects (2 inspections and later 1 audit). Another complaint in the survey was that she didn’t interact with the staff. Subsequent to the HumRRO study, she spent less time in the office, and when she was there, her time was spent in her office with the door closed with minimal staff interaction.
3. Ms. Mazer stated in her testimony that she realized many people in the office lacked OIG experience and that she obtained training for them. To be correct, it was Ed Haugland, when he became the AIG for Inspections, who researched and initiated both he and his staff taking inspector training. I recall talking about this with Ed when he came onboard and recommended he talk to the CIA OIG head of Inspections because they had a good class. He did, and that is the class he and some of his staff took.
4. Ms. Mazer stated in her testimony that she initiated two high profile, substantive, “meaty” audits on the Fund Balance with Treasury (FBWT) and on DHS’s Intel Division’s use of intel funds. She initiated neither. With the support of the prior ODNI IG, I initiated the DHS I&A job shortly after starting at the ODNI OIG in May 2008 (a year before Ms. Mazer arrived) based on research initially performed by the ODNI OIG inspectors. That audit was completed and the prior Deputy IG signed out that final report. Regarding the FBWT audit, one of my outstanding audit staff, highly knowledgeable of financial statement audit requirements, recommended that we initiate the FBWT audit since it was critical to upcoming financial statement audits. We coordinated with the ODNI Comptroller to obtain his support. It took convincing to get Ms. Mazer to even understand the importance of that audit and agree that we perform it. The FBWT job may have been initiated during her time

at the ODNI OIG, but it was not initiated at her suggestion.

5. Ms. Mazer cited the contractor oversight job several times during her testimony. That job was planned as an audit. When she arrived at ODNI, she didn't want the Inspectors to do work they proposed and assigned them the contractor job. The Inspectors encountered substantial difficulties in completing the job due in part to their lack of OIG and inspection experience and because the job really lent itself to auditing techniques more than inspection techniques—this demonstrated her lack of understanding of OIG tools and techniques. She knew that the Inspectors were struggling and discussed that with me a few times, but allowed them to continue for months. Rather than digging in given the smallness of the office, she allowed over 1.5 years to pass, then directed that her Deputy (now the IC IG) write the report that took another 6 months. During that time, she avoided getting involved in the process and always deferred to her Deputies to deal with the problems! Most of the inspectors on that team were so frustrated, they left the agency. She also allowed a rift between another OIG and the ODNI OIG to occur because she would not take the initiative to resolve confusion quickly about our role versus theirs for the contractor job. I continued to work with my counterpart in that OIG who reaffirmed that the audit to audit relationship was strong. Ms. Mazer should have both dealt with the ODNI Inspectors to resolve the issues internally and spoken with the IG of the other agency to clarify the confusion and build a strong working relationship with that IG as part of her role as the Forum Chair and facilitator in the intelligence community OIGs.
6. Ms. Mazer described her Forum responsibilities as “concurrent” with her IG duties when it was considered in the office as one of her regular ODNI IG duties. Given that she issued only 4 reports per year with a staff of 30, chairing 4 quarterly forum meetings (2-3 hours each) was not unreasonable. She was correct in stating that she had to “deploy her senior staff to assist with the Forum” but the fact was that her former Deputy and her special or executive assistants planned the agenda, coordinated speakers, and ran the meeting. Her “front office” staff of 6 did most of the legwork. Her former Deputy also chaired the quarterly meetings of the Intelligence Community Deputy IGs Council where he again had to obtain speakers, plan the agenda, and run the meetings.

And by comparison, as the AIG for Audits, I and my staff of 4 excellent auditors—in addition to issuing 4 reports in 2010—planned, chaired, and coordinated the Intelligence Community (IC) AIGs' Audit Working Group, the IC AIGs' Cyber Working Group, co-chaired the CFO/IG Council and the Accounting Standards Working Group (ASWG), as well as participated as a member of the Defense Intelligence Audit Advisory Council and the Federal Audit Executives Council on Information Technology. Actually, the ODNI IG was the co-chair of the CFO/IG Council and ASWG, however I and my staff were responsible for planning and coordinating meetings, obtaining speakers, and providing detailed briefings to

Ms. Mazer or her Deputy IG prior to the meetings so they would be familiar with the topic of the day. Ms. Mazer attended one of these meetings during my 3 years at the ONDI OIG. Instead she required her Deputy to represent her at these quarterly meetings with all the CFO's and AIGs for Audit across the IC. For the Forum meetings I attended, her prior Deputy ran the meetings with Ms. Mazer providing brief introductory comments. Usually one of her AIGs would provide a briefing (for Audits, 2 of my staff did presentations and for Inspections, the AIG for Inspections, his Deputy and 2 of the Inspector gave briefings over the years.) In another case, when we needed the Deputy IG for Intelligence from DoD IG and the Principal Deputy IG from DoD IG to speak on transitioning financial statement responsibilities from DoDIG to the other intelligence agencies, Ms. Mazer required that I and my staff work with the DoD executives to plan and coordinate their presentations. I believe she was instrumental in getting the DNI and the PDDNI to speak at the Forum. She also did not mention that the ODNI OIG chaired an annual conference for the IC OIGs. However, again, it appeared that it was her staff and the former Deputy IG that performed the majority of that work.

