

**NOMINATION OF
IRVIN CHARLES McCULLOUGH III
TO BE
INSPECTOR GENERAL OF THE
INTELLIGENCE COMMUNITY**

HEARING
BEFORE THE
SELECT COMMITTEE ON INTELLIGENCE
OF THE
UNITED STATES SENATE
ONE HUNDRED TWELFTH CONGRESS
FIRST SESSION

SEPTEMBER 22, 2011

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**NOMINATION OF IRVIN CHARLES
McCULLOUGH III TO BE INSPECTOR GEN-
ERAL OF THE INTELLIGENCE COMMUNITY**

THURSDAY, SEPTEMBER 22, 2011

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

The Committee met, pursuant to notice, at 2:37 p.m., in Room SD-138, Dirksen Senate Office Building, the Honorable Dianne Feinstein (Chairman of the Committee) presiding.

Committee Members Present: Senators Feinstein, Wyden, Udall of Colorado, Chambliss, Snowe, Blunt, and Rubio.

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

Chairman FEINSTEIN. The Committee will come to order.

We meet today in public. So, ladies and gentlemen, you are our public today. This doesn't happen very often, so it's often a special moment when it does. And of course this moment is to consider the President's nomination of Charles McCullough to be the first Inspector General of the Intelligence Community.

I want to welcome him here. I want to congratulate you on this nomination. I had the pleasure to meet with you, as I'm sure other Members have as well, and know that you are superbly qualified for this job.

The position of Inspector General of the Intelligence Community, or IC/IG, as the techies would say, was created in the 2010 intelligence authorization bill after several years of trying to have the position enacted. I'd like to particularly recognize Senator Snowe. She was the drafter of the provision creating this position and the driving force behind it. And so I'm delighted that you're here today, Olympia.

The reason to have a community-wide Inspector General is similar to the reason to have a Director of National Intelligence. The IG is intended to review and conduct oversight on intelligence activities across the 16 agencies that make up what we call the Intelligence Community, as well as the Office of the Director of National Intelligence, the DNI, instead of having every agency and their IG operate within its own stovepipe.

So this further helps unify the community and break down stovepipes.

We have seen over recent years how the agencies have worked much more closely together. That's improved performance, it's re-

duced duplication. But it also makes the oversight work of an individual agency's Inspector General more difficult.

So this Committee felt the need to create an Inspector General with authority and oversight of the entire community and one who could look at issues that cut right across the community. This view was reinforced by the relative weakness of the Inspector General position in the Office of the DNI that was authorized as part of the Intelligence Reform Act of 2004.

Until now, the DNI has had the power to hire and fire his Inspector General. In public testimony from 2009, the first IG in the DNI's office, Edward McGuire, said his office was, "not independent vis-à-vis the DNI, because he can put us out of business. This is a substantial weakness," he said, "in our ability to do work."

So Congress created the Inspector General of the Intelligence Community, to be confirmed by the Senate and given the statutory authorities and independence of other Senate-confirmed Inspectors General. The IG still operates under the supervision and direction of the DNI, but he has substantially more independence and authority under this new legislation.

So it's our hope and our expectation that, if you are confirmed, Mr. McCullough—and I believe you will be—you will make full use of these authorities—I think that's really important—to ensure that the nation's intelligence activities are legal, that they are keeping with relevant guidance and direction, and that there is not waste, fraud, or abuse in the community.

It's a big, big job, I think, of all of the IGs maybe the biggest, because this is a difficult community to surveil, so to speak.

So I would just like to welcome you. I'd like to welcome your family here. And I'd like to recognize the distinguished Ranking Member, with whom I have the great pleasure of working with.

**OPENING STATEMENT OF HON. SAXBY CHAMBLISS, VICE
CHAIRMAN, A U.S. SENATOR FROM GEORGIA**

Vice Chairman CHAMBLISS. Well, thanks very much, Madam Chairman, and likewise.

Mr. McCullough, congratulations on your nomination to be the first Inspector General of the Intelligence Community. You have an impressive background in both intelligence and law enforcement, which I believe will serve you well in your new assignment.

I also welcome your family here today and thank them for their support of you, which means their commitment to public service.

Now, in many instances Inspectors General are the eyes and ears of agency leadership throughout the government and can be for Congress as well. Through critical oversight of executive branch operations, they can provide useful assessments of performance and identify areas for improvement.

These assessments are even more important now, given the current state of the federal budget. It is clear the old ways of doing business are not sustainable, especially when it comes to expensive programs that seem to give us little in return.

As we conduct our own oversight and look for wise cuts across national intelligence program budgets, this Committee will seek your opinion on programs in need of oversight, scaling back, or that can be cut altogether.

We will also look for your input when it comes to promoting better accountability across the community. We are fortunate to have many solid performers among our Intelligence Community professionals, but there are occasions when those who exercise bad judgment or perform poorly must be held accountable.

My sense is that the federal government does a mediocre job in removing underperformers, but the IC can and must do better.

As the IC's Inspector General, much of your work will of necessity be classified. This means there will most often not be a public airing 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. We expect, too, that you will stay within your statutory mandate in promoting efficiency and preventing or detecting fraud, waste, and abuse.

Mr. McCullough, you and I had a very good meeting earlier this week and I'm very confident that you're a person of high integrity and very well qualified for this job, and I look forward to further dialoguing with you today.

Thanks, Madam Chair.

Chairman FEINSTEIN. Thank you, Mr. Vice Chairman.

I just received a note that, Mr. McCullough, you're prepared to introduce your family before proceeding with your remarks. Would you do so, please?

STATEMENT OF IRVIN CHARLES McCULLOUGH III, INTELLIGENCE COMMUNITY INSPECTOR GENERAL-DESIGNATE

Mr. McCULLOUGH. That's fine. Thank you, Madam Chairman.

Behind me I have my mother, Barbara Jackson, and my stepfather, Terry Jackson, my son Chas and my daughter Victoria. And right here beside me is my wife of 18 years, Kathalyn. And I have my sister here, Anise, and I've got some very good friends of mine from throughout my career, my colleagues.

Chairman FEINSTEIN. Well, thank you, and welcome all of you. And I hope you're very proud of your father.

So please go ahead, Mr. McCullough.

Mr. McCULLOUGH. Madam Chairman, Mr. Vice Chairman, and distinguished members of the Committee, thank you for giving me the opportunity to appear before you today as you consider my nomination to be the Inspector General for the Intelligence Community.

I especially want to thank Senator Snowe, who has been a steadfast champion for the establishment of an IC/IG for quite some time.

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.

Over the past 20 years I have been privileged to serve in a leadership capacity in law enforcement, legal and intelligence positions. I'm currently serving on detail from the National Security Agency as the Deputy Inspector General at the Office of the Director of National Intelligence.

Prior to that, I spent eight years as the Assistant IG for Investigations at the National Security Agency, where I supervised in-

vestigations involving intelligence programs and personnel around the world.

I served as the senior counsel for law enforcement and intelligence at the U.S. Treasury Department, and I spent 10 years as a special agent of the FBI handling foreign counterintelligence, counterterrorism, violent crime, white collar crime, narcotics, and personnel misconduct matters.

As a result of these experiences, I am well grounded in intelligence policy, management, and operations.

The FY 2010 Intelligence Authorization Act provides the IC/IG with the statutory authority to conduct IC-wide audits, investigations, and inspections. If confirmed, my primary goal will be to identify and address systemic deficiencies that cut across agency missions in order to positively impact IC-wide economies and efficiencies.

Madam Chairman, I recognize that if I am confirmed you will have high expectations for my performance in this regard, especially given the difficult budget climate now facing the IC and the larger federal government. I want to express my commitment, if confirmed, to fully support the IC/IG's notification and reporting obligations to the intelligence committees.

I am under no illusion that fulfilling the IC-wide responsibilities of this new position will be easy. I fully comprehend this job will take and require a great amount of independence, as well as diplomacy, discretion, and judgment. If confirmed, I pledge to do my very best to earn your trust and confidence.

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

[The prepared statement of Mr. McCullough III follows:]

Statement for the Record
Irvin Charles McCullough III
Nominee for Inspector General of the Intelligence Community
Senate Select Committee on Intelligence
September 22, 2011

Chairman Feinstein, Vice Chairman Chambliss, and distinguished Members of the Committee, thank you for giving me the opportunity to appear before you today as you consider my nomination to be the Inspector General for the Intelligence Community. I especially want to thank Senator Snowe, who has been a steadfast champion for the establishment of an ICIG.

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.

I appreciate the opportunity to introduce my family. I would like to recognize my wife of 18 years, Kathalyn, and my two children, Chas and Victoria, who are here today along with my mother and step-father, my sister, and a few friends. I very much appreciate the support of my family and friends.

I have dedicated the past twenty years to public service in the Federal Government, and have been privileged to serve in a leadership capacity in law

enforcement, legal, and intelligence positions. I currently serve as the Deputy Inspector General for the Office of the Director of National Intelligence, and I spent eight years as the Assistant Inspector General for Investigations at the National Security Agency, where I supervised investigations involving intelligence programs and personnel around the world. I also served as the Senior Counsel for Law Enforcement and Intelligence at the U.S. Treasury Department, and I spent ten years working as a Special Agent of the Federal Bureau of Investigation, handling foreign counterintelligence, counterterrorism, violent and white-collar crime, narcotics, and personnel misconduct matters. As a result of these experiences, I am well grounded in intelligence policy, management, and operations.

The Fiscal Year 2010 Intelligence Authorization Act provides the ICIG with statutory authority to conduct IC-wide audits, investigations, inspections and reviews. If confirmed, my primary goal will be to identify and address systemic risks, vulnerabilities, and deficiencies that cut across agency missions, in order to positively impact IC-wide economies and efficiencies. I recognize that, if I am confirmed, you will have high expectations for my performance in this regard, especially given the difficult overall budget climate now facing the IC and the larger Federal Government.

