AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. Hrg. 116–28

NOMINATION OF JOSEPH V. CUFFARI

HEARING

BEFORE THE

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS UNITED STATES SENATE

ONE HUNDRED SIXTEENTH CONGRESS

FIRST SESSION

NOMINATION OF JOSEPH V. CUFFARI TO BE INSPECTOR GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY

MARCH 5, 2019

Available via the World Wide Web: http://www.govinfo.gov

Printed for the use of the
Committee on Homeland Security and Governmental Affairs

U.S. GOVERNMENT PUBLISHING OFFICE
35–771 PDF WASHINGTON : 2019

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

RON JOHNSON, Wisconsin, *Chairman*

ROB PORTMAN, Ohio
RAND PAUL, Kentucky
JAMES LANKFORD, Oklahoma
MITT ROMNEY, Utah
RICK SCOTT, Florida
MICHAEL B. ENZI, Wyoming
JOSH HAWLEY, Missouri

GARY C. PETERS, Michigan
THOMAS R. CARPER, Delaware
MAGGIE HASSAN, New Hampshire
KAMALA D. HARRIS, California
KYRSTEN SINEMA, Arizona
JACKY ROSEN, Nevada

GABRIELLE D'ADAMO SINGER, *Staff Director*
M. SCOTT AUSTIN, *U.S. Coast Guard Detailee*
DAVID M. WEINBERG, *Minority Staff Director*
ZACHARY I. SCHRAM, *Minority Chief Counsel*
ALEXA E. NORUK, *Minority Director of Homeland Security*
LAURA W. KILBRIDE, *Chief Clerk*
THOMAS J. SPINO, *Hearing Clerk*

CONTENTS

	Page
Opening statements:	
Senator Johnson	1
Senator Peters	2
Senator Lankford	11
Senator Rosen	14
Senator Scott	15
Senator Carper	18
Prepared statements:	
Senator Johnson	23
Senator Peters	24
Senator Sinema	26

WITNESSES

TUESDAY, MARCH 5, 2019

Hon. Martha McSally, A United States Senator from the State of Arizona	4
Joseph V. Cuffari to be Inspector General, U.S. Department of Homeland Security	
Testimony	5
Prepared statement	27
Biographical and financial information	30
Biographical Questionnaire-Supplement	45
Letter from the Office of Government Ethics	46
Responses to pre-hearing questions	49
Responses to post-hearing questions	60
Letters of support	72

APPENDIX

Minors and Families Chart	79

NOMINATION HEARING OF JOSEPH V. CUFFARI TO BE INSPECTOR GENERAL U.S. DEPARTMENT OF HOMELAND SECURITY

TUESDAY, MARCH 5, 2019

U.S. SENATE,
COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENTAL AFFAIRS,
Washington, DC.

The Committee met, pursuant to notice, at 2:32 p.m., in room SD–342, Dirksen Senate Office Building, Hon. Ron Johnson, Chairman of the Committee, presiding.

Present: Senators Johnson, Lankford, Scott, Peters, Carper, Hassan, Harris, and Rosen.

OPENING STATEMENT OF CHAIRMAN JOHNSON

Chairman JOHNSON. Good afternoon. This hearing is called to order. We are meeting today to consider the nomination of Joseph Cuffari to be the Inspector General (IG) of the United States Department of Homeland Security (DHS), a pretty important position.

I just want to start out, I will ask that my written statement be entered into the record.[1] I see we have Senator McSally here to introduce Mr. Cuffari.

Also, I just want to point out that Senator Sinema also would like to be here. She actually asked us to move the hearing, but it was very difficult to reschedule. But she was also highly supportive and disappointed she could not be here at the hearing.

I will keep my comments pretty brief here. This Committee in particular really relies on Inspectors General. With the Government Accountability Office (GAO), we have the High-Risk List hearing tomorrow. We have seen issues and problems with Inspectors General where they have been captured by the agency—the DHS Inspector General from about 5 or 6 years ago, I would say the Veterans Affairs (VA) Inspector General, the investigation we did with the Tomah VA with mixed toxicity of overprescription of opioids resulting in the death of veterans because we did not have an independent Inspector General. And, truthfully, I understand how that dynamic works. I think in either your written questions or your testimony, you refer to the fact that your primary customer is the Secretary of the Department, and that is very appropriate.

[1] The prepared statement of Senator Johnson appears in the Appendix on page 23.