7. Ms. Mazer stated in her testimony that she initiated obtaining forensic training for the Forum. Technically she did have the speakers at the Forum, however, it was because my IC AIG Cyber Working Group had the speakers first at the suggestion of the audit members from 2 of the other intel agencies, and when she asked for ideas for the Forum, my auditors recommended the speakers and provided her Deputy the information.
8. Ms. Mazer testified about the congressional requests that she did not pursue. Technically, the ODNI OIG received 3 congressional requests in October 2010 for audits/reviews to be completed by April 7 on reciprocity of security clearances, and October 7, 2011 on cyber threat information sharing and on E-Waste. My audit staff of then 5 people took on the first two. Because of the small staff we asked to meet with the Hill staff to clarify what we could/couldn't do, to find out if that was OK with them, and to get their understanding of whether they wanted us to do the work since we were still technically the ODNI OIG and not the IC IG. Ms. Mazer did not want to meet with the Hill but told us to continue with the work. After a couple of months she worked with the ODNI General Counsel and got the decision that since we weren't really the IC IG, that we should not worry about the work. By that time, my team had completed the security clearance job and had a draft report ready to go in February 2011 in anticipation of meeting the April 7 deadline for the final report. We were then informed that the report "may never go out since we're not the IC IG." We again asked that we talk to the Hill to see if they could use the work we completed. Again she said no. She blamed the congressional liaison staff and the general counsel saying they said we should avoid talking to the Hill—I don't know if that is accurate, but that is what she conveyed to us. I've worked for OIGs for years and have always had a good working relationship with the Hill staff and worked with them to accomplish what they needed while

modifying work as necessary given staffing and time constraints on the audit organization. Ms. Mazer also told me and my staff that she avoided talking to the Hill because they would ask us to do other work and we didn't have the staff to do it or they would question why ongoing work wasn't done! In my previous experience that is the Hill's prerogative and then the responsibility of the OIG to negotiate what can and can't be done given other priorities and staffing. I understand that within the last month that the congressionally requested security clearance report that was ready in draft has been shelved and will not be issued despite the information being relevant back in February 2011. Even the new Deputy (now IC IG) upon arriving at the ODNI OIG said the report was well written and had good findings. But it is now just another waste of resources. The cyber threat job was completed by the audit staff and I believe that was issued after I retired despite it being a request to the "IC IG". Yet, at the hearing, Ms. Mazer stated that she couldn't perform or issue any of the congressionally requested work because she wasn't the IC IG! Her special assistant, not Ms. Mazer, did go to the Hill and discuss the office's inability to perform the E-waste job. If an audit or project was a Hill request and relevant, why not do it to build goodwill and be responsive to the Hill? Or why not use the resources elsewhere instead of doing a project that wouldn't be issued under the ODNI IG? Instead, she chose not to talk to the Hill, and for the 3 congressionally requested projects, she issued 1 report, shelved another report, and told the Hill she couldn't start E-waste until there was an IC IG! That is inconsistent as well as not demonstrating an interest in working closely with the Hill to the benefit of all.

9. Ms. Mazer testified that she felt that quantity wasn't a good metric, but quality and timeliness were good. Yet she allowed both her Inspection group and the Management Review group to take over 2 years to issue reports. The Management Review group issued a very good product on joint duty—the majority of the work being done prior to her arrival. However, their next project took 2.5 years and cost millions of dollars between staff and contractor support costs. The writing took an extremely long time because Ms. Mazer expanded the scope and edited, re-edited, and re-edited. Anyone in the office will tell you her changes were sometimes helpful, but unfortunately very often were not substantive and regularly referred to as "puppy to dog" type revisions.
10. Ms. Mazer stated in her testimony that many in the office lacked OIG experience. She acknowledged her Inspectors lacked the OIG and inspection experience, but for the last year, prior to and since Mr. Haugland's arrival, she has restricted the Inspectors to the office, telling them they couldn't leave. When Ed Haugland became the AIG for Inspections, he provided her with a detailed plan to initiate inspections to demonstrate that his group could be successful in completing an inspection and because it would be useful information for the DNI to inspect the various ODNI divisions and identify opportunities for improvements and increased efficiencies. Instead, she gave them busy work to support her (that's in addition to her already personal staff of 7) and did not allow them to be productive. I believe Ed

Haugland's statement read in Ms. Mazer's hearing stated that his division had not issued anything in the year he had been the AIG. That is a correct statement.

11. In her testimony, Ms. Mazer discussed temporarily shelving one job. This is not a common practice in my experience in the OIG community particularly after the work has been completed. Yet Ms. Mazer has shelved 3 jobs within the last year which I believe may be almost the same number as she issued for 2011. She cancelled the Inspector's job on the use of a critical document—that job included interviews with some Secretaries of Federal agencies that she attended. The idea was to provide the DNI upon his arrival with a baseline to work from. But because she kept expanding the scope and reworking with the wording over and over and over (even after the information was briefed to the DNI), the data became stale and she shelved the completed project 6 months after briefing the DNI, stating that they could pick it up later. However, within a few months, given changes to that program, the information would have become too outdated to use again so the project was lost. There was another project the Inspectors started prior to her arrival that she was to complete. According to the Inspectors, she forgot about the project for almost a year. When she was reminded of it, rather than embarrass the OIG for forgetting, she shelved that project too. Thus, those two, plus the security clearance audit requested by the Hill, makes 3 completed projects that she's cancelled or shelved.
12. During her testimony, Ms. Mazer took credit for establishing repeatable processes within the ODNIG. I honestly don't recall anything but 2 processes. First, her former Deputy and her Special Assistant worked with the AIGs and their staff and developed a policy manual. In addition, the rigorous process to resolve recommendations that she referred to in her testimony, was created specifically by her former Deputy, now the Deputy IG at Commerce. It is an outstanding and extremely effective process supported by the DNI and ODNIG staff, but it was the Deputy's creation, not Ms. Mazer's.
13. At the 2 annual offsites, Ms. Mazer asked in advance for topics to discuss. I and my staff each time asked her to start the day by defining her vision and goals for the office for the year. She specifically avoided it each time. The first time she said she'd address the topic sometime later (which she never did), and the second time she just ignored the request.
14. Ms. Mazer testified about her close working relationship with the DHS IG. However, when we received a congressional request to do a joint audit with the DHS IG on cyber threat information sharing, the DHS IG requested a meeting with our IG as a courtesy and to kick off the audit. Ms. Mazer however chose not to meet with him. The DHS IG staff also wanted us to jointly meet with the Hill staff to clarify our joint audit plans. Ms. Mazer told us we should not meet with the Hill. Instead, the DHS OIG met with the Hill on their own. During the course of the audit, we continued to ask her if she wanted to receive a joint



briefing with the DHS IG and she stated she preferred not.

