

**NOMINATION OF SUSAN GIBSON TO BE  
INSPECTOR GENERAL OF THE NATIONAL  
RECONNAISSANCE OFFICE**

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**HEARING**  
BEFORE THE  
**SELECT COMMITTEE ON INTELLIGENCE**  
OF THE  
**UNITED STATES SENATE**  
**ONE HUNDRED FOURTEENTH CONGRESS**  
SECOND SESSION

TUESDAY, JUNE 7, 2016

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## **NOMINATION OF SUSAN GIBSON TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE**

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**TUESDAY, JUNE 7, 2016**

U.S. SENATE,  
SELECT COMMITTEE ON INTELLIGENCE,  
*Washington, DC.*

The Committee met, pursuant to notice, at 2:31 p.m. in Room SH-216, Hart Senate Office Building, Hon. Richard Burr (Chairman of the Committee) presiding.

Committee Members Present: Senators Burr, Feinstein, Risch, Rubio, Collins, Blunt, Cotton, Wyden, Heinrich, King, and Hirono.

### **OPENING STATEMENT OF HON. RICHARD BURR, CHAIRMAN, A U.S. SENATOR FROM NORTH CAROLINA**

Chairman BURR. I'd like to call the hearing to order.

Ms. Gibson, congratulations on your nomination to be the first advised and consent Inspector General for the National Reconnaissance Office. You have an impressive background both within the intelligence community and the Department of Defense, which I believe will serve you well in your new assignment.

I'd also like to welcome your husband Tim, who is in the audience today, and I thank him both for his support for you and his distinguished service to our country.

In many cases, inspector generals are the eyes and ears of their respective agencies' leadership, and they can be for Congress as well. Through critical oversight of the Executive Branch operations, they can provide useful assessments of performance and identify areas for improvement. We need efficiency of effort across government now more than ever. I feel strongly that effective and independent inspector generals can help us achieve that goal.

The NRO's classified budget is significant, and the NRO Inspector General plays a vital oversight role in detecting and hopefully deterring any fraud, waste, or abuse within the NRO. As we conduct our own oversight of the NRO, we may look to your office for its opinions on the programs that are functioning well or may need improvement.

As the NRO's Inspector General, much of your work will of necessity be classified. This means that there will most often not be public airings of your assessments. As a result, Congress and the American people must have full confidence that your findings are objective, independent, and entirely supported by the facts.



Ms. Gibson, I've reviewed the material provided by you prior to this confirmation hearing and have spoken with you personally. I'm confident that you're a person of high integrity and well qualified for this job. Thank you again for being here today, for your years of service to our country, and I look forward to your testimony.

I now recognize the Vice Chairman.

**OPENING STATEMENT OF HON. DIANNE FEINSTEIN, VICE  
CHAIRMAN, A U.S. SENATOR FROM CALIFORNIA**

Vice Chairman FEINSTEIN. Thanks very much, Mr. Chairman.

I want to congratulate our prospective Inspector General. I'd like to welcome her family, and maybe next time we'll get a smaller room. But we should all feel very comfortable; plenty of space.

In 2013 this Committee included in the Intelligence Authorization Act a requirement for Senate confirmation of the inspectors general for the National Reconnaissance Office and the National Security Agency. So, Ms. Gibson, you're the first nominee to be considered by the Senate for the NRO position.

This month the NSA Inspector General will be stepping down, and the CIA has been without a Senate-confirmed inspector general since January of 2015. Given the importance of IGs, I believe these gaps in service are unacceptable. Last June I wrote to the President to urge him to nominate an IG for the CIA. Today I renew this request and ask him to ensure NSA does not languish without a Senate-confirmed IG.

Ms. Gibson, you and I recently had the opportunity to meet and discuss your nomination, and I want you to know that I personally appreciated our frank discussion, which demonstrated your understanding of the role of the IG and the need to be principled, objective, and effective in your oversight of virtually every aspect of the NRO.

If confirmed, it will be your job to ensure that the NRO remains free of waste, fraud, and mismanagement, while avoiding politicization of the office. You will also have to support efforts to drive the organization toward more efficient and effective operations. I believe that you have the background to carry out this mission.

It's also important that you recognize, which I believe you do, your responsibility to keep this committee fully and currently informed about the concerns you may identify at the NRO. I don't want to sugarcoat it, but this is really a big job. It's a big job in part due to NRO's size and the complexity of its mission. You're going to be required to dig deep into some very technical and complicated programs, including some of the most classified and also expensive programs.

But it's also a big job because it comes with an extra responsibility of conducting oversight of an organization in which most activities are conducted in secret. The duty to the American public cannot be overstated here. This committee is charged with ensuring the intelligence community operates in a manner that's legal, efficient, and abides by the values of the American people. This requires effective and independent inspectors general to support us in this task.



So it's our expectation that, if confirmed, you will make full use of the authorities provided to you as an inspector general and keep this committee clearly advised. So I will ask in my question time how you intend to do our oversight, so that the committee can understand your vision for this office.

So congratulations on the nomination and thank you for being here. I look forward to our discussion.

Thanks, Mr. Chairman.

Chairman BURR. Thank you, Vice Chairman.

Ms. Gibson, I'm going to ask you to stand and raise your right hand.

Do you solemnly swear to give this committee the truth, the full truth, and nothing but the truth, so help you God?

Ms. GIBSON. I do.

**TESTIMONY OF SUSAN GIBSON, NOMINATED TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE**

Chairman BURR. Please be seated. I'll ask you to answer the five standard questions the committee poses to each nominee who appears before us. They just require a simple yes or no answer for the record.

One, do you agree to appear before the committee here and in other venues when invited?

Ms. GIBSON. Yes, sir.

Chairman BURR. Two, if confirmed do you agree to send officials from your office to appear before the committee and designated staff when invited?

Ms. GIBSON. Yes.

Chairman BURR. Three, do you agree to provide documents and any other materials requested by the committee in order to carry out its oversight and legislative responsibilities?

Ms. GIBSON. Yes.

Chairman BURR. Four, will you both ensure that your office and your staff provide such materials to the committee when we request it?

Ms. GIBSON. Yes.

Chairman BURR. And five, do you agree to inform and fully brief to the fullest extent possible all members of this committee of intelligence activities and covert action, rather than only the Chair and the Vice Chair?

Ms. GIBSON. Yes, sir.

Chairman BURR. Thank you very much, Ms. Gibson.

We'll now proceed to your opening statement, after which I'll recognize members by seniority for five minutes each of questions. The floor is yours.

Ms. GIBSON. Thank you very much, Chairman. Good afternoon, Chairman Burr, Vice Chairman Feinstein, and distinguished members of the committee. Thank you for the opportunity to appear before you today as you consider my nomination to be the Inspector General for the National Reconnaissance Office. I also appreciate the opportunity I've had to meet with several of you and to hear your concerns for the NRO and for the intelligence community at large.



I'm deeply honored that the President nominated me for this position and I'm grateful for the support of both Director Clapper and Director Sapp. If confirmed, I look forward to working with you, with Director Sapp, and with the fine women and men of the NRO and the NRO Inspector General's Office to further the NRO's mission.

Before going any further, I would like to recognize my husband Tim, who joins me here today. A week from today is our 36th wedding anniversary. Tim and I met in high school and both had full Army careers. We supported each other all along the way. It was very much a team. We had a great deal of fun and we've raised two amazing daughters, Katie and Joanna, who are both here in spirit, but have very busy, full, and interesting lives and couldn't make it, unfortunately.

I'd also like to acknowledge publicly the support I've received from my parents, but particularly from my mother, Claudette Green. I'm the first person in my family, which includes my brother, my sister, and nearly 20 cousins, to graduate from college. I couldn't have accomplished this without the love and support of my remarkable mother, who's now 80. But, like my daughters, she is still busy and leading a very full life and is unable to join us today.

I would like to thank my friends, my co-workers, many of whom are here today—thank you—and my many mentors. Life is a team sport and so is public service. As one of my mentors, Stephanie O'Sullivan, says: "There's no end to what we can accomplish if we don't care who gets the credit." I couldn't agree more, and I'm thankful for the wonderful team that helped me along the way.

To briefly address my qualifications for this position, my 22 years in the Army JAG Corps encompassed a broad legal practice, to include criminal law and investigations, government contracting and fiscal law, international agreements, domestic and international crisis response, human intelligence operations, and privacy and civil liberties. My time in the Army also impressed on me the importance of building and nurturing strong teams and effective teams.

I joined the intelligence community while I was still wearing my Army colonel's uniform, first at the Defense Intelligence Agency and then as part of DNI Negroponte's original legal team. I later retired from the Army and joined the civilian ranks at ODNI. I've supported all four DNIs and have touched on virtually every aspect of the mission. I helped stand up the office, assisted with drafting multiple intelligence community policies, helped rewrite Executive Order 12333, and regularly provided advice and counsel as we worked through many issues affecting the intelligence community.

As a result of these experiences, I'm well grounded in intelligence law and policy and in many other areas of law relevant to the mission of the NRO and its Inspector General, to include fiscal law, whistleblower protections, ethics, procurement law, and procurement integrity.

Most important, during my years in government I've learned and re-learned the importance of conducting a careful and unbiased analysis of the facts and the law, acting with integrity and honesty and proceeding with openness and inclusion. These are the founda-



tions of good government and they are also foundational to conducting effective oversight.

My experience at ODNI has made me acutely aware of the essential role of the NRO in the national security of this country. I'm also aware of the growing risks to NRO's mission.

I recognize that if I'm confirmed this committee will have high expectations for my performance and for the performance of the NRO IG's office. I share those same expectations. If confirmed, I pledge to continue the office's legacy of excellence, to use my many years of experience to reduce risks and to improve the NRO's efficiency and effectiveness.

Finally, I also recognize and indeed embrace Congress' oversight of the NRO. Congressional oversight is fundamental to the checks and balances established in our Constitution and the only way that the intelligence community can effectively operate in our open and democratic society. If confirmed, I will fully support the NRO IG's notification and reporting responsibilities and keep the NRO's oversight committees fully and currently informed.

I'm under no illusion that fulfilling the responsibilities of this new position will be easy. If confirmed, I pledge to do my very best as I continue to serve my Nation.

Thank you again for your consideration of my nomination and I look forward to taking your questions.

[The prepared statement of Ms. Gibson follows:]



**Statement for the Record**

**Ms. Susan Gibson**

**Nominee for Inspector General of the National Reconnaissance Office**

**Senate Select Committee on Intelligence**

**7 June 2016**

Chairmen Burr, Vice Chairman Feinstein, and distinguished members of the Committee, thank you for the opportunity to appear before you today as you consider my nomination to be the Inspector General for the National Reconnaissance Office (NRO). I also appreciate the opportunity I've had to meet privately with several of you to hear your concerns and your goals for the NRO and the Intelligence Community. I am deeply honored to have been nominated by the President for this position, and I am grateful for the support and encouragement I have received from Director Clapper and Director Sapp. If confirmed, I look forward to working with you, with Director Sapp, and with the fine women and men of the NRO and the NRO Inspector General's Office to further the NRO's mission.

I appreciate the opportunity to introduce my husband of 35 years, Tim. Tim and I met in high school and both had full Army careers, supporting each other along the way and raising two daughters we're extremely proud of: Katie and Joanna, who are both here in spirit, but busy with their full and interesting lives. I would also like to take a moment to thank my parents, but particularly my mother, Claudette Greene. I am the first person in my extended family, which included my brother and sister and nearly 20 cousins, to graduate from college.



I could never have accomplished this without the love and support of my remarkable mother, who is now 80, but like the rest of my family, still leading a busy life. I would also like to recognize my friends, my co-workers, and my many mentors throughout my career. As one of my mentors is fond of saying, life is a team sport and "there is no end to what we can accomplish if we don't care who gets the credit." I couldn't agree more, and am very thankful for the wonderful team that helped me along the way.

The majority of my 30-plus year career has been in the national security field, with the last 15 years largely concentrated on the intelligence community. My 22 years in the Army included a broad range of military legal practice, to include criminal law and investigations, government contracting and fiscal law, international agreements, domestic and international crisis response, privacy and civil liberties, human intelligence operations, and rule of law. As part of the original legal team for the Director of National Intelligence (DNI), I have provided support to all four DNIs and have touched on virtually every aspect of the mission. I helped stand up the Office of the Director of National Intelligence (ODNI), and assisted with drafting multiple Intelligence Community Directives and related policies, helped re-write Executive Order 12333, and regularly provided advice and counsel as the ODNI worked through many issues affecting all seventeen Intelligence Community elements. As a result of these experiences, I am well grounded in intelligence law and policy, and in many other areas of law relevant to NRO's mission, to include fiscal law, and government procurement law and procurement



integrity. Most important, during my years in government I've learned and relearned the importance of conducting a careful and unbiased analysis of the facts and the law, acting with integrity and honesty, and proceeding with openness and inclusion. These are the foundations of "good government," and are also foundational to conducting effective oversight.

The NRO Office of Inspector General continues to enjoy a reputation for excellence in its oversight activities, all while undergoing a series of transitions, to include numerous changes in executive leadership. I recognize that, if confirmed, this committee will have high expectations for my performance and the performance of the office. I share those same expectations. If confirmed, I pledge to continue the office's legacy of excellence by providing principled and steadfast leadership, and strategic vision.

My experience at ODNI has made me acutely aware of the essential role of the NRO in the national security of this country and also aware of the growing risks to NRO's mission. It has also sensitized me to the need for strong oversight of NRO's processes and its mission execution. If confirmed, I will use my many years of experience to identify opportunities to reduce risks and to improve the efficiency and effectiveness of the NRO.

I also recognize and embrace Congress' need to exercise effective oversight of the NRO, along with the rest of the Intelligence Community. Congressional oversight is fundamental to the checks and balances established in our Constitution and the only way the



Intelligence Community can effectively operate in our open and democratic society. If confirmed, I will fully support the NRO IG's notification and reporting obligations and keep the NRO's oversight committees fully and currently informed.

I am under no illusion that fulfilling the responsibilities of this new position will be easy. If confirmed, I pledge to do my very best as I continue to serve my nation.

Thank you again for your consideration of my nomination.



Chairman BURR. Ms. Gibson, thank you. I thank your husband, your daughters, and, yes, I even thank your mother for the fact that she made sure you made it through the gauntlet of education and bring your expertise to a critical role at the NRO.

With that, I'll recognize myself and then the Vice Chairman and then by seniority the members.

I've met with the NRO leadership many times and stressed the need for the organization to streamline their processes to more rapidly and affordably field capabilities with the latest technologies. As is typically the case, it's difficult to have a large organization make fundamental changes in acquisition practices without sustained and constant oversight.

Two questions: Can you describe how the IG currently reviews the acquisition of satellite systems at NRO? And how often are investigators reviewing program management to ensure resources are efficiently and effectively managed?

Ms. GIBSON. Chairman, as we discussed briefly before this hearing, I think we both share the same concerns about acquisition and the need to streamline acquisition to stay ahead of the curve in technology and keep our edge in this world, where technology is driving things more and more.

It is something that I have given a great deal of thought to, as to how to go about doing this at the NRO. I think it is the same in many other areas. Effective oversight would include the audits, the inspections, being present, being there, being receptive to the sorts of complaints and concerns that people bring to you, and by being a partner oftentimes in the mission and taking problems and taking recommendations to the leadership often.

I quite frankly am not familiar yet with how often they're doing these inspections and audits. NRO has passed its audits for the last several years, which is encouraging and something I hope to continue and encourage as the IG. But it's something that I think would be clearly a priority and a focus if I was confirmed to be the IG at the NRO.

Chairman BURR. Good.

