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NOMINATION OF DAVID B. BUCKLEY TO BE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY

HEARING

BEFORE THE

SELECT COMMITTEE ON INTELLIGENCE

OF THE

UNITED STATES SENATE

ONE HUNDRED ELEVENTH CONGRESS

SECOND SESSION

TUESDAY, SEPTEMBER 21, 2010

Printed for the use of the Select Committee on Intelligence

Available via the World Wide Web: http://www.access.gpo.gov/congress/senate

U.S. GOVERNMENT PRINTING OFFICE

63–995 PDF ★ (STAR PRINT) WASHINGTON : 2011

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512–1800; DC area (202) 512–1800
Fax: (202) 512–2104 Mail: Stop IDCC, Washington, DC 20402–0001

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NOMINATION OF DAVID B. BUCKLEY TO BE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY

TUESDAY, SEPTEMBER 21, 2010

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

The Committee met, pursuant to notice, at 2:58 p.m., in Room SD–124, Dirksen Senate Office Building, the Honorable Dianne Feinstein (Chairman of the Committee) presiding.

Committee Members Present: Senators Feinstein, Wyden, Whitehouse, and Bond.

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 open session to consider the President's nomination of Mr. David Buckley to become the Inspector General of the Central Intelligence Agency. As the Committee knows, this position has remained vacant since the retirement of John Helgerson in March, 2009.

In April, 2010, Vice Chairman Bond and I wrote a letter to President Obama pointing out the importance of the position and the need to nominate and confirm a strong, independent auditor and investigator at the CIA. The President has nominated Mr. Buckley, who has had more than 30 years of experience in government service that should provide him with an excellent background for the challenges he'll face when confirmed.

Before getting to Mr. Buckley's bio, I'd like to make just a few comments on the very unique role of his position. Inspectors General are critical in every department and agency. They conduct audits and inspections to ensure appropriate use of taxpayer money, compliance with the law, and provide an independent assessment of how well an agency is carrying out its mission. As circumstances warrant, the Inspector General carries out investigations into allegations of wrongdoing and makes recommendations for accountability, as warranted.

These functions are all the more important in an agency that, by design and necessity, shields its operations from the public and the press, and even from the large majority of its own personnel.

This Committee has seen firsthand the importance of the CIA Inspector General function. While we can't talk about many of the reports and audits that this office has produced, it is no understate-

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ment to say that they've had a major impact on the Committee's understanding of CIA programs and, at times, have led directly to major changes in those programs.

The 2004 special review into CIA detention and interrogation practices, conducted under the auspices of former IG John Helgerson, was a watershed moment. The report raised major questions about the program's legality and compliance, and led to changes and additional reviews of this program. Other recent CIA Inspector General reports have recommended changes to operations, uncovered misallocation and poor use of funds, and recommended CIA officers be held accountable for problems it found in covert action programs.

To a degree, the Committee relies on the CIA to bring forward to us notifications of its operations, analysis, and its problems. While these notifications alert us of an issue, we on the Committee are frequently reliant on the CIA IG to use the resources of the office to explain matters fully and accurately. We are also reliant on the office of the Inspector General to uncover issues that might not be immediately apparent and to do an independent review of those issues. Ideally, the Committee and the Inspector General can play a mutually beneficial role, with each side bringing forward matters for the other to review.

As I noted, for the past 18 months the CIA has been without a Senate-confirmed Inspector General. I want to note the Committee's appreciation to Patricia Lewis, the Deputy CIA Inspector General, who has acted as the IG and run the IG office during this vacancy. I imagine that she, as much as anyone, is happy to see that Mr. Buckley will, I trust, be confirmed shortly.

David Buckley has been a career public servant. He enlisted on active duty with the Air Force in 1976, specializing in investigations. He continued service with the Air Force Office of Special Investigations as a civilian in 1984, working for three years before moving to the Senate Permanent Subcommittee on Investigations under then-Chairman Sam Nunn. I'll insert in the record, at this point, a letter to the Committee from former Senator Nunn recommending Mr. Buckley.

[The information referred to follows:]

SSCI# 2010 - 3556

September 15, 2010

The Honorable Dianne Feinstein, Chairman
The Honorable Christopher S. Bond, Vice Chairman
U.S. Senate Select Committee on Intelligence
211 Hart Senate Office Building
Washington, D.C. 20510

Dear Chairman Feinstein and Vice Chairman Bond:

I am writing to strongly support the nomination and confirmation of David Buckley as the Inspector General of the Central Intelligence Agency.

I have known David since 1987, when I hired him as a staff investigator of the U.S. Senate Permanent Subcommittee on Investigations, of which I was then Chairman. In 1989, I promoted David to the position of Chief Investigator for the Subcommittee, where he served exceptionally well in conducting and leading complex investigations, until his departure in 1995 to join the front office of the Department of Defense Office of Inspector General. I found David to be a consummate professional of the highest integrity, and he enjoyed a great reputation on both sides of the aisle. He has excellent judgment and an abundance of common sense.

Since then, I have remained in touch as David and am proud of his accomplishments at the Department of Defense, the General Accounting Office, the Department of the Treasury and the House Permanent Select Committee on Intelligence. His varied oversight and leadership experience in the legislative and executive branches makes him, in my view, uniquely qualified for the position to which he has been nominated. I believe David will, if confirmed, perform the duties and responsibilities of the Inspector General admirably and will bring great credit to the office and to the Agency.

Sincerely,

Sam Nunn

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Mr. Buckley then served from 2005 to 2007 as the minority staff director of the House Permanent Select Committee on Intelligence. As such, he had a purview of the entire intelligence community, including the CIA, and developed an understanding from the Congressional point of view of the important relationship that Committees have with the CIA Inspector General.

Finally, Mr. Buckley has worked as a senior manager at Deloitte Consulting since 2007, consulting in the national security arena.

In short, David Buckley has spent 34 years in a career focused on conducting oversight, much of it in the defense and intelligence areas. He has agreed to fill this important position and I believe his background makes him an excellent candidate.

I'd now like to turn to Vice Chairman Bond, and then ask Mr. Buckley to make any introductions he wishes before turning to his opening statement.

OPENING STATEMENT OF HON. CHRISTOPHER S. BOND, VICE CHAIRMAN, A U.S. SENATOR FROM MISSOURI

Vice Chairman BOND. Thank you, Madam Chair.

Mr. Buckley, congratulations on your nomination and for appearing before the Committee. I extend a warm welcome to your family here, and those others who are friends and supporters.

And it's clear from the discussions we had and your statement for the record that you really understand the importance of the position for which you've been nominated. Now, as the Chair said, we in no way minimize the work and the role of other inspectors general, but at the CIA, given the extreme sensitivity, the necessary secrecy of the intelligence mission, the IG position is extremely important.

If confirmed as the next Inspector General, you'll have the weighty responsibility of ensuring the Director and Congressional Intelligence Committees are fully informed of any violations of the law or deficiencies in CIA programs. That means you would often have the unenviable task of determining whether or not there are such violations. Now that may not make you the most popular person at the Agency, but it does mean that you will be expected, and we will expect you, to be fully impartial and above reproach in your own conduct.

You'll also be responsible for recommending policies to promote economy, efficiency and effectiveness of the agency. That's always a good buzz word. I've always heard people talk about it; I've never seen them do it. But, we wish you luck.

At a time when the taxpayers are stretched thin and our federal deficit has skyrocketed, every federal agency has to tighten its belt and become more efficient. As the Inspector General, you are expected to play a key role helping the CIA do its part to cut spending without cutting back on our national security interests.

Now, in your statement for the record you noted that you believe the CIA Inspector General "needs to establish and maintain quality communications with the Intelligence Committees," and it's extremely imperative that Congress be kept fully informed. Well, we could not agree more. That's the heart of the matter. I ask that whenever you find yourself in a situation considering whether to inform Congress of some difficult issue, please err on the side of

disclosure. If you do so, you will find this Committee a supportive partner. If you choose not to, that's not a good way to start off.

Because the CIA's work is classified, it's not often that the American people get to see the work that you do. Today's hearing is your opportunity to give everyone from my colleagues, the people here in the audience, an idea of who you are and how you intend to perform the role.

Again, as the Chair has indicated, you have a wealth of experience—the Department of Defense, Department of Treasury, both houses of Congress—which qualify you well for the position. Over three decades you've established a record of distinguished public service.

In short, I and the rest of the Committee have the highest expectations for your performance. I look forward to hearing more about your views about this demanding, important position and how you plan to tackle its challenges. Congratulations on your nomination.

Thank you, Madam Chair.

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

Now I'd like to proceed with several pro forma questions and one other, and then ask you, Mr. Buckley, to make any introductions you'd care to and a statement, if you wish.

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

Mr. BUCKLEY. I do.

Chairman FEINSTEIN. Do you agree to send officials from your office to appear before the Committee and designated staff when invited?

Mr. BUCKLEY. I do and I will.

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. BUCKLEY. I do.

Chairman FEINSTEIN. Will you ensure that your office provides such material to the Committee when requested?

Mr. BUCKLEY. I will.

Chairman FEINSTEIN. Do you agree to inform and fully brief, to the fullest extent possible, all members of this Committee rather than only the Chairman and Vice Chairman on intelligence activities and covert actions?

Mr. BUCKLEY. I will.

Chairman FEINSTEIN. Now, one other question: Is it your intention to seek a waiver or accept a waiver, if offered, allowing you to receive a federal retirement annuity in addition to the statutory salary for the position to which you have been nominated?

Mr. BUCKLEY. It is not.

Chairman FEINSTEIN. Thank you very much.

If you'd like to proceed and introduce your family and then make us any statement you might wish to do.

STATEMENT OF DAVID B. BUCKLEY, CENTRAL INTELLIGENCE AGENCY INSPECTOR GENERAL-DESIGNATE

Mr. BUCKLEY. Thank you, Madam Chair.

