

SELECT COMMITTEE ON
INTELLIGENCE

UNITED STATES SENATE



**Post-Hearing Questions for the Record for
Christopher Fox
Upon his nomination to be
Inspector General of the Intelligence Community**

Questions from Senator Wyden

QUESTION 1: The Intelligence Community Inspector General’s authorities for “personnel decisions concerning personnel permanently assigned to the Office of Inspector General” (50 U.S.C. §3033(j)(3)(B)) were included in S. 1494, the Intelligence Authorization Act for Fiscal Year 2010 (P.L. 111-259). The report accompanying that bill (S. Rept. 111-55) noted that the Senate Intelligence Committee added that language following passage of the Inspector General Reform Act of 2008 (P.L. 110-409). As the Committee report stated: “In light of this recent determination by the Congress to protect and augment the authority of Inspectors General throughout the Government, the Committee has provided for conforming changes in the IG provision it is now reporting.” The Inspector General Reform Act of 2008 established that “each Office of Inspector General shall be considered to be a separate agency” and “the Inspector General who is the head of an office... shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions.” In light of this legislative history, do you agree that the IG’s authorities related to “personnel permanently assigned to the Office of Inspector General” apply to all OIG personnel not detailed from another agency?

Yes. Consistent with the budgetary and personnel resources allocated by the Director of National Intelligence (DNI), and with the exception of all security-based determinations that are not within the authority of a head of a component of the Office of the Director of National Intelligence (ODNI), the Inspector General’s final approval authority pertains to all personnel decisions concerning personnel permanently assigned to the Office of the Inspector General of the Intelligence Community (IC IG). This final approval authority applies to all IC IG permanent personnel not detailed from another agency.

QUESTION 2: Do you agree that any interpretation of 50 U.S.C. §3033(j)(3)(B) that would grant the IG authorities related to some OIG personnel but not others (i.e., non-probationary employees but not probationary employees) is illogical and unworkable from an administrative and management perspective?

If confirmed, I will undertake a comprehensive review of the IC IG’s management and administration to ensure that every division functions efficiently and effectively, without any component operating in a manner that is illogical or unworkable.