15. Ms. Mazer stated in her testimony that she had an office of 30. To be accurate, only about ½ of that 30 were inspectors, auditors, or investigators available to perform work related to the office mission. The 30 full time staff included Ms. Mazer, her Deputy IG, 5 AIGs, and her personal support staff of 6 (a chief of staff, a GS-15 executive assistant, a GS-15 special assistant, a GS-14 administrative assistant, 1 contracted administrative assistant, and a contracted general support person). The AIGs continuously asked for more staff when new billets became available but instead those positions went to her personal staff. When an 8<sup>th</sup> senior executive position unexpectedly became available to her, instead of seeking to trade it for lower graded staff to perform inspections, audits or investigations, she planned to hire another Deputy and mandated that the other AIGs and Deputy support her decision. She made it very clear that her AIGs should support her decision and she voiced her disapproval of those who questioned the need for another Deputy.

I believe these are sufficient examples to demonstrate that Ms. Mazer's testimony was misleading and misrepresentative. Ms. Mazer is very well spoken and I believe she is a smart woman and very capable of performing detailed research and analysis. However, I would challenge her ability and experience as a manager of managers and her ability to effectively manage multiple personnel and projects. Since her arrival, the former Deputy IG, 4 AIGs, and 10 staff have left the ODNI OIG—that's a 50% turnover. And as noted in the hearing, production has decreased.

Again, I apologize for writing this letter, but in these times when jobs are scarce and agencies' communication with Congress as well as homeland security and controlling scarce funds are of paramount importance, it is so important to have senior executives in IG positions that already know and have demonstrated how to make a difference, how to work with other agencies and Congress, and know how to get valuable and timely products out the door.

WILMERHALE

Ambassador Charlene Barshefsky


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charlene.barshefsky@wilmerhale.com

November 23, 2011

The Honorable Rob Portman  
 United States Senate  
 338 Russell Senate Office Building  
 Washington, DC 20510

Dear Senator Portman: 

I am writing to express my strongest support for the confirmation of Roslyn A. Mazer to serve as Inspector General of the Department of Homeland Security. I have known Ms. Mazer since we were law school classmates, and we have remained in touch over the course of our respective careers in the private sector and in public service.

As her record and the views provided to the Committee by many supporters reveal, Ms. Mazer has a superb record of service in the Inspector General community, both at the Department of Justice and at the Office of the Director of National Intelligence (ODNI). I particularly want to commend to you her record while serving in the Criminal Division in the Department of Justice (DOJ). From 1998 – 2001, Ms. Mazer developed and implemented the first DOJ initiative to boost criminal enforcement of intellectual property rights. The initiative entailed leveraging resources of Main Justice, the Department of State, Customs, the Patent & Trademark Office, the FBI, United States Attorneys' Offices, our intellectual property alliances, and our international partners to create new architecture for combating commercial-scale counterfeiting and piracy. Ms. Mazer also advised the Attorney General on opportunities to promote enforcement aspects of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) through better law enforcement liaison and training, and she chaired the September, 2000 G-8 Law Enforcement Experts Meeting on Intellectual Property Crime. She also testified about the growing threat of piracy and counterfeiting before the European Commission. Successive administrations have built upon this foundational work and, to this day, the DOJ IPR initiative is on the front lines of the ongoing IPR enforcement challenge. In this regard, you may find interesting her September 2011 op-ed (attached) on the nexus between commercial-scale piracy and counterfeiting and terrorist financing; she was way ahead of her time on this.

Ms. Mazer's creativity, drive, and effectiveness in leading this type of cross-component, cross-enterprise initiative will equip her well to assess the type of cross-component, cross-enterprise activities examined by the DHS Inspector General.

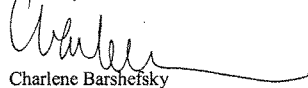
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 Beijing Berlin Boston Brussels Frankfurt London Los Angeles New York Oxford Palo Alto Waltham Washington

WILMERHALE

November 23, 2011  
Page 2

I appreciate how terribly crammed and difficult your schedule has been, but if you have not yet had the opportunity to meet Ms. Mazer, I encourage you to do so. She has my unqualified support for this important position.

Sincerely,

  
Charlene Barshefsky

cc: The Honorable Joseph I. Lieberman  
Chairman  
Senate Homeland Security and Governmental Affairs Committee  
340 Dirksen Senate Office Building  
Washington, D.C. 20510-0703

The Honorable Susan M. Collins  
Ranking Member  
Senate Homeland Security and Governmental Affairs Committee  
340 Dirksen Senate Office Building  
Washington, D.C. 20510-0703

Rob -  
She is just  
terrific & a  
very decent  
person.

All the  
best to you  
your family  
for a happy &  
healthy &  
successful holiday  
season  
and thank  
you.  
Charlene

ACTIVEUS 91486911v1

DENNIS C. BLAIR

Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Honorable Susan M. Collins  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

Thank you both for taking my telephone calls last week from overseas. Following up on my conversations with you, I would like to record in writing my support for Roslyn A. Mazer to be Inspector General of the Department of Homeland Security.

An inspector general for the Pacific Fleet when I was in the Navy, and having worked with many over the years, I know both the benefit to an organization of a good inspector general and the damage that can be done by a bad one. Arriving as Director of National Intelligence (DNI), I found that the existing Inspector General operation was weak, its work unprofessional and its recommendations not implemented. In addition, the office was not Congressionally approved and had no authority within the Intelligence Community outside of the Office of the ODNI.