I believe it is critical that Congress be kept informed, and I want to express my commitment, if confirmed, to fully support the ICIG's notification and reporting obligations to the intelligence committees.

I am under no illusion that fulfilling the responsibilities of this new position will be easy. I fully comprehend that this job will require a great amount of diplomacy, discretion, and judgment. If confirmed, I pledge to do my very best to earn your trust and confidence.

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

Chairman FEINSTEIN. Thank you very much, Mr. McCullough.

When we visited the other day, we talked a little bit about contractors, and I wanted to ask you a few questions. I think this Committee believes that there are many too many contractors really doing inherently governmental work within the Intelligence Community. I mean, literally Dana Priest says in her book, 250,000. So it's hard to tell, you know, really what's fact and what's fiction.

But I want to ask you how you view the use of contractors in the Intelligence Community.

Mr. MCCULLOUGH. Well, I think that that topic, the use of contractors and how much that's costing the IC in these tight budget times, and what they're doing in terms of whether or not they're performing inherently governmental functions is an extremely appropriate topic for this new position and this new office to undertake. I would envision an IC-wide review looking specifically at those things, and I think that would be a very appropriate topic to consider very strongly as we go forward with our work planning.

Chairman FEINSTEIN. How would you define "inherently governmental functions"?

Mr. MCCULLOUGH. Well, it's normally defined as the decision-making ability in the government—if a contractor is performing certain functions that would normally be reserved for a government employee, such as sitting on a source-selection panel or doing something that we would normally expect a government employee to be employed doing.

There are certain functions that OMB has listed, actually, and there are certain guidelines and regulations which actually set out lists of inherently governmental functions. And so we would want to check that and crosscheck that across the IC to see how endemic that was.

Chairman FEINSTEIN. One last question for me. In the event that you requested assistance from the DNI and the DNI determined against your assessment, that a particular audit or investigation should not proceed, what subsequent steps, if any, would you take?

Mr. MCCULLOUGH. Well, I would discuss that with the DNI. The DNI has been extremely supportive and encouraging with respect to this position. The statute itself, which created the IC/IG position does contain a provision which allows the DNI to impede or restrict an IG activity, but it's for a very narrow reason. The reason has to be a national security equity.

So I would speak with the DNI about that first, but I would not hesitate to interact with this Committee and inform this Committee. If he sought to actually activate the procedures in the statute, it would require the Committee's involvement and I would follow through.

Chairman FEINSTEIN. I think that's very important and I'm very glad to hear that, that you would alert our Committee to that fact.

Mr. MCCULLOUGH. Yes, ma'am.

Chairman FEINSTEIN. Before recognizing the Vice Chairman, there are five standard questions. They just require a yes or no answer. If I might read them, if you would just respond and we'll get you on the record.

Do you agree to appear before the Committee here or in other venues when invited?

Mr. MCCULLOUGH. Yes.

Chairman FEINSTEIN. If confirmed, do you agree to send officials from the Office of the Inspector General of the Intelligence Community to appear before the Committee and designated staff when invited?

Mr. MCCULLOUGH. Yes.

Chairman FEINSTEIN. Do you agree to provide documents or any other materials requested by the Committee in order for it to carry out its oversight and legislative responsibilities?

Mr. MCCULLOUGH. Yes.

Chairman FEINSTEIN. Will you ensure that the Office of the Inspector General of the Intelligence Community provides such material to the Committee when requested?

Mr. MCCULLOUGH. Yes.

Chairman FEINSTEIN. Do you agree to inform and fully brief, to the fullest extent possible, all members of this Committee of the activities of the Office of the Inspector General of the Intelligence Community, rather than only the Chairman and Vice Chairman?

Mr. MCCULLOUGH. Yes.

Chairman FEINSTEIN. Thank you.

Mr. Vice Chairman.

Vice Chairman CHAMBLISS. Thanks very much, Madam Chair.

Mr. McCullough, let me just add to what the Chairman said. If you ever—without suggesting you might be so inclined to—come to this Committee and voice an independent opinion relative to an issue, I think you'll find we'll not only be receptive, but we'll be extremely supportive of you in that regard.

In the wake of the September 11 attacks, there was a concerted effort to remove the barriers that prevented intelligence information from being shared fully within the Intelligence Community. Part of this effort involved statutory changes in the USA PATRIOT Act, which I understand you were involved in drafting while you were at the Department of Treasury.

I'm concerned, especially after the Christmas Day attempted bombing, that some of the old stovepipes may be reappearing. You and I talked a little bit about this, but for the record I want to ask you: Has the Intelligence Community fully addressed the issues that concerned you most when the PATRIOT Act was drafted? And secondly, where do you think improvements need to be made? And is there a role for you as the Intelligence Community's Inspector General in this effort, as well as in the information-sharing effort?

Mr. MCCULLOUGH. Well, Mr. Vice Chair, thank you for that question.

Yes, I concur that the old stovepipes that were there, from my perspective, are still there to a certain extent. This is something from an information-sharing standpoint that would be just an excellent and appropriate review, well within the ambit of the IC/IG's authorities and responsibilities pursuant to the statute.

So I would certainly think that that would be something that we would strongly consider to add to our work plan very early. And, from my own experience, I've seen that even within the IC/IG community, we tend to criticize other government entities for being

stovepipe, and we're fairly stovepiped ourselves. And so that's one thing I want to do with the IC/IG community also. I'm going to be dealing with that same issue in the IG community in terms of the integration of these various local IGs, the element IGs.

Vice Chairman CHAMBLISS. Is the PATRIOT Act working the way you intended for it to work?

Mr. McCULLOUGH. Well, I think we have to look at that. Again, that would be a good topic, I think, for an audit or an inspection or review as to whether or not compliance with the PATRIOT Act, whether there were impediments to the PATRIOT Act and what those impediments were, and whether or not we can make recommendations to diminish them.

Vice Chairman CHAMBLISS. Okay. Unauthorized disclosures of classified information continue to be a big problem for the Intelligence Community, especially within Washington. While WikiLeaks garnered a lot of attention because of its scope, there continue to be other equally significant leaks of classified information, many of which go unpunished.

Yet efforts by Congress to give the Intelligence Community more authority for addressing leaks of classified information have not been supported by the administration. Is there an appropriate role for inspectors general within the Intelligence Community in addressing the ongoing problem of leaks of classified information? And, based on your legal and law enforcement experience, what do you believe is the best way to deter leaks?

Mr. McCULLOUGH. Well, the answer to the first question, Mr. Vice Chairman, is I do believe there's a very appropriate role for the IC/IG with respect to compromises or potential compromises and WikiLeaks-type situations. I think that there tends to be a thinking that this is only a security, a counterintelligence, or a law enforcement issue, but clearly this is something which the fundamental tenets of IG work are fraud, waste, and abuse, and this would be an abuse issue.

And so I think from an IG perspective the greatest efficacy that we could offer would be focusing on access controls, focusing on what controls are in place to allow people to get to information, and again doing that on an IC-wide basis to determine whether or not there were systemic vulnerabilities and risks out there that we could devise recommendations to apply across the IC. And I would want to work very closely with you and with this Committee in pursuing that.

Vice Chairman CHAMBLISS. As you look at that—and I would hope that maybe that would be one of your first priorities—this Committee has had dialogue with the DNI, with Director Mueller, with the various Directors of the CIA about this issue, and trying to find the one case that we can use as an example from a prosecutorial standpoint has been very difficult. We've talked with the Attorney General about it at length also.

So I would urge you, coming in as somewhat of an independent voice to take a look at this. If you have some recommendations, I assure you again this Committee will be very receptive to hearing that because we're very cognizant of the fact that there is too much information getting out that shouldn't be getting out.

And again, we appreciate your experience, your willingness to serve in public enterprises, and we look forward to getting you confirmed.

Thank you very much.

Mr. McCULLOUGH. Thank you, Mr. Vice Chairman.

Chairman FEINSTEIN. Thank you, Mr. Vice Chairman.

The list is Wyden, Snowe, Udall, Blunt, and Rubio.

Senator Wyden.

Senator WYDEN. Thank you, Madam Chair.

Mr. McCullough, earlier this year, Senator Udall and I proposed directing an Inspector General to review the implementation of the FISA Amendments Act of 2008 to examine what kind of impact the law has had on the privacy of law-abiding Americans.

Now, it seems to me that, if confirmed as the Inspector General, you could use an array of analytical techniques to provide a realistic assessment, a defensible assessment on the impact the law had on the privacy of law-abiding Americans.

What's your reaction to that?

Mr. McCULLOUGH. Well, if I am confirmed, I envision the IC/IG as having a very strong intelligence oversight function—intelligence oversight in the sense that we're looking at potential 12333 issues, FISA issues, regulatory issues from the elements, the implementing directives in the elements.

And so I think that's a very proper role for the IC/IG and I would anticipate that we would have the expertise, and I anticipate obtaining the expertise to fulfill that function.

Senator WYDEN. So you would say—and of course, these are always resource issues and you have to consider those kinds of factors—this is an area where you believe you could add some real value and some substantive analysis. Would that be fair to say?

Mr. McCULLOUGH. Yes, it would, Senator.

Senator WYDEN. Okay. One other question, if I might, on the declassification issue, another area where Senator Udall and I have spent a lot of time. One of my concerns here is that it often seems that just plain old bureaucratic inertia gets in the way of declassifying documents that the public really has a right to know. In other words, it is information that's relevant to public debate in this country that doesn't compromise our national security.

And the Public Interest Declassification Board pretty much agrees with that take. They issued a report several years ago, and I'll just quote from the report. They said, "The latitude given departments and agencies to declassify information when the public interest in disclosure outweighs the risk of damage is not being seriously exercised." They basically said, you know, here's an opportunity to basically cut through the bureaucratic inertia, ensure that the public right to know is being satisfied without compromising national security.

I'd like to hear your thoughts about what you think could be done to make the classification system work better.