In general, what Inspectors General are doing is inspecting and doing investigations to create a better Department, which means that information is going to be available to the Secretary. So you become invested in that Department. You want to see that Department succeed, which is why you are doing all these investigations. So it can be very difficult at some point in time to air the dirty laundry, but it is crucial that we have an independent Inspector General to do just that.

Mr. Cuffari, your public service is exemplary. I want to thank you for your past service. I want to thank you for your willingness to serve again. This is not an easy post. I particularly want to thank your family. I know you have some of them here, and I will let you introduce them later. As you know, government service is a family sacrifice, a family act of service.

So, again, I just want to thank you for being here and for your willingness to serve. I want to thank your family, too, because you probably do not see them much anyway, and you will probably see them less with this new assignment. And I do not want to talk anybody out of anything.

With that, I will quick turn it over to my Ranking Member, Senator Peters.

OPENING STATEMENT OF SENATOR PETERS[1]

Senator PETERS. Thank you, Mr. Chairman. And thank you, Dr. Cuffari, for being here today and for your willingness to take on what is going to be a very challenging role.

For over 40 years, Inspectors General have acted as independent, nonpartisan watchdogs that are tasked with preventing and uncovering fraud, waste, and abuse in the Federal Government and promoting efficiency in agency operations. Simply put, the Inspector General makes sure that government is doing what it is supposed to do, and when there are problems, as mentioned by Mr. Chairman, the Inspector General makes sure that the agency and Congress and the American people know exactly what is happening.

I want to also concur that I know that Senator Sinema wanted to be here today to help introduce you, and in a written statement, she describes you as an "honorable public servant." And, Mr. Chair, I would like to enter into the record, without objection, her full statement.[2]

Chairman JOHNSON. No objection.

Senator PETERS. We certainly need an honorable public servant in this position, and as an effective Inspector General, you must be a partner to agency leadership, as was mentioned, working together to identify areas at risk and certainly to prevent problems before they occur. But they also must be a partner with Congress and keeping us apprised of emerging issues and responding to our concerns as we work to ensure that taxpayer money is spent efficiently.

An effective Inspector General must be a leader. The Department of Homeland Security Inspector General supervises almost 800 investigators, auditors, and other employees, all of whom look to the

[1] The prepared statement of Senator Peters appears in the Appendix on page 24.
[2] The prepared statement of Senator Sinema appears in the Appendix on page 26.

Inspector General for guidance and for direction. And, most importantly, the Inspector General must be independent and impartial, relentlessly following the facts wherever they may lead. And if confirmed, there will undoubtedly be times when you will have to push back on the Department's top officials. The integrity and the effectiveness of the Department will depend in part on public trust.

The Department of Homeland Security is the third largest agency in the Federal Government with over 245,000 employees and a total budget of $75 billion. And as one of the Nation's most critical law enforcement and national security agencies, the Department is charged with safeguarding our Nation from threats both foreign and domestic.

The Department has faced significant challenges, including recruitment shortfalls, low morale, high acquisition costs, and insufficient financial controls. Robust and adaptable oversight is absolutely essential to ensure that the Department is effectively safeguarding our communities and our tax dollars.

Last week, I met with Secretary Nielsen to discuss some of the most pressing issues at the Department, including security and commerce at our Northern Border, cybersecurity challenges in Michigan and across the Nation, the rise of domestic extremist violence, and ensuring the Department's actions reflect the very core values of our country. And I made it clear that the Department must not discriminate against our fellow Americans because of where they are from or where they worship.

Secretary Nielsen committed to work on these issues. My colleagues and I are going to rely on the Inspector General to help evaluate the Department's performance on these critical commitments.

The Office of Inspector General (OIG) has performed critical work in preventing and rooting out fraud, waste, and abuse at the Department of Homeland Security, and this has included investigations into reprisal against whistleblowers, including the brave men and women who serve in the United States Coast Guard (USCG). The Inspector General's office has conducted random checks at detention facilities, work you yourself conducted at the Department of Justice (DOJ). And in 2018, investigations by the Inspector General directly resulted in nearly $36 million in recoveries, fines, and restitution to the Federal Government. It is critical that the Inspector General achieves high performance standards, and this is important that this work continues.

When this body created the Department of Homeland Security in 2002, we also established the agency of Inspector General to hold the Department accountable. As we consider your nomination, sir, I will be considering your commitment to independence, integrity, impartiality, and ensuring that the Department acts as a responsible steward of taxpayers' dollars, and I certainly look forward to your testimony.

Chairman JOHNSON. Thank you, Senator Peters. And, again, I think we have just an extraordinary candidate or nominee before us here with that type of record of independence, and so I am very confident.