Would your office be ready and willing to support our efforts to identify organizational or procedural changes required to help the NRO become more agile and cost-competitive in their acquisition process?

Ms. GIBSON. Certainly, sir.

Chairman BURR. Great. With that, I'll turn to the Vice Chairman.

Vice Chairman FEINSTEIN. Thanks very much, Mr. Chairman.

Ms. Gibson, a key purpose of this hearing is to ensure that the nominee understands the independent role of the IG in a secret organization like the NRO, and that Congress depends on an independent, impartial IG to pursue allegations of malfeasance such as the NRO has faced in the past.

The now-retired previous NRO IG, Lanie D'Alessandro, has been quoted in the press as saying, and I quote: "If you're going to do this job, well, you risk your future job aspirations. It's best you take the job as a swan song before you retire." End quote.

From your knowledge, do you agree with this statement? And what impediments to your independence do you foresee, and how



would you ensure your complete independence, upon which this committee relies?

Ms. GIBSON. Vice Chairman Feinstein, it's hard to say whether I agree with that statement, not having been in the position. I think I'm more comfortable answering for you how I would keep my independence and sort of my own personal views on independence.

For better or worse, I am at that part of my career where this may well be my swan song, so I can start there. However, I don't think that's necessary. I've been an attorney, a deputy general counsel, for many years. I've given a lot of advice to people, advice that they didn't necessarily want to hear. My experience has been if you're open, if you're honest, if you're unbiased, and if you're giving advice and overseeing things in the correct spirit, to improve things, to find efficiencies, not to grind axes, that people are more than willing to listen to you, even when they find it difficult.

They may grumble at you. They may not be happy to see you come into their office as the ethics official for an agency. I've had this happen several times. People aren't necessarily happy to see you come through the door.

But if you give them a day or two, they'll almost always thank you for your honest advice. And that's been my experience, and I think much of it has to do with your own personal integrity and how you approach the position.

I think the structures of the NRO's IG office are set up well for that independence. I think the fact that you have a potential appointed Inspector General before you today adds to that independence, and I believe that that is a lot of the reason that you set up this position that way. I think it will add to that independence and the ability to be independent. It's something that I will guard and grow, I hope, for the office.

Vice Chairman FEINSTEIN. Thank you.

In your pre-hearing questions you noted that the current staffing allocation for the office—and I quote—“may limit its ability to recruit and retain personnel with the skills necessary to fully perform its mission.” Could you expand on that comment and describe how the current NRO staffing allocations are limiting personnel recruiting and retention in the IG's office?

Ms. GIBSON. Yes, ma'am. As you know, the NRO has instituted a new system of cadre employees. I was surprised to find out how few of the personnel in the NRO IG's office are cadre, as opposed to detailees from other agencies.

My answer said it may be an impediment. I don't have yet enough information to know for sure, but I think it's one of those things that as the NRO sort of matures this personnel process, the IG's office itself needs to take a good hard look at that and figure out what we need for cadre, what is appropriate to have on maybe a rotational basis or as detailees.

I also think that the NRO across the board and the NRO's IG office to perform effective oversight needs some skill sets that are sometimes hard to come by. It's very high technology fields. Auditors are also sometimes in short supply. So the sorts of incentives you need, the sorts of professional development you need to ensure that people's skills stay current and sharp and to ensure that they



have the skills needed to oversee these highly technical programs, are something that are going to require constant nurturing if I'm confirmed as the IG.

Vice Chairman FEINSTEIN. Let me just quickly point out that I think you have raised the Achilles' heel of these agencies, and that's rotating people in and rotating them out, because when they go out they go back to certain—a certain agency in the intelligence community, and that may limit their ability to really be fully invested in openness and honesty no matter what the cost.

So I appreciate your knowledge of that and will be very interested to see what you will do and how you handle this issue.

Ms. GIBSON. Thank you, ma'am.

Chairman BURR. Senator Collins.

Senator COLLINS. First of all, Ms. Gibson, I want to congratulate you on your nomination and your willingness to accept this important responsibility.

I would like to hear your views on how you would propose to deal with, and indeed welcome, the input of whistleblowers within the agency? Recently there have been press reports that suggest that whistleblowers in the U.S. Central Command have brought forth complaints about how certain intelligence reports were treated. In addition, we have seen cases from the VA in which whistleblowers appear to have been the subject of retaliation and the individuals against whom they were bringing complaints were rewarded with bonuses and promotions.

What would you do to ensure that whistleblowers have easy access to your office and that their complaints are carefully scrutinized, screened, and when appropriate acted upon?

Ms. GIBSON. Senator Collins, I think you frame it well in your question. It's really a two-part process. One is making sure that people are encouraged to reach out and that they have the information they need to find you to reach out, and that you make it as easy as you can for them to reach out to you, in confidence if necessary. So I think on the front end, if I were confirmed, one of the first things I would do is look at all the policies and processes that are in place to both inform the workforce, to include the contractor employee workforce, which is such a big part of NRO's mission, to inform them of their ability to come to the IG's office with any complaints or concerns, and then to make sure that all of the mechanisms for receiving those complaints and concerns are easy to find, easy to use, and confidential when necessary.

So I think that's the front end of it, is to encourage those sorts of complaints and concerns and that they be brought to us. Once they come in, then it's crucial that you handle them appropriately, that you look into them quickly, and that they are a valid complaint, that they're fully investigated, as many of the items that you listed with the VA and Central Command IG's are now looking into those. I think that's very important, for people to know that when once a complaint is brought forward something happens to it. Someone really looks at it and looks at it fully and fairly and takes care of it.

If there are reprisals or threats of reprisal for people who bring forward these complaints, as you know, under the IG Act that's considered an urgent concern and it's a very serious matter, and



that would require immediate reporting to the Director of the NRO and within seven days to the oversight committees, because it's that serious if there's reprisals or threat of reprisals against potential whistleblowers. I think quick action to take care of anyone who starts a reprisal action or threatens a reprisal action also then feeds the willingness of people to come into the system in the front end and make those complaints and take care of things if that's simply not tolerated on the back end.

Senator COLLINS. Thank you.

Some inspectors general have experienced problems in getting access to documents that they need in order to conduct and complete their investigations. Should you encounter that sort of stonewalling or noncooperation with an investigation, would you report that to this committee?

Ms. GIBSON. Senator Collins, if something like that happened—and it's one of the first things I actually asked the staff at the NRO when they briefed me a few weeks ago, and they assured me that they haven't had those problems there, and I think that says a lot about the office itself.

But it's certainly something I would guard against, and if I felt like I wasn't getting the information that I needed I would first try to resolve it at the lowest level. It's typically the best way to go. Sometimes it's a misunderstanding. And I'd bring it to the leadership of the NRO. I'd advise them to work with their general counsel to get advice on whether it was proper to withhold the information.

If it came down to it, I would certainly inform this committee and seek whatever assistance I needed, use subpoena authority if appropriate and if necessary. There are many ways to make that happen. And I would certainly inform this committee and request any assistance I thought I needed.

Senator COLLINS. Finally, since my time has almost expired, I would just urge you to focus on NRO's acquisition policies and major acquisitions. In my experience as head of the—when I was Chairman of the Homeland Security Committee, which was and is the major oversight committee in the Senate, we found that the IGs were invaluable in identifying acquisition problems, often before they resulted in cost overruns or contract failures, particularly in the information technology area.

So I will write a question for the record on that to submit to you. But I would urge you to give that area your attention. Thank you.

[The information referred to was not available at the time of publication.]

Ms. GIBSON. Thank you, Senator.

Chairman BURR. Senator Wyden.

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

Ms. Gibson, thank you for being here and for your many years of public service. I share the view of the Chair and the Vice Chair. This is a really important job. In particular, your office is in the position of awarding very large government contracts in secret. So it's absolutely essential to have oversight from a strong inspector general.

Now, my colleague from Maine has, as is usually the case, asked very good questions on this issue of whistleblowers, and I want to



just follow it up in one regard. Chairman Grassley is the chair of the Whistleblowers Caucus. I am the vice chair. As you know, there have been these press reports over the years alleging retaliation against whistleblowers by senior officials.

I'm not asking you to confirm the reports, but I think that any NRO employee who read those press reports might conclude that going to the Inspector General to warn that taxpayer dollars are being ripped off could be hazardous to their career.

Just two questions: Do you understand why employees would feel that way?

Ms. GIBSON. Certainly, sir. If they read reports like that, I can understand why they might.

Senator WYDEN. I'd like to know whether, if confirmed—I believe you will be confirmed; I've heard only good things about your service. When you're confirmed, are you going to have a meeting with the employees and inform them about how they will be protected from retaliation? Because I think that's really one of the keys when there's a history, that somebody new comes in, brings them all together, and says: This is how you will be protected from retaliation. Will you do that?

Ms. GIBSON. Senator, I'll make it a priority.

Senator WYDEN. Can't ask for more than that.

One last question with respect to kind of policy issues. I think what I've learned over the years is it's typically easier for inspector generals to investigate cases of wrongdoing by a single individual than it is to look at these systemic problems in major programs, because when you look at the bigger problems you often run into resistance. You've got the sort of status quo kind of crowd.

How do you plan to ensure that your investigators aren't afraid to ask hard questions and to really look at the big kind of problems, which historically is where you bump up against most resistance? And I think that's what the Vice Chair was talking about with the comments, and I've got a whole sheaf of these comments. How do you think you can help to set the climate so that the big problems are going to be investigated?

Ms. GIBSON. Senator, I believe that it would start with how you develop your workplan every year. The Investigations Section would be where I would look to for those sort of single bad actor sorts of investigations that you mentioned. I think it's the Inspections and Audits Sections that I would actually look to for these larger, potentially systemic issues.

I think speaking with all of the stakeholders, coming to this committee to get your views on things that you may be seeing that you'd like looked into, having an open mind, sitting down and taking the time to sort of step back and get out of the daily grind for a while you work on this long-range plan and think strategically about what the larger problems may be. And I think they've set up a pretty good process for that at NRO that I've seen for developing their work plan. It's something I would want to look into more and perhaps refine after I got there, if I'm confirmed, and roll along as the year goes.

I believe they're in the middle of a work year now, so there should be some opportunity coming into the next work year to effect that plan. But I would certainly also look to this committee



and the other oversight committees for any systemic issues that you're seeing to feed into that work plan for inspections and audits.

Senator WYDEN. I'm planning to support your confirmation and look forward to your service. Thank you.

Ms. GIBSON. Thank you, sir.

Chairman BURR. Senator Heinrich.

Senator HEINRICH. Thank you, Mr. Chairman, and thank you for holding this hearing today.

I want to say congratulations, Ms. Gibson, on your nomination. Thank you for joining us today for one of our rare open hearings.

I see from your record that you not only have a distinguished legal career, but a long and distinguished military career as well. So thank you for your continued service to our country, and I certainly wish you well.

The role of the Inspector General is critical. We rely on them and their staffs to conduct robust, independent review and oversight of agency activities, and to give us assurances that federal agencies are meeting the letter and the spirit of the law in carrying out their duties.

For these reasons, I'd like to state for the record my concern that the Administration has not nominated a new Inspector General for the CIA in almost a year and a half, ever since David Buckley left the office in January of 2015. A position of such importance should not be vacant and I am disappointed that the Administration has not made this the higher priority.

As I noted, the independence of the IG in any agency is central to our confidence that the investigations are conducted objectively and fairly. This benefits both the complainant and the target of an investigation. It's also why this committee took steps to make the NRO IG a presidentially appointed and Senate-confirmed position. In fact, you will be the first NRO IG to be Senate-confirmed, a distinction that I am sure has not been lost on you.

Being able to raise difficult issues with senior officials and agency directors is a prerequisite, a necessary quality for an IG. So in your opinion, what are the measurable indicators of real independence for an IG? And more specifically, what actions would you take if a senior IC official sought to somehow prevent you from conducting an adequate audit or investigation?

Ms. GIBSON. Sir, if I thought that someone, a senior official or anyone, at NRO or in the intelligence community was seeking to impede an investigation or an audit, I would first have a conversation with them if it was a senior official, straight up have that conversation. The Secretary of Defense is the only person that I read about in the statute who has the authority to do that, and only for a vital national security interest, after consultation with the DNI. If it were that sort of a reason, that requires then a notification to the committees that that investigation or audit has been stopped for those reasons.

Otherwise, I would come to this committee if I couldn't resolve it myself, if there weren't ways to work through it. I think often-times it's just a matter of having open and honest conversations. I'm reminded, quite frankly, of my time in the JAG Corps, which typically we weren't on the firing line and in the front lines, although that's changed over time, unfortunately. We used to talk



about those moments as a “JAG Purple Heart moment,” where you would go into the office and you just stand up and say what you had to say and take the hits if you took the hits. And like I said, eventually, a day or two later, they would usually come around and say: Thank you; I needed to hear that, and let’s work through it.

I don’t have a problem doing that when I need to, and I think I’ve had lots of practice at it. And if I need to do it, if I’m confirmed as the IG, I’m ready to do it.

Senator HEINRICH. I think we all appreciate your candor. It’s critical for this role.

Although the NRO IG is independently appointed and confirmed, you’re still accountable to the IC IG and to the Department of Defense IG. What is your view of those relationships and how will you manage potential disagreements with either entity?

Ms. GIBSON. Senator, I can’t think of a better experience for learning how to deal with the interface between the intelligence community and the DOD than my nearly 11 years at the ODNI, particularly having come out of DOD. I find the more that I deal with these issues, there are rarely conflicts that can’t be resolved. Typically, when you get to the bottom of any issue or problem, if you’re looking at it in a good government way and a way where you can make helpful progress moving forward, people’s interests start to align. That’s what I tend to look for when I start seeing those conflicts, as I start looking for where the interests align, and bring both parties to the table and have that open and honest discussion to find those areas.

I’ve found typically, if you do that, you can and you can make progress and move forward in a cooperative way. That’s what I would seek to do.

Senator HEINRICH. I just want to say thank you for your willingness to serve in this position. It takes a lot to put yourself out there, and I think we all appreciate it very much.

Ms. GIBSON. Thank you, sir.

Senator HEINRICH. Thank you, Chairman.

Chairman BURR. Senator Rubio.

Senator RUBIO. Thank you.

Ms. Gibson, in your opening statement you take credit for helping stand up the Office of the Director of National Intelligence and to rewrite Executive Order 12333. Can you describe—and perhaps you have, and I apologize; I had another committee meeting—your role and how you wrote this order?

Ms. GIBSON. Initially there was a team of two, me and the Chief of Policy at ODNI, who were given the task of starting to look at, if we were going to update EO-12333—which had not been updated since the IRTPA, which passed in 2004—how would you update it to recognize sort of these new roles, the new interfaces? Much of the executive order had not been updated at all for many, many years. So the missions of the various intelligence community elements.

We went into it with an idea of making those updates, with the knowledge that we would make very few changes to Part 2 of the order, which dealt with the privacy and civil liberties protections, and we made very, very few changes to that.



We then did what has worked so well in so many other instances. We got the leadership of the intelligence community together and said: Please take off your element hats and tell us what needs improving in this executive order for a more smoothly running intelligence community?

We got those inputs and we started drafting. We spent a long time drafting the proposed language. It was very much like my prior experience in negotiating international agreements, quite frankly, by the time we worked our way through. But that was my main role and, quite frankly, it was most of what I did for approximately a year of my time at the ODNI.

Senator RUBIO. The inspector generals serve an important role in our system in terms of the oversight and ensuring that safeguards are in place. It's crucial that people be able to trust them. So if you're confirmed, can you describe a little bit what you think the best way is to communicate to your workforce that the safeguards afforded to potential whistleblowers are such that any potential whistleblowers would feel comfortable reaching out to the Office of Inspector General?

