

**OPEN HEARING:
ON THE NOMINATION OF TERRENCE L. EDWARDS
TO BE INSPECTOR GENERAL OF THE
NATIONAL RECONNAISSANCE OFFICE**

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

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AUGUST 2, 2022
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**OPEN HEARING: ON THE NOMINATION OF
TERRENCE L. EDWARDS TO BE INSPECTOR
GENERAL OF THE NATIONAL RECONNAIS-
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TUESDAY, AUGUST 2, 2022

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

The Committee met, pursuant to notice, at 2:30 p.m., in Room SH-216, Hart Senate Office Building, Hon. Mark R. Warner, Chairman of the Committee, presiding.

Present: Senators Warner (presiding), Rubio, Wyden, Heinrich, King, Bennet, Casey, and Sasse.

**OPENING STATEMENT OF HON. MARK R. WARNER, A U.S.
SENATOR FROM VIRGINIA**

Chairman WARNER. I want to call this hearing to order and thank you for being here today.

Mr. Edwards, congratulations on your nomination to be the Inspector General for the National Reconnaissance Office, the NRO. You have an impressive background, both within the IC and at DOD, which I believe makes you well qualified for this important position.

I believe that Cristan Farmer, your longtime partner, is here, and I would like to acknowledge her.

Let me just recognize that Mr. Terrence Edwards has served the United States as a federal employee for almost two decades. As an attorney for the U.S. Army and the National Security Agency; as Deputy General Counsel for Management in the Office of the Director of National Intelligence; and as Chief of Staff for the Principal Deputy Director of National Intelligence, Stacey Dixon.

Intelligence Community IGs are important source of independent oversight of the Intelligence Community. Both Congress and the Executive Branch rely on IGs to assist their respective agencies in evaluating performance and identifying areas for improvement. Perhaps no responsibility is more important than ensuring lawful whistle-blowers are aware of their right to provide information about wrongdoing, to authorize recipients and are protected from reprisal for doing so.

The NRO's classified budget is significant. And the NRO Inspector General plays a vital oversight role in detecting and hopefully deterring any fraud, waste, or abuse within the NRO. This is important as this budget is classified and therefore not subject to pub-

lic scrutiny. As we conduct our oversight of the NRO, this Committee also relies on an independent and strong NRO IG to identify programs that may need improvement or cost savings may be found. Congress and the American people must have full confidence that their findings, and your findings when I hope you're going to be confirmed, are objective, independent, and entirely confirmed by facts.

You should also know that if confirmed, you will have very big shoes to fill. Your predecessor Susan Gibson was in the job for more than five years before her recent retirement, and she ran a tight ship. She was admired by the IG community for integrity and professionalism, as well as for specific expertise in intelligence and procurement law and policy. I note that she has written a letter expressing your strong support for your confirmation, which speaks volumes to your qualifications for this job.

I've reviewed the material provided by you prior to this confirmation hearing. I'm confident that you're a person of high integrity and well qualified for the job.

Thank you, again, for being here today. And for your years of service to our country. I look forward to your testimony.

I now recognize the Vice Chairman.

**OPENING STATEMENT OF HON. MARCO RUBIO, A U.S.
SENATOR FROM FLORIDA**

Vice Chairman RUBIO. Thank you, Mr. Chairman. Thank you, Mr. Edwards, for being here. First of all, thank you for your willingness to serve, and congratulations on your nomination. You know, what's interesting about the Intelligence Community writ large is the only area of government where the public basically trusts these oversight committees in the House and Senate, and the men and women who serve in the role you're about to serve as the full extent of the oversight over what happened.

Because of the nature of their work, their budgets are often classified—their activities as well. And so that's it, obviously. This Committee, the House counterpart, and folks like yourself that serve in that role of oversight over the Community. So, it's really important in particular that the Community—that the agency that you will be in this role as Inspector General at the NRO, which is the premier intelligence agency on the planet, in terms of the ability to see things from overhead. And while it's the best in the world and continues to be, we face unprecedented challenges and threats from near-peer adversaries in China and in Russia who have launched capabilities and are continuing to expand their own capabilities in this field. And so, it's critical for us that oversight ensure that we are doing everything we can to deliver space capabilities to our Nation at the speed of technology; and that we expand investments in commercial space to protect our satellite resources with the same enthusiasm and the same attention as we have for building and delivering them.

So, I encourage you to be mindful of that role that you will play once confirmed. And ensuring not just the safety and security of Americans and American interests, but also in the American people's confidence in the office that you will lead, if confirmed.

So today is an opportunity to hear from you about your previous work in government, and in the Intelligence Community in particular. And we look forward to your testimony and your vision of what the role of Inspector General will be.

Thank you.

Chairman WARNER. Thank you, Vice Chairman.

Mr. Edwards, I'm going to ask you to stand and raise your right hand.

[Witness stands and raises right hand.]

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

Mr. EDWARDS. I do.

Chairman WARNER. Please be seated.

I'm now going to ask you five standard questions the Committee proposes to each nominee who appears before us.

They just require a simple yes or no answer for the record.

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

Mr. EDWARDS. Yes.

Chairman WARNER. If confirmed, do you agree to send officials from your office to appear before this Committee and designated staff when invited?

Mr. EDWARDS. Yes.

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

Mr. EDWARDS. Yes.

Chairman WARNER. Will you both ensure that your office and your staff provide such materials to the Committee when we request it?

Mr. EDWARDS. Yes.

Chairman WARNER. And finally, do you agree to inform and fully brief to the fullest extent possible all Members of this Committee of intelligence actions and covert action rather than only the Chair and the Vice Chair?

Mr. EDWARDS. Yes.

Chairman WARNER. Thank you very much.

Mr. Edwards we'll now proceed to your opening statement, after which I recognize all the Members by seniority for five minutes for questions.

Mr. Edwards, the floor is yours.

STATEMENT OF TERRENCE L. EDWARDS, NOMINEE TO BE INSPECTOR GENERAL OF THE NATIONAL RECONNAISSANCE OFFICE

Mr. EDWARDS. Chairman Warner, Vice Chairman Rubio, and Distinguished Members of the Committee:

Thank you for the opportunity to appear before you today as you consider my nomination to be the Inspector General for the National Reconnaissance Office. I am deeply honored that the President nominated me for this position, and I am grateful for the support of Director Haines, Principal Deputy Director Dixon, and Director Scalise.

If confirmed, I look forward to engaging with you, Director Scalise, and the dedicated professionals at the NRO. In addition, if confirmed, I look forward to leading the talented NRO IG staff to affect positive change and to further the NRO's critical mission.

Before I outline my qualifications, there are several important women in my life that I would like to thank. First, I would like to thank my mother, Deborah Edwards, who retired last year after serving this country for 30-plus years as a civil servant. She taught me the importance of commitment to service, having integrity, and being a hard worker.

Second, I would like to thank my partner and best friend, Cristan Farmer, for taking this journey with me for 17 years.

Third, I would like to thank the Honorable Susan Gibson, the Honorable Stacey Dixon, and Mrs. Cathy Szymanski for their leadership, mentorship, and confidence in me.

I would also like to thank the many colleagues, friends, and family who have helped me throughout my career in this confirmation process.

At a time when the American public demands more transparency and confidence in their institutions and policymakers, I believe the IG's role to provide independent, objective, and fact-based analysis of agencies, programs, and operations is vital and reassuring to the American public that their institutions are serving them in a lawful, ethical, and effective manner. At each stage of my career, I have seen firsthand the importance of conducting careful and objective analysis of the facts and the law.

I started my career in government as Army Fellow at the Army Materiel Command. From there, I became an attorney in the Office of General Counsel at the Army Sustainment Command, where I was immersed and ultimately fell in love with federal acquisition law, regulation, and policy. In that position, I learned the importance of oversight, knowing your craft, and having the courage to provide sound objective advice, despite the possible consequences. Being the lead attorney as a GS-9 on a \$150 billion contract that provided critical services to our soldiers in Iraq, Afghanistan, and Kuwait taught me these lessons and more.

I then went on to the Army Communications and Electronics Command, where I continued amongst other things to practice in the areas of acquisitions, procurement, and fiscal law, ultimately serving in the role of Senior Acquisition Attorney for the command.

In 2012, I joined the Intelligence Community, working as a Senior Attorney at the National Security Agency.