For these reasons, it was an early objective of mine to find a top-notch candidate for Inspector General to bring the office itself up to standard, to contribute to the larger mission of the Intelligence Community and to prepare it to become a statutory IG. Among the several candidates I found and interviewed, Roslyn Mazer stood out for her experience, intelligence and understanding of the requirements of the position. I talked to her supervisors and co-workers at the Department of Justice Inspector General's office, and heard nothing but high praise for her abilities.

During the year we worked together, Ms. Mazer performed superbly. She turned the work of the office from superficial surveys of ODNI activities to in-depth evaluations of important functions. I remember in particular a very important audit of timely closeout of Intelligence Community fund balances with the Treasury Department. Her audit uncovered real deficiencies, recommended practical solutions, and followed up their implementation. An evaluation of specific Intelligence Community acquisition practices and an assessment of the Intelligence Community's Civilian Joint Duty Program also led to important improvements. Unlike her predecessor and some of his staff, who needlessly antagonized other officials on the ODNI staff,

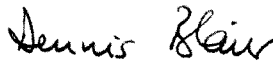
Ms. Mazer developed excellent relations during the course of her audits without giving an inch on the integrity or independence of her work. As a consequence, the staff supported her recommendations and implemented them willingly.

I expected that Ms. Mazer would face challenges in reforming the office she inherited to bring it to a new level of capability; she had to shuffle some staff, and re-train others. I expected her to do what it took to produce excellent audits and evaluations. I understand that during the course of her confirmation several of her subordinates have come forward to complain about the actions she took. I would strongly urge the Committee to weigh these observations against the record of accomplishment that I observed from Ms. Mazer, and the high opinions of the Director of the Intelligence Staff, General Kimmons, as well as the other senior staff who have also recommended her to the Committee. She deserves to be judged primarily on the results she achieved during her transformational tenure, not the feelings of some members of her staff, however sincere. By the time I resigned as DNI, I was confident that Ms. Mazer had brought the office to the quality needed for it to be a statutory inspector general.

Ms. Mazer is the kind of leader we need in government: principled, dedicated, smart, fair and effective. She cares about good government and knows how to strengthen it – basic, unabashed patriotism – and is deeply committed to and widely respected by the Inspector General community. I am confident that Ms. Mazer will aggressively address the challenges facing DHS, help build on its strengths, and push it productively in the direction it needs to go. She also will bring her unique insights into the integration of DHS's intelligence elements into the broader Intelligence Community. Through her superb strategic approach to problems, she will sustain and improve an already effective DHS OIG and be a responsive and collaborative partner with Congress.

I deeply appreciate both your taking the time to speak with me and your consideration of this letter. I have strong convictions that this unusually good public servant deserves the opportunity to continue her contributions to our government and hope you will recommend her to the Senate for confirmation.

Sincerely,



Dennis C. Blair

## COOKE &amp; BIELER, L.P.

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November 18, 2011

The Honorable Jon Tester  
United States Senate  
724 Hart Senate Office Bldg  
Washington, DC 20510

Dear Senator Tester:

I am writing to express my strong support for the confirmation of Roslyn A. Mazer, who has been nominated by the President to serve as the Inspector General of the Department of Homeland Security. I was born and raised in Montana, and with many relatives still there that we visit frequently, feel a strong connection to the state.. I also have known Ms. Mazer for over ten years because she married my childhood friend, David A. Holzworth, who was born and raised in Glendive and also has many siblings and family members still residing in Montana.

I know Ms. Mazer to be a dedicated public servant. During our many visits together, she has talked passionately about her commitment to public service, the important mission of both the Department of Justice, where she served for 14 years, and her recent challenges as the Inspector General of the Office of the Director of National Intelligence. She conveys a deep commitment to the uniquely independent role of Offices of Inspector General and recognizes how important it is to be fair to agency management and employees and officials her office investigates. I know she has spoken to several of my children about the satisfactions and opportunities of public service, which is also a great testament to her dedication.

Having worked in the financial community my entire career thus far, I know how important it is, particularly in these difficult budget times, to have inspectors general provide aggressive but fair oversight of the government's activities, including its stewardship of appropriated funds. It is also important to value and support dedicated public servants who are willing to take on new and bigger challenges. Ms. Mazer has a proven track record in positions of increasing responsibility, is a person of unquestioned integrity and independence, and, in my view, is ideally suited to tackle the critical challenges facing the Department of Homeland Security.

Thank you very much for considering this outstanding nominee. I hope you will enthusiastically support her confirmation.

Sincerely,



Kermit Eck

cc: The Honorable Joseph I. Lieberman  
Chairman  
Senate Homeland Security and Governmental Affairs Committee

The Honorable Susan M. Collins  
Ranking Member  
Senate Homeland Security and Governmental Affairs Committee

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
CHIEF MANAGEMENT OFFICER  
WASHINGTON, DC 20511

SEP 22 2011

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security and Government Reform  
United States Senate  
Washington, D.C. 20510

The Honorable Susan M. Collins  
Ranking Member  
Committee on Homeland Security and Government Reform  
United States Senate  
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

I write in support of the confirmation of Ms. Roslyn A. Mazer to serve as Inspector General of the Department of Homeland Security. As Chief Management Officer of the Office of the Director of National Intelligence (ODNI), and having previously served as the Deputy Director of the Intelligence Staff, I have had regular contact with Ms. Mazer throughout her tenure at the ODNI. I also base this assessment on 43 years of experience in working with IGs – good and bad.

In her 30 months at the ODNI, Ms. Mazer's office has generated numerous audits, inspections, evaluations, and investigative reports. Some of these reports were congressionally mandated, while others were self-initiated based on a thoroughly vetted work plan. By virtue of my interactions with the ODNI elements affected by these reports, I know that her office has ensured that the reports are factually accurate, that the recommendations are tailored to address the problems identified, and that her level of professionalism and high standards, in turn, has persuaded the affected elements to concur in the recommendations. In an impressive series of reports involving intelligence integration, stewardship of appropriated funds, acquisition and contractor oversight practices, financial management, and a variety of investigative reports, under Ms. Mazer's leadership, the OIG has corrected deficiencies and shortfalls and developed recommendations that have improved the efficiency and effectiveness of the ODNI.