Ms. GIBSON. Senator, I think there's two things that an inspector general or anyone can do in those sorts of circumstances. The first thing is you have to say it and you have to say it often, and you have to communicate it well and you have to make it so that people can come to you and feel like they are actually welcome to come to you.

Then, once they come to you, you have to follow through appropriately: with an investigation if an investigation is warranted; if there are reprisals or threats of reprisals, by dealing with those promptly and effectively. That creates then a cycle that feeds on itself and that continues to encourage people to come forward.

So it's both the communication and the follow-through, which you hope will bring more communication.

Senator RUBIO. You stated in your response to a prehearing question that there weren't any challenges facing the NRO IG. However, from open press accounts from 2014 it appears there were significant cultural impediments to the independence of the Office of Inspector General. I'm looking at one article in particular, the 28th of October, regarding the deputy director of the National Reconnaissance Office.

If you're confirmed, how do you intend to maintain the independence of your office and that of your staff from some of the issues that have been outlined in those 2014 cases?

Ms. GIBSON. Senator, I think if I were confirmed the fact that I am a Senate-confirmed IG would also add to my independence in that position. I think that was part of the reason for this being made a Senate-confirmed position. So I think that would help, to start with.

I think that the office, from what I've seen—and I don't have all the facts of those earlier allegations, but from what I've seen recently—they've already made great strides forward. They have a very strong personnel system that they run internal to the IG, so that others in the NRO can't make personnel decisions that affect the office, but it's the leadership of the IG's office making those decisions. I think that's important.



I think it's important for your people to know that if they're feeling those sorts of pressures that they can come to you as the IG and bring those concerns to your attention so that you can deal effectively with them. I think oftentimes for an IG, much like for a general counsel, your role is to be that layer that protects your people from undue influence so that they can accomplish the job that they need to, and I would look to do much the same if I were confirmed as the IG.

Chairman BURR. Senator King.

Senator KING. Thank you, Mr. Chair.

Ms. Gibson, who appointed you to this job?

Ms. GIBSON. I have not been appointed yet, sir.

Senator KING. Who nominated you for this job?

Ms. GIBSON. President Obama nominated me.

Senator KING. I think that's a very important point. You weren't nominated by the head of the NRO or the head of the IC. Everybody has said this, but I want to put a really fine point on it. You have one of the most important jobs in the United States Government, particularly because of the nature of the intelligence community, which is immune from much of the scrutiny of the public in many ways that the Department of Agriculture, the Department of the Interior is, with outside groups and lobbying groups and press and everything else. Therefore we have to have—it's an IG-squared job in my view, that you have to be fiercely independent.

I hope you will take that. You use one word in your testimony that made my ears prick up, which was "partner." I don't want you to be anybody's partner over there. I want you to be—my high school football coach used to say he wanted us agile, mobile, and hostile. That's where you have to do this, because this committee can't function without a truly independent IG in these intelligence community agencies that is responsible to the President of the United States and to this Congress.

Can you reassure me on this point?

Ms. GIBSON. Sir, I can assure you that I'd do my very best. I believe that I would be independent. As you state, the nomination from the President, confirmation and appointment if I'm confirmed, would add to that independence.

As I mentioned early on, I truly do expect this to be my swan song, so I don't need to be anyone's friend in order to accomplish this job and move on to another job when I finish. I've retired once already, from the Army, and I hope to not retire more than twice, and I hope to do it in the not too distant future.

So I don't foresee any problems with independence. I would certainly hope that if you saw any of those problems as the committees who would also help me oversee, that you would let me know that you were concerned about that, because I would see you as a partner in that, sir.

Senator KING. That's a partnership I approve of. Thank you.

Let's move on to the question of contracts. You talked about the limitations on staff and the fact that the NRO administers huge contracts, a lot of taxpayer dollars. How about a force multiplier called the GAO? Do you feel there's a role for the GAO to monitor and assess some of these contracts, just as they do in exactly the



same kind of procurement situations in the Department of Defense?

Ms. GIBSON. Sir, I believe there's a role for the GAO. I know that we've worked out in the intelligence community a lot of that interface in recent years. I think it's a role where you have to complement and coordinate. Otherwise you're wasting resources, oversight resources. So I think it's something that you would want to make sure that you found the appropriate balance.

Senator KING. But you mentioned in your testimony you need auditors, you need engineers, you need people that are contract administrators. I assume you don't have all of those resources and assets within your office?

Ms. GIBSON. I do, sir.

Senator KING. You have all of the resources to adequately assess billion-dollar contracts?

Ms. GIBSON. From what I have been able to ascertain, I have a very qualified staff. If I am confirmed and I get in and I think I don't have the resources I need, the statute does require that I come to the committees and request the resources that I think are appropriate.

I think the one thing that the NRO IG's Office has that is unique is it has the expertise and it has the understanding of the mission, and it does have technical expertise that doesn't reside perhaps elsewhere in the oversight mechanisms. So I would hope that the committee would come to the NRO IG to look at these problems first, and if there were gaps in expertise that were needed, there are also ways to pull in other experts.

So again, I think, as I said in my opening, much of oversight is a team sport. The important thing is to make sure that you're putting the right player on the right problem.

Senator KING. I would urge you to think about and learn about the capacities of the GAO. Senator Coburn and I sponsored an amendment a year ago that allowed the GAO for the first time to play a role in the intelligence community on facilities.

I think we need to think further. Again, you're talking about efficiency and resources. We've got an agency that is very capable of doing this function and I urge you to make that a part of your toolkit as you move forward in this position.

Finally, I want to compliment you as well, and I'm delighted that you're taking on this challenge. Given your experience both in the JAG Corps and at the IC, I think you're the right person for the right job at the right time. But human nature being what it is, we all want to be friends and popular with our coworkers. You've got to be willing to be difficult and very aggressive, because again this is different from the IG of another agency. This is one where there aren't that many people watching, and that puts a special responsibility, it seems to me, on the job of the IG within the IC.

So I want to thank you and I look forward to working with you.

Ms. GIBSON. Thank you, sir.

Chairman BURR. Senator Hirono.

Senator HIRONO. Thank you.

Ms. Gibson, it's good to see you again, and I can echo the comments of my colleagues to say that your job is particularly impor-



tant because you're dealing with a community of actors for whom transparency is not necessarily their number one priority.

So let me ask you this. I know that ODNI has been working in recent years to enhance public understanding about the intelligence community, its authorities and oversight of its activities and programs. The ODNI recognizes that increased transparency in the IC will help increase trust that Americans' civil liberties are protected and that their taxpayer dollars are being well spent.

What do you believe is the role of transparency in the Office of the NRO IG, and do you believe there is a way to create unclassified versions of reviews and audits and otherwise make the public more aware of the IG's work than has been done in the past?

Ms. GIBSON. Thank you, Senator. I will say to start that I'm a firm believer in transparency and have been fully behind the efforts at the ODNI to be more transparent. I agree that we can't always be transparent about exactly what we are doing, but we should be more and more transparent about how we are doing it and what the oversight mechanisms are that are in place to make sure that the authorities that the intelligence community has are not abused.

So, first, I'm a proponent of transparency. How many of the IG reports could be released I think would depend on the topic. I think I would look for the topics that can be made public. I know that they've published several of their reports in the past, and I would look to continue to do that.

Also, we have worked quite a bit to figure out how to write things so that you separate the classified from the unclassified and not tangle it up to the extent that once you've redacted it that it's hard to understand. So much of it comes with how you write the report and how you explain things. So I would look to continue those sorts of efforts that are in place and be more transparent wherever possible.

Senator HIRONO. I think that kind of commitment is very necessary as you do your audits and write your reports, because, as you say, if you write it in a way where redacting therefore results in making no sense that does not help the public.

In 2012 a former NRO IG was quoted in a news article saying that he wasn't surprised by allegations against an NRO official regarding the handling of contracts. He noted that, and I quote, "You're talking about a lot of money at this agency and a culture within the intelligence community that isn't really comfortable with the idea of transparency. Generally speaking, people in the agency are ethical, but there is a certain dependency on contractors and closeness with contractors that can create an awkward environment." End quote.

Do you consider closeness with contractors a problem with the NRO IG and, if so, how would you prevent or minimize this problem?

Ms. GIBSON. Ma'am, I don't have enough experience yet to say whether there's a problem within the IG's office with contractors. If you're asking about the larger NRO, if confirmed it's certainly something that any IG would have to keep a very close eye on at the NRO.



Contractors play a very important role there. They're essential to the mission. But at the same time, they are not government employees and you always have to keep in mind the idea of what is an inherently governmental function and what isn't and who's actually making the decisions, which is I think what's really important when you talk about those inherently governmental functions. The people making the decisions should be government employees and not contractors.

So I think it's the sort of thing you would have to keep an eye on at all times.

Senator HIRONO. Well, human nature being what it is, those who deal with—the government officials who deal with contractors on an ongoing basis—and there's a lot of money at stake—I think that that kind of awkward closeness is particularly of concern. So that is an area that I would think that there should be enhanced scrutiny on your part, to make sure that these kinds of cozy relationships do not result in misuse of taxpayer money.

Ms. GIBSON. I share your concern, ma'am, and I'll make that a priority if I'm confirmed.

Senator HIRONO. I have a few more questions, but I think I'll stop here. Thank you, Mr. Chairman.

Chairman BURR. Senator Blunt.

Senator BLUNT. Thank you. Thank you, Chairman. Ms. Gibson, thanks for being here with us today.

The NRO has its feet both in the Title 10 and the Title 50 world. In your statement for the record, you mention the growing risks that you believe are there for the NRO mission. I think a lot of people on this committee believe that better coordination between the space-related activities of the Defense Department and the intelligence community are needed.

How do you see your office playing a role in improving the Title 10 and Title 50 relationships?

Ms. GIBSON. Sir, I see the main place where that relationship comes into play in the way that you're talking about in the requirements process as programs are conceived and plans are built for those programs. So I think the oversight of the IG as those processes work their way through, because those processes are so crucial for both the Title 10 and the Title 50, which are very intertwined at NRO—it's an agency that supports a broad, broad range of requirements.

So I think oversight of that requirements process is probably where the IG could be most useful. But I would certainly look for other ways, if I were confirmed, to get at any other connective tissue that really needed a good shaking out and a good look.

Senator BLUNT. Well, I'll just repeat. I think several people on this committee think that steps in newer directions aren't nearly as clear to us as they might otherwise be, and that would be a place where you could have a view of both departments, both the Title 10 and the Title 50 world, in ways that others don't.

You know, you discuss also in your statement your involvement in establishing the Office of the Director of National Intelligence when that was set up and drafting several of the directives involved in setting that up. There are broad efforts, obviously, to fos-



ter greater sharing of what's acquired and integrating what we learn from that.

What are some of the pitfalls you think face the NRO in accomplishing the tasks that were envisioned by the establishment of the DNI?

Ms. GIBSON. Senator, I actually think the NRO was probably affected, but not perhaps affected as much as some of the other intelligence community elements, and in the ways that they were affected it's ways that they have helped the change along.

So one of the first couple of policies that I actually worked on when I started at the ODNI was the intelligence community directives on major system acquisitions. So this more flexible, spiral development process that was put in place for majority National Intelligence Program-funded major system acquisitions I think was something that the NRO supported, and so it was a cooperative process, if you will, and I think they put a lot of that in place.

I've seen a great deal of cooperation. I've seen a lot of maturity in the processes, with the Systems and Resource Analysis Office and the maturity of the cost estimates that are happening and are getting better and better as we go along. Then I'm very, very encouraged actually also by the analysis that's being done for—this is what you hoped to accomplish, these are the requirements you set in place, this is how you thought you would use it, and then to look at it on the back end and say, is that what happened, did you get what you thought you were going to get out of this? If not, why not?

So this analysis that's happening between the ODNI in partnership with the NRO and with DOD I think has helped it progress toward more effective and efficient acquisitions. I'm not saying that there isn't still progress to be made. But I do think that they're moving in a hopeful direction there, and if I was confirmed as the IG it's something that I actually feel strongly about and would work diligently to continue improving.

Senator BLUNT. Well, I would think that it's a great place for the IG to do just exactly the kind of evaluation of what results are being produced versus the goals that were being set that you would have. And certainly your effort in establishing the DNI and working with that is clearly a great background for this job.

Thank you, Mr. Chairman.

Ms. GIBSON. Thank you, sir.

Chairman BURR. Senator Cotton.

Senator COTTON. Thank you.

Ms. Gibson, thank you for appearing here today, and thank you for once again answering the call to service for our country.

I want to associate myself with what Senator King, Senator Hirono, and Senator Blunt have said about the importance of the IG in the intelligence community in general and the NRO in particular because of the often secret nature of the work that you do. And, as Senator Blunt said, the NRO has a dual structure under both the military and the intelligence community.

I am one of four members on this committee who also sits on the Armed Services Committee, the only Republican. I'd just like to get the same commitment that you gave to Senator King about this



committee of keeping the Armed Services Committee informed where appropriate as well.

Ms. GIBSON. Absolutely, sir.

Senator COTTON. Thank you.

You've received some very stellar letters of recommendation from esteemed individuals, such as Chris Inglis and Bob Litt. They say that your character and integrity are of the highest caliber and beyond reproach. I think that's evidenced by your up-front disclosure of a 1999 Army JAG professional responsibility inquiry, which I understand was dismissed as unfounded.

Ms. GIBSON. Yes, sir.

Senator COTTON. Could you simply explain a little bit more about that matter in your own words, for those who have not had a chance to review the thorough explanation of it in writing?

Ms. GIBSON. Yes, sir. In the mid-1990s I was the Deputy Staff Judge Advocate at Aberdeen Proving Ground. While I was there—they actually sent me to Aberdeen, by the way, to get out of criminal law for a while. Aberdeen Proving Ground is where they try to break things and test things, and it tends to work on contracting instead of criminal law.

So I was one of the few senior attorneys there who had much investigative or criminal law experience. While I was there, I was the primary legal advisor for the Ordnance Center and School, which had multiple allegations of sexual assault and sexual abuse of trainees by drill sergeants and instructors. It was a prolonged and very high-profile investigation.

When the first round of courts martial were final months later, the Army Inspector General came in and did a thorough review. During that review there was an allegation made that I had inappropriately told investigators not to read rights to certain trainees, Article 31 rights, which are similar to Miranda but also have to include the crime that the person is suspected of.

There was a full investigation of that. The Army Inspector General turned it over to the Army JAG Standards of Conduct Office. They conducted a very long and thorough investigation of that, and it was eventually dismissed as unfounded.

Senator COTTON. Well, thank you for sharing that for us. I know it was a high-profile matter, and again I think it reflects very well on your character that you've disclosed it up front, as well as that it was dismissed as completely unfounded. And it's also reflected in the fact that the Army continued to put you in positions of greater trust and responsibility, as the intelligence community has as well.

Ms. GIBSON. Thank you, sir.

Senator COTTON. One final question. I note from question 12 of your questionnaire that you are on the board of directors of the City of Fairfax Theatre Company and you are general counsel of Women in Technology. And in question 20 you say that you intend to resign both of those positions.

Ms. GIBSON. Yes, sir.

Senator COTTON. Is that required by law or regulation?

Ms. GIBSON. It's something that the Administration asks of its nominees and appointees if they're confirmed, so that they can concentrate on the job at hand.



Senator COTTON. Do you think being a volunteer member on a city theater company would distract you from your job?

Ms. GIBSON. I intend to keep volunteering with the theater, sir, but not be on the board.

Senator COTTON. Well, I understand that there are some positions outside our work that might conflict with our work, but maybe this committee should examine whether or not we need to require government employees to resign from volunteer positions like boards of directors of volunteer theater companies. I think it's a good thing for government employees to be involved in their community.