Mr. McCULLOUGH. Well, I think, if I'm confirmed and we stand up the IC/IG office, again, this is another topic, classification and the application of the classification guidelines IC-wide, that would be ripe for review. I think this is something that would clearly fall under the purview of the IC/IG pursuant to the statute and would

be in the IC/IG's bailiwick. And I think doing it IC-wide, we would have the resources and the wherewithal to do that.

Senator WYDEN. I'm encouraged you want to take it on because I think it really comes at us two ways. I mean, the point of classifying documents is to protect national security. And often it seems that documents are classified to protect somebody's political security.

And, by the way, this has gone on on both sides of the aisle for a long time to come. But the point that the Public Interest Declassification Board made with respect to this particular report is sometimes just plain old bureaucratic inertia that keeps documents that the public has a right to know from getting out.

And the fact that you're willing to dig into this and try to make the system work better, to try to strike the proper balance between matters that do have to be kept secret in order to protect the safety of our people, and at the same time getting everything out possible, that the public has a right to know about, that doesn't compromise national security, encourages me.

I'm glad you're willing to take it on. We've heard good things about you and I'm looking forward to supporting you when Chair Feinstein moves ahead with the vote.

Thank you very much.

Chairman FEINSTEIN. Thank you, Senator.

Senator SNOWE.

Senator SNOWE. Thank you, Madam Chair, and I welcome you, Mr. McCullough. It's been seven years, so thank you for being here. And I want to thank the Chair and the Vice Chair and the members of this Committee for creating the IC/IG, because it is so crucial when we started this process back in 2004 to insert it in the original legislation when we were overhauling the Intelligence Community and the significant reform.

You come with a comprehensive, extensive background in the area of Inspector General. And I think that that's going to add, I think, tremendous confidence and credibility to the process as well, especially as you're paving the way as the first Inspector General across the Intelligence Community.

And your primary mission, obviously, is going to affect across agency accountability and management cooperation and collaboration. That's going to be infinitely important, as the Vice Chair was referring to, in terms of breaking down those barriers and the parochialism, the stovepipe, the failure to inform, as we discovered in the aftermath of the Christmas Day bombing, and what needed to happen and didn't happen. So you can be more on the front lines of preventing and averting any future crisis.

Secondly, it's a question as well in terms of The Washington Post series that was done last year concerning the fact that the Intelligence Community had become too unwieldy, too large, too costly, too many employees, many of which we couldn't even discern the numbers.

So I mentioned this article to Director Clapper during the course of his nomination in 2010 in terms of this is precisely how I envisioned the role of IC/IG in terms of evaluating and being able to assess many of the issues across the agencies in terms of cost, size, and also the failure to share information.

I know in your prehearing questions you were asked about how you conduct an investigation inspection audit. And you mentioned that there's no single modus operandi that would be employed across the board. How will you maintain the complementary relationship, ensure that an individual agency will not assert itself in such a way to deter your ability to investigate, inspect, or to review any aspects, because Director Clapper said at the time, in response to my question, there will be a complementary relationship because there won't be significant resources.

In fact, it would be limited resources. So how would your approach work in this instance so that it doesn't conflict, but at the same time you have to override, perhaps, even the interest of other Inspectors General?

Mr. McCULLOUGH. My reading of the statute is that the IC/IG will have authority to conduct audits, inspections, investigations for any matters IC-wide which are under the responsibility and control of the DNI. I believe that the plain meaning of that is a fairly broad meaning. So I would certainly, as the IC/IG, if I'm confirmed, I will also be the chair of the IC forum, which includes all of the element IGs. And I'm going to work with those IGs.

And we've had these issues pop up in the past. There has been some effort to integrate this group in the past. I would work with those IGs in the forum to try to resolve that at that level so that if there were any issues about us coming in to do a review, we could iron those out at the forum, and actually the statute requires that. It requires some coordination level, as an advisory body at the forum.

But there will really not be a—I don't think that I see this as a one-size-fits-all situation. So there may be investigations where we have to go in as a singular entity into an agency and conduct an investigation because of the circumstances of it.

There may be other situations where we would create sort of a task force type concept, where we'd be leading a review within the IC and we would have members from each of the component IGs on our task force for this particular topic.

And I do believe that there's receptivity to that. I know and have worked with, for quite some time, the other IGs in the IC and I do believe there's receptivity to that kind of construct.

Senator SNOWE. Do you visualize the IC/IG forum to be the mechanism by which you resolve these disputes?

Mr. McCULLOUGH. I would. I think that it would be the exception that we couldn't, frankly. This is a group of IGs from the Intelligence Community. And so my hope would be and my anticipation is that these types of disputes we'll be able to work out, or these types of negotiations we'll be able to work out within the forum.

Senator SNOWE. You have notification requirements in here, in the event that you do decide to override, if there's overlapping jurisdiction and you decide to do an investigation within a specific agency. So are those notifications sufficient? Are there limitations to that as far as it is laid out in the statute?

Mr. McCULLOUGH. Senator, from my read of them, they appear to be sufficient now. It may be that when we stand the office up and start operating that there may be something else we need legislatively. And I certainly wouldn't hesitate to keep a close dialogue

with you and with the Committee and approach you if that was the case.

Senator SNOWE. All right. I thank you.

Thank you, Mr. McCullough. I look forward to working with you. Chairman FEINSTEIN. Thank you very much, Senator Snowe.

Senator Udall.

Senator UDALL. Thank you, Madam Chair.

Good afternoon. It's a treat to see your family here. Thank you, Mr. McCullough, for your service to the country in so many different capacities and agencies over the years. You clearly have been able to operate in both the civilian and the military sectors which will, I think, prove to be a very valuable set of experiences, if you're confirmed.

I want to just follow up with Senator Wyden's questions related to the FISA Amendments Act and our interest in learning as to its effects on Americans' privacy. As Senator Wyden explained, we've been told that it isn't "reasonably possible" to count the number of Americans whose communications have been reviewed under this law.

So he and I propose that the Inspector General review the FISA Amendments Act to examine its impact on Americans' privacy. Senator Wyden asked you earlier whether a review of this kind is something you would be able to do in your role. I want to thank you for your positive response and I look forward to working with Senator Wyden and you on this issue. So I did want to have a follow-up conversation with you on this matter.

Which IG do you think would be best positioned to conduct such an audit? Would it be you or the DOJ IG, the NSA IG, another IG, or perhaps a combination of IGs?

Mr. MCCULLOUGH. It would depend. It would depend upon how we decide to scope the review, whether it was an audit, whether it was an inspection, whether there were reasons to actually conduct an investigation, perhaps, and would depend upon how broad the review was going to be.

So it may be something, again, that the IC/IG, if I was confirmed as the IC/IG, that I would need to send a team in there as the objective outside force coming in to take a look at this. Or it may be, if we scoped it in such a way that it's going to be a very narrow set of objectives that we're seeking in the review, that we wouldn't need to do it ourselves, but that we would actually marshal forces within the IC and appoint, again, a sort of a task force team to look at this.

But the topic is something that I think is very appropriate for the IC/IG to look at and I really believe it falls within the ambit of the statute.

Senator UDALL. I appreciate hearing that, and the distinction between an audit and inspection investigation, the scoping process, very legitimate. I know Senator Wyden and I look forward to working with you as that proceeds.

Let me go back to FISA. As you know, the FISA Amendments Act of 2008 required the inspectors general of elements of the IC that participated in the President's surveillance program to conduct a review of that program, tracing its origins and implementation, analyzing legal questions about its development.

This is an example of the IC/IGs working together on a cross-cutting issue, but doing so at the behest of Congress. I think Senator Chambliss asked about the PATRIOT Act. But with regard to the Foreign Intelligence Surveillance Act, especially because of the crosscutting nature of the issues, I assume that you intend to review these issues carefully in your new role. Is that a fair assumption?

Mr. McCULLOUGH. Certainly we're going to go through, as we stand up the new office, a very robust work planning process. And my intention for that work plan process is to coordinate closely with you and with this Committee.

And so those are the types of issues, IC-wide reviews, that we're going to be looking for, IC-wide deficiencies, if there are things like that, misapplications going on.

That is something that we're going to want to take a very strong look at.

Senator UDALL. The joint IG review that I referenced, that review was driven by statute. To what degree do you intend to be forward-leaning in terms of taking on such reviews under your own initiative as opposed to being prompted by Congress to do so?

Mr. McCULLOUGH. Well, certainly we would ask for congressional input, but I would go through the IG forum—again, this is a dual hat; as the IC/IG you're also the chair of the IC forum—and I would liase with my counterparts and my colleagues at the IC/IG forum. There's value in obtaining their input on this. And they all have their own individual work plans also. So it's a matter of coordinating resources.

And, again, this would be a risk-based type of analysis that we would go through, looking for areas of greatest risk, looking for areas of greatest vulnerability, looking for areas of greatest potential economic savings and returns, redundancies, and things like that.

So that's the type of analysis we would do, and this would be something that would certainly be considered in that analysis.

Senator UDALL. Thank you for that answer.

I'd like, Madam Chair, to submit a further question for the record on the independence of the IG, but I would add one final comment. I think Senator Chambliss talked about stovepiping, and I think he was implying, if not directly suggesting, that when you do your job and do it as effectively as I think we all believe you will do it, that stovepiping can be broken down in the process of what you do, as well as what the heads of the various Intelligence Community agencies do.

So I think you could play a key role in that regard as well. And in fact, function can follow form. Sometimes we've got to come after the form to make sure that it fits what we need to do to gather this intelligence and then disseminate it.

Mr. McCULLOUGH. Yes, Senator.

Senator UDALL. But thanks again for your commitment to serve. And it's great to see your wonderful family here.

Mr. McCULLOUGH. Thank you.

Senator UDALL. Thank you, Madam Chair.

Chairman FEINSTEIN. Thank you.

Senator Blunt.