Again, Dr. Cuffari, we are going to let you introduce your own family members. We have a couple other distinguished guests. We

would like to recognize the Hon. Eric Thorson, the IG for the Treasury Department; the Hon. David Buckley, former IG for the Central Intelligence Agency (CIA); and the Hon. Thomas Gilman, the Chief Financial Officer (CFO) and Assistant Secretary for the Commerce Department. Again, the fact that these individuals are here, together with the letters of recommendation we got, which I will also ask to enter into the record,[1] speak to your qualifications and your integrity.

So, with that, I would like to recognize Senator Martha McSally to introduce Dr. Cuffari. Senator McSally.

OPENING STATEMENT OF HON. MARTHA MCSALLY, A UNITED STATES SENATOR FROM THE STATE OF ARIZONA

Senator MCSALLY. Thank you, Chairman Johnson, Ranking Member Peters, and Members of the Committee on Homeland Security and Governmental Affairs (HSGAC). Thanks for allowing me the opportunity to speak to you about Dr. Joseph Cuffari, known as "Joe" to many of us, who has been nominated to be the Department of Homeland Security Inspector General.

The Inspector General plays an important role in oversight of the Department of Homeland Security, and as the Inspector General, Dr. Cuffari will lead a team that has been without a confirmed head since the early days of this Administration. He will be expected to ensure the Department accomplishes its vital national security and public safety mission. Dr. Cuffari's distinguished career in public service makes him well suited to execute these crucial duties.

He enlisted, after graduating from high school, in the U.S. Air Force (USAF). Go, Air Force. Dr. Cuffari spent more than 40 years in the Air Force, including on active duty and the reserves and in the Arizona Air National Guard. Throughout his career, Joe developed key oversight skills while serving our country with distinction. From 1986 to 1993, Dr. Cuffari served in a number of senior positions in the Air Force Office of Special Investigations (AFOSI) Inspector General component.

After leaving active duty, he spent two decades in the U.S. Department of Justice Office of Inspector General, retiring in 2013 as Assistant Special Agent in Charge for the Office of Inspector General in Tucson, Arizona. Since then, Joe has been a senior policy adviser to Arizona Governors Jan Brewer and Doug Ducey for veterans and public safety issues, and this is where I have gotten to know him over these last several years.

I want to thank you, Dr. Cuffari, for your commitment to public service over these years, and I can tell you personally, Mr. Chairman and Ranking Member Peters, Joe is a man of honor and integrity and has a heart of service for our country, and he will always do what is right. And he is going to really excel and do a great job in this position, and it is my honor to introduce him.

Thank you.

Chairman JOHNSON. Thank you, Senator McSally.

It is the tradition of this Committee to swear in witnesses, so if you will stand and raise your right hand. Do you swear that the

[1] The letters referenced by Senator Johnson appears in the Appendix on page 72.

testimony you will give before this Committee will be the truth, the whole truth, and nothing but the truth, so help you, God?

Mr. CUFFARI. I do.

Chairman JOHNSON. Please be seated. Senator McSally did a nice job of introducing you, but I will read your introduction as well.

Dr. Joseph Cuffari has more than 35 years of experience in investigations and oversight. Dr. Cuffari began his career in 1978 as an enlisted aircraft maintainer at the United States Air Force. In 1986, he joined the Air Force Office of Special Investigations as an Assistant Agent in Charge and later served at the Department of Justice Office of Inspector General, including as the Assistant Special Agent in Charge of the Tucson, Arizona, Field Office. He currently advises the Arizona Governor on military, veterans, and homeland security issues. Dr. Cuffari served in the Air Force Reserve and Air National Guard until retiring in 2017. Dr. Cuffari.

TESTIMONY OF JOSEPH V. CUFFARI,[1] NOMINEE TO BE INSPECTOR GENERAL, U.S. DEPARTMENT OF HOMELAND SECURITY

Mr. CUFFARI. Chairman Johnson, Ranking Member Peters, and distinguished members of the Committee, I am deeply honored to appear before you today to be considered by this Committee as President Trump's nominee to be the next Inspector General for the Department of Homeland Security.

I am very grateful to the President and to Secretary Nielsen for the confidence they have placed in me in this critical position. I thank Senator McSally for her very kind introduction, and many thanks to Senator Kyl, Senator Flake, and Senator Sinema and Governor Ducey and Governor Brewer and their staffs for their support. I also thank the Members of this Committee and their staff for meeting with me as part of my nomination process. If I am confirmed, I pledge to continue our discussions regarding matters of mutual interest and concern.