Ms. GIBSON. Thank you for your support, and I can get you tickets for "The Music Man" this summer.

Senator BLUNT. He can't accept them.

[Laughter.]

Senator COTTON. I can't accept them probably, and probably the appreciation would be lost on me, I suspect. But thank you for again answering the call of service.

Ms. GIBSON. Thank you, sir.

Chairman BURR. I thank my colleagues.

If nobody seeks other questions, let me share with members: It is the Vice Chairman's and my intent to vote Ms. Gibson out of committee on Thursday. To our colleagues that are on Armed Services and to the one or two that are on Homeland Security, they also have a sequential process in this. The faster they can choose not to have a hearing, the faster we could get Ms. Gibson to the floor. It's certainly my intent to try to get Ms. Gibson's nomination in place as quickly as we can. So any help that you can be on other committees that have responsibilities, I'm grateful to you.

With that, Ms. Gibson, thank you for your testimony today. Thank you for the sacrifices you've given, not only for the military, but in your career with government. We're grateful to the sacrifices your family have made. And the last thing, if you would today, you thank your mother for us.

Ms. GIBSON. I will, sir.

Chairman BURR. This hearing's adjourned.

[Whereupon, at 3:33 p.m., the hearing was adjourned.]



## **Supplemental Material**



Benjamin A. Powell  
1875 Pennsylvania Ave., NW  
Washington, DC 20006

June 3, 2016

The Honorable Richard Burr  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

The Honorable Dianne Feinstein  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Chairman Burr and Vice Chairman Feinstein:

I write to give my strongest possible support to the nomination of Susan Gibson for Inspector General of the National Reconnaissance Office (NRO).

Ms. Gibson has a highly distinguished public service record spanning three decades, from service around the world in the U.S. Army to her work in the Intelligence Community. She has devoted her life to the rule of law and our national security. She will bring to the position the experience, integrity, judgment, and intelligence necessary for such an important position. I have no doubt she will do an outstanding job.

As the General Counsel to the first three Directors of National Intelligence, I worked with Ms. Gibson on a daily basis in her position as the Deputy General Counsel for Management in the Office of the Director of National Intelligence (ODNI). She was the person all of us in the General Counsel's office (and senior leaders in the ODNI) looked to for advice on the toughest issues. She was always willing to handle the most demanding assignments. She was also a tremendous leader and mentor to everyone in the office and she performed every day at the highest level. Her leadership by example was something all of us learned from and sought to emulate.

Ms. Gibson worked on many critical issues across agencies that required a comprehensive understanding of the missions, authorities, regulations, and operations of elements of the Intelligence Community – from fiscal and acquisition issues to personnel issues to operational issues. She was always fair and thorough in handling interagency issues. She is highly respected throughout the Community for her ability resolve difficult issues.



to operational issues. She was always fair and thorough in handling interagency issues. She is highly respected throughout the Community for her ability resolve difficult issues.

Ms. Gibson has all the characteristics that will make a superb IG, including the highest level of integrity and trustworthiness, deep experience in virtually every facet of the operation of an intelligence agency, and an unwavering devotion to public service and the rule of law.

The country is fortunate to have devoted public servants like Ms. Gibson. The country and the NRO will greatly benefit from her leadership of the NRO IG office. I urge the Committee in the strongest terms to recommend to the full Senate the approval of her nomination.

Sincerely,

A solid black rectangular box used to redact the signature of Benjamin A. Powell.

Benjamin A. Powell





OFFICE OF THE UNDER SECRETARY OF DEFENSE  
4000 DEFENSE PENTAGON  
WASHINGTON, D.C. 20301-4000

June 6, 2016

The Honorable Richard Burr  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

The Honorable Dianne Feinstein  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Chairman Burr and Vice Chairman Feinstein:

I write to provide the strongest possible recommendation in support of the confirmation of Ms. Susan Gibson as Inspector General of the National Reconnaissance Office (NRO).

I have known Susan Gibson for 20 years, during which she and I both served as active duty Judge Advocates in the U.S. Army, retired from the military and continued to serve as senior civilian attorneys in the federal sector, and were privileged to be selected to lead at the executive level in our respective agencies. Our long-standing professional association has been complemented by a close personal friendship with Susan, Tim, her husband of almost 36 years, and their two daughters, Kate and Joanna, both of whom I have watched grow into happy, healthy, and confident young women, in major part due to the love, support, and strong values with which Susan and Tim approached parenting.

I am certain that many will write to you lauding Susan's recent, decade-long service to the Office of the Director of National Intelligence and to the Intelligence Community writ large. Accordingly, I would like to focus my letter on two earlier periods in Susan's distinguished military career that, in my view, illustrate well her ability to serve with extraordinary competence and enduring integrity as the first presidentially-appointed, Senate-confirmed Inspector General of the NRO.

I first met Susan in 1996, in the context of the Aberdeen Proving Ground sexual assault scandal in which the Army brought charges against 12 commissioned and non-commissioned male officers for sexual assault on female trainees under their command. As the Deputy Staff Judge Advocate of the legal office on base, Susan was responsible for oversight of the extensive criminal investigation and complex prosecutions that resulted. In addition, she served as the principal command spokesperson on legal matters associated with the scandal. I was stationed in the Pentagon and worked with Susan on a daily basis in an effort to address the novel legal and policy issues that these cases brought to the fore. Even at this early stage of my career, I



recognized in Susan a genius for the practice of criminal law and the management of high-profile cases. She proved herself to be persistently thorough, ensuring that investigators and prosecutors left "no stone unturned"; absolutely committed to the application of the rule of law in all matters; and possessed of unerringly sound judgment in the face of withering external pressure and public scrutiny.

Susan and I next worked together closely from 2001-2003, during her assignment as the Staff Judge Advocate of the U.S. Army Criminal Investigation Command, in which capacity she provided legal and policy advice and oversight of criminal investigations deriving from the Army's global operations. Her work spanned the post 9-11, counter-terrorism investigations that laid the foundation for the ongoing Military Commission prosecutions of high-value detainees at Guantanamo Bay; investigations into widespread fraud in military contracting operations in Afghanistan and Iraq; and coordinating Department of Defense investigations of allegations that American soldiers engaged in the abuse of detainees at Abu Ghraib prison. Again, her performance was exemplary, setting the standard for legal analysis, fair dealing, and pragmatic problem solving, all grounded in her uncompromising personal and professional integrity.

I would be remiss were I not to comment on Susan's leadership. Over the years, I have marveled at her seemingly innate ability to lead diverse and multi-disciplinary organizations, task forces, and steering groups-large and small-to mission success. She is an expert at building strong teams; routinely identifies and develops smart talent; and generally gets along with everyone, asking nothing from a subordinate that she would not herself undertake. I am certain that, if confirmed, she will bring this same level of competence, commitment, and caring, to her leadership of the people comprising the NRO Office of the Inspector General.

Susan Gibson is an accomplished and dedicated professional, who I am honored and proud to have known as a colleague and friend. I could not be more certain that, if confirmed, she will serve the Intelligence Community, the Administration, the Congress, and our Nation, with consummate integrity, fairness, and dedication.

Please do not hesitate to contact me by email at [REDACTED] or by telephone at [REDACTED] should you require any additional information.

Thank you for the opportunity to lend my strongest possible support to Ms. Gibson as you consider her nomination for confirmation.

Very respectfully,

[REDACTED]

Stephanie Barna  
Principal Deputy Assistant Secretary of Defense  
for Manpower and Reserve Affairs,  
Performing the Duties of the Principal Deputy  
Under Secretary of Defense for Personnel and  
Readiness





**The Mary M. and Robert Looker Distinguished Professor of Cyber Studies  
Leahy Hall  
United States Naval Academy  
Annapolis, Maryland 21402**

4 June 2016

The Honorable Richard Burr  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

The Honorable Dianne Feinstein  
Vice Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, DC 20510

Dear Chairman Burr and Vice Chairman Feinstein:

I write to provide my strongest possible recommendation for **Susan Gibson** as a candidate for the position of Inspector General of the National Reconnaissance Office (NRO).

I first met Susan in 1991 when we served together on the faculty of the United States Military Academy in West Point, NY (West Point). Across the intervening years, her professional work, advice and counsel have been influential in my own work as a senior leader at the National Security Agency (NSA) where I was responsible for developing and sustaining policies that fully comport with the letter and spirit of the law in a complex and ever changing environment. While Susan's professional qualities are too numerous to fully explore in this letter I will focus my remarks on her *service, integrity, and judgment*.

**Service:** Susan is without peer in the diversity, challenge and consequence of a career of public service that spans a remarkable 30 years. Balancing the demands of career and family, she has excelled at virtually every level. Rising to the rank of full Colonel in the U.S. Army, she demonstrated superb abilities regarding the application of law across the breadth of military operations, criminal investigation, and the defense of individual rights ranging from privacy to expert counsel in administrative and criminal proceedings. As an associate professor of law at West Point, she invested in the professional education of an oncoming generation while advancing the foundation of the law that guides their careers in service to the Nation. As a senior civilian executive serving as the Deputy General Counsel for Management and Principal Deputy General Counsel for the Office of the Director of National Intelligence, she supervised 27 lawyers while providing expert counsel on some of the thorniest legal issues confronting the Nation.



**Integrity:** As the Deputy Director of the NSA, I was especially privileged during the period of 2007-2013 to draw on Susan's counsel on matters affecting the conduct of U.S. intelligence activities. She was unfailingly prompt, candid and balanced – always generating an answer that was on-point and devoid of any bias. Importantly, while Susan always produced an answer that was helpful and actionable, she never compromised its value by framing her counsel in terms influenced by preferences and biases favorable to her audience. The result was guidance that enabled accomplishment of the task at hand - in exactly the right way without resort to contorted justifications or patchwork policy.

**Judgment:** Susan's judgment has been honed through many years and successively more demanding roles in which she served as the decision authority for difficult choices with long-term consequences. As an Army Captain, she interviewed 100+ law students in New York and Delaware who were applying to join the Army Judge Advocate General Corps, helping to select those who would serve long careers in service to the law. As a West Point Associate Professor of Law, she developed and sustained an annual five-week course that prepared attorneys to become professors – 'teaching the teachers' who provide an educational foundation in the law to all West Point graduates. No stranger to difficult situations, Susan served as the legal advisor to the two-star commander of the U.S. Army Ordnance School at Aberdeen Proving Grounds in 1996 as the command dealt with the legal, congressional, and public relations issues during the Drill Sergeant sexual assault investigations and rape prosecutions that gained national media attention. Her steady hand and expert counsel was material to the Army's ability to deliver justice to those involved, while preparing the Army to address the systemic issues underpinning them.

Across my own career, I have met and worked with thousands of public servants in both military and civilian settings. Few people that I've had the privilege of working with have impressed me as much, or positively impacted my professional development, as Susan Gibson. Based on my 43 years of public service, including twenty-eight years at the National Security Agency, I am convinced that she is extremely well qualified to continue and expand her superb career of service as the Inspector General of the NRO. Across her military and civilian career(s), I have observed the virtues of initiative, excellence, and extraordinary follow-through that are the hallmarks of exceptional service. Equally important, Susan Gibson possesses an enthusiastic and vigorous nature that inspires all those in her acquaintance to follow a similar course. I give her my highest possible recommendation.

Sincerely,



John C. ("Chris") Inglis

Brigadier General, USAF (ret)

Former Deputy Director, National Security Agency

The USNA Robert and Mary M. Looker Distinguished Professor of Cyber Studies



OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
OFFICE OF GENERAL COUNSEL  
WASHINGTON, DC 20511

The Honorable Richard Burr  
Chairman  
Select Committee on Intelligence  
United States Senate

JUN 03 2016

The Honorable Dianne Feinstein  
Vice Chairman  
Select Committee on Intelligence  
United States Senate

Dear Chairman Burr and Vice Chairman Feinstein:

Susan Gibson, who has served for the past four years as Principal Deputy General Counsel in my office, has been nominated to be Inspector General of the National Reconnaissance Office. Having worked with Susan for almost seven years, I believe that she is an exceptionally well qualified candidate in every respect and urge that she be confirmed – despite the loss that my office would suffer as a result.

Susan's resume shows that her professional background and experience have prepared her well for the job of Inspector General. Her time as a military prosecutor allowed her to develop the investigative skills required. She has deep expertise and experience in federal fiscal, acquisition and procurement law, which are critical to any Inspector General's ability to fulfill the statutory mandate of preventing waste, fraud and abuse, but are particularly important in overseeing the NRO. Indeed, she has been the "go to" person for the Office of the Director of National Intelligence for those legal issues, and, if confirmed, would enter her position with a head start in understanding NRO's vital mission and programs. As the Designated Agency Ethics Official (DAEO) for the ODNI, Susan has important experience in understanding and addressing ethical issues. In short, I believe that Susan's professional experience is ideal for the position for which she has been nominated.

Susan's resume does not, however, reflect many other, equally important, traits that suit her for the job. First, she is an effective manager. As Principal Deputy General Counsel, Susan has functioned as a "Chief Operating Officer" for the Office of General Counsel, with primary responsibility for budget, personnel, and human resources issues. Under her leadership, OGC performed our mission effectively while maintaining excellent budget efficiency. She has also mentored lawyers in our office, helping them to get rotational assignments that further their professional development, and has worked hard to ensure that not only OGC, but all of ODNI has a diverse workforce. She is well-regarded by the entire office. I have no doubt that Susan would be equally effective at managing the personnel and resources of the NRO Office of Inspector General.

She is equally well-regarded throughout ODNI and the Intelligence Community as a whole, for her collegial approach and her willingness to work constructively to resolve problems. Because of the nature of the authorities provided to the DNI in the National Security Act,



The Honorable Richard Burr  
The Honorable Dianne Feinstein

accomplishing the ODNI's mission requires constant engagement with colleagues across the government. Susan has always focused on what is best for the government and the Nation as a whole, rather than on parochial interests of the ODNI, and as a result has achieved remarkable results, most recently in helping to develop the legal framework around the Intelligence Community Information Technology Enterprise (IC ITE).

On a personal level, Susan is an excellent colleague, with sound judgment, a keen intellect and excellent writing skills. She is completely nonpartisan in the performance of her duties, understanding how essential it is that the Intelligence Community carry out its mission free of any political influence. And as DAFO, she has shown on numerous occasions that she has no hesitancy in candidly advising others, including her superiors, on what the law requires.

Finally, Susan has always demonstrated a commitment to the importance of effective oversight of the Intelligence Community. Because intelligence activities must largely be conducted in secret, effective congressional oversight is critical to providing the public assurance that those activities are conducted lawfully and with an appropriate respect for privacy and civil liberties. During my tenure, Susan has always taken seriously the statutory requirement that intelligence agencies keep the oversight committees "fully and currently informed," and has consistently argued for full disclosure and cooperation with the committees.

In short, I cannot imagine a person who is more qualified than Susan to be Inspector General of the NRO. I am confident that, if confirmed, she would perform her duties with complete integrity, and would do honor to the office and the Nation. Please feel free to contact me if you have any questions.