In 2016, I joined the ODNI's Office of General Counsel, where I served as a Deputy General Counsel for Management. In this position, I provided legal advice on a full range of areas for the DNI and a broader Intelligence Community, including ethics, appropriations, acquisitions, and space. Currently, I'm the Chief of Staff to the PDDNI, where I manage the operations of the PDDNI's office and serve as a PDDNI Senior Advisor on a full range of national security and management issues. As a result of my knowledge, and experience that I've gained, I am well grounded in many areas of law germane to the NRO and IG's missions, including fiscal and intelligence law, procurement integrity, whistle-blower protections, accounting, ethics, and security.

My experience at both NSA and ODNI have given me important exposure into the vital acquisitions and intelligence roles of the NRO to ensure that the Nation has the right space-based capabilities it needs to stay safe and secure. I am also aware of the rapidly-changing nature of the space domain that brings new possibilities and challenges. I am mindful of the potential risks to NRO's mission, as the space domain becomes more competitive and contested.

I have watched as the NRO has moved to embrace the growing commercial marketplace to procure new capabilities and increase resiliency and speed to address these potential risks. I believe the oversight of the NRO Inspector General, in coordination with Congress, plays a critical role in ensuring these new possibilities that are developed, implemented, and maintained in a lawful, effective, and efficient manner. To that end, I pledge to be transparent, accessible, and responsive to this Committee in support of Congressional requests and interest.

Congressional oversight is fundamental to the checks and balances established in our Constitution. If confirmed, I will fully support the IG's notification in reporting requirements, and I will keep the NRO's oversight committees fully and currently informed.

Mr. Chairman, I have been both blessed and honored to devote my career to public service. Each and every day I wake up, I come to the office, I give them all, and look to make a positive difference. I know the position I've been nominated for comes with great responsibility.

If confirmed, I pledge to do my very best to keep making a difference and to serve with the integrity and purpose that this position and our Nation demands.

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

[The prepared statement of Mr. Edwards follows:]

Statement for the Record

by

Mr. Terrence L. Edwards

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

Senate Select Committee on Intelligence

August 2, 2022

Chairman Warner, Vice Chairman Rubio, and distinguished members of the committee. Thank you for the opportunity to appear before you today as you consider my nomination to be the Inspector General for the National Reconnaissance Office (NRO).

I am deeply honored that President Biden nominated me for this position and I am grateful for the support of Director Haines, Principal Deputy Director (PDDNI) Dixon, and Director Scolese. If confirmed, I look forward to engaging with you, Director Scolese, and the dedicated professionals at the NRO. In addition, if confirmed, I look forward to leading the talented NRO Office of Inspector General (OIG) to effect positive change at the NRO and to further the NRO's critical mission.

Although a few of them could not make it today, there are several important women in my life that I would like to thank before I outline my qualifications. First, I would like to thank my mother – Deborah Edwards – who retired last year after serving this country for 30 plus years as a career civil service. She taught me the importance of commitment to service, having integrity and being a hard-worker. Second, I would like to thank my partner and best friend, Cristan Farmer, for taking this journey with me for more than 17 years. Third, I would like to thank the Honorable Susan Gibson, the Honorable Stacey Dixon and Senior Army Executive Kathleen Szymanski for their leadership, mentorship, and confidence in me.

I would also like to thank the many colleagues, family, and friends who have helped me throughout my career, and this nomination and confirmation process.

At a time when the American public demands more transparency and confidence in their institutions and policymakers, I believe the Inspectors Generals' oversight role to provide independent, objective, and fact-based analysis of agencies' programs, policies, and operations are vital in reassuring the American public that their institutions are serving them in a lawful, ethical, and effective manner.

At each stage of my career, I have seen firsthand the importance of conducting careful and objective analysis of the facts and the law. I started my career in government as an Army fellow at the Army Materiel Command. From there, I become an attorney in the Office of General Counsel (OGC) at the Army Sustainment Command in Rock Island Illinois, where I was immersed in (and ultimately fell in love with) federal acquisition law, regulation and policy. In that position, I learned the importance of oversight, knowing your craft, and having the courage to provide sound, objective advice despite the possible consequences. Being the lead attorney as a GS-9 on a \$150B+ contract that provided critical services to our soldiers in Iraq, Afghanistan, and Kuwait taught me those lessons and more.

I then went on to the Army Communications and Electronics Command at Aberdeen Proving Ground, where I continued, amongst other things, to practice in areas of acquisition, procurement and fiscal law, ultimately serving in the role of Senior Acquisitions Attorney in that Command until I departed in 2012. In 2012, I joined the

Intelligence Community, working as a senior attorney at the National Security Agency (NSA). In 2014, NSA nominated me for a joint duty assignment at the Office of the Director of National Intelligence (ODNI) as a Senior Associate General Counsel for Acquisition, Technology, and Facilities. I subsequently joined the ODNI's Office of General Counsel in 2016, where I served as the Deputy General Counsel for Management. In this position, I provided overarching legal advice on a full range of mission service areas for the DNI and the broader Intelligence Community, including ethics, appropriations, acquisitions, security, personnel, and Space. Currently I am serving as the Chief of Staff to the Principal Deputy Director of National Intelligence, where I manage the operations of the PDDNI office and serve as the PDDNI's senior advisor on a full range of national security and management issues on behalf of the ODNI and Intelligence Community.

Because of the knowledge and experience that I have gained in those positions, I am well grounded in many areas of law relevant to the NRO and OIG missions, including fiscal and intelligence law, procurement integrity, whistleblower protections, accounting, ethics, and security.

My experience at both NSA and ODNI has given me vital exposure into the essential acquisitions and intelligence roles of the NRO to ensure that the nation has the right space based capabilities it needs to remain safe and secure. I am also aware of the rapidly changing nature of the space domain that brings new possibilities and new challenges. I am mindful of the potential risks to NRO's mission as the space domain becomes more competitive and contested. I have watched as the NRO has moved to embrace the growing commercial marketplace to bring online new space capabilities and increase resiliency and speed to address potential risks. I believe the NRO OIG's oversight, in coordination with Congress, plays a critical role in ensuring these new possibilities are developed, implemented, and maintained in a lawful, effective, and economic manner.

To that end, I pledge to be transparent, accessible and responsive to this committee in support of Congressional requests and interests. Congressional oversight is fundamental to the checks and balances established in our Constitution. If confirmed, I will fully support the NRO OIG's notification and reporting responsibilities and keep the NRO's oversight committees fully and currently informed.

Mr. Chairman, I have been both blessed and honored to devote my career to public service. Each and every day that I wake up, I come to the office, give it my all and look to make a positive difference. I know the position that I have been nominated for comes with great responsibility, and if confirmed, I pledge to do my very best to keep making a difference and to serve with the integrity and purpose that this position and our nation demands.

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

Chairman WARNER. Thank you, Mr. Edwards. Thank you for outlining what has been an obviously very distinguished career. I only have two or three quick questions.

One of the things this Committee has been very forceful on with our friends at the NRO is recognizing the value of commercial space. And I think we've seen a bit of a sea change where at first there was quite a bit of pushback, kind of if not invented here, if not built here inside the government domain. I think the NRO has gotten much better.

Obviously, there are certain things—exquisite technical metrics—that we need to do directly through the NRO alone. But how do you see the IG's role recognizing different types of acquisition rules? They're making sure we strike that balance right between commercial and government only in terms of overhead.

Mr. EDWARDS. Senator, thank you for that question.

I think it's critical that the IG execute its fundamental functions when reviewing any acquisitions, or any programs at the NRO. As the NRO moves in a new direction, and expands its commercial buy, or it expands, buying new additional capabilities. I think it's critical that the Inspector General's Office fully understands what he's doing, and reviews those programs to ensure they are effective and efficient, and assist where they can in helping to determine whether or not it makes sense to buy more commercial versus building organically. If confirmed, I would ensure that my office plays that role. And looking at whether or not the programs and procedures they put in place—that the NRO director puts in place—is appropriate and efficient.

Chairman WARNER. Related to that, and this is again an area where the Committee has been very, very active, we have been concerned that, particularly in terms of overhead, capabilities move so quickly. And that the old-fashioned process of putting out an RFP, putting out an RFI before an RFP, we took so long on acquisitions, by the time we actually made a selection built and launched, technology already passed us by.

So, we don't want to sacrifice quality, and we obviously want to maintain the integrity of the programs. But the acquisitions process has oftentimes been way too slow. In a world where, between overhead, basic progress seems to have a new satellite constellation from the commercial side come every two to three years, how do we keep up with that acquisition process? And what role should you play in that?