I would like to introduce my wife of 26 years, Janice; my daughter, my mother, my youngest brother and my stepfather. They've

all traveled here today to be with me. My two sons are away at college—further away than my daughter is—and they're hopefully watching on the Internet. But I'm really pleased, Madam Chairman, that they're able to join me today, along with several friends in the audience.

Chairman FEINSTEIN. Thank you. And we very much welcome them. It's a delight to have you here.

Please go ahead with your statement.

Mr. BUCKLEY. Thank you.

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

I am deeply honored that President Obama has nominated me for consideration for this position.

At the risk of being redundant, during more than three decades of government service—including 31 years as a direct government employee—I have married, have three children, have been and remain active in my community and my church, and count myself blessed in those endeavors. It would be my honor to continue serving the country as the Inspector General, Central Intelligence Agency, if confirmed for this position.

I would like to briefly speak to my background and qualifications and then share some observations with you regarding the role of the Inspector General, CIA.

As you indicated, Madam Chairman, I enlisted into active service to the military in 1976 and went directly into law enforcement and criminal investigative work for the Air Force. I was honorably discharged and remained in the reserves for a few more years, but became a civilian special agent and counterespionage case officer with the Air Force Office of Special Investigations.

I conducted criminal investigations and counterespionage operations. I received specialized investigative training and was also trained in the conduct of clandestine human intelligence collections by the Defense Intelligence and Central Intelligence Agencies.

In 1987, I became a professional staff member of the Senate Governmental Affairs Committee and as investigator for the Permanent Subcommittee on Investigations, where I had the honor to serve Senator Sam Nunn and the other members for seven years, conducting investigations and oversight of government operations and other matters of import to the United States Senate.

Then from 1995 to 1998, I was the special assistant to the Department of Defense Inspector General, and, while there, realizing the need for more oversight of the Department of Defense intelligence enterprise, worked to establish a position of Assistant Inspector General for Intelligence Review.

In 1998, I briefly served as the Assistant Director for Defense and National Security Investigations at GAO's Office of Special Investigations, until later that year when I was asked by the Department of Treasury to help stand up the newly authorized Treasury Inspector General for Tax Administration. I spent six years at the IG for Tax Administration as an Assistant Inspector General for Investigations.

In 2005, I was asked by Ranking Member Jane Harman of the House Permanent Select Committee on Intelligence to join the staff and became the minority staff director for the 109th Congress.

Since retiring from federal service in 2007, I have been working as a consultant for the Department of Homeland Security, the Department of Defense and intelligence community agencies.

I believe the role and mission of Inspector General is important in any agency, but absolutely vital at the Central Intelligence Agency. The Inspector General reports to the Director and is an essential element of the proper functioning of the agency.

The director needs an independent oversight element to provide unbiased assessments, based on the professional tools that auditors, investigators and inspectors bring. The CIA is involved in international high-risk operations and activities, the vast majority of which are done in secret in order to protect them from detection by our adversaries. These factors, as well as the consequences of any abuse in such programs, demand that oversight be both vigorous and sensitive.

Furthermore, in the absence of transparency and public scrutiny, the CIA relies on the Inspector General, as well as Congress' Intelligence Committees, to provide independent oversight. In this context, the Inspector General's Office is often the only organization able to probe the agency's intelligence programs to detect instances of fraud, waste or abuse.

In addition to reporting to the Director, I believe the CIA Inspector General needs to establish and maintain quality communications with the Senate and House Intelligence Committees. I believe it is critical that Congress be kept informed of the issues of concern to the Inspector General and that the Inspector General also be responsive to concerns raised by the Congress.

An appropriate level of communication is also necessary between the CIA Inspector General and other inspectors general of the intelligence community and the other members of the Council of Inspectors General on Integrity and Efficiency, so that the CIA can also benefit from government-wide best practices.

Madam Chairman, Vice Chairman Bond, Senators, the role of the Inspector General is a difficult job to do well. The job requires a great deal of skill, tact and professionalism. If confirmed, I pledge to do my best in the execution of those responsibilities in leading the office and in working with the Agency's leadership, its employees and the Congress.

Before I close, I'd like to thank the Committee staff for their assistance and hard work. And I know that, if confirmed, I'll be working closely with them, as well as the Members. I look forward to that.

Thank you again for the opportunity to testify before you today and I'll do my best to answer your questions.

PREPARED STATEMENT OF DAVID B. BUCKLEY, CENTRAL INTELLIGENCE AGENCY INSPECTOR GENERAL-DESIGNATE

Madam Chairman, Mr. Vice Chairman and 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 of the Central Intelligence Agency.

I am deeply honored that President Obama has nominated me for consideration to this position. Before I get too far into my testimony, I would ask your indulgence

and allow me to recognize my wife of 26 years, Janice, who is here today, and the several friends who have come to the hearing to show their support for me. Our three children are in college and were unable to travel here today. I am flattered by and thankful for the support of my family and friends.

During more than three decades in government service—including 31 years as a direct government employee—I have married, had three children (now all in college), have remained active in service to my community and church, and count myself blessed in all those endeavors. It would be my honor to continue serving my country as the CIA IG if confirmed for this position.

Madam Chairman, I would like to speak to my background and qualifications, and then share some observations about the role of the Inspector General, CIA.

Madam Chairman, I entered active military service in 1976. I spent eight years in law enforcement and investigations for the Air Force, and then was honorably discharged and became a civilian special agent and counterespionage case officer for the Air Force Office of Special Investigations. I conducted criminal investigations and counterespionage operations with the FBI. I received specialized investigative training and I was trained in clandestine human intelligence operations by the DIA and CIA. In 1987, I became a professional staff member at the Senate Governmental Affairs Committee as an investigator for the Permanent Subcommittee on Investigations, where I had the honor of working for PSI Chairman Senator Sam Nunn for seven years, conducting investigations and oversight of government operations and other matters of import to the Senate. Then, from 1995–1998, I was the special assistant to the Department of Defense Inspector General and, realizing the need for more oversight of the DoD intelligence enterprise, worked to establish the position of Assistant Inspector General for Intelligence Review there. In 1998, I briefly served as the Assistant Director for Defense and National Security investigations at GAO's Office of Special Investigations until later that year I was asked to help stand up the newly authorized Treasury Inspector General for Tax Administration. I spent six years at TIGTA as the Assistant Inspector General for Investigations. In 2005, I was asked by then Ranking Member Jane Harman of the House Permanent Select Committee on Intelligence to join the staff, where I became the Minority Staff Director for the 109th Congress. Since 2007, I have been working as a consultant for DHS, DoD and intelligence community agencies.

Madam Chairman, I believe the role and mission of Inspector General is important in any agency, but absolutely vital at the Central Intelligence Agency. The Inspector General reports to the Director and is an essential element of the proper functioning of the Agency. The Director needs an independent oversight element to provide unbiased assessments, based on the professional tools that auditors, investigators and inspectors bring. The CIA is involved in international high-risk operations and activities, the vast majority of which are done in secret and often with an intentionally deceptive cover in order to protect them from detection by our adversaries. These factors, as well as the consequences of any abuse in such programs, demand that oversight be both vigorous and sensitive. Furthermore, in the absence of transparency and public scrutiny, the CIA relies on the IG, as well as Congress' intelligence committees, to provide independent oversight. In this context, the Inspector General's office is often the only organization able to probe the Agency's intelligence programs to detect instances of waste, fraud and abuse.

In addition to reporting to the Director, I believe that the CIA IG needs to establish and maintain quality communication with the Senate and House intelligence committees. I believe it is critical that Congress be kept informed of the issues of concern to the IG, and that the IG also be responsive to concerns raised by Congress. An appropriate level of communication is also necessary between the CIA IG and the other inspectors general in the intelligence community, as well as members of the Council of Inspectors General on Integrity and Efficiency, so that the CIA can benefit from government-wide best practices.

Madam Chairman, as someone recently observed, the role of the Inspector General is a difficult job to do well and an easy job to do poorly. The job requires a great deal of skill, tact, and professionalism. If confirmed, I pledge to do my best in the execution of those responsibilities in leading the office and in working with the Agency's leadership, its employees and the Congress. Thank you again for the opportunity to testify today, and I will do my best to answer your questions.

Chairman FEINSTEIN. Thank you very much. I appreciate it.

There will be five-minute rounds. And so if you can keep your answers relatively concise, that will be appreciated.

The size of the intelligence budget has doubled since September 11. While the CIA's budget is classified, it's grown enormously as

well. A directive signed by President Bush in November of 2004 instructed the CIA to increase its case officers and all-source analysts by 50 percent and to double its technical personnel. The number of contractors employed by the Agency, often to conduct what at least I believe is an inherently governmental function, skyrocketed until Director Hayden and now Director Panetta have started to put some controls in place.

Here's the question. How would you see the role of the Inspector General in reviewing and making recommendations on the overall size of the CIA, its budget, its personnel levels and its use of contractors?

Mr. BUCKLEY. Thank you, Madam Chairman.

I would approach the task of assisting the Director in reviewing the basic missions and functions of the Central Intelligence Agency and looking at those issues. It's an agency that's been tasked with huge demands in this era of high risk to the nation and in defending our nation.

But a risk-based approach in the prioritization of mission and in looking for economies and efficiencies that could be taken during that review is the way I would probably use my auditors and inspectors to focus on that problem set.

Chairman FEINSTEIN. I think it's fair to say, and I think the Vice Chairman would agree with me, that we believe there are entirely too many contractors doing inherent governmental functions, and that that should be closely examined.

Second question: Based on your numerous positions in IG offices and as a congressional investigator, how do you approach the challenge of needing to conduct very detailed reviews that may result in referrals for prosecution or other disciplinary measures for agency personnel, without getting into an adversarial relationship?

Mr. BUCKLEY. Thank you.

The role of investigators, or anyone that is engaged in oversight, is a particularly tricky job. It requires professionalism and independence of function and of mind.