I thank my wife, Lynn; son, Joey; and daughter-in-law, Grace, for supporting me. Lynn and I have been married for more than 35 years. I promised her that we would travel and that our life would be an adventure. Lynn, it has been a ride.

Much as things have changed over the decades, one thing remains firm: the support, friendship, and guidance from my parents, Vincent and Connie; my brother, Tony; and my in-laws, Raymond and Rosemary Mazza. Equally as important are those same qualities that are given by my cousins, friends, and other associates who came from as far as Arizona, Philadelphia, and the other territories of the country. I also extend a special thanks to those who keep me looking trim: my barbers Tony and Mario.

I owe all that I have to my family, in particular the determination, foresight, and fortitude of my grandparents. By coming to America, they ensured that the generations that followed them would live in the greatest country in the world and be afforded opportunities they did not have. In the early 1900s, my grandfathers took long sea voyages from Italy to the United States and settled in Philadelphia. As the United States entered World War I, they enlisted in the U.S. Army and served in combat engineering teams

[1] The prepared statement of Mr. Cuffari appears in the Appendix on page 27.

on the front lines. Miraculously, they survived and returned to Philadelphia to start families. Now, 100 years later, as I appear before you as a nominee, I thank them and all of our veterans for their service to our country.

I have spent my entire adult life in public service. My calling began when I enlisted in the Air Force after graduating from high school in 1977. My service includes a career in the Air Force on active duty, in the reserves, and in the Air National Guard.

That time has been coupled with 20 years of experience with the U.S. Department of Justice Office of the Inspector General and a combined 12 years with components of the Department of Defense (DOD) Office of the Inspector General. During that time, I worked with seven Inspectors General and am grateful to them for their mentorship, guidance, and support.

I also thank the Council of IGs for their support and recommendation for this position. In creating the OIGs, I believe Congress recognized the shortfall permitting agencies to exclusively investigate themselves. If I am confirmed, I commit to being an honest broker of information and to seek the truth.

I am mindful that the powers bestowed upon an IG are vast. Therefore, if confirmed, I will ensure that the DHS IG is judicious in exercising its powers and investigates an allegation and not an individual. It is in that spirit that I will be fair and objective in my undertakings, and if I am confirmed, I will work with Congress to augment its vital oversight responsibilities.

I believe IGs fill another equally important role as well: the duty to highlight effective and efficient services that are discovered during the course of their work. If confirmed, I will highlight those best practices with an equal degree of transparency.

To the dedicated men and women of the Department of Homeland Security IG, I commit to you that, if I am confirmed, I will be your advocate and champion the critical work you have done and continue to do for the American people. Thank you for your service.

To the Committee, I sincerely appreciate your consideration of my nomination. I look forward to answering your questions.

Chairman JOHNSON. Thank you, Dr. Cuffari.

We have three questions I ask all nominees, and I will ask them to you. Is there anything you are aware of in your background that might present a conflict of interest with the duties of the office to which you have been nominated?

Mr. CUFFARI. No.

Chairman JOHNSON. Do you know of anything, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Mr. CUFFARI. No.

Chairman JOHNSON. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of Congress if you are confirmed?

Mr. CUFFARI. Yes.

Chairman JOHNSON. Thank you.

Normally I defer questioning, but you said a couple of things in your opening comments, and I got some information right off the presses here, and I will actually hand it out to my colleagues.

First, you brought up the point that obviously your family emigrated from a different country into the United States, I am sure seeking opportunity, as most of our ancestors did. So we are a Nation of immigrants.

You also said, "If confirmed, I commit to being an honest broker of information and to seek the truth."

We have a huge problem in this Nation in terms of a broken immigration system. As I have been working with my staff, one of the things we are trying to do with the manufacturing background is going through the problem-solving process. You gather information, define the problem, root-cause analysis, then establish achievable goals, then design the solution.

One of the things I have found most vexing in the whole issue of immigration and border security is just information is very difficult to come by. It changes over the years. We kind of define things differently. Quite honestly, in terms of illegal immigration, the problem has completely shifted from the highs, I think, the top number of individuals we ever apprehended coming across the border illegally is something like 1.6, 1.7 million people over a decade ago. But those were Mexican economic migrants, oftentimes apprehended multiple times the same day.