Mr. EDWARDS. Chairman, I think you're absolutely right. I think as technology moves most quickly, agencies are having a difficult time figuring out, again, how to utilize them within the structure that they have to operate. I think what the IG can do—and if confirmed, I will do—is making sure that, again, those agencies, or NRO specifically, fully understands what rules—the rules that are played under, are where there are flexibilities and where there are not flexibilities. To ensure that again, they could buy the technology and the capabilities in the timeframe that they are dealing with.

Chairman WARNER. Last question is, I remember early on, as I was trying to learn overhead and just trying to understand that IC side of the house—NRO, NGA, and some occasional activities with

the Agency. Understanding that DOD side of the house was even more complicated. But now we've got Space Command, Space Force, NRO. I think the IG has got a critical role in how that intel side of the house interacts with our brothers and sisters on the DOD side. If you can speak to that for a moment?

Mr. EDWARDS. Chairman, I have a lot of experience in that area. Being professional in both the DOD and the IC and being an acquisition professional. I think, in my experience, the DOD and the IC work really well together when they have effective communications and they have processes in place to talk through how they will deal with disagreements, and whether things that are of mutual interest, how they will work together on those things.

I think the IG can be effective in ensuring that those communications and those processes and procedures are effective and efficient to ensure that they are both working or marching in the right direction. If confirmed, I would commit to ensuring that when we review those processes and procedures, we are providing recommendations that are actionable, so that we are getting to the end result.

Chairman WARNER. Thank you. Senator Rubio said he had to step out for one moment. He'll be right back.

I'm going to go to Senator Heinrich and then Senator Sasse.

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

Congratulations, Mr. Edwards, on your nomination. I want to thank you for joining us today for one of our rare open hearings.

I see from your record that you have over 15 years of federal government experience, most of them in the IC. I want to thank you for your continued service to our country.

All agencies are challenged by the need to adapt and constantly improve cybersecurity programs and defenses, and certainly NRO is no exception. Should you be confirmed, will you commit to reporting to this Committee any security breaches that NRO discovers? And how NRO is working to prevent and deter such breaches?

Mr. EDWARDS. Yes.

Senator HEINRICH. A year ago, the U.S. Space Command, the Space Force, and the NRO announced that they had developed a framework that formalizes end-to-end coordination between the Department of Defense and the Intelligence Community, and between acquisitions and operations.

What role should the NRO IG's office play in reviewing the collaboration and coordination between and among these organizations?

And then just stepping back a little more broadly, how do you see the NRO Inspector General's Office playing a role in improving the Title 10/Title 50 relationship?

Mr. EDWARDS. Senator, thank you for that question. I think in order for those processes that work well, they need to be effective and efficient. And I think that's where the IG can assist in reviewing those processes that they have established to make sure that again, they make sense, that they're actually going to meet the desired result.

In my experience, being a professional in both a Title 10 and a Title 50 organization, I've seen that those agencies work really well together and more effectively when they have effective communication, and they're working off of the same page. And I think, as the IG, if confirmed, we can help in that area, because that's what the Inspector Act mandates us to do, is to look at procedures to ensure they're effective and efficient.

Senator HEINRICH. The independence of the IG in any agency is central to our confidence that investigations will be conducted objectively and fairly, and that benefits both the complainant and the target of an investigation. It's also why this Committee took steps to make the NRO IG, a Presidentially-appointed, Senate-confirmed position. In fact, you would be only the second NRO Inspector General to be Senate confirmed.

So being able to raise difficult questions, issues with senior officials and agency directors is a very necessary quality in an IG. In your opinion, what are the measurable indicators of independence? And specifically, what actions would you take if a senior IC official sought to prevent you from conducting an audit or an investigation of any sort?

Mr. EDWARDS. Senator, you're absolutely right. Independence is critical and is a cornerstone of the Inspector General Act. I think, if confirmed, what I would do is ensure that my office is following the standards that are outlined in regulation, law, and policy to ensure that we are being objective and fair. In addition, I think it's critically important that an IG have full control over their decisions, their staff, and their resources. It's my understanding today that the NRO IG has that, and if confirmed, I intend to maintain that.

With respect to your second question, Senator, about if someone tried to prevent me from issuing a report. It's my understanding that the only individual that can request that I not look at something, if confirmed, is the Secretary of Defense. And that is under the Inspector General Act, Section 8, and that is in consultation with the DNI and only for national security purpose. And so, if a senior official or any person asked me not to look at something, if confirmed, I would try to work it out at the lowest level. I will remind them of the law to make sure that they fully understand and get, again, what I was attempting to do. And for some reason, if I was not able to work it out, I would work up the chain, to the director of NRO, and if necessary, come to this Committee for your assistance.

Senator HEINRICH. Mr. Chairman, those are all my questions. Thank you.

Chairman WARNER. Senator Sasse.

Senator SASSE. Thank you, Chairman.

Mr. Edwards, congratulations on your past service and on this new potential calling. I think, building on what Senator Heinrich said about this being a rare public hearing for us, I think many of my constituents and my colleagues' constituents are often surprised to learn how much of a role the IC has in space.

So, could you maybe walk the public through how you think about the role of the IC in space versus, say, NASA? Where there's

collaboration, where there's duplicate efforts that are necessary? And why? Can you just explain the IC's role in space?

Mr. EDWARDS. Yes. So, in my reading of Executive Order 12333, the NRO Director is responsible for the development, for acquiring and operating space-based systems for the collection of intelligence and information to ensure that the Nation is safe. I think that's a different mission than NASA is responsible for, although I think they may coordinate on things of mutual interest. But it's my understanding NASA does not collect intelligence.

Senator SASSE. So, there's obviously platforms. And then there's the information that's gathered and the uses of that information. So, I'm like many on this Committee, a champion of NRO, NGA, other IC agencies that have responsibilities on or touching on space. But obviously, the technological developments that we're seeing happen in the private sector—and the Chairman has been an effective and relentless advocate on this, Chairman Burr before him, Senator Blunt—have talked constantly about how much innovation we're seeing in the private sector.

In your new responsibility, how would you look at whether or not the government is harnessing all of the greatest opportunities that exist, that are often faster and cheaper in the private sector? The government is often great at building exquisite systems and getting exquisite imagery, but often in ways that are sort of biased toward current uses. And one of the things we see happening in the private sector is a bias toward non-consumption—is often shattered when you end up with a sometimes lower-quality, but lots cheaper, use of a new commercial application.

How would you approach the question of whether or not the agency is moving quickly enough to harness all the innovation of the American private sector?

Mr. EDWARDS. Senator, again, thank you for your question.

I think it's important, just being an acquisition professional, in general, for an agency, always to be looking at whether or not they can do it organically, or does it make more sense to go to the private sector. Oftentimes, there's a balance there, and that's, I think, what you're getting at. I think it's important that the agencies actually, you know, strike that balance to ensure again, they are not wasting the taxpayer dollars and they are, again, figuring out a way to ensure that they have the best capabilities to build it, to ensure they're protecting the United States. Where I think the IG can help and, if confirmed, where I would assist with that, is making sure that, again, the agencies or the agency, in this case NRO, make sure that it understands that the trade-offs they are making with respect to organic versus nonorganic, that they're doing it reasonably, and are taking into account all the things they're required to take into account when they're making that trade off. I think that the IG's office can assist in that by making sure that, again, when we review those programs, they are effective and efficient in making those decisions.

Senator SASSE. Well, thank you. And I think the Committee will look forward to working with you and trying to instill and ask the hard oversight questions about that urgency.

We're nearly at my time, but I want to ask one question about your day job today. You currently serve as the Chief of Staff to the

Principal Deputy at ODNI. And I'm curious as to your public reflections on how that bureaucracy—how the ODNI is functioning, and if there are places where it can be trimmed to be quicker and more nimble?

Mr. EDWARDS. Senator, I think we should always look at our processes to make sure that, again, they are working effectively and efficiently. I believe that, again, the ODNI is doing that.

Senator SASSE. Thank you, Sir, very diplomatic.

Chairman WARNER. Mr. Edwards, I should have warned you.

Senator King, and then we'll go to the Vice Chairman.