The nice thing about being a government investigator, particularly an internal affairs function, is that the vast majority of government employees are there to do their job, do it well, and do it honestly. And there are just a few, in my experience, that can cause trouble or have things go sideways.

I think the vast majority of employees look forward to working with the independent investigators to make sure that their workplace is free of fraud, waste, abuse or other kinds of misconduct. And I intend on making sure that the Agency views the office of the Inspector General as a place that they can trust and respect, first and foremost.

Chairman FEINSTEIN. Thank you.

Last quick question: Under an arrangement between the IG and the congressional Intelligence Committees in 2001, the CIA IG conducts a detailed review on each authorized covert action program every three years. This has been extremely helpful to our congressional oversight. Here's the question. Do you plan to continue this practice?

Mr. BUCKLEY. Yes, I do. And, in addition, I think that a top-to-bottom review, at least at a high level, is essential in planning the audits and inspections for the Office of Inspector General.

So while a routine, every-three-years audit will obviously get some coverage of each of the covert actions, I'm also open to reviewing a covert action 12 months later, if that's what's required to make sure that things stay on track.

Chairman FEINSTEIN. Thank you.

Mr. BUCKLEY. Thank you, Madam Chair.

Chairman FEINSTEIN. I appreciate that answer.

Mr. Vice Chairman.

Vice Chairman BOND. Thank you, Madam Chair.

I begin, obviously, with our own personal interest, and that's standards for notifying Congress. You're supposed to report any particularly serious or flagrant problems, abuses or deficiency immediately to the Director, and, within seven days of being informed, the Director must report them to the Committee.

What standards would you apply in deciding whether a problem, abuse or deficiency is particularly serious or flagrant—the language of the requirement?

Mr. BUCKLEY. Yes, sir. I have given this some thought, and will review it again, if confirmed and in office.

But a serious or flagrant event, in my mind, is at least any felony or felonious allegation, or could be, depending on the position of the person. If it's an allegation against an individual employee, it could be a serious misdemeanor, depending on the circumstances surrounding the incident.

Deficiencies in operations could be wide-ranging, Mr. Vice Chairman. But you do have my commitment to probably be overnotifying the Committee, at least at first, so we can fine-tune our relationship and communications.

Vice Chairman BOND. Should the Committee ask you to testify, do you believe that you'd have to get the approval of the CIA Director to do so?

Mr. BUCKLEY. I do not.

Vice Chairman BOND. Now, one of the things the Chair and I and the rest of the Committee have been very interested in is leaks. We've had too much damage; we've lost too much information because of leaks.

What do you think, as an Inspector General, you can do to prevent leaks or discourage or uncover them?

Mr. BUCKLEY. Leaks are an incredibly large problem in our intelligence community and in our defense establishment. I think that the role of the Inspector General, first and foremost, is to review the policies and procedures and activities of the Agency, the CIA, in its efforts to stem leaks. And that's where I would probably start, with looking at their programs to determine whether those policies and efforts are being carried out in an appropriate manner or if we've got some better ideas that we could offer that could institutionalize training, certification and the like.

Vice Chairman BOND. One of the motivating factors, I believe, in leaks, number one, they think it's an unpunished crime. They can get publicity for this, and be a real champion.

What could be done, could you suggest anything as the IG, that would make the publicity or any such publicity less attractive or impinge upon their game plan?

Mr. BUCKLEY. I think regardless of the type of crime, but particularly in leaks, that the motivation of the offender is one of the hardest things to come to grips with as the investigation is taking place. And, Senator, as I presume you know, when leak investigations are opened, they're largely conducted by the Federal Bureau of Investigation and the Office of Security.

Vice Chairman BOND. Yes.

Mr. BUCKLEY. Again, I think that the whole process of attempting to limit, understand and deter leaks probably needs to be taken. We need to take a look at the whole process—what are we doing to stem that tide and what additional things can we add to the programs and policies that would strengthen our ability to deter leaks.

Vice Chairman BOND. As I understand it, most of these crime reports, though, do originate with the Agency and they may be expected to put together a preliminary case to turn it over to the DOJ. And I thought that's perhaps where you might come in, and if your work discovers that, you may be the one to institute it.

Mr. BUCKLEY. I will take a look at that. If confirmed, I will be happy to take a look at the soup-to-nuts program and also the role of the Office of Inspector General in the leaks avoidance.

Vice Chairman BOND. A final question. Do you, from what you know of the legal authority, do you have sufficient clear authority for your statutory responsibilities and expectations for congressional independence and effectiveness, or do you see any clarified authorities that you might need?

Mr. BUCKLEY. Senator, I am familiar with the intelligence authorization bill that the Senate passed, and there are several provisions in that legislation that the Senate has passed that would give the office of the Inspector General maybe some further independence, or at least an appearance of independence, as it relates to the General Counsel and a separate appropriation request. I support both of those. I think those are both good ideas.

Relative to other matters regarding the jurisdiction or authorities of the office, I would have to wait to get in place to review those. But I promise you I will do that, if confirmed, and get back to the Committee.

Vice Chairman BOND. Thank you, Mr. Buckley. We appreciate the plug for our authorization bill. It's about time.

[Laughter.]

Mr. BUCKLEY. Yes. Yes, sir.

Chairman FEINSTEIN. Senator Whitehouse.

Senator WHITEHOUSE. Thank you, Madam Chair.

Mr. Buckley, welcome.

Mr. BUCKLEY. Thank you.

Senator WHITEHOUSE. And thank you for giving me some time the other day. I appreciate it; enjoyed the opportunity to meet you.

The CIA's detention and interrogation program has been the subject of considerable inquiry by Congress, by the Department of Justice, presumably also internally. As a general proposition, as a matter of corporate governance, if you will, I believe that a chief execu-

tive official of an organization against which allegations have been made should have a chain of reporting to him- or herself about that incident that does not involve employees implicated in that incident or conduct.

Do you agree with me that that's a fairly basic principle of corporate governance with respect to internal investigations of claims of misconduct?

Mr. BUCKLEY. I do, and I think, Senator, I believe that that's one of the essential roles of the Inspector General, to offer that independent capability to audit, investigate, and inspect.

Senator WHITEHOUSE. I would like to ask your assurance that when, as and if you are confirmed and take this position, that you familiarize yourself with the existing chain of reporting relating to the CIA's detention and interrogation program to the Director so that you are in a position to respond to questions from this Committee, from members of this Committee, about whether or not, as it presently is constituted it meets that standard of corporate governance. Are you willing to do that?

Mr. BUCKLEY. I am.

Senator WHITEHOUSE. Okay.

Mr. BUCKLEY. Yes. Thank you.

Senator WHITEHOUSE. That's the only question I had. I enjoyed talking with you and look forward to working with you in your new position.

I want to thank you for your many years of government service in a variety of different organizations and, despite your presumably more lucrative tenure in the private sector, your willingness to step away from that and return to the service of your country in this role. And it may have been with—I gather you have three children in college.

Mr. BUCKLEY. I do, Senator.

Senator WHITEHOUSE. So it's a fairly consequential choice for you to have made, and I want you to know that I appreciate it; I believe all of us appreciate it.

Mr. BUCKLEY. Thank you. I'm honored.

Chairman FEINSTEIN. Thank you very much, Senator Whitehouse. I'm glad you made that statement. I know that both the Vice Chairman and I concur with it, and we, too, thank you, Mr. Buckley.

Senator Wyden is on his way. I beg your pardon. He just entered the room. While he is walking up to the podium, let me ask you this. As you use your prior experience and as you review the powers of the CIA IG, do you believe you have all the authority that you would need to proceed in a vigorous and effective way?

Mr. BUCKLEY. Madam Chair, as I understand the authorities of the office today and the mission that lies ahead and the mission that the good employees of that office are performing today, I believe so. However, as I indicated, I think it's important to take a look at, today, 2010, what the position of the office and the authorities of the office require. And I will come back to you if I see any deficiencies in those authorities.

Chairman FEINSTEIN. Thank you.

Senator Wyden.

Senator WYDEN. Thank you. Thank you, Madam Chair. Thanks to you and the Vice Cair for holding this open. As you know, I've taken a great interest in this position over the years and very much appreciate your holding this hearing.

In 2007, the former CIA Director began his own inquiry into the operations of the CIA Inspector General's Office. As you know, I was quite outspoken in terms of taking objection to this approach, this type of inquiry because I was of the view it posed a direct threat to the Inspector General's independence. I made it clear that I would do everything I could to oppose this kind of approach. Other members of the Committee voiced their objections as well, and the inquiry was terminated.

Now, in your response to the pre-hearing questionnaire, you stated that you do not believe it's appropriate for agency heads to investigate their own Inspector General, and you suggest a number of ways that agency heads can properly address their concerns about inspectors general without resorting to what in my view is an extremely inappropriate step.

So my question is, if a future CIA Director decides that they are unhappy with the Inspector General and wants to undermine the office's independence, my sense is we're not going to see anything quite as ham-handed as what we saw before, somebody just going out and opening their own investigation.

But it's certainly easy to think that there would be more subtle ways that the Director could try to undermine an Inspector General to limit the Inspector General's activities. They could, for example, restrict access to certain personnel. They could attempt to limit the resources that an office has or use classification as an excuse for limiting the Inspector General's access to information.

My question to you is, if you are confirmed as Inspector General, and a future director begins to undermine your office's independence and your effectiveness, how would you respond to something like that?

Mr. BUCKLEY. Thank you, Senator Wyden. I appreciate that question. My first response would be to discuss the matter with the Director and to let him know—him or her—my position on the matter. Presuming, based on your question, that it was the intent to subtly undermine the office, my first stop would be right here. I think that the first place that I would turn are the Committees. I presume that an intermediate step could be the Director of National Intelligence, but within the statute, I believe that the Committee is the right place to start if I perceive the undermining of the office's authorities or its independence, whether they be subtle through budget or space, or access to information or personnel.