Senator BLUNT. Thank you, Chairman.

Just a couple of questions, Mr. McCullough. On the IC Inspector Generals forum, you'll chair that? Is that how that will work?

Mr. MCCULLOUGH. Yes, sir.

Senator BLUNT. Will you vote on that as well?

Mr. MCCULLOUGH. Yes. Yes.

Senator BLUNT. And what happens to the current group you're working with, the ODNI IG? Does that continue also as a functioning group or does the new IC/IG supplant, replace that?

Mr. MCCULLOUGH. The amendment to Title 50, which created the IC/IG, contains a provision that the authority which is in Section 8(k), I believe, of the Inspector General Act, is repealed. And Section 8(k) is the authority which called for the existence and allowed the existence of the ODNI IG.

So when the IC/IG is confirmed, the law says that the ODNI IG is going to—the authority for that office will have been repealed.

Senator BLUNT. Right. Okay. And having worked in the ODNI IG for a while now, you mentioned redundancies among the agencies. Do you see some potential to eliminate redundancies among the IG community in the IC?

Mr. MCCULLOUGH. Yes, Senator, I absolutely do. And I've said to other people during this process that we are a group, the IC/IG forum, we are a group that many of our reports criticize others for being stovepipe and we're a fairly stovepiped group ourselves.

So that's one of my primary goals, is to integrate this group and to do that by bringing—this group has working groups, sort of subcommittees—to bring those subcommittees together to do this risk-based analysis, but not just doing it agency by agency. We're looking at the forest, not just the trees.

So to encourage all of these IGs' offices to look for IC-wide deficiencies, the systemic deficiencies that we can develop IC-wide recommendations to address.

Senator BLUNT. And waste, duplication, that sort of thing, would be one of your major targets in making the IG an IG for the IG community that you're dealing with as well.

Mr. MCCULLOUGH. Yes, Senator. Fraud, waste, and abuse are the fundamental tenets of the IG's office, and certainly that's where we would start. And just about everything we've talked about here today falls within one of those categories, whether it's fraud, waste, abuse, or mismanagement.

Senator BLUNT. Those are exactly the answers I hoped you had and the mission I hope you're on, and I wish you well with it. And thank you and your family for the commitment you've all made to public service for a long time now.

Mr. MCCULLOUGH. Thank you, Senator.

Chairman FEINSTEIN. Thank you very much, Mr. Blunt.

It would be my intention, unless someone has additional questions, to end it with this round. We'll leave the record open for 48 hours. Hopefully, you'll respond to any questions very quickly.

We will aim a markup for our first meeting, assuming we come back a week from Monday, and it's an assumption because we don't know if we're going to be out yet. But the Tuesday meeting, as a first order of business we will mark this up and get it out of our Committee.

So I want to thank you, and I want to thank your family for being here. And I think he's a shoe-in.

[Laughter.]

In any event, thank you. And the hearing is adjourned.

[Whereupon, at 3:19 p.m., the Committee adjourned.]

Supplemental Material

**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. NAME: I. Charles McCullough III
2. DATE AND PLACE OF BIRTH: 01/22/1966; Camp Hill, Pa.
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Kathalyn K. McCullough
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Bunn
6. NAMES AND AGES OF CHILDREN:

NAME

AGE

[INFORMATION REDACTED]

7. EDUCATION SINCE HIGH SCHOOL:

<u>INSTITUTION</u>	<u>DATES ATTENDED</u>	<u>DEGREE RECEIVED</u>	<u>DATE OF DEGREE</u>
The Dickinson School of Law at Pennsylvania State University Carlisle, Pa.	1988-1991	Juris Doctor	Junc1991
The University of Kentucky Lexington, Ky.	1985-1988	B.A., Political Science*	May 1988

*I also earned academic credits toward my B.A. from West Virginia University and Gettysburg College.

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.)

<u>EMPLOYER</u>	<u>POSITION/TITLE</u>	<u>LOCATION</u>	<u>DATES</u>
The Office of the Director of National Intelligence (ODNI), on detail from the National Security Agency/Central Security Service (NSA/CSS)	Deputy Inspector General	Langley, VA	2010 - Present
NSA/CSS Office of Inspector General	Assistant Inspector General for Investigations	Ft. Meade, MD	2003-2010
U.S. Treasury Department Office of General Counsel	Senior Counsel for Law Enforcement and Intelligence	Washington, DC	2001-2003
Federal Bureau of Investigation (FBI), Inspection Division, Appellate Unit	Supervisory Special Agent (SSA)/Attorney	Washington, DC	1999-2001
FBI New York	SSA/Associate Division Counsel	New York, NY	1997-1999
FBI Academy	Special Agent, Field Counselor	Quantico, VA	1997
FBI Pittsburgh Charleston & Huntington, W. Va. Resident Agencies	Special Agent	Charleston, WV Huntington, WV	1991-1997
Ocean City Beach Patrol	Surf Rescue/Beach Lifeguard	Ocean City, MD	Five summers, throughout college and law school

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):

None, other than my Federal civilian experience outlined in Question 8.

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

As detailed below, in the course of the positions in which I have served, I have gained extensive intelligence and national security experience from operational, strategic, and management perspectives.

Office of the Director of National Intelligence, Office of Inspector General – *Deputy Inspector General*

- On Joint Duty Assignment from the National Security Agency/Central Security Service, I oversee the performance of audits, inspections, investigations and other inquiries relating to Office of the Director of National Intelligence programs and personnel.

National Security Agency, Office of Inspector General – *Assistant Inspector General for Investigations and Special Inquiries*

- Oversaw a division of intelligence professionals responsible for conducting criminal and administrative investigations into alleged wrongdoing of NSA/CSS employees and affiliates. Investigations involved intelligence oversight, procurement fraud, ethics, whistleblower reprisal and counterintelligence matters.
- Supervised the performance of narrowly scoped special inquiries into highly sensitive Intelligence programs.
- Provided legal advice to the Inspector General.

U.S. Treasury Department, Office of General Counsel – *Senior Counsel for Law Enforcement and Intelligence*

- Provided legal and policy advice regarding criminal enforcement and national security matters to clients at the Under Secretary and Assistant Secretary levels.
- Served as Departmental counsel for a broad range of criminal and intelligence matters originating in what were then Treasury's Enforcement Bureaus (the Bureau of Alcohol, Tobacco and Firearms; the United States Customs Service; the Federal Law Enforcement Training Center; the United States Secret Service; and the Executive Office for Asset Forfeiture).
- Served on detail to the Executive Office of the President, Department of Homeland Security (DHS), Transition Planning Office. Principal duty was provision of legal advice to senior officials in the directorate of Information Analysis and Infrastructure Protection.
- Served as Treasury's representative on a Department of Justice team responsible for drafting statutorily mandated guidelines for key information-sharing provisions of the USA PATRIOT Act.

Federal Bureau of Investigation, Appellate Unit, Inspection Division, FBIHQ – *Supervisory Special Agent*

- Conducted *de novo* reviews of adverse personnel actions taken against FBI employees. Reviewed, investigated and adjudicated appeals in some of the FBI's most sensitive internal misconduct matters, to include cases involving criminal, civil and counterintelligence aspects.
- Presented investigative findings and legal conclusions to senior FBI decision-makers.

Federal Bureau of Investigation, Legal Unit, New York Division – *Associate Division Counsel*

- Served as an associate counsel in the FBI's New York Division, conducting complex legal research and providing operational, legal and policy advice to senior FBI officials on a broad variety of criminal, civil and administrative issues.
- Represented the FBI in Federal court as a Special Assistant United States Attorney, and in New York State administrative fora.
- Provided on-site legal supervision for major FBI arrests.
- Provided legal review of Foreign Intelligence Surveillance Act declarations and affidavits supporting applications for Federal search/arrest warrants and Title III electronic surveillance orders.
- Provided legal oversight of FBI New York undercover operations and informant program, ensuring compliance with applicable law and Attorney General Guidelines.
- Handled official demands for FBI documents and testimony, ensuring compliance with the Freedom of Information Act and Privacy Act.
- Oversaw provision of quarterly legal instruction to over 1,200 Special Agents on such topics as Deadly Force, Electronic Surveillance, Search and Seizure, and Confessions/Interrogations.

Federal Bureau of Investigation, Pittsburgh Division (Charleston and Huntington, WV) and New York Division – *Special Agent*

- Conducted a broad variety of federal criminal investigations, to include bank fraud and embezzlement; bank robbery; civil rights (police brutality); domestic terrorism; election fraud; extortion; Hobbs Act (armored car robbery); illegal interception of communications; international kidnapping; interstate transportation of stolen property; mail fraud/wire fraud; narcotics; obstruction of justice (witness

tampering); theft of government property; and unlawful flight to avoid prosecution or confinement (fugitives).

- Investigated the 1995 bombing of the Alfred P. Murrah Federal building in Oklahoma City, OK, as a member of the OKBOMB Task Force.
- Served as an undercover agent in a major public corruption case.
- Served as a member of the Pittsburgh Division Special Weapons and Tactics team.
- Provided legal instruction to federal agents, state police cadets and local law enforcement officers in matters such as civil rights, use of deadly force and search and seizure
- Served as the administrative and operational coordinator of an FBI-led Organized Crime and Drug Enforcement Task Force, overseeing federal narcotics and violent crime investigations conducted by assigned federal, state and local law enforcement officers.