Senator KING. Mr. Edwards, I don't want you to be diplomatic. The major qualification for this job—you've got all the written qualifications of legal background, and staff work, and working in the Intelligence Community. But the real qualification for this job is backbone. Is the willingness and, in fact, relishing taking a position that is contrary to that of the people who hired you. And give me some reassurance because, as Senator Rubio pointed out at the beginning, the odd thing about these jobs that we're talking about here is you're going to work for a secret agency.

Nobody else is watching other than this Committee and its comparable Committee in the House. In other words, the public doesn't—there's no newspaper that reports, that can know, what's going on within the NRO, that knows about the contracts, how they're structured. So, it's doubly important, it seems to me, because of the secret nature of the agency. And that makes your job doubly important, because very few other people are looking.

Reassure me that you're willing to bite the hand that appointed you.

Mr. EDWARDS. Senator, thank you for that question.

I know this is a difficult job. My job has always been difficult as an attorney, where I've been responsible for advising the clients of what the law, regulation, and policy states, particularly when you're trying to advance mission.

Senator KING. Do you recall a time when as an attorney, you told your governmental clients, You can't do that because the law doesn't allow it?

Mr. EDWARDS. Senator, I have no problems with saying no. I think a lot of an attorney's clients get upset with them, because they constantly say no, because the law, regulation, and policy requires them to do so—particularly in the areas that I'm expert in. If you're—we're talking ethics or fiscal law, there's oftentimes I have to say to my clients, we can't do that. If confirmed, I have no problems as the IG doing the exact same thing: Following the law, being tough but fair in the investigations, the audits, and evaluations that I do, because that's what this job requires. That's what the American people expect of me: making sure that, again, I'm providing oversight for things that they cannot see always.

Senator KING. Exactly. That's what I think. That's very important, and I'm heartened to hear your response.

We haven't talked much in this hearing about whistle-blowers. Part of the IG's responsibility is the oversight and management of the whistle-blower process. It's interesting, I learned some time ago, the first whistle-blower law in the U.S. preceded the Constitu-

tion. It was in 1788, the Continental Congress passed the first whistle-blower law.

And again, it's sort of anomalous for the government to pay people to differ with its own activities. So, can you commit to this Committee that you will have a fair, open, and reasonable process for dealing with whistle-blowers and not in any way try to suppress information that might come forward?

Mr. EDWARDS. Senator, yes. I will absolutely commit to that. Whistle-blowers are essential to this process and to oversight. We must make sure, and if I'm confirmed I will make sure that all of the processes in my Office to educate them to open and welcome them to report any concerns that they have are effective, confidential, and frees them from any chances of reprisal.

Senator KING. I appreciate that. And earlier in the hearing you mentioned, I think, in response to Senator Heinrich's question, when in doubt, come to this Committee. Where cleared, we can hear, it's not a question of violating national security. But this Committee, we have a very deep interest and involvement with the Intelligence Community. And as I say, if there are questions, this Committee can, I think, be of assistance.

Finally, as I think about the IG job, it's really an odd position, because the moment you're confirmed, you effectively become adversarial to the people who appointed you. And that's a very anomalous kind of situation. But I think it's the essence of the job, and that's why it's so important. I think the IGs are among the most important jobs in our entire governmental structure. And the IGs, as I mentioned, of the national security agencies, the Intelligence Community, are especially important because of the secret nature of those facility, of those agencies.

So, I congratulate you on your appointment. I look forward to working with you. And remember, your job is to occasionally say no.

Thank you.

Mr. EDWARDS. Thank you.

Vice Chairman RUBIO. Thank you. And I don't have a lot of questions. I've one that's been touched on already, and it's the whistle-blower. And that the two most important whistle-blower scenarios, or the more two more difficult ones, is one that is potentially embarrassing to the executive, the people who run it, or a broader Administration. And then the other is when the individual coming forward, is alleging that their superiors have sought reprisal against them for doing the right thing or trying to punish them.

These are two very delicate situations. And again, unlike any of these other agencies, where potentially a civil service employee could go outside of the system and give exposure, or leak, to a member of the media to expose some wrongdoing in an agency.

You do that in the Intelligence Community, you're committing a very serious crime and harming our national security in the process. So, the key to people coming forward and saying, my superiors are taking reprisals against me, or, I'm coming forward with something but it's embarrassing to the people in charge. The key to that is the confidence that the Inspector General that is in office is actually an advocate and will do something serious about it.

So, not having been presented with a case, these are all hypotheticals, although they exist in the real world. What can you do at the front end? What are the most important cues in your mind that give employees the confidence that if they have information about either reprisals and fear of reprisal, or that it will be potentially politically embarrassing—what are the cues that they take, in your mind, from an Inspector General that they have confidence in coming forward?

Mr. EDWARDS. Vice Chairman, I think the first thing you have to do as an IG to ensure or to reassure whistle-blowers that you should have confidence in the system is making sure that, again, that they understand that the IG will take their claim seriously. And the way you do that is transparency. Is making sure you're transparent about what their rights are. You're transparent about how they are to come—or what the processes are when they come to the IG.

When they come to the IG, making sure that, again, the staff treats them with respect, and takes their claim seriously, and protects their identity and their confidentiality. And then, if appropriate, if valid, look into their concern. I think if you do those things, they will have confidence that the IG is credible, and that when they come, they do not have to be fear that the IG will not do what they need to do to protect those individuals.

Vice Chairman RUBIO. Well, one additional role that I think is really important in my mind, and I was hoping you would maybe talk just a little bit about it, is the Inspector General's role in making sure that the programs and the Agency—in this case, the NRO—that they reflect the intent that was authorized by Congress.

Oftentimes, and this is not unique to the Intelligence Community, Congress will say we are designing and we're funding and we're authorizing a program that does this. And then a year later, when we go back and look at it, it's not exactly—they have found every crevice and loophole to sort of do it the way they want to do it. And oftentimes, it's been Inspectors General who proactively have identified those places where the intent of Congress is not being done.

How do you view the Inspector General's role in ensuring that Congressional intent is being followed in the implementation of policy and decisions?

Mr. EDWARDS. I think the IG Act is fairly clear on what the role of the IG is. And the IG's job is to detect fraud, waste, and abuse—and deter it. And it is to ensure that programs are run efficiently and effectively. And so, we're talking Congressional intent and the law. I think, if an IG, and if confirmed, follows those principles in reviewing the programs that are of, you know, Congressional interest, or required by law, statute, or by stakeholders. The IG will be effective in, I think, actually looking at those programs.

Chairman WARNER. Senator Wyden.

Senator WYDEN. Thank you very much.

Mr. Chairman, Mr. Edwards, my apologies for being late. The Senate Finance Committee that Senator Warner serves on is keeping everybody busy, and I apologize for my tardiness.

Congratulations and welcome to the Committee. In my view, reports from Inspectors General should be public. And at the very least, classified reports should be reviewed for possible declassification and public release. That has not been done enough. And Intelligence Community Inspectors General can help to change this. For example, the Inspector General for the NSA has made great strides in releasing their reports. So let's start with the NRO-IG semi-annual reports, a few of which were released to the public in 2017 and 2018.

If you are confirmed, will you commit to the timely public release of all semi-annual reports?

Mr. EDWARDS. Senator, yes.

Senator WYDEN. Did you say yes?

Mr. EDWARDS. Senator, I did.

Senator WYDEN. Oh good! I'll quit while I'm ahead.

Mr. EDWARDS. However, as you know, NRO is still a national security agency. And IGs still have the obligation to follow the law. And if confirmed, I would strike that balance of ensuring that, again, I work with the appropriate classification folks to ensure that, where possible, I could publish those semi-annual reports without offending any of the classification rules, to ensure that we are preserving national security.

Senator WYDEN. Let me conclude this area with one last question. Will you commit to reviewing all of your reports for possible declassification, public release?

Mr. EDWARDS. Senator, absolutely.

Senator WYDEN. Okay. Now with respect to whistle-blowers, this is an area that our Committee spent a lot of time on and we feel very strongly about. Now, Congress recently passed legislation protecting IC contractors who make whistle-blower disclosures to their supervisors. NRO has a large contractor workforce. Tell me a little bit about how you are going to go about making sure that those contractors are protected from reprisals, because that is always the issue.

You know, you can write down, and Senator Warner been very interested in it, I have, and Senator King—we've been very interested in whistle-blowers. So we write down the appropriate words and give as much directive as we can to protecting whistle-blowers. But at the same time, real people take these positions and I'd be interested in hearing from you how you're going to make sure that the contractors are protected from reprisals.