In evaluating Inspectors General, in my experience, it is vital to assess not only what they do but how they do it. Ms. Mazer works objectively and independently, but also conveys a sense of collaboration and shared mission that encourages cooperation from affected elements. Moreover, through her leadership, ODNI management and the OIG have formalized a process for ensuring that open OIG recommendations are promptly implemented. These and other policies and processes have moved the OIG to a new level of credibility, maturity, and effectiveness. Indeed, Ms. Mazer has worked tirelessly and effectively to ensure that her office is




Senators Lieberman and Collins

poised to transition to a new statutory role by virtue of the creation of a PAS Inspector General of the Intelligence Community in the FY 2010 Intelligence Authorization Act.

Finally, as one of the three key oversight offices of the ODNI (in addition to the Office of the General Counsel and the Civil Liberties and Privacy Office), the OIG, under Ms. Mazer's leadership, has been fully engaged in ensuring that the oversight function – which is so vital in earning the confidence of the Congress and public – is embedded in the ODNI culture. This is one of the lasting contributions of her leadership and the office she has led and shaped.

I recommend Ms. Mazer without qualification. I am available to meet with you or respond to any questions you may have.

Sincerely,

  
Mark Ewing

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**Morgan Lewis**  
C O U N S E L O R S   A T   L A W

**Fred F. Fielding**  
202.739.5560  
ffielding@MorganLewis.com

November 1, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Senate Homeland Security and Government Affairs Committee  
340 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Susan M. Collins  
Ranking member  
Senate Homeland Security and Government Affairs Committee  
344 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

It is with a personal and professional pleasure that I write in support of Roslyn Mazer's nomination to become the next Inspector General of the Department of Homeland Security (DHS).

As you can see from her background, Roz has had a distinguished career as a public servant. I am pleased that she wishes to remain in government service and that we are still able to attract outstanding people of integrity, skill and wisdom who are willing to serve our Nation. Roz is such a person; she is an asset and credit to the legal profession and I am proud to call her a colleague.

I support her nomination and recommend her without qualification or reservation for your most careful consideration.

Sincerely,



Fred F. Fielding

September 21, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Senate Homeland Security and Government Affairs Committee  
340 Dirksen Senate Office Building  
District of Columbia 20510-0703

The Honorable Susan M. Collins  
Ranking Member  
Senate Homeland Security and Government Affairs Committee  
344 Dirksen Senate Office Building  
Washington, DC 20510-0703

Dear Chairman Lieberman and Ranking Member Collins:

I am writing this letter regarding Roslyn Mazer's nomination to become the Inspector General of the Department of Homeland Security (DHS). I was the Inspector General of the Department of Justice (DOJ) from 2000 through 2011. During much of that time period, Ms. Mazer worked in our office as a special investigative counsel in the Oversight and Review Division.

As a result, for several years I had close contact with Ms. Mazer and observed her leadership of several Office of the Inspector General (OIG) investigations. These investigations involved some of the most sensitive reviews that the OIG handled. For example, Ms. Mazer led reviews of the Federal Bureau of Investigation's (FBI) use of national security letters, the FBI's adherence to the Attorney General's investigative guidelines, and reviews of individual employee misconduct.

The reports that Ms. Mazer and her teams produced contained significant findings. For example, in the review of the FBI's use of national security letters, Ms. Mazer and her team uncovered significant deficiencies in the FBI's use of these authorities. Ms. Mazer and the team also developed thoughtful recommendations for corrective action, which the FBI accepted and implemented. As a result, her reviews had an important impact on the FBI's effective use of these important authorities and on the FBI's adherence to statutory requirements.

In performing her duties, Ms. Mazer exhibited professionalism, independence, thoroughness, and integrity. She led large teams of agents, attorneys, and evaluators that produced exceptional reports, under strict statutory time constraints. Despite the sensitivity and the hard hitting nature of the findings, the FBI did not contest the accuracy of the reports or the recommendations. The FBI's response was due in large part to the power of the reports that Ms. Mazer and her teams produced, which were of the highest quality.

For her work, Ms. Mazer appropriately received widespread recognition, including the Attorney General's Award for Distinguished Service (DOJ's second highest award for employee performance); an Award for Excellence from the President's Council on Integrity and Efficiency; and the Inspector General's Merit Award. These awards are a reflection of her hard work, accurate reporting, leadership, and exceptional professionalism.

In short, based upon my experience working with Ms. Mazer, I highly recommend her for the position of DHS Inspector General.

Please let me know if you have any questions.

Sincerely,



Glenn A. Fine  
Former Inspector General of the  
Department of Justice  
(202) 261-3300

WILMERHALE

September 26, 2011

Jamie S. Gorelick

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 +1 202 663 6363(f)  
 jamie.gorelick@wilmerhale.com

The Honorable Joseph I. Lieberman  
 Chairman  
 Senate Homeland Security and  
 Government Affairs Committee  
 340 Dirksen Senate Office Building  
 Washington, DC 20510-0703

The Honorable Susan M. Collins  
 Ranking Member  
 Senate Homeland Security and Government Affairs Committee  
 344 Dirksen Senate Office Building  
 Washington, DC 20510-0703

Dear Chairman Lieberman and Ranking Member Collins:

I write to recommend the confirmation of Roslyn Mazer as Inspector General of the Department of Homeland Security. As a former 9/11 Commissioner, Deputy Attorney of the United States and General Counsel of the Department of Defense, I am familiar with the mission and challenges of the Department of Homeland Security as well as the important role of Inspectors General in helping departments and agencies achieve their missions.