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):

Office of the Director of National Intelligence, Office of Inspector General, Special Act/Achievement Award (2011)
 Intelligence Community Inspectors General Investigations Award (2010)
 NSA/CSS Office of Inspector General, Team of the Year Award (2009)
 Defense Intelligence Senior Executive Service (2004)
 Commendation letter from White House Chief of Staff for work in connection with Office of Management and Budget Transition Planning Office for the Department of Homeland Security (2002)
 Federal Bureau of Investigation, Special Act/Achievement Award (2000)
 Gold Key National Honor Society (1988)
 Runner-Up, Army Vandenberg Award for Outstanding Political Science Senior (1988)
 University of Kentucky, *High Distinction* graduate (1988)

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>
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N/A

13. PUBLISHED WRITINGS AND SPEECHES (LIST THE TITLES, PUBLISHERS, AND PUBLICATION DATES OF ANY BOOKS, ARTICLES, REPORTS, OR OTHER PUBLISHED MATERIALS YOU HAVE AUTHORED. ALSO LIST ANY PUBLIC SPEECHES YOU HAVE MADE WITHIN THE LAST TEN YEARS FOR WHICH THERE IS A TEXT OR TRANSCRIPT. TO THE EXTENT POSSIBLE, PLEASE PROVIDE A COPY OF EACH SUCH PUBLICATION, TEXT, OR TRANSCRIPT):

None.

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE IN THE POSITION FOR WHICH YOU HAVE BEEN NOMINATED):

I believe I am qualified to serve as the Intelligence Community Inspector General based on my record of public service and leadership of people and organizations dedicated to protecting national security. I have spent my 20-year federal career performing investigative, enforcement, and intelligence functions. Since October 2010, I have been serving as the Deputy Inspector General (IG) at the Office of the Director of National Intelligence (ODNI), where I oversee audits, inspections and investigations of ODNI programs and personnel, and assist the IG in chairing the Quarterly Intelligence Community Inspectors General Forum. Previously, I spent nearly eight years as the Assistant IG for Investigations at the National Security Agency/Central Security Service (NSA/CSS), where I

supervised complex and sensitive criminal and administrative investigations of NSA/CSS programs and affiliates. I have also served as a senior enforcement and intelligence lawyer at the Treasury Department, and spent a decade in the Federal Bureau of Investigation (FBI) as a Supervisory Special Agent, Special Agent, Associate Division Counsel and Special Assistant United States Attorney. In addition, I have served as an instructor throughout my career, teaching courses in Civil Rights and Constitutional Criminal Procedure while working in the FBI, and, more recently, teaching courses on IG Rights & Warnings, Workplace Searches, and Administrative Remedies for the IG Academy at the Federal Law Enforcement Training Center.

I consider it an honor to have served in career government positions over the past 20 years and, in particular, in leadership positions. I hope that the Committee will judge that my record of public service and experience, as well as my academic background, qualify me to be confirmed for this critical position.

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):

2004: \$1,000 to George W. Bush for President.

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 AGENTS 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.

No.

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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DNI's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the DNI's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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.

N/A

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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DNI's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the DNI's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

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 have no formal or informal plans, agreements, or understandings with others.

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.

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 is not employed. She occasionally acts as an independent contractor helping companies measure the quality of their customer service.

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.

<u>NAME OF ENTITY</u>	<u>POSITION</u>	<u>DATES HELD</u>	<u>SELF OR SPOUSE</u>
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None.

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 ACQUESCENCE AND YOU HAD REASON TO BELIEVE THE GIFT WAS GIVEN BECAUSE OF YOUR OFFICIAL POSITION.)

None.

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.)

<u>DESCRIPTION OF PROPERTY</u>	<u>VALUE</u>	<u>METHOD OF VALUATION</u>
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Residence in Maryland	\$540,000	Recent sales in neighborhood.
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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.)

<u>NATURE OF OBLIGATION</u>	<u>NAME OF OBLIGEE</u>	<u>AMOUNT</u>
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Please see Schedule C of my SF-278, dated June 11, 2011.

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.)

[INFORMATION REDACTED]

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 and Maryland.

- 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 am licensed to practice law in the state of Pennsylvania. I have not billed any clients during the past five years.

- 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.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the DNT's designated agency ethics official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with the DNT's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

- 36. IF APPLICABLE, ATTACH THE LAST THREE YEARS OF ANNUAL FINANCIAL DISCLOSURE FORMS YOU HAVE BEEN REQUIRED TO FILE WITH YOUR AGENCY, DEPARTMENT, OR BRANCH OF GOVERNMENT.

I have attached my last three SF-278s (2009, 2010, 2011).

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, PROVIDE DETAILS.

I was one of two management officials referenced in a 2005 Equal Employment Opportunity (EEO) complaint filed by an employee who believed he had been passed over for promotion because of his gender and age. In the interest of efficiency, the Agency settled the EEO complaint, with no admission or finding of liability.

- 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, 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, 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.

No, except in connection with the EEO matter described in Question 38.

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, PROVIDE DETAILS.

I was interviewed in connection with the EEO matter described in Question 38. Additionally, during the course of my employment as the Assistant Inspector General for Investigations at the NSA/CSS OIG and as an FBI Special Agent, I testified in Federal Grand Jury as a Government witness.

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, 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.)

No.

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

No.

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 and passed polygraph examinations administered by NSA/CSS security as a routine part of the clearance process. These polygraph examinations were administered in December 2002, April 2006 and June 2011. The December 2002 examination was a "Full Scope" polygraph examination, and the 2006 and 2011 examinations were "Counterintelligence Scope" examinations.

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

In 2008, I considered a return to FBI employment and reported to a local field office for a polygraph examination. Upon arriving, I determined that there was confusion between the FBIHQ applicant official I had been working with and the local polygraph examiner in regard to the type of polygraph examination I was to receive that day. Rather

than potentially sitting for the incorrect type of examination, I departed and recontacted the FBIHQ applicant official to determine which type of examination I was supposed to take. Before resolving the question, I learned that a return to the FBI would involve a reduction in pay and grade and I elected to discontinue the process.

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 INTELLIGENCE COMMUNITY INSPECTOR GENERAL AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS RESPECTIVELY IN THE OVERSIGHT PROCESS.

I believe in and value the congressional oversight process. Members of Congress bring an important and vital perspective to the difficult issues the Intelligence Community faces. Congressional oversight is fundamental to the ability of the IC to operate within the structure of our government, and is essential to improving the quality of intelligence and the effectiveness and efficiency of IC operations.

The oversight process provides a necessary check and balance structure ensuring that IC resources are appropriately aligned with national priorities. Additionally, oversight is critical in building the trust of both Congress and the American people that the IC exercises authority in a manner that is appropriately transparent and protects the civil liberties and privacy rights of U.S. citizens.

The obligation of the IC to provide information to Congress is embodied in Title 5 of the National Security Act of 1947, which requires the Intelligence Community to keep the two Congressional intelligence committees "fully and currently informed" of all intelligence activities, to include significant anticipated intelligence activities, and significant intelligence failures. Furthermore, Congress depends on the Inspectors General to perform objective and effective oversight of IC programs and operations through investigations, inspections and audits. The IC IG, while a direct report to the DNI, reports to the congressional intelligence committees on significant problems, abuses and deficiencies relating to IC programs. P.L. 111-259, the Intelligence Authorization Act for Fiscal Year 2010 also specifically enumerates events which trigger direct IG reporting to the committees and to the Attorney General on violations of federal law.

If I am confirmed as the IC IG, I am committed to assisting the Committees in carrying out their legitimate oversight duties through open communication and transparency with them.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INTELLIGENCE COMMUNITY INSPECTOR GENERAL.

The duties and responsibilities of the IC IG are specifically codified in PL 111-259, the Intelligence Authorization Act of Fiscal Year 2010, Section 405. The IC IG is under the direct supervision of, and reports directly to the Director of National Intelligence. The primary role of the IC IG will be to keep the DNI and the Congress fully and currently informed concerning deficiencies and violations of laws and regulations in the ODNI and the IC. The IC IG will lead and manage independent and objective investigations, inspections and audits within the ODNI, and will use the statutory IC IG Forum to identify and address community-wide systemic deficiencies in conjunction with other IC IGs. As a member of the federal IG community, the IC IG will participate in the Council of Inspectors General on Integrity and Efficiency and will ensure that violations of federal criminal law are properly reported to the Attorney General.

AFFIRMATION

I, Charles McCullough III DO SWEAR THAT THE ANSWERS I HAVE
PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE

8/16/2011
(Date)

[SIGNATURE]
(Name)



[SIGNATURE]
(Name)

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

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

[SIGNATURE]

Signature

Date: 8/16/2011

SELECT COMMITTEE ON
INTELLIGENCE
UNITED STATES SENATE



Prehearing Questions

For

Irvin Charles McCullough III

upon his nomination to be

Inspector General of the Intelligence Community

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In these questions, all references to the statutory authorities relating to the Inspector General of the Intelligence Community (IC IG) are to Section 103H of the National Security Act of 1947 (50 U.S.C. 403-3h), as added by Section 405 of the Intelligence Authorization Act for Fiscal Year 2010 (Public Law 111-259).

Qualifications

Section 103H(c) provides that the nomination of an individual for appointment as Inspector General shall be made on the basis of qualifications that include a “demonstrated ability in accounting, financial analysis, law, management analysis, public administration, or investigations.”

- 1. What qualifies you to perform the duties of the Inspector General of the Intelligence Community, generally with respect to the oversight of intelligence programs and activities and specifically with regard to the tools of audit and investigation?*

ANSWER: My career in public service spans twenty years of legal, law enforcement, and intelligence related positions. Since last October, I have been serving on detail from the National Security Agency/Central Security Service (NSA/CSS) to the Office of the Director of National Intelligence (ODNI) Office of Inspector General (OIG) as the Deputy Inspector General. In this capacity, I assist the ODNI Inspector General (IG) in overseeing audits, investigations, inspections and reviews of ODNI programs and affiliates. Prior to coming to the ODNI OIG, I spent nearly eight years as the Assistant Inspector General for Investigations at the NSA/CSS OIG, where I supervised criminal and administrative investigations into allegations involving NSA programs and affiliates. In this capacity, I oversaw hundreds of complex and sensitive investigations, conducted globally. Some of these investigations resulted in the criminal prosecution and Federal felony conviction of the subject employees and contractor affiliates. In 2008 and 2009, I led a multi-disciplinary investigative team that received the "Investigation of the Year Award" from the Intelligence Community Inspectors General.