Mr. EDWARDS. So, Senator, I think the first thing is making sure that, again, we are doing appropriate outreach to the diverse workforce at NRO, to include contractors, so they fully understand what their rights are so that when they submit information that is of concern, they feel as though they are going to be protected and that their identity is going to be protected.

When they come to my office, if confirmed, I would reassure that my staff treats them with respect and make sure that, again, whatever they are bringing us, we're taking it seriously, we are protecting their identity and confidentiality, and we are acting appropriately to look into whatever they are bringing to us.

Senator WYDEN. I would only add, because I think that's a thoughtful answer, particularly you're going to be affirmative in

terms of reaching out and the like, the first couple of cases that you're going to be dealing with—I hope you're confirmed, I'm planning to support you—are going to send a very important message to those contractors about how you're going to protect them from reprisals. So I would just urge in the strongest way possible, those first couple of cases could be sending a big message.

Thank you, Mr. Chairman.

Chairman WARNER. Any further questions? Well, I think, Senator Wyden, let me echo what you said on the question particularly on contractors. We've got an awful lot of them in my state and I think they do generally good work and they need to be afforded the protections. You know, I also think it's—Senator Wyden is probably the most relentless voice on the Committee on transparency. We want that transparency. We also clearly have a mission at NRO where classification levels have to be because there is always going to be healthy tension on this Committee between those dual goals. And, you know, we would probably urge you to err on the side of transparency, but we also don't want to do things to put the national security interests of our country at risk.

So I appreciate very much. I should, as I warned you before the hearing started, do not take the lack of attendance as anything other than a sign that most of my colleagues have reviewed your background and I think felt comfortable with that.

But for the sake of the staff, if any Members of the Committee wish to submit questions for the record after today's hearing, please do so no later than noon on Thursday, August 4th. Potentially we could even move on this if we're here for a few more days and get you out of the Committee.

Mr. Edwards, thank you again for appearing before the Committee today. Thank you to one of the women in your life who is here and the others who are not here—your mom or mentors. They also would be very proud, proud of you. And good luck going forward.

With that, hearing is adjourned.

Thank you.

[Whereupon the hearing was adjourned at 3:14 p.m.]

Supplemental Material

**SELECT COMMITTEE ON
INTELLIGENCE**

UNITED STATES SENATE



**QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES**

**SELECT COMMITTEE ON INTELLIGENCE UNITED
STATES SENATE**

**QUESTIONNAIRE FOR COMPLETION BY
PRESIDENTIAL NOMINEES**

PART A - BIOGRAPHICAL INFORMATION

1. FULL NAME: Terrence Lamar Edwards
OTHER NAMES USED: N/A
2. DATE & PLACE OF BIRTH: 02/11/1979, Gainesville Florida
CITIZENSHIP: United States
3. MARTIAL STATUS: Single
4. SPOUSE'S NAME: N/A
5. SPOUSE'S MAIDEN NAME IF APPLICABLE: N/A
6. NAMES AND AGES OF CHILDREN: N/A
7. EDUCATION SINCE HIGH SCHOOL:
 - Texas A&M University-Texarkana, 2005-2006, Master of Science, Business Administration (2006)
 - Ohio State University Moritz College of Law, 2002-2004, Juris Doctor (2004)
 - McNeese State University, 1997-2000, Bachelor of Science, Psychology (2000)
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).
 - Office of the Director of National Intelligence, McLean, VA
 - Chief of Staff, Principal Deputy Director of National Intelligence 2021-Present
 - Deputy General Counsel for Management 2016-2021
 - Senior Associate General Counsel (Joint Duty Assignment) 2014-2015
 - National Security Agency, Fort Meade, MD
 - Senior Attorney 2012-2016
 - Communication and Electronics Command, Aberdeen Proving Ground:
 - Attorney/Senior Acquisition Attorney 2010-2012
 - Army Sustainment Command, Rock Island, IL
 - Attorney Advisor 2007-2010
 - Army Materiel Command, Texarkana, TX & Rock Island, IL
 - Fellow/Attorney 2005-2007
 - Ohio State University Criminal Sentencing Program, Columbus, OH
 - Fellow 2005-2005
 - Old Navy, Columbus, OH
 - Sales Associate 2004-2004
 - Ohio State University Housing Legal Clinic, Columbus, OH
 - Legal Intern 2003-2004
 - Byron L. Potts LPA, Columbus, OH
 - Law Clerk 2003-2003
 - City Attorney, Columbus, OH
 - Intake Officer 2002-2003.
 - Arter & Hadden LLP, Columbus, OH
 - Law Clerk 2002-2002
 - Piercing Pagoda, League City, TX

- o Sales Clerk 2001-2001
- YMCA, League City, TX
 - o Site Director 2001-2001
- Morgan Stanley Dean Whitter / Discover Card, Sandy, UT
 - o Collector 2001-2001

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).

My government experience is listed in Section 8 above.

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

In my time in the Intelligence Community (IC), I have been fortunate to have the opportunity to contribute to the mission of the IC in many ways. I have been the legal advisor to a diverse set of clients at all levels, regarding a broad set of challenges that the IC has and is currently facing. Through these diverse experiences, I have become an legal expert in technology, classified acquisitions and procurements (including Major Systems Acquisitions), and appropriation law associated with the National Intelligence Program.

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).

Presidential Meritorious Rank Award (2021), Intelligence Community Chief Financial Officer's Excellence in Innovation Team Award (2021); National Counterintelligence and Security Center's Director's Information Security Team Award (2019); IC Joint Duty Attorney of the Year (2016), IC Legal Team of the Year Award (2014); Army Certificate of Commendation (2010); Achievement Medal for Civilian Service (2008); Army Materiel Command Team Project Award (2008).

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

<u>ORGANIZATION</u>	<u>OFFICE HELD</u>	<u>DATES</u>
Texas Bar Association	None	2005-Present
American Bar Association	None	Unknown

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

- National Security Law CLE Conference: Emerging Critical Issues
 - o Panelist, The Future of Artificial Intelligence is now: Has the Intelligence Community Already Missed the Boat – February 25, 2022
- National Security Law Conference:
 - o Panelist, National Security and Privacy – November 01, 2018

PART B - QUALIFICATIONS

14. QUALIFICATIONS (DESCRIBE WHY YOU BELIEVE YOU ARE QUALIFIED TO SERVE AS THE INSPECTOR GENERAL, NATIONAL RECONNAISSANCE OFFICE, U.S. DEPARTMENT OF DEFENSE).

The National Reconnaissance Office (NRO) plays a critical role in the Intelligence Community as it develops, acquires, launches, and operates the nation's space-based intelligence, surveillance, and reconnaissance capabilities to secure and expand the U.S. intelligence advantage. Significant to that mission is the role of the NRO Inspector General (IG), whose primary purpose is to independently and objectively assess the effectiveness, efficiency, and compliance with applicable laws, rules, and

regulations of NRO's activities and programs. The diverse and broad experiences I have acquired during my time in the Department of Defense and Intelligence Community form a strong substantive foundation from which to perform the duties of the NRO IG. These experiences include legal, business, and policy training and practice in major systems acquisitions, outer space, appropriations, fiscal and budgetary constraints, and counterintelligence.

My expertise in acquisition and procurement has played a central role in my career, from my time in the Department of Defense working on large contracts to support the American warfighter to my work at the National Security Agency and the Office of the Director of National Intelligence (ODNI), where I gained extensive knowledge and experience in intelligence and outer space. While at ODNI, I have observed and contributed to the effective oversight of multiple Intelligence Community elements, including NRO. I have been the legal advisor and/or have overseen the provisioning of law to the various ODNI components that oversee the functions of NRO, including the Chief Financial Officer, Chief Information Officer, the Space Executive, the Associate Director of National Intelligence for Acquisition, Procurement, Facilities, and Requirements, Cost and Execution. Additionally, throughout my career, I have supported various audits, investigations, and inquiries, including personnel and security matters. Through my support of the ODNI Chief Operating Officer I gained knowledge of the operations critical to running an effective organization, an experience which will make me an effective IG, if confirmed. Finally, I have actively recruited, developed, and managed a diverse group of professionals to further the mission of the agency. If confirmed, I am confident that these skills will enable me to successfully perform the duties of the NRO IG.

PART C - POLITICAL AND FOREIGN AFFILIATIONS

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

None.

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

I have never run for public office.

17. FOREIGN AFFILIATIONS

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

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

No.

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

No.

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

No.

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

No.

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

None.