Senator WYDEN. The question, also if I might, with respect to the release of Inspector General reports. The Inspector General's Office produces a lot of audits and reports that are routine, where the office is basically providing management consulting to the rest of the CIA, but it also generates a modest number of reports that are of significant national interest. And I have felt for some time that it's important to make appropriately redacted versions of these reports available to the public.

One in particular is the Inspector General's report that was done a number of years ago on the CIA's activities in the run-up to 9/

11. Senator Bond and I had to work for years and years to get this report declassified. We thought it was of significant historical value. It made the case for a number of reforms that Congress tried to implement. And as the two of us worked on a bipartisan basis to declassify the report, it wasn't exactly clear who was responsible for balancing the CIA's natural almost penchant for secrecy with the need to determine whether disclosure would be in the public interest.

In your view, how would you go about striking that balance? How should that balance be struck?

Mr. BUCKLEY. Senator, as you know, the authority to classify information does not rest with the Inspector General. And if the Agency is appropriately classifying information—we'll just start there, if you don't mind—and the matter is appropriately classified and plain on its face that it should be so, in order to declassify the information—make it either through a redaction or declassification—we have to rely upon the Director or whoever the classification authority is to make that determination.

And, as the Inspector General, I will work with you and with the Agency to make sure that the reports that my office produces will be relevant and informative to the folks that need the information—the Director and the Committees. And then if an effort is made to declassify those or required to declassify or redact, I will certainly participate wholeheartedly in that endeavor.

Senator WYDEN. Madam Chair, I had one additional question. Would it be appropriate to ask it at this time?

Chairman FEINSTEIN. It certainly would be.

Senator WYDEN. Okay. One last question with respect to legal interpretations you all do, and I want to put it in the context of some of the discussion about interrogations. In 2004, the CIA Inspector General conducted a special review of the CIA detention and interrogation program. Much of that analysis is still classified, but anyone who reads the unclassified version can see that the Inspector General's Office conducted its own independent analysis of CIA interrogations, the meaning of various laws with respect to torture.

And I think it would be fair to say that the Office of the Inspector General didn't necessarily agree with all of the legal conclusions that were reached by the CIA General Counsel's office. And I think it's also clear today that the CIA General Counsel's office made some mistakes, costly mistakes, by relying on questionable legal opinions from the Department of Justice, rather than on legal analysis that would actually stand up to public scrutiny.

So my question is, do you believe that it is appropriate for the Office of the CIA Inspector General to conduct its own legal analysis, rather than to rely on the conclusions of the CIA General Counsel?

Mr. BUCKLEY. Thank you, Senator. As you know, the CIA General Counsel is the chief legal officer for the Director, for the Central Intelligence Agency. That said, yes, I believe that it is appropriate to review underpinnings of activities, whether they're legal or policy in nature. And if it's based on a legal interpretation, the Office of the Inspector General has their own attorneys. And yes, I think it's fair game to be able to look at those.

Senator WYDEN. And who would you notify if you thought that the CIA General Counsel was wrong? We all know what the politics of this are, and I'm not going to try to drag in the Bybee memo and things of this nature. But I do want to know, if you thought that the CIA General Counsel was wrong, who would you notify?

Mr. BUCKLEY. I would notify the Director first, and if I learned or we felt, the office felt that the wrong interpretation or the apparent interpretation was leading to activities that we thought were improper, I believe that might raise to a serious deficiency as outlined in the statute, which would require a written notification to the Congress.

Senator WYDEN. Thank you, Madam Chair.

Chairman FEINSTEIN. Thank you, Senator.

Just an additional question, if you'd like to ask. I'm finished.

Vice Chairman BOND. Two general areas. Ten years ago President Clinton directed major intelligence agencies to produce auditable financial statements. I used to be an auditor. I thought that was great. So far, only NRO's financial statements have received a clean opinion. CIA's statement got a disclaimer of opinion, auditor-speak of an F.

How important do you think it is for the CIA to achieve clean financial statements to prevent fraud, waste, abuse? What can you do to help the CIA achieve that goal?

Mr. BUCKLEY. Thank you, Vice Chairman. I agree that the books and records of any agency, but particularly an intelligence agency, need to balance. And having not seen the audit reports—or the financial statements, for that matter—I can only envision some of the things that might cause a problem in balancing those books from an auditor perspective.

But to answer your question, I will work closely with the chief financial officer, and obviously our audit staff does today and will continue to work closely with the CIA's CFO to get those books and records in an auditable format so they can be audited without disclaimer, or without at least a material disclaimer.

Vice Chairman BOND. All right. Let's see.

We're also interested in assuring that the CIA is accountable. We need to have a culture of personal accountability. Do you have any ideas on establishing accountability, or what do you think are the necessary ingredients, and what can you as CIA OIG leader do to establish and oversee the procedures to make sure they work?

Mr. BUCKLEY. Yes, sir. Well, I'm a big proponent of accountability in service and in deed. I will just speak, I guess, from an investigation standpoint. As the office conducts investigations, it obviously is going to find shortcomings in personal behavior. I think it's an important role of the Inspector General not so much to recommend the course of action that might be indicated based on the misbehavior, but to make sure that appropriate action is taken by the authority that has that responsibility.

So the first thing that I would recommend is to take a look and see if you've got a pattern or practice of not holding people accountable. You can do that through an audit, by looking back, what's the pattern of practice based on the activities, the investigations, audits or inspections that have indicated impropriety, and where accountability has been recommended. Then you can figure out if

you've got a pattern or if you've got just a one- or two-off type of situation.

And the second thing is to actually track the activity or the action taken based on the investigation that's been referred for action, and that's something that I think is the responsibility of the Inspector General, to make sure that the work product is being used effectively, first of all. Are we giving them a quality product that they can base action upon, and are they taking appropriate action, and keep a record of that and report that information as appropriate.

Vice Chairman BOND. I might just add by way of a side note that we have seen in other areas of the IC where somebody who has botched a job has moved out and up to get that person out of a job and give them an even better assignment, which has raised hackles and I think has not served the community well.

Well, I thank you, Mr. Buckley, and wish you well.

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

Thank you, Mr. Buckley. You've been straightforward, concise and direct and it's very much appreciated.

It is my hope, Members, to have Mr. Buckley's nomination confirmed by the full Senate prior to the upcoming recess, so I'd like to ask that any Members with remaining questions submit those questions by Thursday noon. That's two or three hours short of 48 hours. And then the Committee can vote on the nomination not later than next Tuesday. So that's agreeable, and we will proceed along those lines.

And I thank you very much, and your family. My sense is you will be confirmed and we wish you a very, very good and strong tenure. So thank you very much.

Mr. BUCKLEY. Thank you.

Chairman FEINSTEIN. The meeting is adjourned.

[Whereupon, at 3:43 p.m., the Committee adjourned.]

Supplemental Material

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SELECT COMMITTEE ON INTELLIGENCE

UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

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SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE

QUESTIONNAIRE FOR COMPLETION BY PRESIDENTIAL NOMINEES

PART A - BIOGRAPHICAL INFORMATION

1. NAME: David Brent Buckley
2. DATE AND PLACE OF BIRTH: November 27, 1957; Melbourne, Florida.
3. MARITAL STATUS: Married
4. SPOUSE'S NAME: Janice Gayle Howard Buckley
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: Howard
6. NAMES AND AGES OF CHILDREN:

NAME	AGE
REDACTED	

7. EDUCATION SINCE HIGH SCHOOL:

INSTITUTION	DATES ATTENDED	DEGREE RECEIVED	DATE OF DEGREE
University of Maryland University College	1978-1987	B.S.	December 1987

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

EMPLOYER	POSITION/TITLE	LOCATION	DATES
Deloitte Consulting LLP	Senior Manager	Washington DC Arlington VA	2007-present
House Permanent Select Committee on Intelligence	Minority Staff Director	Washington DC	2005-2007
Treasury Inspector General for Tax Administration	Assistant IG for Investigations	Washington DC	1999-2005

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Treasury Department	Senior Advisor	Washington DC	1998-1999
General Accounting Office, Office of Special Investigations	Assistant Director	Washington DC	1998
Department of Defense Inspector General	Special Assistant to the Inspector General	Arlington VA	1995-1998
Senate Permanent Subcommittee on Investigations (Governmental Affairs)	Investigator, then Chief Investigator	Washington DC	1987-1995
US Air Force Office of Special Investigation	civilian Special Agent	Andrews AFB MD	1984-1987
US Air Force Active Reserves	enlisted, AFOSI Special Agent	Washington DC	1984-1992
US Air Force Active Duty	enlisted, AFOSI Security Police,	Langley AFB, VA Bolling AFB DC Kaiserslautern, Germany	1976-1984

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):

See my federal civilian and military service outlined in question 8. In addition, from 2007 to the present, I have served as a consultant to the Office of the Deputy Director of National Intelligence for Analysis (Analytic Transformation and Technology), the Office of the Undersecretary of Defense for Intelligence, the Department of Homeland Security and U.S. Immigration and Customs Enforcement.