Today we face a different issue, and that is what this chart[1] is about. I am passing it out because we just got updated information. This, I believe, is our current problem. Because of our laws that treat, for example, unaccompanied children from Central America differently than we would from Mexican or Canadian unaccompanied children, because of the *Flores* Agreement that was challenged in court and there is now a reinterpretation of it, people that come in as family units also basically cannot be detained, so we are in full catch-and-release.

So what this chart shows is the red blocks are children, unaccompanied children coming in from Central America, illegally apprehended between the borders, up to 2011, about 4,000 per year. Then President Obama announced the Deferred Action for Childhood Arrivals (DACA) memorandum, and although it does not apply to anybody that came in since, it was used as a catalyst by the coyotes, the drug traffickers who have become human traffickers.

We just read a horrific story of individuals being abused because of women being put into the sex trade in the New York Times. I would ask everybody to read that if you want to see what the problem is. But the information we have gotten now, because we incentivize and we reward basically by allowing people to stay, if you come in as an unaccompanied child or as part of a family unit, we have gone from 2014, which was the big problem here—that is when President Obama declared a humanitarian crisis, and we all agreed, and the U.S. Customs and Border Protection (CBP) really did a yeoman's job of responding to that and setting up facilities to delouse and clean and provide medical attention.

[1] The chart referenced by Senator Johnson appears in the Appendix on page 79.

120,000 thousand people came to this country in 2014 as either an unaccompanied minor or as part of a family unit. Last year, 145,000 people came in those two categories. The latest information, in the first 5 months now of this year, 159,000 people have come into this country illegally between the ports of entry (POEs), taking a very dangerous journey, as either an unaccompanied child, but more and more as a family unit because it is very advantageous for them to do that. This is a problem. But the only reason I can display this problem is we are starting to get some more accurate information.

And so I wanted to make this point, but I also wanted to hopefully engage you, as hopefully the confirmed Inspector General, to work with this Committee, to take a look at how we gather information, how consistent it is, and how that can be delivered on a very regular basis to Congress and, even more importantly, to the American public.

Now, I know you are adviser to Governor Ducey on homeland security issues. Do you have any comments in terms of what we are seeing here? I mean, you are right down there in Arizona on the border. Can you just comment on the current situation and what as Inspector General you want to take a look at to help improve the Department's performance along those areas?

Mr. CUFFARI. Senator, I would just like to clarify. I am Governor Ducey's military and veterans affairs policy adviser. I do not advise the Governor on homeland security matters.

Chairman JOHNSON. Oh, OK. Do you have any comments on this at all, though? You are going to be, obviously, Inspector General. This is going to be a big issue. You will be asked to take a look at, are we following policies in detention facilities, are we following the law? I mean, there are so many issues wrapped up with Customs and Border Protection and Immigration and Customs Enforcement (ICE). This is a very controversial, very contentious issue, and certainly this Committee and the American public want to make sure that we treat people with real humanity and that we are following the rules.

Mr. CUFFARI. Senator, I will comment, and I commit to you 100 percent, to you and the Members of this Committee, that I will be responsive, if I am confirmed as the Inspector General.

Chairman JOHNSON. In my opening comments, I talked about the independence and what I have seen time and time again, quite honestly, is Inspectors General being captured by the agencies and how that is—we are all human beings. We like people. We develop loyalties to people. You are working for an organization, and you want to see that organization succeed.

You obviously have a great deal of experience of independence in this role. Talk about your attitude, how you combat that very human tendency to, in the end being somewhat of a cheerleader for the Department that you are asked to be an independent Inspector General for.

Mr. CUFFARI. Senator, I go back to taking an oath of office as an Air Force officer and as a member of the Arizona Air National Guard. My ultimate responsibility is to follow the Constitution and determine that the laws of the land are being followed.

Chairman JOHNSON. OK. Senator Peters.

Senator PETERS. Thank you, Mr. Chairman.

Mr. Cuffari, as you have heard over and over again from both of us, we are expecting strong, independent oversight, which is absolutely essential, if confirmed in this position. So I just want you to be very clear on the record for me, please. If you are confirmed, will you commit to responding to requests from Members of Congress and particularly Members of this Committee in a consistent manner and regardless of the party of someone from this Committee asking for your response?

Mr. CUFFARI. Senator, you have my absolute commitment to doing such a thing.

Senator PETERS. Do you believe that DHS management should comply with requests for documents and information from Members of this Committee as well, regardless of party?

Mr. CUFFARI. I believe the Department should follow the law in their application of the law and provide those documents that are applicable and can be provided.