Very truly yours,



Robert S. Litt



**SSCI# 2016 - 1658**

**SELECT COMMITTEE ON  
INTELLIGENCE**

UNITED STATES SENATE



**QUESTIONNAIRE FOR COMPLETION BY  
PRESIDENTIAL NOMINEES**



**SELECT COMMITTEE ON INTELLIGENCE  
UNITED STATES SENATE**

**QUESTIONNAIRE FOR COMPLETION BY  
PRESIDENTIAL NOMINEES**

**PART A - BIOGRAPHICAL INFORMATION**

1. FULL NAME: Susan Sandner Gibson  
OTHER NAMES USED: Susan Lynn Sandner
2. DATE AND PLACE OF BIRTH: April 17, 1959; Alton, Illinois  
CITIZENSHIP: USA
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Timothy J. Gibson
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: n/a
6. NAMES AND AGES OF CHILDREN:

<u>NAME</u>	<u>AGE</u>
████████████████████	██
████████████████████	██

7. EDUCATION SINCE HIGH SCHOOL:

<u>INSTITUTION</u>	<u>DATES ATTENDED</u>	<u>DEGREE RECEIVED</u>	<u>DATE OF DEGREE</u>
<i>Monmouth College, Illinois</i>	08/1977 - 11/1980	B.A. Geology & Business	05/1981
<i>Seattle University School of Law</i>	08/1982 - 12/1984	J.D.	12/1984
<i>U.S. Army Judge Advocate General's School</i>	08/1994 - 05/1995	LL.M. Military Law	05/1995
<i>University of Virginia School of Law</i>	08/1997 - 05/1998	LL.M. National Security Law	05/1998



8. EMPLOYMENT RECORD (LIST ALL POSITIONS HELD SINCE COLLEGE, INCLUDING MILITARY SERVICE. INDICATE NAME OF EMPLOYER, POSITION, TITLE OR DESCRIPTION, LOCATION, AND DATES OF EMPLOYMENT).

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Office of the Director of National Intelligence (ODNI)	Principal Deputy General Counsel	McLean, Virginia	Apr 12 – present
Office of the Director of National Intelligence	Deputy General Counsel for Management	McLean, Virginia	Feb 07 – Apr 12
Defense Intelligence Agency – Detailed to ODNI	Senior Associate General Counsel (Colonel)	McLean, Virginia & Bolling Air Force Base	Aug 05 – Feb 07
Defense Intelligence Agency	Assistant General Counsel (Colonel)	Clarendon, Virginia	July 03 – July 05
Army Criminal Investigation Command	Staff Judge Advocate (Lieutenant Colonel)	Ft. Belvoir, Virginia	July 01 – July 03
U.S. Pacific Command	Assistant Judge Advocate (Lieutenant Colonel)	Camp Smith, Hawaii	June 98 – July 01
U.S. Army	LL.M. Student (Major)	University of Virginia	July 97 – June 98
Aberdeen Proving Ground	Deputy Staff Judge Advocate (Major)	Aberdeen Proving Ground, Maryland	June 95 – June 97
Army Judge Advocate General's School	LL.M. Student (Major)	Charlottesville, Virginia	July 94 – June 95
Army Trial Defense Service	Senior Defense Counsel (Major)	Seoul, Korea	June 92 – June 94
U.S. Military Academy	Professor (Captain)	West Point, New York	July 89 – June 92
Ft. Leavenworth	Trial Counsel & Special Assistant US Attorney (Captain)	Kansas	June 85 – June 89
Hancock Fabrics	Fabric Cutter & Clerk	Columbus, Georgia	Jan 82 – June 82
Independent Contractor Ft. Knox Dinner Theatre	Costume Shop (design & construction)	Ft. Knox, Kentucky	1981 (various dates)



9. GOVERNMENT EXPERIENCE (INDICATE EXPERIENCE IN OR ASSOCIATION WITH FEDERAL, STATE, OR LOCAL GOVERNMENTS, INCLUDING ADVISORY, CONSULTATIVE, HONORARY, OR OTHER PART-TIME SERVICE OR POSITION. DO NOT REPEAT INFORMATION ALREADY PROVIDED IN QUESTION 8).

All government experience is listed above.

10. INDICATE ANY SPECIALIZED INTELLIGENCE OR NATIONAL SECURITY EXPERTISE YOU HAVE ACQUIRED HAVING SERVED IN THE POSITIONS DESCRIBED IN QUESTIONS 8 AND/OR 9.

The majority of my 30-plus year career has been in the national security field, with the last 15 years largely concentrated on intelligence aspects of national security. In addition, my graduate legal studies focused on international and national security law.

My military legal practice included in-depth work on international agreements, domestic and international crisis response, law of armed conflict, information sharing, privacy and civil liberties, rule of law, and support to contingency operations. At DIA, I provided legal advice regarding HUMINT Operations, MASINT research and development (R&D), and international agreements; and taught classes for Reports Officers and Defense Attachés. At the ODNI, I helped stand up a new agency and provided legal support for virtually every aspect of the DNI's mission, to include addressing many issues of first impression regarding the application of the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA) and assisting with drafting multiple Intelligence Community Directives and related policies. In 2008, I was a member of the small team that drafted and coordinated the amendments to Executive Order 12333. Throughout my time at the ODNI, I have provided legal advice and counsel regarding information sharing; privacy and civil liberties; congressional and legislative affairs; Intelligence Community policies; the DNI's authorities under the IRTPA; the National Intelligence Program (NIP) budget process; fiscal and appropriations law; oversight of intelligence operations; NIP-funded major system acquisitions, and advanced R&D.

I have also provided advice and counsel as the ODNI worked through countless issues of shared authorities between and among the seventeen Intelligence Community elements, which reside in six Cabinet-level departments and two independent agencies.

11. HONORS AND AWARDS (PROVIDE INFORMATION ON SCHOLARSHIPS, FELLOWSHIPS, HONORARY DEGREES, MILITARY DECORATIONS, CIVILIAN SERVICE CITATIONS, OR ANY OTHER SPECIAL RECOGNITION FOR OUTSTANDING PERFORMANCE OR ACHIEVEMENT).

- Intelligence Community Meritorious Presidential Rank Award – 2015
- Military awards: the Defense Superior Service Medal, the Legion of Merit (2 awards), the Joint Meritorious Service Medal, the Meritorious Service Medal (3 Awards), the Army Commendation Medal, and the Army Achievement Medal.
- Dommer Award for Outstanding Academic Achievement in Operational Law, May 1995
- Monmouth College Young Alumnus Award, May 1995
- Judge Advocate Association Outstanding Career Armed Services Attorney, May 1994
- Federal Bar Association Younger Federal Lawyer Award, September 1993
- Boldt Scholarship, University of Puget Sound School of Law (now Seattle University)
- Mortar Board Senior Honor Society, Monmouth College Chapter



12. ORGANIZATIONAL AFFILIATIONS (LIST MEMBERSHIPS IN AND OFFICES HELD WITHIN THE LAST TEN YEARS IN ANY PROFESSIONAL, CIVIC, FRATERNAL, BUSINESS, SCHOLARLY, CULTURAL, CHARITABLE, OR OTHER SIMILAR ORGANIZATIONS).

<u>ORGANIZATION</u>	<u>OFFICE HELD</u>	<u>DATES</u>
District of Columbia Bar	Member	2008 – present
Washington State Bar	Member	1985 – present (inactive since 2009)
Virginia State Bar	Member (practice limited to corporate counsel for WIT)	2015 – present
Women in Technology (WIT)	General Counsel to the Board (volunteer)	2015 – present
City of Fairfax Theatre Company	Member, Board of Directors (volunteer)	2015 – present
Shakespeare Theatre Company	Ambassador (volunteer)	2011 – present
National Association, Daughters of the American Revolution	Member	2011 – present
Kappa Delta Sorority	Member	1977 – present (alumna since 1980)

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, BLOGS AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES OR REMARKS YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT, TRANSCRIPT, OR VIDEO). IF ASKED, WILL YOU PROVIDE A COPY OF EACH REQUESTED PUBLICATION, TEXT, TRANSCRIPT, OR VIDEO?

Publications

- *International Economic Sanctions: The Importance of Government Structures*, 13 Emory International Law Review, 161 (1999)
- *The Misplaced Reliance on Free and Fair Elections in Nation Building: The Role of Constitutional Democracy and the Rule of Law*, 21 Houston Journal of International Law 1 (1998)
- *Lack of Extraterritorial Jurisdiction Over Civilians: A New Look at an Old Problem*, 148 Military Law Review 114 (1995)
- *Conducting Courts-Martial Rehearings*, The Army Lawyer, December 1991



I will provide copies of my publications if requested.

**Speeches**

I have spoken on or moderated several panels during the past few years, but have given no prepared remarks. To my knowledge, none of my appearances have been recorded or transcribed.

**PART B - QUALIFICATIONS**

**14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE).**

I believe that my broad experience in the Intelligence Community and the Department of Defense, including my legal and policy experience in national security law, acquisitions, appropriations law, fiscal controls, criminal investigations, criminal prosecution and defense, big data and privacy, and related fields give me a strong substantive background to be the Inspector General of the National Reconnaissance Office. In addition, over the course of my career, I have risen from being a military prosecutor, to building, developing and managing high-performing, high-morale teams of professionals. During my nearly eleven years at ODNI I have also learned the value of, and helped advance, intelligence integration and inter-agency coordination and cooperation. I would apply all of these experiences, if confirmed as the NRO Inspector General, in my continued service to the nation.

**PART C - POLITICAL AND FOREIGN AFFILIATIONS**

**15. POLITICAL ACTIVITIES (LIST ANY MEMBERSHIPS OR OFFICES HELD IN OR FINANCIAL CONTRIBUTIONS OR SERVICES RENDERED TO, ANY POLITICAL PARTY, ELECTION COMMITTEE, POLITICAL ACTION COMMITTEE, OR INDIVIDUAL CANDIDATE DURING THE LAST TEN YEARS).**

None

**16. CANDIDACY FOR PUBLIC OFFICE (FURNISH DETAILS OF ANY CANDIDACY FOR ELECTIVE PUBLIC OFFICE).**

None

**17. FOREIGN AFFILIATIONS**

(NOTE: QUESTIONS 17A AND B ARE NOT LIMITED TO RELATIONSHIPS REQUIRING REGISTRATION UNDER THE FOREIGN AGENT'S REGISTRATION ACT. QUESTIONS 17A, B, AND C DO NOT CALL FOR A POSITIVE RESPONSE IF THE REPRESENTATION OR TRANSACTION WAS AUTHORIZED BY THE UNITED STATES GOVERNMENT IN CONNECTION WITH YOUR OR YOUR SPOUSE'S EMPLOYMENT IN GOVERNMENT SERVICE.)



A. HAVE YOU OR YOUR SPOUSE EVER REPRESENTED IN ANY CAPACITY (E.G. EMPLOYEE, ATTORNEY, OR POLITICAL/BUSINESS CONSULTANT), WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

No

B. HAVE ANY OF YOUR OR YOUR SPOUSE'S ASSOCIATES REPRESENTED, IN ANY CAPACITY, WITH OR WITHOUT COMPENSATION, A FOREIGN GOVERNMENT OR AN ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE FULLY DESCRIBE SUCH RELATIONSHIP.

Not to my knowledge.

C. DURING THE PAST TEN YEARS, HAVE YOU OR YOUR SPOUSE RECEIVED ANY COMPENSATION FROM, OR BEEN INVOLVED IN ANY FINANCIAL OR BUSINESS TRANSACTIONS WITH, A FOREIGN GOVERNMENT OR ANY ENTITY CONTROLLED BY A FOREIGN GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

No

D. HAVE YOU OR YOUR SPOUSE EVER REGISTERED UNDER THE FOREIGN AGENTS REGISTRATION ACT? IF SO, PLEASE PROVIDE DETAILS.

No

18. DESCRIBE ANY LOBBYING ACTIVITY DURING THE PAST TEN YEARS, OTHER THAN IN AN OFFICIAL U.S. GOVERNMENT CAPACITY, IN WHICH YOU OR YOUR SPOUSE HAVE ENGAGED FOR THE PURPOSE OF DIRECTLY OR INDIRECTLY INFLUENCING THE PASSAGE, DEFEAT, OR MODIFICATION OF FEDERAL LEGISLATION, OR FOR THE PURPOSE OF AFFECTING THE ADMINISTRATION AND EXECUTION OF FEDERAL LAW OR PUBLIC POLICY.

None



**PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST**

19. DESCRIBE ANY EMPLOYMENT, BUSINESS RELATIONSHIP, FINANCIAL TRANSACTION, INVESTMENT, ASSOCIATION, OR ACTIVITY (INCLUDING, BUT NOT LIMITED TO, DEALINGS WITH THE FEDERAL GOVERNMENT ON YOUR OWN BEHALF OR ON BEHALF OF A CLIENT), WHICH COULD CREATE, OR APPEAR TO CREATE, A CONFLICT OF INTEREST IN THE POSITION TO WHICH YOU HAVE BEEN NOMINATED.

None personally. My non-profit board positions have the potential to create a "representation back to the government" conflict of interest; however, if confirmed, I will resign from my board positions. Any potential conflicts of interest from my investments or from my spouse's investments, employment, and business relationships are outlined on my OGE-278.

20. DO YOU INTEND TO SEVER ALL BUSINESS CONNECTIONS WITH YOUR PRESENT EMPLOYERS, FIRMS, BUSINESS ASSOCIATES AND/OR PARTNERSHIPS, OR OTHER ORGANIZATIONS IN THE EVENT THAT YOU ARE CONFIRMED BY THE SENATE? IF NOT, PLEASE EXPLAIN.

If confirmed, I plan to resign from my positions with the City of Fairfax Theatre Company and Women in Technology.

21. DESCRIBE THE FINANCIAL ARRANGEMENTS YOU HAVE MADE OR PLAN TO MAKE, IF YOU ARE CONFIRMED, IN CONNECTION WITH SEVERANCE FROM YOUR CURRENT POSITION. PLEASE INCLUDE SEVERANCE PAY, PENSION RIGHTS, STOCK OPTIONS, DEFERRED INCOME ARRANGEMENTS, AND ANY AND ALL COMPENSATION THAT WILL OR MIGHT BE RECEIVED IN THE FUTURE AS A RESULT OF YOUR CURRENT BUSINESS OR PROFESSIONAL RELATIONSHIPS.

N/A

22. DO YOU HAVE ANY PLANS, COMMITMENTS, OR AGREEMENTS TO PURSUE OUTSIDE EMPLOYMENT, WITH OR WITHOUT COMPENSATION, DURING YOUR SERVICE WITH THE GOVERNMENT? IF SO, PLEASE PROVIDE DETAILS.

No

23. AS FAR AS CAN BE FORESEEN, STATE YOUR PLANS AFTER COMPLETING GOVERNMENT SERVICE. PLEASE SPECIFICALLY DESCRIBE ANY AGREEMENTS OR UNDERSTANDINGS, WRITTEN OR UNWRITTEN, CONCERNING EMPLOYMENT AFTER LEAVING GOVERNMENT SERVICE. IN PARTICULAR, DESCRIBE ANY AGREEMENTS, UNDERSTANDINGS, OR OPTIONS TO RETURN TO YOUR CURRENT POSITION.

I plan to retire once I leave government. I have no agreements or understandings.



24. IF YOU ARE PRESENTLY IN GOVERNMENT SERVICE, DURING THE PAST FIVE YEARS OF SUCH SERVICE, HAVE YOU RECEIVED FROM A PERSON OUTSIDE OF GOVERNMENT AN OFFER OR EXPRESSION OF INTEREST TO EMPLOY YOUR SERVICES AFTER YOU LEAVE GOVERNMENT SERVICE? IF YES, PLEASE PROVIDE DETAILS.

No. I have received "cold calls" from recruiters, which I turned down.

25. IS YOUR SPOUSE EMPLOYED? IF YES AND THE NATURE OF THIS EMPLOYMENT IS RELATED IN ANY WAY TO THE POSITION FOR WHICH YOU ARE SEEKING CONFIRMATION, PLEASE INDICATE YOUR SPOUSE'S EMPLOYER, THE POSITION, AND THE LENGTH OF TIME THE POSITION HAS BEEN HELD. IF YOUR SPOUSE'S EMPLOYMENT IS NOT RELATED TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED, PLEASE SO STATE.