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

Counterintelligence collections and analysis, AFOSI, 1982-1987
Counterespionage case officer, AFOSI, 1984-1987
Graduated Military Operations Training Course (MOTC) 1987
Congressional investigation of the US Government's ability to protect against espionage abroad, US Senate PSI, 1987-1988
Intelligence community legislation, policy and oversight, HPSCI staff, Minority Staff Director, 2005-2007
Intelligence community analytic transformation and technology, information sharing (consulting) ODNI, 2009-2010

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):

Secretary of Defense Medal for Outstanding Public Service, 1998
Senate Permanent Subcommittee on Investigations Resolution, 1995
USAF Meritorious Service Medal , 1990
USAF Commendation Medals (2), 1984
USAF Achievement Medals (2), 1982, 1991

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):

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ORGANIZATION	OFFICE HELD	DATES
Izaak Walton League, Arlington Fairfax Chapter	Member	1998-2008
Springfield VA Swim and Racquet Club	Member	1990-present
National Rifle Association	Member	1973-2010
Senior Executives Association	Member	1999-present w/breaks
Association of former AFOSI Agents	Member	1990-present w/breaks
Federal Executive Institute Alumni Association	Member	1998-present w/breaks
Intelligence and National Security Alliance	Member	2007-present
Boy Scouts of America	Asst Scoutmaster, Unit Commissioner, various	1995-present
Fresta Valley Christian School	Board Member	2009-present
International Association of Chiefs of Police	Member	1999-2009 w/breaks

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):

Journal of Public Inquiry, "You've Got Jail: Penetrating Questions about Investigating Computer Intrusion," Fall/Winter 2000 edition, co-authored with Andrew Fried and Daniel Wilkins

PART B - QUALIFICATIONS

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

I was privileged to serve in the U.S. Air Force from 1976-1984 and then as a federal civilian employee in the legislative and executive branches of the government, from 1984-2007. My career started with working to protect the Air Force from internal and external criminal threats, first in law enforcement. I then focused on the conduct of investigations on a wide variety of criminal and counterintelligence matters with the Air Force Office of Special Investigations, which is subordinate to the US Air Force Inspector General. I received specialized training in offensive counterespionage operations and the conduct of clandestine HUMINT operations and was a counterespionage case officer for three years. In 1987, I accepted employment as a staff investigator for the U.S. Senate Permanent Subcommittee on Investigations, of the then Senate Committee on Governmental Affairs. While working in the Senate, I conducted, managed and led investigations to examine fraud, waste and abuse in and affecting federal programs, working closely with the U.S. GAO and Inspector General community. As a Senate professional staff member and subcommittee chief investigator, I examined the impact of crime and abuse on federal programs and identified gaps in regulatory oversight which lead to enabling criminal behavior in certain programs.

In 1995, I moved from the Senate to the Department of Defense Office of the Inspector General, where I served as the special assistant to IG Eleanor Hill. There, I worked primarily with the deputy and assistant inspectors general on organizational management and leadership issues and on special matters with the Office of the Secretary of Defense and with the IGs of the State Department, Justice Department and CIA.

In 1998, I worked at the U.S. General Accounting Office as the Assistant Director for Defense and National Security matters in the Office of Investigations, before being asked to serve at the Treasury Department to assist in the transition of the criminal investigative element of the IRS Inspection Service into the just-created Treasury Inspector General for Tax Administration (TIGTA). I was hired as an Assistant Inspector General for Investigations. The Office of Investigations consisted of over 500 FTE with approximately 55 field locations, and was focused on the conduct of investigations and operations to protect federal tax administration of internal and external criminal threats.

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In 2005, I was asked by the minority members of the House Permanent Select Committee on Intelligence to join the committee staff to conduct investigative oversight of the intelligence community. However, shortly after joining the HSPCI staff, I was selected as minority staff director, where I lead the staff and was a key intermediary with IC leadership.

I have had the privilege of serving with and learning from outstanding public servants. And, I have had the honor of directly serving some of the best and the brightest minds in the government, including Senator Sam Nunn and Congresswoman Jane Harman. I have experience working with the highest levels of government and have in-depth experience conducting oversight of government operations and in leading auditors, evaluators and investigators. I have profound respect for the men and women serving our country in the intelligence community and understand the tremendous pressures they work under as they protect the nation by collecting, analyzing and producing knowledge for our policymakers and war fighters.

I also have great regard for the rule of law and governance of conduct. I have served in two statutory offices of Inspectors General – DoD and TIGTA and have direct experience in the conduct of independent, fair, thorough and balanced oversight of sensitive government operations. I fully respect and honor the balance of power and checks and balances established by the Constitution and as codified in Title 5 and Title 50 with respect to the Inspectors General of the United States.

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):

I did not participate in political campaigns while I served in the government. I was a local campaign volunteer for Obama for America after my departure from the federal government, from August-November 2008.

Based on my review of bank and credit card statements, I have determined that I made the following contributions:

Obama For America – Mar. 2008, $50.00
Obama For America – May 2008, $30.00
Obama For America – Aug. 2008, $25.00
Obama For America – Nov. 2008, $60.00
Democratic National Committee – $10.00 per month recurring contribution estimated from Feb. 2006–Jan. 2009 ($240.00 total)
Democratic National Committee - July 2010 $43.00
Democratic National Committee – Aug. 2007, $50.00
Democratic National Committee – Dec. 2004, $50.00

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

None.

17. FOREIGN AFFILIATIONS

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(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 Central Intelligence Agency'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

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with the Central Intelligence Agency'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.

Yes.

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.

I will receive compensation from Deloitte Consulting LLP for any unused, earned personal time off upon resignation. I am a vested member of Deloitte's defined benefit pension plan and will receive a pension upon reaching age 62. I will receive a performance award on September 3, 2010 for performance during the fiscal year which ended on May 31, 2010.

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.

N/A.

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

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POSITION HAS BEEN HELD. IF YOUR SPOUSE'S EMPLOYMENT IS NOT RELATED TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED, PLEASE SO STATE.

Yes, however my wife's employment as a realtor is unrelated to the position to which I have been nominated. She would not knowingly accept, as a client, an employee of the Central Intelligence Agency during my service at the CIA.

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.

NAME OF ENTITY	POSITION	DATES HELD	SELF OR SPOUSE
Fresta Valley Christian School	Board Member	October 2009-present	Self (no compensation)

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

I received a pair of boots, as a gift, from Chairman Silvestre Reyes, HPSCI, upon my departure from the HPSCI in March 2007.
I received an iPod iTouch 8gb as a gift from several Deloitte principals and employees in April 2009.

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.)

In addition to the items listed on Schedule A of my SF-278, which has been provided to this Committee:

REDACTED

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.)

NATURE OF OBLIGATION	NAME OF OBLIGEE	AMOUNT

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None.

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.)

2005 2006 2007 2008 2009

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.

A. Federal
B. Virginia

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.

Insert offset folio 9 here 63995.009

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.

N/A

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 Central Intelligence Agency'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 Central Intelligence Agency's designated agency ethics official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

37. 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.

2010 SF 278 (as nominee)
2009 CIA Financial Disclosure Form (FDF)
2007 Congressional Staff financial disclosure statement

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.

- In 2003 or 2004 I was deposed in connection with an EEOC matter. The deposition related to a Treasury Inspector General for Tax Administration (TIGTA) employee who believed she had been unfairly passed over for promotion and who had complaints about me and other managers at TIGTA. After my interview, I had no further involvement in this matter and do not know how it was resolved, however during the vetting process for this nomination, I learned that I had been one of several supervisors in the employee's management chain to be named in the complaint.

- During the vetting process for this nomination, I was asked about a complaint alleging I had misused TIGTA resources to order an investigation of a case of identity theft that I had been a victim of in 2003. I never ordered such an investigation, and I had never before heard about the complaint. I do not know whether the complaint was investigated.

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

Insert offset folio 10 here 63995.010

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 deposed in 2003 or 2004 in connection with the EEO matter described in question 38. I was also interviewed in 2007 by the FBI as a witness in a leak investigation.

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.

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Yes. CIA Full Scope Polygraph, 2007; USAF counterintelligence scope polygraph, 1986.

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

No.

PART G - ADDITIONAL INFORMATION

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

The Congress, through its duly organized appropriation and select committees on intelligence, conducts high level oversight of the U.S. intelligence activities. The committees, through the annual legislative authorization and appropriation process, receive testimony and written reporting, which form the basis for Congress' knowledge of the activities. The members and staff conduct formal and informal inquiry both in the Washington metropolitan area and in the field, where they probe select matters, providing for more focused and direct oversight of the intelligence community. The SSCI and the HPSCI and the appropriations committees, of course, rely heavily on the executive branch to proactively disclose the intelligence community's activities, principally through the budget requests, budget justification narratives, testimony, program reporting, informal briefings, and through formal hearings and inquiries.

The Congress also depends on the Office of the Inspector General, authorized in 50 USC 403q, to perform objective and effective oversight of CIA programs and operations through investigations, inspections and audits. The IG, while a direct report to the Director, CIA, reports to the intelligence committees, usually through the semiannual report, forwarded by the Director, on matters of significant problems, abuses and deficiencies relating to the Agency's programs. The statute also specifically enumerates events which trigger direct IG reporting to the committees and to the Attorney General on violations of federal law.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

Most of the duties and responsibilities of the Inspector General, CIA are specifically codified in the Central Intelligence Agency Act of 1949 (50 USC 403q). The IG, CIA is under the direct supervision of, and reports directly to the Director of the CIA. The primary role of the IG is to keep the Director, and the Congress, through the Senate and House intelligence committees, fully and currently informed concerning violations of law and regulations pertaining to Agency matters. The IG does this by leadership and management over independent and objective investigations, inspections and audits of Agency programs. The OIG receives and handles complaints concerning matters within the authority of the IG, and also provides leadership and recommends policies designed to promote economy, efficiency, and effectiveness in Agency programs. As a member of the federal government inspector general community, the IG, CIA participates in the Council of the Inspectors General on Integrity and Efficiency and assures that allegations of violations of federal criminal law are provided to the Attorney General.

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AFFIRMATION

I, DAVID BRENT BUCKLEY, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

August 25, 2010 _____
(Date) (Name)

Leela K. Chudasama
(Notary)

Leela K. Chudasama
Notary Public, ID# 7320321
Commonwealth of Virginia
My Commission EXPIRs Feb 28, 2014

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TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

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

Signature

Date: 8/25/2010

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Additional Prehearing Questions for

David Buckley

Upon his nomination to be

Inspector General, Central Intelligence Agency

Qualifications for Position

1. By statute, appointment to the position of Inspector General of the CIA is to be made "solely on the basis of integrity, compliance with the security standards of the Agency, and prior experience in the field of foreign intelligence. Such appointment shall also be made on the basis of demonstrated ability in accounting, financial analysis, law, management analysis, public administration or auditing."