PART D - FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST

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

None.

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.

I do not have any business affiliations that would require me to sever connections in the event that I am confirmed by the Senate.

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.

None.

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 intend to remain a government employee after completing the term of this possible appointment.

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.

In fall 2021, I was offered other employment from the private sector company Shift5, a cybersecurity startup. I declined their offer.

25. IS YOUR SPOUSE EMPLOYED? IF YES AND THE NATURE OF THIS EMPLOYMENT IS RELATED IN ANY WAY

TO THE POSITION FOR WHICH YOU ARE SEEKING CONFIRMATION, PLEASE INDICATE YOUR SPOUSE'S EMPLOYER, THE POSITION, AND THE LENGTH OF TIME THE POSITION HAS BEEN HELD. IF YOUR SPOUSE'S EMPLOYMENT IS NOT RELATED TO THE POSITION TO WHICH YOU HAVE BEEN NOMINATED, PLEASE SO STATE.

I do not have a spouse.

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

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

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

None.

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

<u>DESCRIPTION OF PROPERTY</u>	<u>VALUE</u>	<u>METHOD OF VALUATION</u>
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Pursuant to the instruction, please see the OGE Ethics Form.

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

<u>NATURE OF OBLIGATION</u>	<u>NAME OF OBLIGEE</u>	<u>AMOUNT</u>
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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.)

REDACTED

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, I will provide my tax returns for the last three years, if asked.

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

Montgomery County, Maryland

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

No.

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

None. I am licensed to practice law in the State of Texas.

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.

No. I currently do not have any financial holdings that would require me to take any action to avoid a potential conflict of interest.

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

I have had to file an OGE 278 form with the Office of the Director of National Intelligence for the last three years. If authorized by the agency, I will provide a copy of those reports.

PART E - ETHICAL MATTERS

38. HAVE YOU EVER BEEN THE SUBJECT OF A DISCIPLINARY PROCEEDING OR CITED FOR A BREACH OF ETHICS OR UNPROFESSIONAL CONDUCT BY, OR BEEN THE SUBJECT OF A COMPLAINT TO, ANY COURT, ADMINISTRATIVE AGENCY, PROFESSIONAL ASSOCIATION, DISCIPLINARY COMMITTEE, OR OTHER PROFESSIONAL GROUP? IF SO, PLEASE PROVIDE DETAILS.

No.

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

No.

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

No.

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

No.

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

No.

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

No.

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

To my knowledge, I have never be the subject of any Inspector General Investigation.

PART F - SECURITY INFORMATION

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

No.

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

Yes. I currently hold and have held a position in the Intelligence Community that requires me to take a polygraph examination to maintain that position(s).

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

I have never refused to submit to polygraph examination.

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, NATIONAL RECONNAISSANCE OFFICE, U.S. DEPARTMENT OF DEFENSE AND THE INTELLIGENCE COMMITTEES OF THE CONGRESS, RESPECTIVELY, IN THE OVERSIGHT PROCESS.

The role of Congress in overseeing the Intelligence Community (IC), executed through the Intelligence Committees, is critical to ensuring that the IC accomplishes its mission with fidelity to the American people and our ideals. By their very nature, intelligence activities, including the conduct of intelligence officers, must often be performed without public knowledge and/or scrutiny. When transparency is not possible, Congress must serve as the eyes, ears, and conscience of the American people to certify that the values enumerated in our Constitution, laws, and/or regulations are being followed. In the rare circumstances when the activities of the IC fall short of these requirements, Congress is expected to illuminate those deficiencies and shortcomings and insist that corrective action be implemented.

Inspector Generals' (IG) responsibilities and obligations are similar and complementary to those of the Congress. IGs are

tasked with ensuring programs and operations are implemented and managed efficiently and effectively, within the bounds of the law. Like Congress, when this does not occur, the IG is required to throw light upon the problem, recommend corrective action, and monitor progress on those actions. To successfully perform its responsibilities, IGs must keep Congress fully and currently informed concerning fraud, waste, abuse, and other serious problems associated with agency administration of its programs and operations. The mission of the National Reconnaissance Office is critical to the nation's security. It is entrusted with large amounts of taxpayer funds to supply critical and unique capabilities to the nation. The complementary and synergistic efforts of the Congress and IGs ensure agencies like the National Reconnaissance Office, are accountable to and perform their vital missions for the American people.

49. EXPLAIN YOUR UNDERSTANDING OF THE RESPONSIBILITIES OF THE INSPECTOR GENERAL, NATIONAL RECONNAISSANCE OFFICE, U.S. DEPARTMENT OF DEFENSE.

The authorities, duties, and responsibilities of the National Reconnaissance Office (NRO) Inspector General (IG) are outlined in the Inspector General Act of 1978 as amended. While the most tangible activities of the IG's office include conducting and supervising audits and investigations of the NRO, it is also responsible for recommending policies and coordinating other activities for the purpose of promoting economy and efficiency in the administration of, or the prevention and detection of fraud and abuse in, programs and operations administered or financed by the NRO. In performing all of these roles, the IG must maintain clear, comprehensive, and timely communication with the Director of the NRO, where appropriate, and Congress, to share information about problems and inadequacies and to recommend and monitor the progress of corrective actions. Finally, the IG is a critical component, alongside the Congress, to safeguarding the whistleblower process for both the intelligence community and the whistleblower. The IG must receive and investigate whistleblower complaints while protecting the information, sources, and methods of the intelligence community, and ensuring that whistleblowers are not subjected to retaliation or reprisals.

AFFIRMATION

I, **TERRENCE LAMAR EDWARDS**, DO SWEAR THAT THE ANSWERS I HAVE PROVIDED TO THIS QUESTIONNAIRE ARE ACCURATE AND COMPLETE.

23 June 2022
(Date)

Terrence Edwards Signature



Notary Signature

TO THE CHAIRMAN, SELECT COMMITTEE ON INTELLIGENCE:

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

Signature

Terrence Edwards Signature

Date: 23 June 2022

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SELECT COMMITTEE ON
INTELLIGENCE
UNITED STATES SENATE



Additional Prehearing Questions

For

Terrence Edwards

upon his nomination to be

Inspector General of the National Reconnaissance Office

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

My understanding is principally based on Executive Order 12333, *United States Intelligence Activities*, which states the Director of the NRO shall “be responsible for research and development, acquisition, launch, deployment, and operation of overhead systems and related data processing facilities to collect intelligence and information to support national and departmental missions and other United States Government needs; and conduct foreign liaison relationships relating to these missions....” In addition to these core intelligence responsibilities, the Director of the NRO has the responsibility and authority to lead and manage the NRO, which includes the responsibility to effectively manage and execute the taxpayer's funds entrusted to the NRO, and manage and provide for the professional development of NRO personnel. My current and previous positions at the Office of the Director of National Intelligence (ODNI) have also provided me with an awareness of the NRO's goals pertaining to delivering space-based intelligence; meeting cost, schedule, and performance commitments of major acquisitions; and delivering a more integrated and resilient architecture.

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

The Council of the Inspector General on Integrity and Efficiency (CIGIE) has established quality standards for the management, operation, and conduct of the Federal Offices of Inspector General. It is my understanding that the members of the CIGIE, including the NRO Office of Inspector General (OIG), have formulated and adopted these standards, which include standards for Investigations, Audits, Inspections, and Evaluations. To maintain public trust, the OIG must adhere to high standards of official conduct and be held accountable in the event those standards are not met. If confirmed, I will ensure all the OIG's internal controls, including its manuals, instructions, and policies, adhere to and implement these standards, and that OIG officials exercise their duties accordingly.

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

Pursuant to Section 4 of the Inspector General Act of 1978, as amended (IG Act), the OIG is tasked with the duty and responsibility to keep the Director of the NRO and the Congress fully and currently informed, by means of its Semi-Annual report and otherwise, concerning fraud, abuses, deficiencies and other serious problems relating to the programs and operations that the NRO administers and/or finances. If confirmed, I will review and enhance, as necessary, all NRO OIG internal policies and practices to ensure they are consistent with the CIGIE standards and that the office conducts its oversight efforts in a professional, thorough, and timely manner. I will assess the effectiveness of how the office establishes milestones and implements tracking mechanisms to monitor progress. In monitoring progress, I will obtain regular updates from OIG project teams and staff. Overall, I will encourage and ensure a collaborative, cooperative working environment within the office.