Prior to working at NSA/CSS, I served as the Senior Counsel for Law Enforcement and Intelligence in the Office of General Counsel at the U.S. Treasury Department. In this position, I provided legal advice to clients at the Under Secretary level on Federal law enforcement and national security issues. While working at Treasury, I

served on detail to the Office of Management and Budget's Transition Planning Office for the Department of Homeland Security (DHS), and provided legal advice to senior intelligence officials establishing what was then known as the DHS' Directorate of Information Assurance and Infrastructure Protection.

Before my Treasury service, I spent ten years working for the Federal Bureau of Investigation (FBI). As an FBI Special Agent, I investigated a wide array of Federal crimes, to include terrorism, white collar, narcotics and violent crimes matters. I worked undercover in a complex public corruption investigation, served as a member of the FBI Special Weapons and Tactics (SWAT) team, and served as a member of the OKBOMB Task Force investigating the bombing of the Alfred P. Murrah Federal building in Oklahoma City, Oklahoma. As an Associate Division Counsel in the FBI's New York Office (NYO), I provided legal and policy advice to senior FBI officials and performed various legal oversight functions for the NYO's law enforcement and foreign counterintelligence operations. As a Supervisory Special Agent in the Appellate Unit of the Inspection Division at FBI Headquarters, I adjudicated appeals in some of the FBI's most sensitive personnel misconduct cases.

Duties

Per various provisions of Section 103(H), such as Section 103(H)(b)(1), the purview of the Inspector General of the Intelligence Community is linked to "programs and activities within the responsibility and authority of the Director of National Intelligence."

2. *What is your understanding of the scope of the term "programs and activities within the responsibility and authority of the Director of National Intelligence?"*

ANSWER: I understand the term "programs and activities within the responsibility and authority of the Director of National Intelligence" to broadly mean programs and activities funded in the National Intelligence Program (NIP) budget or conducted by Intelligence Community (IC) elements. My understanding derives from the plain language found in the Intelligence Reform and Terrorism Prevention Act of 2004 (IRTPA), where the Director of National Intelligence (DNI) is specifically made responsible for, among other things: monitoring the implementation and execution of the NIP by the heads of the elements of the IC that

manage programs and activities that are part of the NIP, which may include audits and evaluations (§102A(c)(5)(C)); ensuring compliance with the Constitution and laws of the United States by the CIA and elements of the IC through the host executive departments that are part of the NIP (§102A(f)(4)); ensuring the effective execution of the annual budget for intelligence and intelligence related activities (§102A(c)(4)); ensuring the elimination of unnecessary waste and duplication within the intelligence community (§102A(f)(5)); ensuring maximum availability of and access to intelligence information within the IC (§102A(g)(1)); and, ensuring the most accurate analysis of intelligence is derived from all sources to support national security (§102A(h)).

Per Section 103(H)(b), the purpose of the Office of the Inspector General of the Intelligence Community is “to create an objective and effective office, appropriately accountable to Congress, to initiate and conduct independent investigations, inspections, audits, and reviews.”

3. *Please describe your standards for “an objective and effective office” and how you intend to establish an office that maintains those standards?*

ANSWER: An objective and effective IG office requires reliability, credibility, and impartiality. If confirmed, I will strive to conduct IC IG operations in the most efficient and effective manner and to assign IC IG personnel with the appropriate knowledge, skills, abilities, and expertise to IC IG projects. I will also ensure that all IC IG personnel are free from personal, external, and organizational impairments to independence.

4. *To what extent do you believe that the timeliness and responsiveness of reporting is an element of the effectiveness of an Inspector General?*
- a. *What standards and procedures would you apply to ensure the appropriate timeliness and responsiveness of the IC IG’s completion of inspections, audits, reviews, and investigations?*

ANSWER: Timeliness and responsiveness of reporting are critical to an IG’s effectiveness. The IC is a dynamic environment. Components are frequently

reorganized, core missions are altered, and personnel are transferred. IG reports that contain conclusions based on stale, outdated data or testimony tend to be of little relevance or utility to the DNI or the congressional intelligence committees. Similarly, reports that contain vague or ambiguous objectives tend to be of questionable value from an intelligence oversight perspective.

If I am confirmed, I will ensure the IC IG adheres to Council of Inspectors General on Integrity and Efficiency (CIGIE) standards for timeliness and responsiveness for reporting completed audits, investigations, inspections, and reviews.

Protection of Whistleblowers

Section 103H(g)(3)(B) provides that “no action constituting a reprisal, or threat of reprisal, for making such complaint or disclosing such information to the Inspector General may be taken by any employee in a position to take such actions, unless the complaint was made or the information was disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.”

5. *What formal policies and processes are in place to inform employees of their right to provide information to the IG and to detect and protect against reprisal for making complaints or disclosing information to the Inspector General of the Office of Director of National Intelligence?*

a. *If confirmed, what additional policies and processes will you establish or recommend to the DNI to ensure compliance with this provision and any related provisions that are applicable to elements of the Intelligence Community, such as the provisions of the IC Whistleblower Protection Act?*

ANSWER: The ODNI OIG uses a variety of methods to inform ODNI employees of their right to provide information to the OIG and their right against reprisal for making a complaint or disclosing information to the OIG or to Congress. For example, the ODNI's "zero tolerance" reprisal policy is outlined on both classified and unclassified ODNI webpages, and ODNI OIG personnel conduct outreach through Entry-On-Duty training sessions.

If confirmed, I plan to examine the current ODNI policies and procedures to ensure that they adequately inform and protect potential whistleblowers and complainants. I will ensure that any deficiencies are addressed.

Access to Information

Pursuant to Section 103H(g)(2)(B) and (C), “[t]he Inspector General shall have access to any employee, or any employee of a contractor, of any element of the intelligence community needed for the performance of the duties of the Inspector General” as well as “direct access to all records, reports, audits, reviews, documents, papers, recommendations or other materials that relate to the programs and activities.”

6. *What is your understanding of the reach of these provisions?*

- a. *Please describe how you would resolve if an agency, a U.S. government official, or a contractor refused to provide such access, including what remedies you would pursue in addition to those described in Section 103H(g)(2)(E).*

ANSWER: My understanding of these provisions is that they provide the IC IG with direct access to the personnel, documents and other materials needed to perform audits, investigations, inspections and reviews. If confirmed, I will address any access issues through liaison and coordination processes with other IGs and the IC IG Forum. However, if I deem it necessary, I will not hesitate to pursue the remedies set forth in section 103H(g)(2)(E).

Section 103H(g)(5) provides authority for the authorization and enforcement of subpoenas for the production of information that is necessary in the performance of the duties and responsibilities of the Inspector General.

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

ANSWER: Administrative subpoenas are a valuable tool that should be sparingly employed.

Sources of Complaints

Pursuant to Section 103H(g)(3), “[t]he Inspector General is authorized to receive and investigate...complaints or information from any person concerning the existence of an

activity within the authorities and responsibilities of the Director of National Intelligence constituting a violation of laws, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.”

8. *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?*

ANSWER: If confirmed, I will diligently encourage potential IC whistleblowers and complainants to come forward. I will establish a robust outreach program, which will include a well-publicized IC IG website and IC IG Hotline accessible to Government employees, contractors, and members of the general public. I will ensure that outreach includes presentations at Entry-on-Duty classes, fraud seminars, All Hands meetings, and other fora. Through the IC IG Forum and the CIGIE, if confirmed, I will also encourage referrals of IC-related complaints from other IGs and Federal law enforcement agencies.

Relationship to Other Inspectors General

Section 103H has several provisions on the relationship of the Inspector General for the Intelligence Community to other inspectors general with responsibilities in or for elements of the Intelligence Community.

Section 103H(h)(1)(A) provides that “[i]n the event of a matter within the jurisdiction of the Inspector General of the Intelligence Community that may be subject to an investigation, inspection, audit, or review by both the Inspector General of the Intelligence Community and an inspector general with oversight responsibility for an element of the intelligence community, the Inspector General of the Intelligence Community and such other inspector general shall expeditiously resolve the question of which inspector general shall conduct such investigation, inspection, audit, or review.” To facilitate resolution of questions between or among inspectors general, Section 103H(h)(2) establishes in statute the Intelligence Community Inspectors General Forum, for which the IC IG is to serve as chair.

Section 103H(j)(4)(C) provides that “[t]he Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence

community and in coordination with that element's inspector general pursuant to subsection (h), conduct, as authorized by this section, an investigation, inspection, audit, or review of such element."

Section 103H(l) provides that, except as resolved pursuant to subsection (h), the performance of the IC IG's responsibilities regarding an intelligence community element shall not be construed to modify the duties of any other inspector general relating to that IC element.

9. *What is your understanding of these provisions with respect to potentially overlapping responsibilities of inspectors general?*

a. In answering, please describe your priorities, if confirmed, for the work of the Office of Inspector General for the Intelligence Community in relation to the work of other inspectors general with responsibilities concerning intelligence programs and activities.

ANSWER: My understanding of these statutory provisions is that the IC IG will have broad jurisdiction to audit, investigate, inspect and review within and throughout the IC, and that the exercise of this jurisdiction will, in specific situations, require the notifications and procedures set forth in the statute. It is also my understanding that some of the IC IG's jurisdiction will be concurrent with jurisdiction vested in other IGs with intelligence oversight responsibilities.

If confirmed, I will focus on leading integration among the IGs with intelligence oversight responsibilities by synthesizing and harmonizing our work, and by leading cross-IC audits, investigations, inspections and reviews of systemic IC deficiencies and violations.

b. Please also describe your goals, if confirmed, concerning the work of the Forum and any measures you would recommend to improve, if warranted, its functions.