My spouse has a Ph.D in Computer Science and owns Parasang Solutions L.L.C., which provides services primarily to small cyber technology companies. His work is not related to the position for which I am seeking confirmation, but if any conflict or potential conflict of interest should arise, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Parasang Solutions L.L.C., 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 I know a client of Parasang Solutions, L.L.C. is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

26. LIST BELOW ALL CORPORATIONS, PARTNERSHIPS, FOUNDATIONS, TRUSTS, OR OTHER ENTITIES TOWARD WHICH YOU OR YOUR SPOUSE HAVE FIDUCIARY OBLIGATIONS OR IN WHICH YOU OR YOUR SPOUSE HAVE HELD DIRECTORSHIPS OR OTHER POSITIONS OF TRUST DURING THE PAST FIVE YEARS.

As listed in my response to question 12, I am on the board of directors for the City of Fairfax Theatre Company and the General Counsel to the board of Women in Technology. My husband and I are trustees and co-trustees for our revocable living trusts, which are part of our estate plan. I have held no other outside positions in the past five years.

In addition to the obligations and positions listed for my husband on my OGE-278, during the past five years my husband was also the Chief Scientist for Cyber Systems at Draper Laboratory (through June 2014).

27. LIST ALL GIFTS EXCEEDING \$100 IN VALUE RECEIVED DURING THE PAST FIVE YEARS BY YOU, YOUR SPOUSE, OR YOUR DEPENDENTS. (NOTE: GIFTS RECEIVED FROM RELATIVES AND GIFTS GIVEN TO YOUR SPOUSE OR DEPENDENT NEED NOT BE INCLUDED UNLESS THE GIFT WAS GIVEN WITH YOUR KNOWLEDGE AND ACQUIESCENCE AND YOU HAD REASON TO BELIEVE THE GIFT WAS GIVEN BECAUSE OF YOUR OFFICIAL POSITION.)

Attendance at INSA Baker Award Dinners in 2013 and 2015 (for myself and my husband).



28. LIST ALL SECURITIES, REAL PROPERTY, PARTNERSHIP INTERESTS, OR OTHER INVESTMENTS OR RECEIVABLES WITH A CURRENT MARKET VALUE (OR, IF MARKET VALUE IS NOT ASCERTAINABLE, ESTIMATED CURRENT FAIR VALUE) IN EXCESS OF \$1,000. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE A OF THE DISCLOSURE FORMS OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CURRENT VALUATIONS ARE USED.)

Please see my OGE-278, which was completed using current valuations.

29. LIST ALL LOANS OR OTHER INDEBTEDNESS (INCLUDING ANY CONTINGENT LIABILITIES) IN EXCESS OF \$10,000. EXCLUDE A MORTGAGE ON YOUR PERSONAL RESIDENCE UNLESS IT IS RENTED OUT, AND LOANS SECURED BY AUTOMOBILES, HOUSEHOLD FURNITURE, OR APPLIANCES. (NOTE: THE INFORMATION PROVIDED IN RESPONSE TO SCHEDULE C OF THE DISCLOSURE FORM OF THE OFFICE OF GOVERNMENT ETHICS MAY BE INCORPORATED BY REFERENCE, PROVIDED THAT CONTINGENT LIABILITIES ARE ALSO INCLUDED.)

Please see my OGE-278. Contingent liabilities are included.

30. ARE YOU OR YOUR SPOUSE NOW IN DEFAULT ON ANY LOAN, DEBT, OR OTHER FINANCIAL OBLIGATION? HAVE YOU OR YOUR SPOUSE BEEN IN DEFAULT ON ANY LOAN, DEBT, OR OTHER FINANCIAL OBLIGATION IN THE PAST TEN YEARS? HAVE YOU OR YOUR SPOUSE EVER BEEN REFUSED CREDIT OR HAD A LOAN APPLICATION DENIED? IF THE ANSWER TO ANY OF THESE QUESTIONS IS YES, PLEASE PROVIDE DETAILS.

No

31. LIST THE SPECIFIC SOURCES AND AMOUNTS OF ALL INCOME RECEIVED DURING THE LAST FIVE YEARS, INCLUDING ALL SALARIES, FEES, DIVIDENDS, INTEREST, GIFTS, RENTS, ROYALTIES, PATENTS, HONORARIA, AND OTHER ITEMS EXCEEDING \$200. (COPIES OF U.S. INCOME TAX RETURNS FOR THESE YEARS MAY BE SUBSTITUTED HERE, BUT THEIR SUBMISSION IS NOT REQUIRED.)





32. IF ASKED, WILL YOU PROVIDE THE COMMITTEE WITH COPIES OF YOUR AND YOUR SPOUSE'S FEDERAL INCOME TAX RETURNS FOR THE PAST THREE YEARS?

Yes

33. LIST ALL JURISDICTIONS IN WHICH YOU AND YOUR SPOUSE FILE ANNUAL INCOME TAX RETURNS.

Federal  
Commonwealth of Virginia (City of Fairfax)

34. HAVE YOUR FEDERAL OR STATE TAX RETURNS BEEN THE SUBJECT OF AN AUDIT, INVESTIGATION, OR INQUIRY AT ANY TIME? IF SO, PLEASE PROVIDE DETAILS, INCLUDING THE RESULT OF ANY SUCH PROCEEDING.

No

35. IF YOU ARE AN ATTORNEY, ACCOUNTANT, OR OTHER PROFESSIONAL, PLEASE LIST ALL CLIENTS AND CUSTOMERS WHOM YOU BILLED MORE THAN \$200 WORTH OF SERVICES DURING THE PAST FIVE YEARS. ALSO, LIST ALL JURISDICTIONS IN WHICH YOU ARE LICENSED TO PRACTICE.

I have not billed any clients or customers.

I am licensed to practice law in the District of Columbia; in Washington State (inactive); and in the Commonwealth of Virginia (Practice limited to corporate counsel for Women in Technology).



36. DO YOU INTEND TO PLACE YOUR FINANCIAL HOLDINGS AND THOSE OF YOUR SPOUSE AND DEPENDENT MEMBERS OF YOUR IMMEDIATE HOUSEHOLD IN A BLIND TRUST? IF YES, PLEASE FURNISH DETAILS. IF NO, DESCRIBE OTHER ARRANGEMENTS FOR AVOIDING ANY POTENTIAL CONFLICTS OF INTEREST.

I do not intend to place any of my or my spouse's financial holdings in a blind trust. If an actual or apparent conflict of interest should arise, I will consult with the Designated Agency Ethics Official and take appropriate steps to mitigate or eliminate any actual or apparent conflict of interest.

37. IF APPLICABLE, LIST THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE REPORTS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT. IF ASKED, WILL YOU PROVIDE A COPY OF THESE REPORTS?

I have filed an annual OGE-278 for the last three years. I will provide copies if requested.

**PART E - ETHICAL MATTERS**

38. HAVE YOU EVER BEEN THE SUBJECT OF A DISCIPLINARY PROCEEDING 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, PLEASE PROVIDE DETAILS.

In 1999 I was the subject of a Professional Responsibility inquiry by the Army JAG Corps' Standards of Conduct Office. The inquiry was closed as unfounded.

39. HAVE YOU EVER BEEN INVESTIGATED, HELD, ARRESTED, OR CHARGED BY ANY FEDERAL, STATE, OR OTHER LAW ENFORCEMENT AUTHORITY FOR VIOLATION OF ANY FEDERAL STATE, COUNTY, OR MUNICIPAL LAW, REGULATION, OR ORDINANCE, OTHER THAN A MINOR TRAFFIC OFFENSE, OR NAMED AS A DEFENDANT OR OTHERWISE IN ANY INDICTMENT OR INFORMATION RELATING TO SUCH VIOLATION? IF SO, PLEASE PROVIDE DETAILS.

No

40. HAVE YOU EVER BEEN CONVICTED OF OR ENTERED A PLEA OF GUILTY OR NOLO CONTENDERE TO ANY CRIMINAL VIOLATION OTHER THAN A MINOR TRAFFIC OFFENSE? IF SO, PLEASE PROVIDE DETAILS.

No



41. ARE YOU PRESENTLY OR HAVE YOU EVER BEEN A PARTY IN INTEREST IN ANY ADMINISTRATIVE AGENCY PROCEEDING OR CIVIL LITIGATION? IF SO, PLEASE PROVIDE DETAILS.

I am not a party in interest to any administrative proceedings; however, I was named as one of several responding management officials in an EEO matter that was investigated by the ODNI's Office of EEO and Diversity. The EEO allegations against me arose from advice I gave within the scope of my responsibilities as the Deputy General Counsel in connection with an ODNI internal review and personnel action involving the complainant. Complainant appealed the agency's ultimate findings and personnel actions taken against her, and she alleged the findings and actions were discriminatory. I fully cooperated with the internal EEO investigation. The ODNI completed the EEO investigation of the allegations and the complainant requested a hearing before the EEOC in January 2016. The case is awaiting assignment to an administrative judge for adjudication on the merits. The named party to this case is the Director of National Intelligence, in his official capacity.

42. HAVE YOU BEEN INTERVIEWED OR ASKED TO SUPPLY ANY INFORMATION AS A WITNESS OR OTHERWISE IN CONNECTION WITH ANY CONGRESSIONAL INVESTIGATION, FEDERAL, OR STATE AGENCY PROCEEDING, GRAND JURY INVESTIGATION, OR CRIMINAL OR CIVIL LITIGATION IN THE PAST TEN YEARS? IF SO, PLEASE PROVIDE DETAILS.

I provided a sworn statement during the internal EEO investigation of the matter listed above.

43. HAS ANY BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, DIRECTOR, OR PARTNER BEEN A PARTY TO ANY ADMINISTRATIVE AGENCY PROCEEDING OR CRIMINAL OR CIVIL LITIGATION RELEVANT TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED? IF SO, PLEASE PROVIDE DETAILS. (WITH RESPECT TO A BUSINESS OF WHICH YOU ARE OR WERE AN OFFICER, YOU NEED ONLY CONSIDER PROCEEDINGS AND LITIGATION THAT OCCURRED WHILE YOU WERE AN OFFICER OF THAT BUSINESS.)

N/A

44. HAVE YOU EVER BEEN THE SUBJECT OF ANY INSPECTOR GENERAL INVESTIGATION? IF SO, PLEASE PROVIDE DETAILS.

I have been interviewed for Inspector General investigations, but to my knowledge I have not been the subject of an investigation.

#### **PART F - SECURITY INFORMATION**

45. HAVE YOU EVER BEEN DENIED ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION FOR ANY REASON? IF YES, PLEASE EXPLAIN IN DETAIL.

No



46. HAVE YOU BEEN REQUIRED TO TAKE A POLYGRAPH EXAMINATION FOR ANY SECURITY CLEARANCE OR ACCESS TO CLASSIFIED INFORMATION? IF YES, PLEASE EXPLAIN.

Yes, I have taken several polygraphs during my time with the Intelligence Community as part of routine security clearance background investigations and reinvestigations.

47. HAVE YOU EVER REFUSED TO SUBMIT TO A POLYGRAPH EXAMINATION? IF YES, PLEASE EXPLAIN.

No

#### **PART G - ADDITIONAL INFORMATION**

48. DESCRIBE IN YOUR OWN WORDS THE CONCEPT OF CONGRESSIONAL OVERSIGHT OF U.S. INTELLIGENCE ACTIVITIES. IN PARTICULAR, CHARACTERIZE WHAT YOU BELIEVE TO BE THE OBLIGATIONS OF THE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS RESPECTIVELY IN THE OVERSIGHT PROCESS.

Congressional oversight plays a critical and unique role in regard to intelligence activities, which by their nature often must be undertaken in secret. Congressional oversight helps to ensure that intelligence activities are conducted in compliance with the Constitution and law, accountable to the People, and in keeping with our basic American values. While the heads of all intelligence elements have a statutory responsibility to keep the congressional intelligence committees fully and currently informed of all intelligence activities, the responsibilities of Inspectors General are more specific: they must keep Congress fully and currently informed concerning fraud and other serious problems, abuses, and deficiencies relating to the administration of programs and the operations undertaken or financed by agencies; to recommend corrective action concerning problems, abuses, and deficiencies; and to report on the progress made in implementing corrective actions.

Inspectors General have a complementary oversight role, particularly within the Intelligence Community, where the Congress and the Inspectors General must be the eyes, ears, and conscience for the American public when transparency is not possible. The National Reconnaissance Office performs vital missions for the Intelligence Community and the nation, and is entrusted with significant amounts of the taxpayer's funds to carry out those missions. The primary obligations of the National Reconnaissance Office Inspector General and the congressional oversight committees is to ensure that these missions are met, that the taxpayers' funds are shepherd and spent wisely, and that any abuses or deficiencies are brought to light and corrected.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE.

The duties of the National Reconnaissance Office Inspector General are spelled out in the Inspector General Act of 1978. They include the responsibility to conduct and supervise audits and investigations of National Reconnaissance Office's activities; to help the National Reconnaissance Office leadership ensure that all activities are conducted economically, efficiently, and effectively, wisely using the resources made available by Congress; to prevent and detect fraud and abuse in National Reconnaissance Office programs and operations; to keep the Director of the National Reconnaissance Office and Congress



fully and currently informed about problems and deficiencies relating to the National Reconnaissance Office's programs and operations; and to make recommendations for corrective actions and track the implementation of appropriate corrective actions.

In addition, Inspectors General in the Intelligence Community, to include the Inspector General for the National Reconnaissance Office, play a vital role by accepting and investigating reports from Intelligence Community whistleblowers while also protecting national security information and intelligence sources and methods, and also are responsible for helping to protect whistleblowers from retaliation or reprisals.

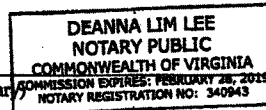
#### AFFIRMATION

I, Susan S. Gibson, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

2 May 2016  
(Date)

Susan S. Gibson

County/City of Fairfax  
Commonwealth of Virginia  
The foregoing instrument was subscribed and sworn before  
me this 2nd day of May, 2016  
by Susan S. Gibson (Notary)  
Deanna Lim Lee Notary Public  
My commission expires 02-28-2019



TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

In connection with my nomination to be the Inspector General of the National Reconnaissance Office, I hereby express my willingness to respond to requests to appear and testify before any duly constituted committee of the Senate.

[Signature]  
Signature

Date: 2 May 2016



SELECT COMMITTEE ON  
INTELLIGENCE  
UNITED STATES SENATE



**Prehearing Questions**

**For**

**Susan S. Gibson**

**upon her nomination to be**

**Inspector General of the National Reconnaissance Office**



***Duties*****1. What is your understanding of the scope of the programs and activities within the responsibility and authority of the Director of the NRO?**

The scope of the National Reconnaissance Office's (NRO's) programs and activities is laid out in Executive Order 12333, which states that the NRO is "responsible for research and development, acquisition, launch, deployment, and operation of overhead systems and related data processing facilities to collect intelligence and information to support national and departmental missions and other United States Government needs;" and for conducting foreign liaison in support of these missions within the framework laid out in other sections of the Executive Order. In addition to these core intelligence responsibilities, I would add the responsibility and authority of the Director to lead and manage the NRO, which includes the responsibility to judiciously and effectively manage and execute the taxpayer's funds entrusted to the NRO, and the responsibility to manage and provide for the professional development of NRO personnel.