4. What steps would you take to inform individuals, within or outside of the U.S. Government, including contractors, of their opportunity to provide complaints or information to the Inspector General (IG)?

If confirmed, I will ensure that any individual wanting to report information in good faith to the OIG can do so efficiently, confidentially, and without fear of reprisal. Specific to the NRO, in light of the diverse workforce comprised of civilian, military and contractor employees, I will review all current means by which NRO personnel can communicate with the NRO OIG, and engage in meaningful enhancements, as necessary, to those methods to ensure all personnel have readily available access to the OIG. I will also ensure the office regularly engages in meaningful outreach, training, on-site visits and other events that promote awareness of access to the OIG by all NRO personnel and of the protections afforded to those that communicate with the office.

Protection of Whistleblowers

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

If confirmed, I will make it a priority to conduct a baseline review to examine the formal policies and processes in place to inform employees of their right to provide information to the NRO OIG and protect against reprisal for making complaints or disclosing information to the NRO OIG. I will ensure that the protections afforded under 50 U.S.C. §3234, *Prohibited Personnel Practices in the Intelligence Community* and other appropriate authorities are implemented with full force and effect. Further, I will ensure that NRO personnel are educated on the procedures for external reviews of reprisal investigations pursuant to 50 U.S.C. §3236, *Inspector General external review panel*, and Presidential Policy Directive (PPD-19), *Protecting Whistleblowers with Access to Classified Information*. Similar to my response to Question 4, I will also ensure the OIG regularly engages in meaningful outreach, training, on-site visits and other events that promote awareness of access to the OIG by all NRO personnel and of the protections afforded to those that communicate with the office.

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

As stated in my response to Question 5, if confirmed, I will make it a priority to conduct a baseline review of the established policies and processes in existence to protect whistleblowers to identify any perceived gaps or inadequacies. Upon learning of any potential issues, I will work expeditiously to develop solutions and implement revisions. In doing so, I will leverage all resources at my disposal, to include Counsel to the NRO OIG as well as colleagues on the IC IG Forum.

Access to Information

- 7. Please describe how you would resolve, including what remedies you would pursue, if an NRO employee or contractor refuses to provide access to records, reports, audits, reviews, documents, papers, recommendations or other materials requested by the NRO IG? How would you address being told by NRO personnel that the IG does not have a “need to know” for certain documentation or records related to an investigation?**

Section 6(a) of the IG Act authorizes, except in limited circumstances, each Inspector General to have timely access to all necessary records, reports, audits, reviews, documents, papers, recommendations, or other materials available to the establishment, which relate to the programs and operations with respect to which the Inspector General has responsibilities under the Act. An OIG’s oversight role establishes the need to know, and I expect that explaining the OIG’s role and authorities is often sufficient to address and resolve any misunderstandings or initial refusals. In the case where a refusal persists, if confirmed, I would make an initial attempt to resolve the situation at the lowest level, but would escalate the matter as needed through the employee’s or contractor’s management chain, up to the NRO General Counsel and the Director, NRO, as necessary. Ultimately, if the OIG continued to experience resistance, I would notify the congressional oversight committees as appropriate.

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

In my opinion, the subpoena authority granted under Section 6(a)(4) of the IG Act provides a necessary and valuable tool in the execution of an IG’s duties. Notwithstanding, subpoena use should be reserved for situations where standard methods of making requests for relevant documentation are not viable or otherwise impractical.

Independence

- 9. If confirmed, please describe what actions you would take if a senior NRO or Intelligence Community (IC) official sought to prevent you from initiating, carrying out, or completing any audit or investigation within the jurisdiction of the NRO IG?**

Section 8G(d)(2) provides that the Secretary of Defense, in consultation with the Director of National Intelligence, may prohibit the NRO OIG from initiating or completing any audit or investigation if such a prohibition is deemed necessary to protect vital national security interests of the United States and the proper notifications are subsequently made to Congress. If confirmed, in any other instance where another official or other entity sought to prevent me from initiating, carrying out, or completing any audit or investigation within the jurisdiction of the NRO IG, I would make an initial attempt to resolve the situation at the lowest level, but would escalate the matter as needed to the NRO General Counsel and the Director, NRO. In the case where the agency head did not subsequently execute a prompt and appropriate resolution, I would report the situation to the appropriate committees of Congress, as well as to the IGs of the Intelligence Community and the Department of Defense, as appropriate.

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

As an office with the responsibility of conducting independent oversight and in consideration of its direct reporting requirements to the Director, NRO and the Congress, the OIG must maintain unfettered access to communicate with Congress as necessary. In certain circumstances, it may be appropriate to coordinate with the NRO Office of Congressional and Public Affairs when there is no threat to OIG independence or exigencies requiring timely reporting. In my view, an IG must make a case-by-case determination based on the facts presented and in consideration of the congressional reporting requirements set forth in the IG Act.

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

There exist inherently fundamental differences in duties owed by each office that require an appropriate level of professional separation. This point is emphasized by Section 3(g) of the IG Act, which, in order to avoid such a conflict of interest, provides that an IG shall obtain legal advice from a counsel either reporting directly to the IG or to another IG. While the Office of General Counsel provides legal advice to NRO leadership, the OIG must maintain overall independence from influence by the agency, which precludes relying on the agency's counsel for legal advice regarding OIG operations. Notwithstanding, it is essential that a solid and trusting working relationship between these two offices is established and maintained. Regarding legal matters of mutual interest that do not otherwise implicate the OIG's independence, such as the interpretation of agency policies relevant to an investigation, collaboration is not only proper, but also necessary. Based on my prior positions in the Offices of General Counsel at the ODNI, National Security Agency, and Department of the Army, I am well versed in the care, balance, and respect needed to facilitate the coordination that happens between these offices. If confirmed, I will ensure the NRO OIG staff apply the same care, balance, and respect in every interaction they have with the Office of General Counsel.

Inspector General Work Plan

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

It is my understanding that OIGs engage in a process annually to assess current and emerging risks to mission and effective NRO operations. To that end, the OIG engages with appropriate stakeholders, including Congress, to determine their work plans for the year. If confirmed, I will publish an annual work plan at the beginning of each fiscal year to provide the oversight committees and NRO decision makers with information about the OIG's planned audits and inspections. In selecting the projects, I will consider items of congressional interest set forth in applicable appropriation and authorization legislation, as well as information about new and ongoing risks to the NRO mission. Because investigations are generally reactive measures, I do not anticipate including specific investigations in the work plan. However, if confirmed, I will look for opportunities to promote a greater understanding among the NRO workforce regarding fraud, procurement integrity, and whistleblower reprisal, and will ensure the timely execution of investigations.

13. Would you consider Committee suggestions or focus areas to inform your annual work plan?

Yes. In addition to including items of congressional interest set forth in applicable appropriation and authorization legislation in our annual work plan, if confirmed, I look forward to meeting with congressional oversight committees and staff as part of our annual planning process. These meetings will provide valuable insight on congressional interest items and perspective on NRO mission risks and emerging issues.

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

I value what I have learned are highly cooperative relationships between the Intelligence Community Inspectors General. This cooperation enhances oversight of intelligence programs and activities and results in increased accountability, integrity, and efficiency. If confirmed, I will prioritize effective communication and coordination throughout the Inspector General community so that the NRO OIG can fulfill its oversight responsibilities more efficiently and effectively, without unnecessary duplication of effort and resources.

Referrals to the Department of Justice

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

In accordance with Section 4(d) of the IG Act, the IG shall make an expeditious reporting to the Department of Justice whenever the IG has reasonable grounds to believe there has been a violation of Federal criminal law. This responsibility is consistent with 28 U.S.C. § 535(b), and Executive Order 12333, which generally provides that each agency and organization within the Intelligence Community must report information concerning possible federal crimes by its personnel, or violations of specified federal criminal laws by any other person, when such information was collected by the agency during the performance of its designated intelligence activities. Further, in cases where the information received by the OIG is otherwise incomplete, which may preclude a formal reporting; a consultation with Department of Justice in advance of a formal referral may be the most productive course of action.

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

In accordance with the *1995 Memorandum of Understanding: Reporting of Information concerning Federal Crimes*, the NRO Office of General Counsel is required to report to the Department of Justice or to state or local law enforcement authorities possible violations of federal and state criminal laws by NRO personnel when the information was collected during the performance of the NRO's designated intelligence activities as defined in Executive Order 12333, subject to certain exceptions, including, but not limited to, allegations that have been reported to the OIG. If confirmed, I will work with the Office of General Counsel to ensure that, as appropriate, when such matters involve NRO funds, programs, and operations, the OIG is involved in the coordination of the referral to allow for independent consideration of the information.