ANSWER: The IC IG Forum has historically been a useful means of interaction for IGs with intelligence oversight responsibilities. If confirmed, I would utilize my chairmanship of the Forum as a primary means to effectuate integration between member organizations. I would challenge the Forum's audit, investigations, and inspections working groups to combine their varied expertise to identify and review

cross-IC issues. In addition, if I am confirmed, I will lead the IC IG Forum in the establishment and implementation of an IC IG Peer Review process, which will serve as a standardized quality control process for the intelligence oversight functions of all member IG offices.

As noted above, Section 103H(j)(4)(C) provides that “[t]he Inspector General of the Intelligence Community may, upon reasonable notice to the head of any element of the intelligence community and in coordination with that element’s inspector general...conduct, as authorized by this section, an investigation, inspection, audit, or review of such element.”

10. *What is your understanding of this provision, particularly pertaining to “coordination with that element’s inspector general”?*

ANSWER: There are several methods by which the IC IG might accomplish a review in one of the elements, such as: completing the review itself, after satisfying the requirements set forth in section 103H(j)(4)(C); conducting a joint review with the OIG of the involved element; overseeing or supporting a review led by the involved element's OIG; monitoring and receiving reporting on a review conducted solely by the involved element's OIG; or, some combination of the foregoing. It is likely that no single modus operandi will be employed across the board. Rather, certain reviews may be more amenable to certain working arrangements, and thus, if confirmed, I will need to assess each matter on its own merits to determine the most effective and efficient manner of conducting the review.

If confirmed, I will work collaboratively with the IC IG Forum and the elements of the IC to establish a working agreement and understanding of the process and procedures by which the IC IG will conduct operations in the intelligence elements on matters of shared jurisdiction.

Government Accountability Office

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

11. *Please describe your understanding of the role, if any, of the Government Accountability Office may have in assisting Congress in oversight that relates to such information.*

ANSWER: Oversight of the IC is critical to ensure that Congress and the American people have confidence that the IC is operating effectively, efficiently and in a manner consistent with the law. This oversight is conducted by many entities with substantial roles, such as Congress, the Judiciary, the Inspectors General, Offices of General Counsel, the Intelligence Oversight Board, and the GAO.

With respect to the GAO, Intelligence Community Directive (ICD) 114 makes clear that IC elements should cooperate with GAO reviews to the fullest extent possible. Indeed, the ICD establishes a presumption that GAO will be given access to pertinent information in the possession of an IC element unless the information reveals sources and methods or information related to covert action. However, the ICD provides that "information that falls within the purview of the congressional intelligence oversight committees generally shall not be made available to GAO to support a GAO audit or review of core national intelligence capabilities and activities, which include intelligence collection operations, intelligence analyses and analytical techniques, counterintelligence operations and intelligence funding." Oversight of these activities is conducted by the other oversight entities, to include the congressional intelligence committees and the IC Inspectors General.

- a. Please also describe your understanding or views on whether consultation or coordination by inspectors general in the Intelligence Community with the GAO presently occurs or would be desirable to assure full coverage of oversight requirements while avoiding conflict or duplication.*

ANSWER: I have had occasion to interact with GAO officials on IC related topics. I found these officials to be experienced and professional. If confirmed, I would encourage GAO involvement in select aspects of IC activities, and I would facilitate their assistance and support in those select activities in accordance with ICD 114 and other applicable authorities.

Independence

Section 103H(c)(3) provides that “[t]he Inspector General shall report directly to and be under the general supervision of the Director of National Intelligence.”

12. Please describe your understanding of both elements of this provision: (a) “report directly to” and (b) “under the general supervision of the Director of National Intelligence.”

ANSWER: If confirmed, I will “report directly to” the DNI. I interpret this provision to mean that I will be provided direct and prompt access to the DNI, when necessary. Additionally, if confirmed, I will be “under the general supervision” of the DNI. I interpret this language to mean that I will function under the DNI’s supervision, subject to the independence requirements and the requirements and procedures for limitations on IC IG activities in the statute.

Section 103H(k)(3) provides that in the event that the Inspector General for the Intelligence Community is unable to resolve any differences with the DNI affecting execution of IG’s duties or responsibilities, the IG shall immediately notify and submit a report to the congressional intelligence committees.

13. If confirmed, in addition to this reporting responsibility, please describe what actions you would you take if a senior official of the IC sought to prevent you from “initiating, carrying out, or completing” any audit or investigation within the jurisdiction of the Office of the Inspector General for the Intelligence Community.

ANSWER: Section 103H(f)(1)-(4) sets forth the necessary justification and procedures to be followed in the event the DNI wishes to prohibit the IC IG from carrying out or completing any audit, investigation, inspection, or review. The statute limits this prohibitive authority to the DNI. If confirmed, and a senior official of the IC, other than the DNI, seeks to exercise this authority, I would attempt to resolve the matter through that element’s IG and the IC IG Forum. If necessary, I would request assistance from the DNI. If the DNI concurs with the IC element official seeking to limit the IC IG review, then the DNI would need to set in motion the procedures set forth in section 103H(f)(1)-(4).

Inspector General Work Plan

Section 103H(g)(2)(A) provides that the Inspector General, subject to the limitations in subsection (f), shall make such investigations and reports relating to the administration of programs and activities within the DNI's authorities and responsibilities as are "in the judgment of the Inspector General necessary or desirable." Subsection (f) provides that, subject to congressional notification, the DNI may prohibit the Inspector General from carrying out, or completing, an investigation, audit, inspection, or review "as necessary to protect vital national security interests of the United States."

14. Please describe your understanding of these provisions.

ANSWER: My understanding of these provisions is that the DNI may prohibit reviews by the IC IG only when necessary to protect vital national security interests, and if the DNI does exercise this authority, within seven days of doing so he must follow certain statutory procedures to inform the intelligence committees of his reasons for exercising this authority and provide the IC IG with the opportunity to provide comments as appropriate.

a. If confirmed, how will you determine the investigations and reports that are "necessary or desirable" to complete each year?

ANSWER: If confirmed, I will consider all credible allegations of violations of law, regulation or policy relating to the administration of programs and activities within the DNI's authorities and responsibilities, to determine whether they meet the threshold of "necessary or desirable." For audits, inspections, and reviews, I will first give priority to required statutory reporting, Congressionally Directed Actions, and OMB-directed audit requirements. For all other audits, inspections, and reviews within the ODNI and across the IC, I will employ a risk-based methodology to identify programs and operations that would benefit most from review. All cross-IC audit, inspection and review planning will be closely coordinated with the IG Forum.

b. Would you anticipate developing a work plan for each year in office?

ANSWER: Yes.

c. Has the Inspector General for the Office of the Director of National Intelligence developed an annual work plan in the past?

ANSWER: The ODNI OIG developed a work plan for FY2011- 2012 prior to my arrival in October 2010. I am not familiar with the manner in which ODNI OIG developed work plans for 2005-2010.

d. Has the Inspector General for the Office of the Director of National Intelligence submitted an annual work plan to the DNI for approval in the past?

ANSWER: The ODNI OIG developed the FY2011-2012 work plan and briefed it to the DNI prior to my arrival.

e. If confirmed, what is your view on the development of an annual work plan and on obtaining approval from the DNI for such a plan?

ANSWER: If confirmed, I will coordinate an annual work plan with the DNI and his executive staff to deconflict schedule and scope, as appropriate. I will also keep the DNI fully and currently informed on the conduct of criminal and administrative investigations.

Referrals to the Department of Justice

15. Please describe your understanding of the authority and responsibility of the Inspector General of the Intelligence Community to refer matters to the Department of Justice concerning possible criminal conduct, including the conduct of current or former officials described in Section 103H(k)(3)(A)(iii).

a. In your view, what should be the role, if any, of any other office or official, including the Office of General Counsel, in making referrals to the Department of Justice?

ANSWER: If confirmed, I will follow the requirements and procedures set forth in the statute and in the 1995 Revised Attorney General Memorandum of Understanding on Reporting of Information Concerning Federal Crimes. I understand that the responsibility to refer matters to the Department of Justice includes matters related to officials who hold or held positions in the intelligence

Coordination with the Office of Legislative Affairs and General Counsel

The congressional intelligence committees communicate directly with offices of inspectors general in the Intelligence Community without necessarily coordinating those communications with the relevant offices of legislative affairs.

17. If confirmed, would you continue the practice of direct communications with the committees?

ANSWER: If I am confirmed, I will communicate directly with the intelligence committees.

a. Please also describe your views on the appropriate relationship between the Inspector General and the ODNI Office of General Counsel when those communications involve legal issues.

ANSWER: Section 103H(i) provides for an independent IC IG counsel. Accordingly, if confirmed, I would appoint and manage this counsel independent of the agency's Office of General Counsel. I believe there is great value in a close working relationship between the General Counsel and Inspector General and their respective staffs. If confirmed, I will continue to build and foster this working relationship.

b. What is the appropriate role, if any, of the Inspector General to review and make recommendations on the decisions or activities of the Office of General Counsel?

ANSWER: The OGC is an ODNI component. If confirmed, I would expect the OGC's operations and functions to be subject to IC IG audits, investigations, inspections and reviews in the same manner as any other ODNI component. By statute, the ODNI General Counsel is the chief legal officer of the ODNI and the legal interpretations of the ODNI GC are controlling on the ODNI. However, as part of any IG review, I would expect to review any legal interpretations applicable to the activities or programs under review. If I disagreed with these legal interpretations, I would first discuss my concerns with the General Counsel. If my concerns are not adequately addressed, I may elevate them to the DNI or, if necessary, to the Attorney General or the Congress.