   - **What insights about the CIA did you gain from your experience as Minority Staff Director of the House Permanent Select Committee on Intelligence that will be useful to you in performing the duties of Inspector General of the CIA?**

     A. My work at the HPSCI has afforded me the unique opportunity to gain keen insights into the CIA that I hold to this day. First is that, to a person, everyone I met at the CIA was dedicated to protecting the Nation from foreign threats. It is important for those in the office of the Inspector General to appreciate the dedication and focus of the officers they are overseeing, so as not to become jaded by their investigative findings.

     A second useful insight is realizing the breadth of the CIA's mission and the complexity of how the mission is executed. These are complex, often-shifting, and driven by national priorities in the context of direct and nuanced international relationships. The complexity of the mission

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demands that the work of the Office of the Inspector General be thorough in its approach but also balanced by the complete facts in its presentation of those facts.

A third insight is that organizations that do their work in secret and with internal compartmentation are in particular need of strong, independent, objective and fair oversight that will not only find individual issues but is also able to identify larger, systemic weaknesses that need to be better addressed by management, leadership, or legislation.

- **What insights about the CIA have you gained from your experience within the Executive Branch or in the private sector that will be useful to you in performing the duties of Inspector General of the CIA?**

A. Early in my career, as a counterespionage case officer, I was the first Air Force Office of Special Investigations (ASOFI) special agent to graduate from the Military Operations Training Course (MOTC), receiving clandestine HUMINT tradecraft training from the CIA and Defense Intelligence Agency (DIA). I also conducted offensive counterespionage operations with the FBI and in coordination with the CIA. I gained insight and understanding of both HUMINT and counterintelligence operations that the Agency conducts or that are conducted under its authority, direction or control. I gained insight into the pressures that exist in the fields of intelligence production and analysis and how changing national priorities must be met by a flexible and resilient workforce. At the Department of Defense, I worked with the staff of then-CIA IG Fred Hitz on coordinating inquiries that involved both DoD and CIA elements. Through this I gained further insight into certain CIA operational activity. In the private sector, I have worked as a consultant to various intelligence community components on the issues of information sharing, analytic transformation and insider threat/counterintelligence. In the course of that work, I have interacted closely with several CIA offices, including the Office of the Chief Information Officer (OCIO) and the Counterintelligence Center (CIC),

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and I have gained insight into the relationships between those offices and their partner organizations within the IC.

- **Please describe how your experiences in the Inspectors General offices at the Department of Defense and Treasury have prepared you for the position of Inspector General of the CIA.**

A. My experiences at the Offices of Inspector General at Defense and at Tax Administration have directly prepared me to become the CIA Inspector General, should I be confirmed. Those experiences have afforded me a clear understanding of the importance of the role of an IG as an independent fact finder, serving as the professional eyes and ears for the Director and the Congress on matters pertaining to the IG's jurisdiction. Those experiences cemented my understanding of the critical value of the OIG in providing high quality and timely reports of investigation and audit. I also learned to operate professionally, objectively, fairly and independently, while leading a diverse workforce of auditors, investigators and inspectors, reporting results, preparing and delivering testimony, and managing budgets and personnel. I worked with geographically separated professional staff and client organizations and other government agencies, including the military services and the Department of Justice. At both offices of inspector general, I also gained firsthand experience in working with Congressional committee Members and staff to make sure that topics of concern to Congress were addressed in the IG office's work plan and that the findings of IG audits, investigations, and inspections were communicated to the appropriate congressional committees in a timely manner.

Familiarity with the CIA

2. The position for which you have been nominated will require an in-depth and sophisticated understanding of the operations, organization, and dynamics of the CIA—an organization in which you have not worked.

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- **Please explain how you would become quickly and thoroughly familiar with the Agency's operations, organizations, and dynamics if confirmed.**

  A: If confirmed, I will work directly with the Director and his senior staff, and with the staff of the Office of Inspector General (OIG), in immersing myself in the Agency's operations, organizations and dynamics. I have received assurance of such cooperative assistance from the CIA's leadership should I be confirmed. The current Deputy Inspector General, with whom I have spoken, is confident that the OIG has thorough visibility into Agency offices and operations.

Duties of the Position

3. One of the key statutory responsibilities of the position of Inspector General of the CIA is "to provide policy direction for, and to plan, conduct, supervise, and coordinate independently, the inspections, investigations, and audits relating to the programs and operations of the Agency..."

- **Please explain how you would go about determining the agenda for the Office of Inspector General's inspections, investigations, and audits.**

  A. If confirmed, I would first take into consideration the statutory (financial statements, covert action, etc.) and OMB-directed audit requirements. I would then work closely with the CFO, CIO and other component heads to develop a risk-based approach to our audit planning and scheduling process, seeking to identify and address those areas or operations of greatest risk or vulnerability. However, even with a comprehensive audit plan, my experience has shown unanticipated program risks will emerge and need to be addressed. I will use the audit plan as a guide but will maintain the organizational flexibility to reassess and reprogram resources to address those instances.

  Similarly, I anticipate that I will use a risk-based approach to guide which offices and operations are to be subject of inspection. I believe the inspection planning process will give the IG office greater flexibility in identifying areas that need internal control and program management evaluation.

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Unlike audits and inspections, the office of investigations is, I believe, largely reactive in nature. Topics for investigation are not "scheduled," but must be address when received. I will initiate investigations concerning allegations of violations of law or agency policies and directives.

- **In doing so, how would you plan to interact with the Director of the CIA?**

  A. I will coordinate the audit and inspection plan with the Director and his executive staff and will work to deconflict schedule and scope as appropriate. I will keep the director fully and currently informed on the conduct of criminal and administrative investigations. Ultimately, I will audit, inspect and investigate as I deem appropriate.

4. In general, what will be your approach to ensuring the independence of the Office of the Inspector General of the CIA, given that the Inspector General reports directly to and is under the general supervision of the Director of the CIA?

   A. The IG has a vital function to perform – to help assure the integrity and efficiency of Agency operations – and serves the Director, the President and the Congress in the conduct of the function. Given that responsibility and function, if confirmed, I will make decisions objectively and independent of any undue influence. I will deliver facts to decision makers and monitor the actions taken based on those facts.

5. Do you believe the IG needs his or her own legal counsel and control over his or her own budget?

   A. Yes, I believe that the Inspector General is probably best served by legal counsel that is managed independent of the Agency's General Counsel. I also believe there is great value to a close working relationship between the General Counsel and the Inspector General and their respective staffs.

   I also believe the IG should have his or her own budget and appropriation.

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6. Are there any other changes to the CIA's Office of Inspector General's authorities contained in S. 3611, the Intelligence Authorization Act for Fiscal Year 2010, which you wish to comment upon?

   A. I have read the CIA IG provisions contained in S.3611 and do not have any other comment to offer at this time.

7. The CIA has a number of longstanding material weaknesses that have prevented it from being able to receive anything but a "disclaimer of opinion" – essentially an "F" – on its financial statements.

   - **What role should the IG play in moving the CIA towards getting a clean opinion on its financial statements?**

     A. While I have not seen either the financial statements or audits, generally, as the auditor of the Agency's financial statement, the IG needs to remain independent of the preparation of the Agency's financial statement and should have no material role in its preparation or presentation. The IG's audit of the financial statement, though, should clearly articulate any shortcomings of the financial statement and identify recommendations that, when implemented, lead to an auditable statement.

Director Hayden's Inquiry into the OIG

8. In 2007, then CIA Director Hayden launched an inquiry into the practices of the OIG. While the Committee was not provided access to the resulting report, we were provided the unclassified recommendations that Director Hayden made based on this report, which he published to the CIA workforce in an unclassified form. These recommendations *implied* a number of problems within the OIG – including: not clearly reflecting the views of subjects of investigation; not providing all exculpatory evidence in published reports; inadequate procedures to ensure subjects could review reports of their interviews; and slow reporting. The Committee had serious concerns about the appropriateness of this inquiry and the manner in which it was conducted.

   - **Are you familiar with this inquiry and the recommendations that resulted from it?**

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A. I am aware that Director Hayden directed an inquiry into the practices of the OIG, but as a nominee I am not aware of the specifics of its actual conduct or outcome. If confirmed, I will review the report and its recommendations.

- **If so, what are your views on the problems implied to exist within OIG at the time and the recommendations that were adopted?**

A. I have not yet been afforded the opportunity to review the report or its recommendations and therefore have no basis on which to comment. If confirmed, I will review the report and its recommendations, and I look forward to sharing my views with the Committee.

- **Do you believe it is appropriate for an agency head to launch an inquiry into his or her OIG? Please explain why or why not.**

A. No. The Inspector General is Presidentially appointed and Senate confirmed and needs to be, in substance and in appearance, independent from the Director. Whether or not the office of the Inspector General is performing to the Director's expectations – or within the boundaries of professional standards – should be of concern and of direct interest of the Director, the President, and the Congress. The Council of Inspectors General on Integrity and Efficiency, with leadership as provided by the Director OMB and the FBI and the IG community, is in a better position to independently conduct reviews of Inspectors General, using the Standards that the CIGIE has promulgated, and to work with Offices of Inspectors General to improve practices and operations.

- **Have you faced similar problems to those implied by General Hayden's recommendations in your prior positions in IG offices? If so, what actions have you taken to address them?**

A. Yes. IGs and their offices are not perfect. They should seek feedback and have an appropriate measure of transparency. A key element to quality control is listening and appropriately reacting to the consumers of the report, whether the consumer is Congress, the Department of Justice, or an Agency accountability board. If the consumer cannot rely on the

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report, I believe that would be a key indicator that there might be a problem with the conduct and reporting of the investigation.