I have known Ms. Mazer for decades, first when she was a lawyer in private practice in Washington, D.C., then when she was a senior lawyer in the Department of Justice, and thereafter, as she has served as Inspector General for the Office of the Director of National Intelligence. In the Washington, D.C., legal community, where I was President of the Bar, Ms. Mazer is respected for her intellect and experience in a wide variety of matters. She is also regarded as someone with the highest ethical values and great dedication to the public interest.

Ms. Mazer served within the Department of Justice both during and after my tenure in several very senior positions, including within the Criminal Division and reporting directly to me in the Deputy Attorney General's Office. It was at Justice that she began her deep involvement in the Inspector General world. When Glenn Fine was Inspector General at Justice, he regularly turned to Ms. Mazer to lead some of the most sensitive and difficult reviews of the Federal Bureau of Investigation, including the reports on the FBI's use of National Security Letters and its use of exigent letters. Each of the investigations on which Ms. Mazer worked contained strong recommendations which led to meaningful changes in FBI policy and practice.

Ms. Mazer has continued this trajectory as the Inspector General for the Office of the Director of National Intelligence and as Chair of the Intelligence Community Inspectors General Forum. She was much sought-after as an Inspector General by other Departments because of her reputation for integrity, thoughtfulness, professionalism, collegiality and leadership. I am

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 Beijing Berlin Boston Brussels Frankfurt London Los Angeles New York Oxford Palo Alto Waltham Washington

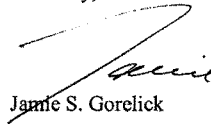
WILMERHALE

September 26, 2011  
Page 2

delighted that the President has nominated her to serve at Homeland Security because the size and complexity of its workforce and the criticality of its mission demand the best that the Inspector General community has to offer. For all of these reasons, I strongly urge her confirmation.

I am happy to discuss Ms. Mazer with either of you, or your staffs, should that be helpful to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamie", is written over a horizontal line.

Jamie S. Gorelick



November 22, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Senate Committee on Homeland Security and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Susan M. Collins  
Ranking Member  
Senate Committee on Homeland Security and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to express my strong support of the nomination of Ms. Roslyn A. Mazer to serve as Inspector General of the Department of Homeland Security. This letter expresses my personal views and does not reflect any official position on the part of my employer. These views are based upon my many years of friendship and personal interaction with the nominee.

I first met Roslyn Mazer over ten years ago when she married David Holzworth, a close childhood friend of my husband. We have been grateful to David ever since for bringing such a wonderful person into our lives. During the ensuing years, I have had the pleasure, and the privilege, of getting to know Roslyn as a woman of honor and of the highest integrity, with a strong intelligence and a deep love for, and commitment to our country. Her poised and thoughtful demeanor belies a warm heart and a lively sense of humor that have endeared her to the members of my family.

As a professional woman who has worked in the business world for over thirty years, I have enjoyed many conversations with Roslyn over the years regarding the challenges and complexities of managing and motivating a departmental staff to generate consistently high quality work. I share her commitment to excellence, and have been impressed by her respect for her co-workers and her interest and willingness to bring new ideas to bear while striving to achieve the highest quality results. In her extensive career experience she has grown through progressively increasing levels of responsibility. As she has stepped up to each new challenge, I have respected and admired her ability to learn and grow while maintaining her commitment to the highest standards. I am sure you will agree this is a critical quality for all government service, but particularly for the Department of Homeland Security, which plays such a vital role in the lives of all Americans. It is also a critically

Mary S. Jones  
Vice President and Treasurer

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important quality for Inspectors General, on whom Congress and the public rely to drive accountability of government programs, performance, and expenditures.

As a long-time employee of the railroad industry, I have a clear understanding of the importance of the Department of Homeland Security in the protection of our nation's infrastructure and the smooth flow of goods and commodities necessary to keep our economy moving. On a more personal level, I was one of the many who were in New York City on September 11, 2001, and will always share a deep personal appreciation for the need to protect and defend our homeland with the millions of other Americans who were touched by that day.

The DHS Inspector General will confront a broad range of complex challenges, requiring a unique combination of keen intellect, the highest integrity, strong independence, and a willingness to tackle tough issues fairly, with care and accuracy. I believe Roslyn has demonstrated these characteristics throughout her career.

I hope that Members of the Committee who have not yet had a chance to meet Roslyn will have the opportunity to do so. I believe this would enable Members to learn first-hand of the strong abilities, strength of character, and dedication to public service that I have admired in her for many years.

Thank you for the opportunity to express my unqualified support.

Respectfully,



cc:

The Honorable Daniel K. Akaka  
 The Honorable Mark Begich  
 The Honorable Scott Brown  
 The Honorable Thomas R. Carper  
 The Honorable Tom Coburn  
 The Honorable Ron Johnson  
 The Honorable Mary L. Landrieu  
 The Honorable Carl Levin  
 The Honorable John McCain

The Honorable Claire McCaskill  
 The Honorable Jerry Moran  
 The Honorable Rand Paul  
 The Honorable Rob Portman  
 The Honorable Mark L. Pryor  
 The Honorable Jon Tester  
  
 The Honorable Mike Johanns  
 The Honorable E. Benjamin Nelson





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FOUNDED 1888

September 26, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Senate Homeland Security and Government  
Affairs Committee  
340 Dirksen Senate Office Building  
District of Columbia 20510-0703

The Honorable Susan M. Collins  
Ranking Member  
Senate Homeland Security and Government  
Affairs Committee  
344 Dirksen Senate Office Building  
Washington, D.C. 20510

Re: Nomination of Roslyn A. Mazer as Inspector General, Department of Homeland Security

Dear Chairman Lieberman and Ranking Member Collins:

I write to express my support for the President's nomination of Roslyn Mazer to be Inspector General at the Department of Homeland Security. I had the privilege of serving at the Department of Justice from 2002-2007, first as the Principal Deputy Associate Attorney General, then for several years as the Assistant Attorney General for the Civil Division, and finally for approximately two months as Acting Attorney General. Throughout my time at the Department, Ms. Mazer served as a senior member of the Office of the Inspector General, responsible for leading some of that Office's most sensitive and important investigations.