**2. Please describe your standards for an objective and effective office and how you intend to establish an office that maintains such standards?**

My standards for an objective and effective Inspector General (IG) office are very similar to my standards for an objective and effective General Counsel's Office. An objective and effective office requires individuals who take an open-minded, honest and thorough approach to acquiring the facts and understanding the circumstances; who know and support the missions of the NRO and the NRO Office of Inspector General (OIG); who identify and fairly apply the relevant laws, regulations and standards; and who act and think independently and with complete integrity. These are the same standards set forth by the Council of Inspectors General on Integrity and Efficiency (CIGIE). If confirmed, I will ensure that the NRO OIG staff continues to meet these standards and that they continue their professional development. I will be a role model for these standards myself, and remain vigilant in identifying and addressing any personal bias or any personal, organizational, or outside pressures or conflicts of interest, or other impediments to integrity or independence.



**3. To what extent do you believe that the timeliness and responsiveness of reporting is an element of the effectiveness of an Inspector General?**

I believe that if an IG is not timely and responsive, she is generally not effective. IG findings and recommendations need to be provided promptly to be relevant and useful to the Director as she manages the NRO and to the Congress to assist in its oversight function. However, timeliness must be viewed in light of the need for thorough investigations, inspections, and audits. Findings and recommendations must be based upon solidly developed facts and presented in a clear, understandable manner. It is incumbent on the IG to establish appropriate internal controls and to ensure that the Office is striking the correct balance between speed and thoroughness in each case.

**4. What standards and procedures would you apply to ensure the appropriate timeliness and responsiveness of the NRO Office of Inspector General's (NRO OIG) completion of inspections, audits, reviews, and investigations?**

If confirmed, I would first examine the processes and internal controls at the NRO OIG, to determine the current standards and internal controls and assess their effectiveness. I would also compare the NRO OIG's current performance against the *Quality Standards for Federal Offices of Inspector General*, as published by CIGIE, and other relevant guidance and standards. I was pleased to learn that the NRO OIG issues flash reports regarding significant issues that need to be brought to management's attention prior to the completion of an audit, review, or investigation; this is a practice I would retain. The peer review process is also a valuable tool to assess the NRO OIG's standards and procedures. In April 2014, the NRO OIG Audit Division passed a peer review conducted by the National Security Agency (NSA) OIG. A joint peer review led by NSA OIG of the NRO OIG Inspection Division began on 23 May 2016 and a peer review of the Audit Division is scheduled to begin in October 2016.

***Protection of Whistleblowers***

**5. What formal policies and processes are in place to inform employees of their right to provide information to the NRO OIG and to detect and protect against reprisal for making complaints or disclosing information to the NRO OIG?**

All new employees are briefed by members of the OIG staff. The briefing includes information on their responsibility to notify the OIG of fraud, waste, and abuse; on how to



contact the OIG; and on the laws and NRO policy that protects whistleblowers against reprisal if they make a complaint or provide information to the OIG. There are several ways employees or contractors can contact the OIG. These include a confidential hotlink process on the NRO internal information system, both open and confidential contact information that is posted on NRO's unclassified website, and drop boxes in NRO facilities. In addition, NRO employees and contractors are encouraged to visit the OIG in their offices at Headquarters and in the field.

**6. If confirmed, what additional policies and processes will you establish or recommend to the NRO Director to protect whistleblowers?**

If confirmed, I plan to review the current policies and processes to ensure that they fully and effectively protect whistleblowers and inform employees of their rights and protections. In particular, given the NRO's extensive relationships with contractors, I will ensure that all policies and processes include the whistleblower protections that apply to contractor personnel.

***Access to Information***

**7. Please describe how you would resolve, including what remedies you would pursue, if an NRO employee or contractor refuses to provide access to records, reports, audits, reviews, documents, papers, recommendations or other materials requested by the NRO IG?**

If confirmed, I would seek to resolve any issues regarding access to records or other information through discussions with NRO's leadership and General Counsel, with a goal of resolving any issues at the lowest level. If an NRO employee is refusing to provide the requested materials, and discussions with the General Counsel and the Director fail to result in access by the OIG to those materials, I would notify the oversight committees if I felt the denial of such access was improperly interfering with the conduct of the work of the OIG. If a contractor refused to voluntarily provide access, I would notify the NRO Office of Contracts that the contractor was failing to comply with its contractual requirements. If the contractor failed to comply voluntarily, I would issue a subpoena to the contractor.



**8. What is your view of the appropriate use of subpoena authority?**

In my view, subpoena authority is a valuable and essential tool that should be used sparingly.

*Sources of Complaints*

**9. If confirmed, what steps would you take to inform individuals, within or outside of the U.S. Government, including contractors, of their opportunity to provide such complaints or information to the Inspector General?**

If confirmed, I would assess the processes and mechanisms the NRO OIG currently has in place to provide information about contacting the NRO OIG, and if needed, make appropriate improvements to the processes for informing individuals, within or outside the U.S. Government, of their ability to provide complaints, concerns, or information to the NRO IG, the Intelligence Community (IC) IG, or the Department of Defense (DoD) IG. Given the NRO's mission, information about how to contact the NRO IG, through both classified and unclassified means, should be readily available to both government and contractor personnel at NRO, and also available to the general public.

*Relationship to Other Inspectors General*

**10. Please describe your priorities, if confirmed, for the work of the NRO OIG in relation to the work of other Inspectors General with responsibilities concerning intelligence programs and activities.**

During my nearly eleven years at the ODNI, I have learned and relearned the value of coordination and collaboration with interagency partners. If confirmed as the NRO IG, I would consult and coordinate regularly with the IC IG and the other IC member IGs, both individually and through the IC Inspectors General Forum, to ensure that OIG efforts across the IC are optimized. The NRO has many mission partners, including the National Geospatial-Intelligence Agency (NGA) and the NSA. I would look for opportunities to continue the current NRO OIG practice of conducting joint reviews with these agencies when appropriate. However, I expect that my priority would be to focus on matters of greatest importance to NRO's mission or other matters unique to the NRO.



- 11. Please also describe your goals, if confirmed, concerning the NRO OIG participation in the work of the Intelligence Community Inspectors General Forum and any measures you would recommend to improve, if warranted, its functions.**

If confirmed, I intend to be an active member of the IC Inspectors General Forum. The Forum, both at the IG level and at the audit, inspection, investigation, and counsel committee levels, is critical to ensuring that the IC IGs are aware of each other's work. This awareness helps to reduce potential conflicts and to identify opportunities for joint work and collaboration. If confirmed, and if during my participation in the IC IG Forum, I see opportunities for improvement, I will share my views with other members of the Forum and be an active participant in bringing about any needed improvements.

***Government Accountability Office***

**Pursuant to Section 348 of the Intelligence Authorization Act for Fiscal Year 2010, the Director of National Intelligence has issued a directive on the access of the Comptroller General to information in the possession of an element of the Intelligence Community.**

- 12. Please describe your understanding of the role of the Government Accountability Office (GAO) in assisting Congress in oversight that relates to such information.**

GAO's role in assisting Congress, as it relates to such information, is to evaluate Intelligence Community programs and activities; and provide information, analyses, options, recommendations, and other assistance to help the Congress make effective policy, funding, and oversight decisions.

- 13. Please describe your views on what coordination between the NRO OIG and GAO would be desirable to assure full coverage of oversight requirements while avoiding conflict or duplication.**

My view is that frequent communication and coordination would assist both the NRO OIG and the GAO in accomplishing their respective oversight responsibilities. Coordination could also help deconflict and avoid a duplication of effort. This is particularly important during a constrained budget environment.



**14. Intelligence Community Directive 114 governs the Comptroller General's access to Intelligence Community information. In recent deliberations on the GAO's role in scrutinizing NRO programs, the NRO offered that Congress should leverage the NRO OIG to perform specific inquiries that might otherwise be appropriate for the GAO. Historically, the NRO OIG has been quite amenable to these requests.**

**Are you prepared to have your office support similar such requests?**

Yes, I would support similar requests.

***Independence***

**15. If confirmed, in addition to this reporting responsibility, please describe what actions you would take if a senior NRO or IC official sought to prevent you from initiating, carrying out, or completing any audit or investigation within the jurisdiction of the NRO IG?**

The Inspector General Act authorizes only the Secretary of Defense, after consultation with the Director of National Intelligence, to prohibit the NRO OIG from initiating or completing any audit or investigation if necessary to protect vital national security interests. If this authority is used, the committees must be informed. If I believed that a senior NRO or IC official was improperly seeking to prevent the NRO OIG from carrying out its lawful functions, I would consult first with the individual's senior management, to include the NRO Director, and encourage them to consult with the NRO General Counsel. If not resolved, I would report the matter to the leadership of the congressional oversight committees.

**16. The NRO has dual reporting chains (DoD and IC); you are a political appointee; and you have statutory reporting obligations. How will you balance these competing equities and reporting obligations?**

Under the Inspector General Act, the responsibility of an inspector general is to keep the head of the establishment and the Congress fully and currently informed about problems and deficiencies relating to the administration of the agency's programs and operations. My status as a political appointee would have no bearing on these responsibilities. In my view, dual reporting chains would not necessarily create competing equities and reporting obligations. I have always found it best to err on the side of reporting if there is any



ambiguity or question about whether a report is required or whether additional oversight entities should receive the information.

**17. Please provide your views on how to build and maintain the integrity and independence of your OIG staff to help them address organization pressures?**

Organizationally, the NRO IG and the OIG staff report to the Director of the NRO and do not report to any other NRO officer. This placement within the NRO helps the NRO OIG maintain its integrity and independence. To further protect the integrity and independence of its members, the OIG maintains an independent Career Service Board (CSB) for making informed decisions on assignments, awards, promotions, education/training, and administrative actions. Only senior members of the NRO OIG serve on the NRO OIG CSB, with the exception of one representative from Central Intelligence Agency (CIA) OIG when the CSB is reviewing NRO OIG personnel for possible promotion into the Senior Intelligence Service. Only the NRO IG can approve or disapprove recommendations from the NRO OIG CSB.

OIG personnel also are required to complete the Office of Government Ethics Forms 450 or 278. These forms are reviewed by their supervisors to safeguard against conflicts of interest that could affect the integrity of the OIG. In addition, at the beginning of each project, all OIG team members and project managers complete an Independence Certification. If any potential independence or integrity issues are noted, the issues must be mitigated or the individual will be assigned to another project.

If confirmed, I would continue these structures and processes and look for additional ways to improve the integrity and independence of the OIG. I have always maintained an "open door" policy and encourage employees under my supervision to seek guidance and assistance whenever they feel they are being subjected to inappropriate organizational pressures. I would continue this practice if confirmed as the NRO IG.



***Inspector General Work Plan***

- 18. If confirmed, how will you determine the investigations and reports that are necessary or desirable to complete each year? Would you anticipate developing a work plan for each year in office?**

I have had the opportunity to review the NRO OIG's current process for determining which investigations and reports are necessary or desirable and for developing its annual work plan. The process identifies oversight projects that address NRO mission risks; support the OIG's responsibilities to promote economy, efficiency, and effectiveness; and prevent and detect fraud, waste, and mismanagement. The current process includes identifying all congressionally required reviews, and engaging with stakeholders (to include congressional oversight committees) to identify mission risks and management challenges. If confirmed, I anticipate developing a work plan for each year I am in office. I also commit to undertaking unanticipated work based on congressional or NRO senior leadership concerns and emerging issues.

***Referrals to the Department of Justice***

- 19. Please describe your understanding of the authority and responsibility of the NRO OIG to refer matters to the Department of Justice concerning possible criminal conduct, including the conduct of current or former officials?**

The basic Inspector General authorities and responsibilities for reporting possible criminal conduct, including allegations of criminal conduct by current or former officials, are found in section 4 of the Inspector General Act and in the *1995 Memorandum of Understanding: Reporting of Information concerning Federal Crimes*, which addresses the reporting requirements in Executive Order 12333, and in 28 U.S.C. §535(b). If confirmed, I would be responsible for reporting to the Attorney General possible violations of the federal criminal laws by employees and others in a manner consistent with the protection of intelligence sources and methods.



**20. In your view, what should be the role, if any, of other NRO offices or officials, including the Office of General Counsel, in making referrals to the Department of Justice?**

All Intelligence Community personnel have the responsibility to report potential criminal misconduct; employees may report criminal allegations to either the IG or the General Counsel. In accordance with Sections III-V of the *1995 Memorandum of Understanding: Reporting of Information concerning Federal Crimes*, the NRO Office of General Counsel is required to report possible violations of federal and state criminal laws to the Department of Justice or to state or local law enforcement authorities, subject to certain exceptions including, but not limited to, allegations subject to the OIG's jurisdiction that have been reported to the OIG. The NRO Office of General Counsel's military attorney also reviews possible violations of the Uniform Code of Military Justice to determine if referral through military command channels is appropriate.

***Consultations about Reports***

**21. Under what circumstances, if any, do you believe it would be appropriate for the NRO OIG to consult with officials in the NRO, or other officials of an IC element outside an office of an Inspector General, before issuing a report, regarding the findings and recommendations in the report?**

The NRO OIG's current practice of providing draft reports of audits, inspections, or special projects to NRO management to solicit comments and factual corrections is appropriate and consistent with the standards set by CIGIE. Providing drafts of these reports to management for comment helps ensure that the reports are factually accurate, that findings and recommendations are supported by the facts, that classified information is properly identified, that proprietary and other similarly sensitive information is properly protected, and that the managers understand the underlying basis for the findings and recommendations. However, the final responsibility for determining appropriate findings and recommendations rests with the OIG. If a recommendation requires the NRO to coordinate with another agency, I would expect the IG of that agency to be informed of the matter.

The NRO OIG also frequently teams with other OIGs in the IC to conduct joint reviews. The NRO OIG has found that working with OIG members from across the IC on matters that affect other IC agencies creates a more accurate result with a broader perspective. It is



my understanding that for these joint reviews, the involved OIGs consult with the appropriate IC officials before issuing a final report to solicit comments and factual corrections.

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

When the NRO OIG requests comments and technical accuracy reviews on draft reports, any comments or corrections should be submitted in writing. Any comments indicating disagreement with the NRO OIG's findings and recommendations should be made a part of the report, and other comments or corrections may be included as appropriate. All comments or discussions with management regarding a project or case should be captured in the project or case working papers.

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

As noted in my response to Question 15, only the Secretary of Defense can prohibit the NRO IG from initiating any audit or investigation and only if such prohibition is necessary to protect vital national security interests. However, if a senior NRO official requested that a review be delayed because the review would likely interfere with critical on-going mission activities, I would discuss the situation with senior leaders in the NRO and in my office and determine whether delaying the review served the best interests of the NRO and the country.

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

As noted above, only the Secretary of Defense can prohibit the issuance of a report. If the investigation or review has been completed, there are circumstances where it would be appropriate to limit dissemination of a report, for example a report on a review of a highly compartmented program or an overhead collection operation in support of a covert action. However, the report would still at a minimum be provided to the Director of the NRO and the chair and vice chair or ranking member of the oversight committees.



**25. Under what circumstances, if any, do you believe it would be appropriate for senior officials to request that the NRO OIG change findings, recommendations, or other pertinent material in a report on a particular matter?**

It is essential that reports issued by an IG are accurate. If confirmed, I intend to continue the NRO OIG's current practice of submitting draft reports to the affected directorates and offices for a review to ensure that the report is factually accurate and the recommendations are addressed to the appropriate officials. While I would welcome factual corrections and suggested changes to recommendations, I would not condone any requests to make changes to a report if the request were based on a desire to avoid embarrassment, to keep information from Congress, or for other inappropriate reasons.

**26. Please describe your views on the appropriate relationship between the NRO OIG and the NRO Office of Congressional Affairs when communicating with the Congress.**

The NRO OIG must maintain direct communication channels with Congress. At the same time, the NRO OIG generally should keep the NRO Office of Congressional and Public Affairs informed of communications with Congress. The final responsibility for determining appropriate coordination with the NRO Office of Congressional Affairs rests with the OIG.