Major Challenges, Problems, and Priorities

17. In your view, what are the major challenges facing the NRO OIG? Looking more broadly, and with your acquisition experience, do you see challenges for the NRO at a time when there is an explosion in commercial space capabilities?

I am not aware of any specific major challenges that the NRO OIG is currently facing. If confirmed, I will engage with NRO OIG personnel, as well as internal and external stakeholders, to obtain an understanding of major challenges, if any, and, as appropriate, take the necessary action to resolve them. To that end, I plan to place special emphasis on learning about any challenges as related to whistleblower reprisal. I strongly believe the OIG cannot fully succeed in its mission to prevent fraud, waste, and abuse if personnel do not feel they can safely report information of potential wrongdoing.

At this time, I cannot speak to the NRO's specific challenges, if any, regarding the recent explosion of space capabilities in the commercial market. However, with the expansion of any technology, organizations, whether a consumer or producer of that technology, must determine the worth and possible consequences of that expansion. Being a producer of space-based capabilities, I expect the NRO has completed its cost/benefit assessment as demonstrated by its recent award announcement (Release #05-22) for the procurement of commercial imagery. Based on my broad experience in government acquisitions and appropriations, I offer that one challenge that the NRO might be facing in this area is whether its acquisition, fiscal, and security policies and procedures provide sufficient controls to manage these often new and

expanding commercial relationships. I expect it is particularly difficult where the awards are for large-scale, unclassified contracts in which the arrangement involves open and non-traditional companies with uncleared personnel and no access to secure information systems. Additionally, I offer that another challenge is having the right personnel with the right skill sets, which is key to managing the risk associated with developing new relationships and adopting new capabilities. If confirmed, I will determine whether the NRO has assessed and continues to assess whether it has the right talent to maneuver effectively in this new area.

A final challenge that I anticipate the NRO might be dealing with in this area is balancing the interest of using existing governmental capabilities with the interest of incorporating new commercial capabilities in a constructive and effective way that complies with existing laws, regulations, and policy.

18. Is there a role for the OIG in making determinations or recommendations related to the NRO's current mission focus?

In carrying out the OIG's duties and responsibilities established under the IG Act, OIGs make recommendations for corrective actions. In addition, the IG Act states that the OIG may conduct or coordinate activities that NRO executes or finances for the purpose of promoting economy and efficiency in NRO programs and operations. If confirmed, I will ensure the NRO OIG's annual work plan covers areas of high-risk, and that audits, inspections, and evaluations are mission-focused. I believe that OIG findings and recommendations need to be provided promptly to NRO leaders to be relevant and useful as they manage NRO's mission and to the Congress to assist in its oversight function. Findings must be developed consistent with quality standards, based upon supportable facts, and presented in a clear, understandable manner. Recommendations must be actionable, and should drive process improvements and strengthen internal controls to mitigate the risk of fraud, waste, and abuse, as well as help the NRO to increase the efficiency and effectiveness of its business processes and activities. If confirmed, it will be my goal to provide impactful recommendations that NRO leadership and managers can use to make informed decisions about current mission activities.

19. Is there a role for the OIG in resolving disagreements between the NRO and other IC elements or making recommendations to improve efficiencies?

According to the IG Act, as an independent office with broad subject matter jurisdiction, the OIG is in a unique position to provide policy direction for and to conduct, supervise, and coordinate audits, investigations, inspections, and evaluations relating to the programs and operations of the NRO. The OIG's efforts are not necessarily limited to the work conducted solely by the NRO; rather, such

efforts can include collaborative activities among multiple IC element OIGs. As a result, under appropriate circumstances, and when there is no threat to independence, the OIG can provide valuable input towards resolving disagreements between the NRO and other IC elements, or otherwise in making recommendations to improve efficiencies. For example, in my current position at the ODNI, I am aware of a joint review by the NRO OIG and another IC element OIG to identify the root cause of program and operational disagreements between two IC elements. If confirmed, I will continue to endorse and support opportunities for the IC OIGs to coordinate and collaborate on matters of mutual interest.

Personnel and Budgetary Resources of the NRO OIG

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

Based on my review of the NRO OIG website, the office is comprised of five divisions—Audits, Inspections, Investigations, Analytics, and OIG Corporate Support. If confirmed and upon assuming the role of IG, I will obtain an understanding of the office’s authorized strength and current staffing level. I will ensure practices are in place to address any vacancies so that the OIG can carry out its mission with a full complement of qualified officers. The credibility of an OIG relies, in part, on the quality and experience of its officers; training is a critical part of staff development. I will inquire about staff training and the sufficiency of resources for training, making this a priority. I will also assess the sufficiency of resources in terms of budget and personnel by conducting an in-depth examination of resources and seeking the views of the congressional oversight committees. If confirmed, and as necessary, I will request changes to ensure the NRO OIG has the resources to fulfill its statutory responsibilities.

21. If confirmed, will you lead a top down review of the OIG staff size and skillsets to ensure the IG is sized to address the priority work? How will you triage your staff to provide planned IG studies and ensure that there is sufficient personnel to address emerging issues as they arise?

If confirmed, I will assess the OIG staff size and skills to ensure that OIG is well positioned to undertake and complete priority work. All OIG work is important, but as in any office, unplanned adjustments to workloads are often necessary to meet priorities. If confirmed, I will ensure that OIG officers have the requisite knowledge, skills, and abilities, as well as cross-function training, as appropriate, to achieve maximum flexibility to shift personnel to meet ever-changing mission requirements. This strategy includes adjusting established milestones on ongoing projects, re-

scoping work, and re-aligning resources to accomplish emerging, higher priority issues.

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

At this time, I do not have sufficient information to say with any certainty what changes, if any, that I would expect to consider or make, if confirmed, regarding the organization, staff qualifications, training, budget, or other features relevant to the effective performance of the duties of the office. However, if confirmed, I will review the NRO OIG's current organizational structure, staff qualifications, training, and budget to allow for an informed determination on what changes, if any, are needed to achieve the most effective performance. When assessing the organization, I will consider whether investments in infrastructure and information technology are needed. If so, I will develop and implement a plan that will ensure resources are spent wisely. I will also meet with all OIG personnel to obtain their perspectives on areas that are working well and areas for potential improvement. I will then implement revisions and improvements, as necessary, with a focus on ensuring quality and timeliness of the work. If confirmed, attracting, training, and developing the best possible talent will be one of my priorities so that the NRO OIG maintains its capacity to meet its statutory responsibilities.

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

At this time, I do not have sufficient information to assess whether there are currently barriers or disincentives, including any created by personnel policies, which impede the recruitment or retention of qualified personnel specific to the NRO OIG. Having served much of my career in the IC, I am certainly aware of recruitment and retention challenges faced by the community as a whole, to include clearance processing, competitive compensation, cost of living, and the ever-growing obstacle of limited opportunities for telework. If confirmed, I will explore any such challenges by consulting with the NRO OIG's career service board for Central Intelligence Agency and NRO Cadre personnel, the Forum of IC OIGs, and the CIGIE to obtain their collective views, and I will seek resolution to any barriers or disincentives impacting recruitment and retention of NRO OIG personnel.

SELECT COMMITTEE ON INTELLIGENCE
UNITED STATES SENATE



Post-hearing Questions For
Terrence Edwards
Upon His Nomination To Be
Inspector General of the National Reconnaissance Office

[From Senator Wyden]

1. The OIG's April 30, 2018, Semiannual Report to the Congress (covering the period October 1, 2017 – March 31, 2018) was declassified and released to the public, subject to redactions. The October 30, 2017, report (covering the period April 1, 2017 – September 30, 2017) was similarly declassified and released to the public. Do you commit to declassifying and releasing all OIG semiannual reports, subject to redactions necessary to protect sources and methods?

Yes, I commit to declassifying and releasing NRO OIG semiannual reports, subject to redactions necessary to protect sources and methods. I further commit to seeking opportunities to declassify and release other OIG reports, as appropriate, to improve the public's awareness of and access to audit, inspections, special review findings and conclusions issued by the NRO OIG. It is my understanding that Oversight.gov was created by the Council of the Inspectors General on Integrity and Efficiency to promote greater transparency, and I look forward to using this platform to the fullest extent possible.