Ms. Mazer's work at the Justice Department reflected the highest standards of professionalism, judgment, and public service. She was involved with numerous matters of significance, but I am most familiar with her leadership of the team that produced the 2007 report on the FBI's use of national security letters -- an investigation that was mandated by Congress in its reauthorization of the Patriot Act in 2006. Because of the quality and value of

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The Honorable Joseph I. Lieberman  
The Honorable Susan M. Collins  
September 26, 2011  
Page 2

that report, I was honored to present Ms. Mazer and her team with the Attorney General's Award for Distinguished Service, one of the highest honors available at the Justice Department.

Four aspects of Ms. Mazer's work on that report are particularly worthy of note in a nominee for Inspector General. First, the investigation was conducted with the independence of mind essential to a proper execution of the Inspector General function. Second, its findings were evidence-based; they were the result of a comprehensive and painstaking factual review, and Ms. Mazer and her team went where the evidence took them. Third, the judgments were fair, attentive to nuance, and carefully formulated; the report identified several areas in which the Bureau had failed to comply with important legal requirements, while at the same time noting the difficulties and challenges with which the Bureau was presented and emphasizing that no criminal misconduct had been found. Finally, the report was constructive in not merely pointing out the deficiencies that were found but also presenting specific and concrete recommendations for improvement.

The Department of Homeland Security has a vital mission and faces immense challenges. I believe it would be very well-served by Ms. Mazer, and hope the Committee will favorably report her nomination.

Very truly yours,

A handwritten signature in dark ink, appearing to read "PDK", written over a horizontal line.

Peter D. Keisler

PDK:lea

23 September 2011

The Honorable Joseph I. Lieberman  
Chairman  
Senate Homeland Security and Government Affairs Committee  
340 Dirksen Senate Office Building  
Washington, DC 20510-0703

The Honorable Susan M. Collins  
Ranking Member  
Senate Homeland Security and Government Affairs Committee  
340 Dirksen Senate Office Building  
Washington, DC 20510-0703

Dear Chairman Lieberman and Ranking Member Collins,

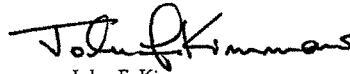
I most strongly endorse Roslyn Mazer's nomination to serve as the Inspector General for the Department of Homeland Security (DHS). I worked closely with her during my tenure as the Director, Intelligence Staff, Office of the Director of National Intelligence (ODNI) in 2009 - 2010, when she served as the ODNI's Inspector General (IG) and Chair of the Intelligence Community (IC) IG Forum. Her performance was absolutely superb. I retired in December 2010 after more than 36 years of service in Army, Joint, and National level intelligence organizations. During that lengthy period, I worked with more than a dozen Inspectors General. Roslyn Mazer was and is, by far, the finest, most comprehensively skilled IG I have worked with throughout that period.

As Director, Intelligence Staff, I was responsible for oversight of ODNI ethical, moral, and regulatory compliance issues on behalf of the Director of National Intelligence. Those duties drove frequent, close coordination with the ODNI IG and IG team. This included review of final IG summary products that were prepared for the DNI and Congressional submission. Roslyn assumed ODNI IG duties several months after I arrived at ODNI, and immediately initiated a holistic review of ODNI IG past performance, practices, and identified areas where improvement was needed. Her recommendations for improving IG operations reflected deep insight of the Law, Intelligence Community Policy requirements, and abundant common sense. The DNI endorsed every recommended remedial action.

In the following months, I closely tracked Roslyn's implementation of ODNI IG process improvement measures and personally reviewed the resulting analysis, products and recommendations before they went to the DNI, and in some cases forwarded to Congress. Her

investigations reflected rigor, her observations were crisp and insightful, her reasoning flawless, and her recommendations always actionable and fair. With DNI concurrence, Roslyn went beyond her required ODNI IG role to establish a functioning, IC-wide Inspectors General Community of Practice, which shared lessons learned and best practices. This initiative was welcomed by Intelligence Community IGs, increased sharing and interaction, and brought a much needed sense of shared purpose to this critically important oversight function.

Roslyn Mazer has the deep experience, proven leadership ability, and intellectual stamina to diagnose complex problems within even more complex organizations. She will significantly help DHS improve its performance during this extremely challenging period of global threats and change. I fully and strongly endorse her for your favorable consideration.



John F. Kimmons  
Lieutenant General  
US Army (Retired)

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
WASHINGTON, DC 20511



September 26, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510

The Honorable Susan M. Collins  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

It was a high honor and privilege to work with you on the Intelligence Reform and Terrorism Prevention Act of 2004 during and after my term of service as Deputy Executive Director of the 9/11 Commission. Today I am serving as Chairman of the National Intelligence Council (NIC) in the Office of the Director of National Intelligence (ODNI), and I wish to write to you on behalf of Ms. Roslyn Mazer, the President's nominee for Inspector General of the Department of Homeland Security.

For the past two years, I have worked closely with Ms. Mazer during her tenure as ODNI Inspector General. I have been deeply impressed by her integrity, fairness, and dedication to the IG Mission. Her investigations have been thorough, balanced and judicious, with a rigorous commitment to law, regulation and legislative intent. She has ably served both Directors Blair and Clapper. She built cordial and strong professional relationships with ODNI senior leaders who came to trust her judgment, so that she was able to implement IG recommendations successfully and expeditiously.

There are many parallels between ODNI and DHS. Both are relatively new government organizations dedicated to unifying diverse operations on behalf of a single mission, to make the country safer and more secure. Ms. Mazer has performed her duties exceptionally well at ODNI, and I have every confidence she will do the same at DHS.