In March of 1995, I was appointed as the Special Assistant to the DoD IG. The Office received complaints from some Defense components concerning the quality of some administrative (non criminal) reports of investigation. After an internal review validated some of the concerns (thoroughness, tone, etc.) the administrative investigations section was reorganized, professional criminal investigators were detailed into the office, standards and procedures were refreshed and enhanced, and direct feedback sought from consumers. The quality improved dramatically and the reputation of the office was restored.

At the Office of Investigations of the Treasury Inspector General for Tax Administration, where I was Assistant Inspector General for Investigations from 1999-2005, we promulgated a detailed special agent manual (policy) that fully implemented the Quality Standards for Investigations, executed a strong inspection program that reviewed closed and open cases, interviewed agents, supervisors, customers in the IRS and DOJ, and tracked the implementation of recommendations. The office and its operations were eventually subject to external peer review. Supervisors were held accountable for deviations from policy, as were investigators. When consumers voiced concern or pointed out potential problems in reports, those matters were taken seriously. Refresher training was common and ongoing.

Relationship of the CIA Inspector General to the ODNI Inspector General

9. Please describe any potential overlap or conflict you may see between the role of the CIA Inspector General and that of the ODNI Inspector General – both as that office currently stands and as it would be expanded in S. 3611, the Intelligence Authorization Act for Fiscal Year 2010, and the steps you would take to reduce conflict.

    A. Today, as a non-statutory IG, the ODNI IG works, as I understand it, to perform IG functions within the ODNI and to informally coordinate the activities of the IC OIGs in matters that cross organizational boundaries.

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Both of these functions are appropriate, in my view. I am not aware of any conflict between the ODNI/OIG and the CIA/OIG.

I have read and considered section 405 of S. 3661 concerning the establishment of an IC IG at the ODNI. First, I feel that the DNI needs a statutory inspector general to conduct the functions of an inspector general within the ODNI. My reading of the provision leads me to believe that the legislation could be interpreted as providing that office with IG jurisdiction, responsibilities and authorities throughout the entire intelligence community (over the programs and activities within the responsibility and authority of the Director of National Intelligence), and the legislation provides for deconfliction of the instances where the IC IG and, in this case, the CIA IG would share jurisdiction. I believe that in order to guide the deconfliction decision-making process, the IC IG and CIA IG would need to create a memorandum of understanding that the offices would use on day-to-day matters concerning investigations, audits and inspections. Such an agreement would guide most of the matters under consideration by identifying the office of primary responsibility for the planning and execution of routine IG matters. For the other matters that fall outside the norm or are a matter of contention, the IGs would need to directly discuss, collaborate and hopefully agree on the best approach, using the Forum for rare instances and the Director and DNI, as proscribed in the legislation, as a last resort.

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SSCI# 2010 - 3376

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

AUG 1 2 2010

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

Dear Madam Chairwoman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by David B. Buckley, who has been nominated by President Obama for the position of Inspector General, Central Intelligence Agency..

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,

Robert I. Cusick
Director

Enclosures

OGE - 106
August 1992

Insert offset folio 33 here 63995.033

SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Form Approved:
OMB No. 3209-0001

Executive Branch Personnel PUBLIC FINANCIAL DISCLOSURE REPORT

Date of Appointment, Candidacy, Election or Nomination (*Month, Day, Year*)	Reporting Status (*Check appropriate boxes*)	Incumbent [ ]	Calendar Year Covered by Report	New Entrant, Nominee, or Candidate [X]	Termination Filer [ ] / Termination Date (*If Applicable*) (*Month, Day, Year*)
Reporting Individual's Name	Last Name: BUCKLEY			First Name and Middle Initial: DAVID B.	
Position for Which Filing	Title of Position: Inspector General			Department or Agency (*If Applicable*): Central Intelligence Agency	
Location of Present Office (or forwarding address)	Address (*Number, Street, City, State, and ZIP Code*): 1919 North Lynn St, Rosslyn VA 22209			Telephone No. (*Include Area Code*): 571-882-7438	
Position(s) Held with the Federal Government During the Preceding 12 Months (If Not Same as Above)	Title of Position(s) and Date(s) Held: None				
Presidential Nominees Subject to Senate Confirmation	Name of Congressional Committee Considering Nomination: Senate Select Committee on Intelligence; Senate Homeland Security and Governmental Affairs			Do You Intend to Create a Qualified Diversified Trust? [ ] Yes [X] No	
Certification: I CERTIFY that the statements I have made on this form and all attached schedules are true, complete and correct to the best of my knowledge.	Signature of Reporting Individual: [signature]			Date (*Month, Day, Year*): June 17, 2010	
Other Review (If desired by agency)	Signature of Other Reviewer: [signature]			Date (*Month, Day, Year*): 18 June 2010	
Agency Ethics Official's Opinion: On the basis of information contained in this report, I conclude that the filer is in compliance with applicable laws and regulations (subject to any comments in the box below).	Signature of Designated Agency Ethics Official/Reviewing Official: [signature]			Date (*Month, Day, Year*): 6/18/10	
Office of Government Ethics Use Only	Signature: [signature]			Date (*Month, Day, Year*): 8/12/10	

Comments of Reviewing Officials (*If additional space is required, use the reverse side of this sheet*)

(*Check box if filing extension granted & indicate number of days* _____) [ ]

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

Fee for Late Filing
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.

Reporting Periods
Incumbents: The reporting period is the preceding calendar year except Part II of Schedule C and Part I of Schedule D where you must also include the filing year up to the date you file. Part II of Schedule D is not applicable.

Termination Filers: The reporting period begins at the end of the period covered by your previous filing and ends at the date of termination. Part II of Schedule D is not applicable.

Nominees, New Entrants and Candidates for President and Vice President:

Schedule A--The reporting period for income (BLOCK C) is the preceding calendar year and the current calendar year up to the date of filing. Value assets as of any date you choose that is within 31 days of the date of filing.

Schedule B--Not applicable.

Schedule C, Part I (Liabilities)--The reporting period is the preceding calendar year and the current calendar year up to any date you choose that is within 31 days of the date of filing.

Schedule C, Part II (Agreements or Arrangements)-- Show any agreements or arrangements as of the date of filing.

Schedule D--The reporting period is the preceding two calendar years and the current calendar year up to the date of filing.

Agency Use Only

OGE Use Only
AUG 05 2010

VerDate Nov 24 2008 10:31 May 11, 2011 Jkt 066164 PO 00000 Frm 00046 Fmt 6601 Sfmt 6601 C:\DOCS\66164.TXT SHAUN PsN: DPROCT

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SF278 (Rev. 03/2000)
5 C.F.R Part 2634
U.S. Office of Government Ethics

Reporting Individual's Name: Buckley, David B.

SCHEDULE A continued

(Use only if needed)

Page Number: 3

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1	IRA American Funds AHTBX American High Income Trust B		X											X			X				X												
2	IRA American Funds NEWBX New World Fund B		X											X			X				X												
3	IRA American Funds CWGBX Capital World Growth and Income B		X											X			X				X												
4 S	IRA American Funds AEGBX EuroPacific Growth B		X											X			X				X												
5 S	IRA American Funds AFIBX Fundamental Investors B		X											X			X				X												
6 S	IRA American Funds AHTBX American High Income Trust B		X											X			X				X												
7 S	IRA American Funds CWGBX Capital World Growth and Income B		X											X			X				X												
8 S	401 K Pioneer Fund PBODX Pioneer Fund B		X											X			X				X												
9 S	401 K Pioneer Fund PBIFX Pioneer International Value Fund B		X											X			X				X												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Reporting Individual's Name: Buckley, David B.

SCHEDULE A continued

(Use only if needed)

Page Number: 4

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

None ☐

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1 S	401 K Pioneer PBREX Pioneer Real Estate Shares B		X											X			X				X												
2 S	401 K Pioneer PSRBX Pioneer Strategy Income Fund B		X											X			X				X												
3 S	401 K Pioneer GOFBX Pioneer Growth Opportunities B		X											X			X				X												
4 J	Alliance ALTFX Alliance Bernstein Global Thematic A		X											X			X				X												
5 J	Alliance ATEBX Alliance Bernstein Global Thematic B	X												X			X				X												
6 J	Alliance GHCLX Alliance Bernstein Small/Mid Cap A	X												X			X				X												
7 J	Pepsico PEP	X															X				X												
8 J	Woodbury Federated Capital Reserves Money Market	X																	X		X												
9 S	401 K Pioneer Cash Reserves Fund A		X											X			X				X												

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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SCHEDULE A continued

(Use only if needed)

Page Number: 5

Assets and Income — BLOCK A

Valuation of Assets at close of reporting period — BLOCK B

Income: type and amount. If "None (or less than $201)" is checked, no other entry is needed in Block C for that item. — BLOCK C

#	Assets and Income (BLOCK A)	None (or less than $1,001)	$1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000 *	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Excepted Investment Fund	Excepted Trust	Qualified Trust	Type: Dividends	Type: Rent and Royalties	Type: Interest	Type: Capital Gains	Amount: None (or less than $201)	$201 - $1,000	$1,001 - $2,500	$2,501 - $5,000	$5,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	Over $5,000,000	Other Income (Specify Type & Actual Amount)	Date (Mo., Day, Yr.) Only if Honoraria
1 J	Savings US Senate Employees Federal Credit Union	X																	X		X												
2	Savings Wright Patman Congressional Employees Federal Credit Union		X																X		X												
3 J	Savings Ally Bank		X																X		X												
4 S	Savings Vantria Federal Credit Union		X																X		X												
5	401 K Vanguard Wellesley Income Fund VWINX	X												X							X												
6	Deloitte Pension Account Defined Benefit Plan		X																X		X												
7 S	Long and Foster Realty - Salary																																
8	Life Insurance Northwestern Mutual Estate Whole Life Plus							X									X				X												
9 J	Virginia PrePaid Tuition Plan VPEP		x																x		X												

None ☐

* This category applies only if the asset/income is solely that of the filer's spouse or dependent children. If the asset/income is either that of the filer or jointly held by the filer with the spouse or dependent children, mark the other higher categories of value, as appropriate.