**27. What is your position on the role of the NRO OIG to monitor NRO adherence to Congressional intent and direction?**

NRO's adherence to congressional intent and direction is foundational to its relationship with the Congress. Given the breadth of NRO programs, the Congress implicitly trusts the NRO to comply with direction provided in its legislation and incorporated into classified annexes, or to communicate when any deviation is necessary and appropriate. The role of the NRO OIG in this process is to ensure that the NRO is honoring its commitment in this regard, and highlight any perceived deficiencies to NRO leadership and to the congressional oversight committees as appropriate.



**28. Please also describe your views on the appropriate relationship between the NRO OIG and the NRO Office of General Counsel when those communications involve legal issues.**

The Inspector General Act provides that an IG shall obtain legal advice from a counsel reporting either directly to the IG or to another IG. This construct provides the IG with independent legal advice on matters within the IG's purview, free from any real or perceived conflict that might occur. The role of the NRO General Counsel is to provide legal advice to the NRO's leadership concerning matters within the NRO's mission. However, legal advice from the IG's counsel will often benefit from consultation with the NRO's General Counsel. If confirmed, I would advise my counsel to work closely with the NRO's General Counsel on resolution of legal issues identified in the course of any investigations or review. This would enable the two offices to either reach an accord, or properly frame the issue when agreement on the resolution cannot be reached. I would expect my counsel to provide me with independent and objective advice that is informed by, but not inappropriately influenced, by those discussions.

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

**29. In your view, what are the major challenges facing the NRO OIG?**

I am not currently aware of any major challenges facing the NRO OIG. I assume that the NRO OIG, like every OIG, needs to ensure it has full and prompt access to the information needed to thoroughly investigate or review a matter, but I have not been informed of any particular problems with access to information. I also assume that there are budget and personnel resource constraints that limit the number of reviews the OIG can accomplish. The Acting IG has informed me that the office recently spent two days identifying and developing solutions to the issues of most importance to the staff and working on the strategic plan for the office. If confirmed, I will review those issues and the plan to get a better understanding of the challenges the staff feels it faces.



- 30. The NRO is emerging from a period wherein the ability of the organization to produce on schedule and budget major system acquisitions was questioned. Some problems persist, and the NRO remains under strict scrutiny. What is your perspective on the NRO IG's role in scrutinizing the performance of the NRO?**

In my view, the NRO IG's role should be to continue its oversight of major system acquisition to help the NRO make additional progress towards a more efficient, effective, and accountable acquisition process. Effective execution of major system acquisitions is one of the NRO's most important missions and it should receive commensurate NRO OIG oversight and scrutiny.

***Personnel and Budgetary Resources of the NRO OIG***

- 31. Please describe the present organization, staffing (both with respect to authorized positions and positions currently filled), training, and resources of the NRO OIG.**

The NRO OIG presently consists of the front office and five divisions. Those divisions are Audit, Inspections, Investigations, Management Services, and Special Projects. The NRO OIG staff consists of CIA officers, NRO Cadre personnel, and active duty Air Force members. The NRO OIG is currently about 90 percent staffed, with several additional personnel scheduled to arrive over the next 6 months. I have not had an opportunity to review the training records of the NRO OIG personnel but am told that they are meeting all of the training requirements established by CIGIE. The NRO OIG budget is classified. I have received an overview of the OIG budget and, if confirmed, will conduct an in-depth examination.

- 32. If you are confirmed, what changes, if any, would you expect to consider or make in the present OIG with regard to organization, staff qualifications, training, budget, or other features relevant to the effective performance of the duties of the new statutory office?**

If confirmed, I will review the current organization, staff qualifications, training, and budget to ensure the NRO OIG can effectively perform its mission. The NRO OIG has been in existence since 1987 and was established as a designated federal entity IG in 2010. In my many years of military and government service, it has never been my practice to make major organizational changes as soon as I arrive. If confirmed, I will review the NRO OIG, consult with stakeholders inside and outside the office, to include the



congressional committees, and assess where improvements can be made. In my experience, training is one area that can almost always be improved, so I will start by looking for any training gaps or opportunities.

**33. To your knowledge, to what extent, if any, has the NRO OIG used contractors to perform audit and investigative functions?**

The Chief Financial Officers (CFO) Act of 1990, as amended by the Government Management Reform Act of 1994, and Office of Management and Budget Bulletin 14-02, requires an agency's IG or qualified independent public accountant under the direction of the IG, to audit an agency's financial statements. The NRO OIG uses the services of an independent public accounting firm to perform the audit of the NRO's annual financial statements. The NRO OIG also uses this firm to perform the Federal Information Security Modernization Act (FISMA) evaluation and the Statement on Standards for Attestation Engagements (SSAE) No. 16 examination. The NRO OIG oversees the work of the firm to ensure it is properly performed. The remaining oversight activities of the NRO OIG are conducted by NRO OIG government personnel.

**34. Under what circumstances, if any, do you believe that the use of contractors to perform such functions is appropriate?**

The NRO OIG's use of contractors to perform the audit of the NRO financial statements, the FISMA evaluation, and the SSAE 16 attestation is appropriate as permitted by the CFO Act and OMB Bulletin 14-02. While it may be necessary to obtain the services of a subject matter expert on a limited basis to support an audit or inspection, if confirmed, I have no plans to expand the use of contractors to perform additional audit or investigative functions.

**35. In your view, are there any barriers or disincentives, including any created by personnel policies, that impede the recruitment or retention of qualified IG personnel? If so, please describe.**

I am concerned that the current cadre staffing allocations for the NRO OIG may limit its ability to recruit and retain personnel with the skills necessary to fully perform its mission. The NRO is undergoing a significant restructuring of its personnel system to incorporate a permanent cadre. If confirmed, I would review the NRO OIG's cadre, military, and detailee mix and seek changes as needed.



***Oversight of Acquisition Programs and Contracts***

**36. What role, if any, do you believe the NRO OIG should play in achieving acquisition reform?**

As part of the NRO OIG's continued commitment to providing value-added oversight of NRO acquisition practices, it must remain focused on NRO's acquisition reform progress and plans. For example, the NRO OIG must continue to evaluate the NRO's progress improving the professionalism of the acquisition workforce, which includes program management, engineering, contracting, and product support disciplines. In addition, the NRO OIG must continue to oversee efforts to improve competition, cost realism, and program risk reductions.

**37. What is your view of the role the NRO OIG should play in oversight, audit, and investigation over NRO contracts?**

In my view, the NRO OIG should continue to conduct independent and objective acquisition audits, inspections, and special reviews of NRO contracts. These reviews should include the effectiveness of program management and acquisition planning at the NRO, which includes a review of whether effective and responsible contracting practices were followed. I will also ensure that the investigations unit continues its strong investigative efforts focused on fraud and defective and counterfeit parts, and make recommendations to correct any government practices that permitted fraud or contractor misconduct to occur.

***Questionnaire Follow-Up***

**38. In your response to question 31 of the Questionnaire you completed on May 2, 2016, you stated that you received interest in the amount of \$45,212 in 2012. Could you please provide details about this amount, given that it far exceeds the amount of interest earned in the other calendar years reported?**

My husband and I held dozens of E and I Series U.S. Savings Bonds that we had accumulated through direct purchase and military payroll deductions early in our careers. In 2012, several of these bonds were approaching their full maturity dates. We decided to



redeem all of our remaining savings bonds that year, which resulted in an unusually large amount of interest income.

**39. In your response to question 38 of the Questionnaire you completed on May 2, 2016, you indicated that you were the subject of a Professional Responsibility inquiry by the Army JAG Corps' Standards of Conduct Office. Could you please provide additional details about this inquiry even though it was closed as unfounded?**

In the mid-1990s, I was the Deputy Staff Judge Advocate for Aberdeen Proving Ground. As such, I was the senior legal advisor to the U.S. Army Ordnance Center and School as the command addressed the legal, congressional, and public relations issues during the 1996 investigations into allegations that drill sergeants and instructors sexually assaulted and raped trainees. Soon after the initial reports by trainees of rapes and other sexual assaults by drill sergeants and instructors at Aberdeen, I learned that some trainees were being read their Article 31 rights for "false official statement" as soon as they began to make allegations against drill sergeants.

Article 31 rights are required by Article 31 of the Uniform Code of Military Justice (10 U.S.C. §831). They are similar to *Miranda* rights, but also include the requirement to inform the suspect of the "nature of the accusation." In practice, this means that suspects are "read their rights" for a particular offense or offenses.

Ordnance School personnel were also subject to a local punitive regulation that made it a violation of a lawful order for trainees and drill sergeants/instructors to "fraternize." As a result, if a trainee made statements to criminal investigators that could be perceived as admitting to fraternization (*e.g.*, drinking with a drill sergeant, getting into a drill sergeant's car, travelling off the military installation with an instructor, etc.), they were being read their rights for violation of a lawful military order, in the form of this local punitive regulation.

I was concerned that giving rights warnings in these circumstances could be perceived as attempting to intimidate the trainees from reporting allegations of misconduct. I took steps to stop improper rights warnings—such as the warnings given for false official statements as soon as the trainees began to report—and to appropriately limit other circumstances where trainees would be read their rights.



After the first wave of courts-martial concluded, the Office of the Army Inspector General thoroughly investigated the Aberdeen incidents and the command's response. During the investigation, there was an allegation that I had improperly instructed Army criminal investigators not to read Article 31 rights to trainees who admitted to violations of the punitive fraternization regulation. The Army OIG turned the matter over to the Army Judge Advocate General for resolution, and the JAG Corps Standards of Conduct Office in turn assigned an investigator to examine the facts surrounding this allegation. The investigator concluded that the allegation against me was unfounded. The Standards of Conduct Office concurred with the findings and closed the case as unfounded.



UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS** **SSCI#** 2016 - 1658  
★

APR 25 2016

The Honorable Richard Burr  
Chairman  
Select Committee on Intelligence  
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 Susan S. Gibson, who has been nominated by President Obama for the position of Inspector General, National Reconnaissance Office.

We have reviewed the report and have 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,

  
David J. Apol  
General Counsel

Enclosures



Mr. Robert S. Taylor  
 Acting General Counsel and  
 Acting Designated Agency Ethics Official  
 Office of the General Counsel  
 Department of Defense  
 Washington DC 20310

APR 18 2016

Dear Mr. Taylor:

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 for the National Reconnaissance Office.

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, 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.

Upon my confirmation, I will resign from my position as General Counsel to the Board of Women in Technology and from my Board member position with the City of Fairfax Theatre Company. For a period of two years from the date of my appointment, I will not participate personally and substantially in any particular matter involving specific parties in which either of these entities is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d) and Section 3 of Executive Order 13490.

My spouse is the sole owner of Parasang Solutions, L.L.C.. For as long as my spouse owns Parasang Solutions L.L.C., I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of Parasang Solutions L.L.C., 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 I know a client of Parasang Solutions, L.L.C. is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse is an operational advisor for InnerProduct Partners, L.P. (IPP-L.P.), a venture capital partnership. By virtue of this position, he is entitled to carried interest that results from the profits of IPP-L.P., which is held by InnerProduct Partners GP, L.L.C. (IPP-GP). I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on my spouse's employment with, or compensation from, IPP-GP, 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 I know IPP-GP is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, as a result of my spouse's carried interest, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on ICC-L.P., unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1).

My spouse is also a limited partner investor in IPP-L.P., which makes venture capital investments, principally by investing in and holding equity and equity-oriented securities of privately held companies in early-stage technology businesses. My spouse is contractually locked into this Limited Partnership Agreement. The fund agreement requires my spouse to make capital commitments on demand. By virtue of his position as operational advisor for IPP-L.P. my spouse provides input regarding investments, however, he does not make final decisions regarding the actual investments. Two current holdings of IPP-L.P., Eridan Communications and MicroPET, are on the DoD contractor list and will be included in my screening arrangement. As IPP-L.P. notifies my spouse of additional investments, I will promptly notify my ethics official to determine if any company is on the DoD contractor list or poses a conflict of interest with my duties as an Inspector General. Any such entity will be added to my screening arrangement for as long as the limited partnership holds the entity. Accordingly, for as long as my spouse owns these interests, I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of either Eridan Communications or MicroPET, 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). In addition, with regard to IPP-L.P., I will not participate personally and substantially in any particular matter that to my knowledge has a direct and predictable effect on the financial interests of IPP-L.P. or its underlying assets, 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 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 I have made in this ethics agreement.

I have been advised that this ethics agreement will be posted publicly, consistent with 5 U.S.C. § 552, on the website of the U.S. Office of Government Ethics with ethics agreements of other Presidential nominees who file public financial disclosure reports.

Sincerely,

  
Susan S. Gibson



Report Type:	Nominee
Year (Annual Report only):	
Date of Appointment/Termination:	

UNITED STATES OFFICE OF  
GOVERNMENT ETHICS  
★  
Preventing Conflicts of Interest  
in the Executive Branch

Executive Branch Personnel Public Financial Disclosure Report (OGE Form 278e)

Filer's Information				
Last Name	First Name	MI	Position	Agency
Gibson	Susan	S	Inspector General	National Reconnaissance Office
Other Federal Government Positions Held During the Preceding 12 Months:				
Principal Deputy General Counsel, Office of the Director of National Intelligence, Washington D.C. 20511, from 5 February 2007 to present				
Name of Congressional Committee Consideration Nomination (Nominees only):				
Committee on Homeland Security and Governmental Affairs; Committee on Armed Services				
Filer's Certification - I certify that the statements I have made in this report are true, complete and correct to the best of my knowledge:				
Signature: [Redacted]			Date: APR 16 2016	
Agency Ethics Official's Opinion - On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments below)				
Signature: [Redacted]			Date: April 19, 2016	
Other Review Conducted By:				
Signature:			Date:	
U.S. Office of Government Ethics Certification (if required):				
Signature: [Redacted]			Date: 4/25/16	
Comments of Reviewing Officials:				



**Instructions for Part 1**

**Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.**

Filer's Name Gibson, Susan S.					Page Number 2 of 10	
<b>Part 1: Filer's Positions Held Outside United States Government</b>						
#	Organization Name	City/State	Organization Type	Position Held	From	To
1.	Women in Technology	Falls Church, VA	Non-profit Professional Organization	General Counsel to the Board	08/2016	Present
2.	City of Fairfax Theatre Company	Fairfax, VA	Non-profit Community Theatre	Board Member	05/2015	Present
3.	Revocable Living Trust for Self	Fairfax, VA	Trust	Trustee	09/2014	Present
4.	Revocable Living Trust for Spouse	Fairfax, VA	Trust	Co-trustee	09/2014	Present
5.						
6.						
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20.						



Instructions for Part 2

Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.

Filer's Name				Page Number	
Gibson, Susan S.				3 of 10	
<b>Part 2: Filer's Employment Assets and Income</b>					
#	Description	EIF	Value	Income Type	Income Amount
1.	None				
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
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Instructions for Part 3

Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.

Filer's Name				Page Number
Gibson, Susan S.				4 of 10
<b>Part 3: Filer's Employment Agreements and Arrangements</b>				
#	Employer or Party	City/State	Status and Terms	Date
1.	None			
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				



Instructions for Part 4

Note: This is a public form. Do not include account numbers, street addresses, or family member names. See instructions for required information.

Filer's Name		Page Number	
Gibson, Susan S.		6 of 10	
<b>Part 4: Filer's Sources of Compensation Exceeding \$5,000 in a Year</b>			
#	Source Name	City/State	Brief Description of Duties
1.	None		
2.			
3.			
4.			
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