I recommend Ms. Mazer to you highly, and without reservation. She is an experienced and strong leader. She is highly qualified to serve as the next Inspector General of the Department of Homeland Security.

With best regards,

A handwritten signature in dark ink, appearing to read "Christopher A. Kojm", is written over a light blue horizontal line.

Christopher A. Kojm  
Chairman  
National Intelligence Council

OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
OFFICE OF GENERAL COUNSEL  
WASHINGTON, DC 20511

SEP 22 2011

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510

The Honorable Susan M. Collins  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

I am writing to provide my strong endorsement of the nomination of Roslyn A. Mazer to be Inspector General of the Department of Homeland Security. I have known Ms. Mazer personally and professionally for almost twenty years and believe that she has demonstrated the experience, the ability, and the personal qualities to fill this important position in an outstanding fashion.

I first met Ms. Mazer when I was at the Department of Justice and she was in the Office of Policy Development, and, later, the Deputy Attorney General's Office and the Criminal Division. I was impressed with her legal ability, her calm and thoughtful approach to issues, and her constant focus on doing "the right thing." Although she moved to the Department of Justice's Office of the Inspector General after I left the Department, she was, I believe, regarded throughout the Department as a careful and fair investigator whose analysis and judgment could be relied upon and who was entrusted with many of the most complex and sensitive reviews conducted by the office.

As the General Counsel for the Office of the Director of National Intelligence, I have had frequent contact with Ms. Mazer in her role as the Inspector General for the ODNI. Ms. Mazer's office and mine each has oversight responsibilities for the ODNI, and we work together frequently. For example, we have joint responsibility for the ODNI's reports to the President's Intelligence Oversight Board, and my office reviews all of the OIG's reports. I have found the work that her office has done to be professional, well-written and useful to the management of the ODNI. Indeed, it is my understanding that the vast majority of her recommendations have been or are being implemented by management.

Senators Lieberman and Collins

Of particular importance, Ms Mazer's long experience in the IG community has given her the critical ability to balance the independence necessary for an Inspector General to carry out her duties with the collegiality necessary to ensure that she is effective. As a result, she has established excellent working relationships with the components of the ODNI, and the DNI himself, while not compromising in any respect her independence. She has demonstrated integrity, intelligence and an excellent work ethic.

In short, I strongly urge that Ms. Mazer be confirmed. Please feel free to contact me if you wish any additional information.

Sincerely,



Robert S. Litt

## Integral Focus

*Leadership, Stewardship, & Sustainability*

November 23, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Senate Committee on Homeland Security and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

The Honorable Susan M. Collins  
Ranking Member  
Senate Committee on Homeland Security and Governmental Affairs  
340 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Lieberman and Ranking Member Collins:

I have been a leadership coach for 15 years, an MCC (Master Certified Coach, International Coach Federation), and one of the founding faculty of the Georgetown University Leadership Coaching Program where I continue to teach. I have coached over two hundred leaders from the public, private, and non-profit sectors.

From May through early September 2011, Roslyn Mazer enlisted my services for addressing feedback highlighted in the HumRRO climate survey at ODNI and to further develop her leadership acumen. As we began, she provided detailed context so that I could understand the key variables and dynamics relevant to her leadership challenges. As Inspector General of ODNI, Ms. Mazer found an inconsistent set of protocols and processes for assuring high quality investigations, analysis, assessments, and reports, and committed to enhance quality control standards. In doing so, she closely managed the transition and encountered pushback which is a natural part of such change efforts. At the same time, she was attentive to the importance of morale and trust while making these shifts.

Throughout my coaching of Ms. Mazer, she was receptive to feedback, inquiries, and assessments about her leadership style. She embraced the climate survey feedback and synthesized it into the core of our leadership development discussions. She read and thoroughly discussed with me the leadership articles and tools I offered. Throughout, I found her to be an eager learner, receptive to new ideas, and desiring to grow as a leader.

If you would like to discuss any topic in more detail, I would be happy to speak with you or provide additional information that might be helpful.

Respectfully,

Lloyd Raines

Lloyd Raines, Principal • [Lloyd@integral-focus.com](mailto:Lloyd@integral-focus.com)  
office: 301.933.8230 • mobile: 301.277.8660 • [www.integral-focus.com](http://www.integral-focus.com)





DEPARTMENT OF THE TREASURY  
WASHINGTON

September 22, 2011

The Honorable Joseph I. Lieberman  
Chairman  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510-0703

The Honorable Susan M. Collins  
Ranking Member  
Committee on Homeland Security and Governmental Affairs  
United States Senate  
Washington, D.C. 20510-0703

Dear Mr. Chairman and Senator Collins:

I am writing to express my support for the confirmation of Roslyn A. Mazer as Inspector General (IG) of the Department of Homeland Security (DHS). In my role as Inspector General for the Department of the Treasury, I have worked with Ms. Mazer for the past 2 years as a member of the Intelligence Community (IC) Inspectors General Forum, which she chairs.

As chairman of the Forum, Ms. Mazer has demonstrated outstanding leadership in furthering the mission of the Forum to conduct cross-IC projects, showcase the IC mission of Forum members and share best practices. She has been collaborative, independent, and objective in this role and has been tremendously effective as a problem-solver.

I believe Ms. Mazer's expertise and experience as the Inspector General for the Director of National Intelligence within the IG community uniquely qualifies her for the IG position at DHS. She is highly knowledgeable about the need for collaboration and cooperation between DHS and partner federal agencies. She is extremely well-respected within the IG community and will be an effective leader if confirmed.

I urge your prompt confirmation of her nomination and stand ready to answer any questions you might have. I can be reached at 202/622-4105.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Eric M. Thorson", is written over a horizontal line.

Eric M. Thorson  
Inspector General