Major Challenges, Problems and Priorities

18. *In your view, what are the major challenges facing the first Inspector General of the Intelligence Community?*

- a. *If confirmed, how do you intend to address these challenges and what priorities, including for the selection of subjects for audits, inspections, investigations, and reviews, would you establish to address them?*

ANSWER: If confirmed, my primary challenge will be to lead the integration of all IGs with intelligence oversight responsibilities so that, as a federated entity, we can further the efficient and effective operation of the IC by identifying systemic trends and deficiencies and addressing them through IC-wide audits, investigations, inspections and reviews. If confirmed, I will use the IC IG Forum as my primary means of achieving this objective, and I intend to challenge the Forum's Audit and Inspections groups to conduct risk-based analyses to determine the areas of greatest risk and vulnerability in the IC. Similarly, I will challenge the Forum's Investigations group to identify trends in fraud and abuse and to devise IC-wide proactive programs to address these trends.

Personnel and Budgetary Resources of the IC IG's Office

Section 103H(j)(2)(B) provides that the Inspector General shall ensure that personnel shall have the required training and experience to enable the IG to carry out duties effectively. Section 103H(j)(2)(C) provides that "the Inspector General shall create within the Office of the Inspector General of the Intelligence Community a career cadre of sufficient size to provide appropriate continuity and objectivity needed for the effective performance of the duties of the Inspector General."

19. *Please describe the present organization, staffing (both with respect to authorized positions and positions currently filled), training, and resources of the Office of the Inspector General in the ODNI.*

ANSWER: This information is contained in the ODNI OIG's most recent *Semi-Annual Report to Congress*, dated August 15, 2011, and transmitted to the Senate Select Committee on Intelligence on August 17, 2011. For classification reasons, this data is not set forth here.

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

ANSWER: If I am confirmed, I will perform a comprehensive assessment of all aspects of the ODNI OIG, and will retain those functionalities I deem to be consistent with and transferrable to the statutory mission, duties and responsibilities of the IC IG.

- b. *If confirmed, how do you intend to incorporate the staff of the Office of the Inspector General for the Office of the Director of National Intelligence into the Office of the Inspector General of the Intelligence Community?*

ANSWER: If confirmed, I intend to incorporate current ODNI OIG staff members into the IC IG to the greatest extent possible. It is possible that some staff members may be asked to serve in new roles, or dual roles, dependent upon the needs of the office during transition.

- c. *To your knowledge, to what extent, if any, have offices of inspectors general within or outside of the Intelligence Community used contractors to perform audit and investigative functions?*

ANSWER: In regard to audits, I am aware of OIGs using IC contractors to perform Federal Information Security Management Act (FISMA) audits and agency financial statement audits. I have no knowledge of OIGs using contractors to perform investigative functions.

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

ANSWER: If confirmed, I will work with this committee and the IC IG Forum to examine the propriety of using IC contractors to perform IG work.

e. 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.

ANSWER: I am not aware of any barriers or disincentives. The IC IG statutory provision states that, subject to applicable law and policies of the DNI, the IC IG must create a career cadre of sufficient size to provide the appropriate continuity and objectivity needed for the effective performance of the IC IG's duties. If I am confirmed, I believe the DNI will be very supportive of my efforts in this regard.

f. If confirmed, how will you exercise your authority to create a career cadre that provides continuity and objectivity?

ANSWER: If confirmed, I will create an IC IG career cadre through the recruitment, hiring and rotational assignment of qualified and diverse IC and IG professionals in the fields of audit, investigations and inspections. I will ensure that all personnel meet CIGIE standards for integrity, objectivity and impartiality, and that all personnel receive appropriate training and have an equal opportunity for career development and advancement in the IC IG, the ODNI, and the IC.

Oversight of Acquisition Programs and Contracts

20. What role, if any, do you believe the Office of the Inspector General of the Intelligence Community should play in acquisition reform?

ANSWER: If confirmed, I will ensure that the IC IG plays a significant role in acquisition reform, by performing targeted cross-IC audits, inspections, investigations and reviews.

a. Based on experience in your current position as the Deputy Inspector General in the Office of the Director of National Intelligence and your previous position as the Assistant Inspector General at the National Security Agency/Central Security Service, do you believe that the IG of the IC has the resources and authorities it needs to conduct effective oversight of the Intelligence Community's acquisition programs?

ANSWER: If confirmed, I will assess whether additional authorities or resources will be required specifically for oversight of IC acquisition programs. If I determine additional authorities or resources are necessary, I will not hesitate to ask the DNI for them.

b. What is your view of the role the IC IG should play in advising the IC and the Congress on the sufficiency of management controls in acquisition programs and the impact that legislative and regulatory proposals could have on such management controls?

ANSWER: If confirmed, I will play an active role in advising the IC and Congress on the sufficiency of management controls in acquisition programs and the potential effect of proposed legislation. This role is consistent with the ICIG's responsibilities as set forth in the statute at section 103H(b)(2)-(4).

c. What is your view of the role the IC IG should play in oversight, audit, and investigation of contracts in the IC?

ANSWER: If confirmed, I will play a leadership and coordination role in the oversight of contracting in the IC by performing cross-IC audits and investigations and devising IC-wide proactive anti-fraud programs. This role is consistent with the ICIG's responsibilities as set forth in the statute at section 103H(e)(1).

CAPNET

21. Please describe the current availability of CAPNET for timely, direct communications to the congressional intelligence committees from the offices of inspectors general with intelligence responsibilities.

a. To the extent that CAPNET is not available for that purpose, what do you recommend, and what actions will you take if confirmed, to provide for that availability?

ANSWER: I am generally familiar with the capabilities and potential benefits for secure and expedient electronic communications that the CAPNET system provides. The ODNI OIG has access to CAPNET through the ODNI Office of Legislative Affairs for communicating with the congressional intelligence committees. If

confirmed, I will assess the IC IG's requirements for CAPNET access, and I will engage other IGs with intelligence oversight responsibilities to discuss their potential access to CAPNET.



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

AUG 25 2011

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

Dear Madam Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Irvin C. McCullough, who has been nominated by President Obama for the position of Inspector General for the Intelligence Community, Office of the Director of National Intelligence.

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

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

Sincerely

[SIGNATURE]

Don W. Fox
Acting Director

Enclosures

Form Approved
OMB No. 3208-0001

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

OMB Form 272 (Rev. 07/2010)
1 CFR, Part 3004
U.S. Office of Government Ethics

Date of Appointment, Reappointment, Election, or Reappointment (Month, Day, Year) _____

Reporting Individual's Name	Last Name MCCullough	First Name and Middle Initial INVA C.	New Entrant, Member, or Candidate <input checked="" type="checkbox"/>	Termination Filter <input type="checkbox"/>	Reporting Period Any individual who is required to file this report and does so more than 30 days after the date the report is required to be filed, or, if an extension is granted, more than 30 days after the last day of the filing extension period, shall be subject to a \$200 fee.
Position for Which Filing	Title of Position Intelligence Community Inspector General	Department or Agency (if applicable) Office of the Director of National Intelligence	Reporting Periods The reporting period is the preceding calendar year except Part II where you report what occurred the first year up to the date you file. Part II of Schedule D is not applicable.		
Location of Present Office (for forwarding address)	Address (Block, Street, City, State, and ZIP Code) ODNI OGC, OMB 1E22A Washington, DC 20511	Telephone No. (Outside Area Code) 703-482-4955	Termination Filers: The reporting period is covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.		
Reporting Period (12 Months or Prior Term as Above)	From (Month, Day, Year) 11/2010	To (Month, Day, Year) 10/2010	Termination Filers: The reporting period is covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.		
Presidential Nominations Subject to Senate Confirmation	Name of Congressional Committee, Conference, Subcommittee Select Committee on Intelligence	Do You Intend to Create a Qualified Official Post? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Termination Filers: The reporting period is covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.		
Conflicts of Interest	Signature of Reporting Individual [SIGNATURE]	Date (Month, Day, Year) 08/04/2011	Termination Filers: The reporting period is covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.		
Other Review (if endorsed by agency)	Signature of Agency Official [SIGNATURE]	Date (Month, Day, Year) 08/04/2011	Termination Filers: The reporting period is covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.		
Office of Government Ethics Use Only	Signature [SIGNATURE]	Date (Month, Day, Year) 08/04/2011	Termination Filers: The reporting period is covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.		

(Check box if filing extension granted & indicate number of days)

(Check box if comments are continued on the reverse side)

AGENCY USE ONLY
DATE USE ONLY

Call Form 8878 (Rev. 06/07/04)
 U.S. Department of the Treasury
 Internal Revenue Service

SCHEDULE A

Page Number **2**

Assets and Income

BLOCK A

For you, your spouse, and dependent children, report each asset held for investment or the proceeds of the investment if you had a long period of non-reporting. If the asset was held for a long period, or which generated more than \$200 in income during the reporting period, together with such income.

BLOCK B

Valuation of Assets at close of reporting period

BLOCK C

Income type and amount. If "None" (or less than \$200) is checked, no other entry is needed in Block C for that item.

Asset Description	Valuation at Close of Reporting Period (Block B)	Income Type (Block C)	Amount (Block C)	Other Income (Type & Amount)	Dep. (M, F, J, or None)
General Annuity Contract	\$1,000,000	None			
Investment Equity Fund	\$1,000,000	None			
IRA - Traditional (spouse)	\$1,000,000	None			
CRIF Stock (spouse)	\$1,000,000	None			
CRIF Global Equities (spouse)	\$1,000,000	None			
Mayland Prepaid College Trust (Dependent Child 1)	\$1,000,000	None			
Mayland Prepaid College Trust (Dependent Child 2)	\$1,000,000	None			
Investment Equity Fund (spouse)	\$1,000,000	None			

Notes:

None

Examples:

- IRA - Traditional (spouse)
- CRIF Stock (spouse)
- CRIF Global Equities (spouse)
- Mayland Prepaid College Trust (Dependent Child 1)
- Mayland Prepaid College Trust (Dependent Child 2)
- Investment Equity Fund (spouse)

Warning: Do not check "None" for any asset held for investment or the proceeds of the investment if you had a long period of non-reporting. If the asset was held for a long period, or which generated more than \$200 in income during the reporting period, together with such income.