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Do not Complete Schedule B if you are a new entrant, nominee, Vice Presidential or Presidential Candidate

Reporting Individual's Name

SCHEDULE B

Page Number 6

Part I: Transactions

None ☐

Report any purchase, sale, or exchange by you, your spouse, or dependent children during the reporting period of any real property, stocks, bonds, commodity futures, and other securities when the amount of the transaction exceeded $1,000. Include transactions that resulted in a loss. Do not report a transaction involving property used solely as your personal residence, or a transaction solely between you, your spouse, or dependent child. Check the "Certificate of divestiture" block to indicate sales made pursuant to a certificate of divestiture from OGE.

	Identification of Assets	Transaction Type (x): Purchase	Sale	Exchange	Date (Mo., Day, Yr.)	Amount of Transaction (x): $1,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000	Certificate of divestiture
	Example: Central Airlines Common	x			2/1/99			x									
1																	
2																	
3																	
4																	
5																	

* This category applies only if the underlying asset is solely that of the filer's spouse or dependent children. If the underlying asset is either held by the filer or jointly held by the filer with the spouse or dependent children, use the other higher categories of value, as appropriate.

Part II: Gifts, Reimbursements, and Travel Expenses

For you, your spouse and dependent children, report the source, a brief description, and the value of: (1) gifts (such as tangible items, transportation, lodging, food, or entertainment) received from one source totaling more than $260; and (2) travel-related cash reimbursements received from one source totaling more than $260. For conflicts analysis, it is helpful to indicate a basis for receipt, such as personal friend, agency approval under 5 U.S.C. § 4111 or other statutory authority, etc. For travel-related gifts and reimbursements, include travel itinerary, dates, and the nature of expenses provided. **Exclude** anything given to you by the U.S. Government; given to your agency in connection with official travel; received from relatives; received by your spouse or dependent child totally independent of their relationship to you; or provided as personal hospitality at the donor's residence. Also, for purposes of aggregating gifts to determine the total value from one source, exclude items worth $104 or less. See instructions for other exclusions.

None ☐

	Source (Name and Address)	Brief Description	Value
	Examples: Nat'l Assn. of Rock Collectors, NY, NY	Airline ticket, hotel room & meals incident to national conference 6/15/99 (personal activity unrelated to duty)	$500
	Frank Jones, San Francisco, CA	Leather briefcase (personal friend)	$300
1			
2			
3			
4			
5			

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SCHEDULE C

Page Number: 7

Part I: Liabilities

Report liabilities over $10,000 owed to any one creditor at any time during the reporting period by you, your spouse, or dependent children. Check the highest amount owed during the reporting period. **Exclude** a mortgage on your personal residence unless it is rented out; loans secured by automobiles, household furniture or appliances; and liabilities owed to certain relatives listed in instructions. See instructions for revolving charge accounts.

None [X]

	Creditors (Name and Address)	Type of Liability	Date Incurred	Interest Rate	Term if applicable	$10,001 - $15,000	$15,001 - $50,000	$50,001 - $100,000	$100,001 - $250,000	$250,001 - $500,000	$500,001 - $1,000,000	Over $1,000,000*	$1,000,001 - $5,000,000	$5,000,001 - $25,000,000	$25,000,001 - $50,000,000	Over $50,000,000
Examples:	First District Bank, Washington, DC	Mortgage on rental property, Delaware	1991	8%	25 yrs.			x								
	John Jones, 123 J St., Washington, DC	Promissory note	1999	10 %	on demand					x						
1																
2																
3																
4																
5																

Category of Amount or Value (x)

* This category applies only if the liability is solely that of the filer's spouse or dependent children. *If the liability is that of the filer or a joint liability of the filer with the spouse or dependent children, mark the other higher categories, as appropriate.*

Part II: Agreements or Arrangements

Report your agreements or arrangements for: continuing participation in an employee benefit plan (e.g. 401k, deferred compensation; (2) continuation payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment. See instructions regarding the reporting of negotiations for any of these arrangements or benefits

None [ ]

	Status and Terms of any Agreement or Arrangement	Parties	Date
Example:	Pursuant to partnership agreement, will receive lump sum payment of capital account & partnership share calculated on service performed through 1/00.	Doe Jones & Smith, Hometown, State	7/85
1	Deloitte Pension Plan Defined Benefit Plan: I will receive payment of approximately $80.35 per month at age 62	Deloitte Consulting LLP	4/07
2	Deloitte Vanguard 401 K. If confirmed, I will transfer funds to an IRA or the TSP	Deloitte Consulting LLP	4/07
3	I will receive payment for unused leave upon resignation, pursuant to company policy	Deloitte Consulting LLP	4/07
4	I will receive a bonus, calculated pursuant to company policy, only if I remain employed through August 2010. If I resign before August 2010, I will forfeit the bonus.	Deloitte Consulting LLP	4/07
5			
6			

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Part I: Positions Held Outside U.S. Government

Report any positions held during the applicable reporting period, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. **Exclude** positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

None ☐

	Organization (*Name and Address*)	Type of Organization	Position Held	From (Mo., Yr.)	To (Mo., Yr.)
Examples:	Nat'l Assn. of Rock Collectors, NY, NY	Non-profit education	President	6/92	Present
	Doe Jones & Smith, Hometown, State	Law firm	Partner	7/85	1/00
1	Fresta Valley Christian School Ltd, Marshall VA	Non-profit Education	Board Member/uncompensated	10/2009	present
2	Deloitte Consulting LLP	Professional Services	Employee	4/2007	present
3					
4					
5					
6					

Part II: Compensation In Excess Of $5,000 Paid by One Source

Report sources of more than $5,000 compensation received by you or your business affiliation for services provided directly by you during any one year of the reporting period. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any other non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source.

Do not complete this part if you are an Incumbent, Termination Filer, or Vice Presidential or Presidential Candidate

None ☐

	Source (*Name and Address*)	Brief Description of Duties
Examples:	Doe Jones & Smith, Hometown, State	Legal services
	Metro University (client of Doe Jones & Smith), Moneytown, State	Legal services in connection with university construction
1	Deloitte Consulting LLP	employee; strategy and operations consulting
2		
3		
4		
5		
6		

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SSCI# 2010 - 3647

Central Intelligence Agency

Washington, D.C. 20505

24 September 2010

The Honorable Dianne Feinstein
Senate Select Committee on Intelligence
United States Senate
Washington, D.C. 20515

Dear Chairman Feinstein:

Thank you for the opportunity to testify before the Committee on 21 September 2010. My responses to your Questions for the Record, which were received on 23 September 2010, are below.

Question 1: Do you believe it is within the purview and/or the responsibilities of the CIA Inspector General to validate or challenge the legal guidance provided to CIA by the CIA General Counsel or by the Department of Justice's Office of Legal Counsel?

Answer: As I indicated during my testimony before the Committee, the CIA's General Counsel is the Agency's chief legal officer; and legal guidance provided by the General Counsel is authoritative within the CIA. However, if during an OIG investigation, inspection, or audit the Office of the Inspector General were to encounter guidance or legal interpretation provided by CIA's Office of General Counsel that raises concerns, I would bring those concerns to the attention of the General Counsel. I anticipate that through my, and my counsel's, discussions with the General Counsel any concerns about legal guidance provided by OGC would be resolved; but, in the event they are not, I would share them with the DCIA and, when appropriate, the Intelligence Oversight Committees.

By delegation from the Attorney General, the Department of Justice's Office of Legal Counsel provides authoritative legal advice to the President and all Executive Branch agencies. If legal guidance provided by the Office of Legal Counsel regarding CIA programs or

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The Honorable Dianne Feinstein

operations raised concerns that were voiced during the conduct of OIG work, I would work with the Agency's General Counsel to resolve the concerns with the Office of Legal Counsel. Of course, I would keep the DCIA and, as appropriate, the Intelligence Oversight Committees informed of such matters.

I look forward to working closely with the General Counsel and the Department of Justice during my tenure, if confirmed.

Question 2: Senator Feinstein asked if it is your intention to seek a waiver or accept a waiver, if offered, allowing you to receive a federal retirement annuity in addition to the statutory salary for the position to which you have been nominated. You replied "it is not."

To clarify, will you accept or receive such a waiver of dual compensation, if it is offered, during your tenure as CIA Inspector General?

Answer: No, I will not.

An original of this letter is also being sent to Vice Chairman Bond.

Sincerely,

David Buckley
Inspector General, CIA, Nominee

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June 17, 2010

Stephen W. Preston
General Counsel
Designated Agency Ethics Official
Central Intelligence Agency
Washington, DC

Dear Mr. Preston:

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

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

Upon confirmation, I will resign from my position with Deloitte Consulting LLP (Deloitte). I will receive any 2009 bonus to which I may be entitled only if I am still an employee of Deloitte in August 2010 when such bonuses are paid. I will not receive a 2010 bonus. For a period of one year after my resignation from Deloitte, I will not participate personally and substantially in any particular matter involving specific parties in which Deloitte is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d). In addition, with regard to any client of Deloitte to which I provided services that was not an agency or other entity of the Federal Government, I will not participate personally and substantially in any particular matter involving specific parties in which that client is a party or represents a party for a period of one year after I last provided service to that client, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse is an affiliate of Long and Foster Realty. I will not participate personally and substantially in any particular matter involving specific parties in which Long and Foster Realty is a party or represents a party, unless I am first authorized to participate pursuant to 5 C.F.R. § 2635.502(d).

Upon confirmation, I will resign from my position with the Fresta Valley Christian School, Ltd. For a period of one year after my resignation from this position, I will not participate personally and substantially in any particular matter involving specific parties in

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which Fresta Valley Christian School is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

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

Sincerely,

David B. Buckley

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