Senator PETERS. So if I get your answer, in principle, if you are saying you are going to follow policy, but is it a core principle, do you believe, that this Committee gets information that we have constitutional duties in terms of oversight and that we should get those documents if we ask for them?

Mr. CUFFARI. Yes, Senator.

Senator PETERS. I also appreciate your answers to the Chairman regarding your independence and your desire to be objective. But I have to say, unfortunately, under this Administration we have seen some very troubling attempts to undermine the statutory independence of IGs across the Federal Government.

Last October, we learned of plans to abruptly replace the Department of Interior's (DOI) Acting IG with a political appointee with no governmental oversight experience whatsoever. More recently, I was deeply concerned by recent efforts by the Department of Education officials to interfere with the work of that Department's Inspector General. On January 3, 2019, the Deputy Secretary of the Department of Education sent a letter to the Acting Inspector General urging her to "reconsider its planned review" of a departmental action or redirect the inquiry into actions taken by a previous Administration instead of the current Administration.

Further, the letter went on to demand a clear, written explanation in the event that the Inspector General did not adhere to the Deputy Secretary's request.

So given these instances, Mr. Cuffari, do you think that it is ever appropriate for an agency official to direct an Inspector General to drop or change a planned or ongoing inquiry?

Mr. CUFFARI. I think it is appropriate for the Inspector General to follow the Inspector General Act. It provides, as you know, the relief if such an instance were to occur. And I do not have the facts because obviously I am not in the Education Department or in the Interior Department. But if that were to occur, there is a relief valve built into the IG Act that permits the IG to go directly to Congress and express their concerns.

Senator PETERS. So in the IG Act, there are only three scenarios where the DHS Secretary may prohibit the IG from carrying out or completing an audit or investigation, if the Secretary determines

that such prohibition is necessary in order to: one, prevent the disclosure of specific categories of sensitive information; two, preserve the national security; or, three, prevent a significant impairment to the interests of the United States.

However, the IG Act clearly places the burden on the Secretary, if the Secretary chooses to invoke this authority to restrict the IG's work. So, in fact, the IG Act states that the Secretary shall notify the DHS IG in writing within 7 days stating the reasons.

So you were saying you would follow this act? There would have to be these fairly pretty big reasons for interfering with your investigation and you would vigorously push back on a Secretary that was trying to limit your independence?

Mr. CUFFARI. Yes, Senator, that is exactly what I am saying.

Senator PETERS. Great. So in the event that an Inspector General and Department head disagree about what the objectives or scope of the review or investigation should be, who do you think makes the final decision?

Mr. CUFFARI. I think that the final decision, Senator, would come from this body, from the Chairman and from you as the Ranking Member.

Senator PETERS. Well, this is the objectives or scope of a particular review or investigation that you are conducting. Do you think you would come back to us for that? Or would you let the Secretary know that unless you have this act invoked, it is up to you to make those decisions?

Mr. CUFFARI. It is. But if the Secretary were to invoke those, this decision would have to then be made by this body.

Senator PETERS. If confirmed, what specific steps will you take to ensure that the work of the DHS Inspector General's office remains objective and independent? I am pleased with your commitment to do that, but I would certainly like to get a better sense of how you would do that in the face of what could be some agency pressure?

Mr. CUFFARI. Senator, if confirmed, I intend to have a professional relationship with the Secretary and ensure that the concerns that she has about the function of the Department are addressed by the IG. I also equally would want to ensure that, if confirmed as the IG, I would have an equally professional relationship with you and your staff members to address those same concerns.

Senator PETERS. Will you commit to releasing Inspector General reports to the public, even in the face of agency objections, to the maximum extent possible under the law?

Mr. CUFFARI. To the maximum extent possible under the law, yes.

Senator PETERS. Since 2016, the DHS OIG has conducted unannounced inspections of ICE detention facilities as part of an ongoing review to identify violations of the agency's detention standards. Recently, representatives from nonprofit advocacy groups visited a facility housing at least nine infants under one year of age and have raised concerns over the lack of specialized medical care available for these young children.

So my question to you, sir, is: Will you commit to continuing the OIG's DHS detention oversight program, including examining the

ability of—or the availability, I should say, of medical care for infants, young children, and pregnant women?

Mr. CUFFARI. Yes, Senator.

Senator PETERS. And how do you propose to do that?

Mr. CUFFARI. I propose to lay out a game plan once I understand what the work requirements are and perhaps use other subject matter experts like medical doctors, physicians, psychologists, social workers to assist the IG's office in conducting its oversight role.

Senator PETERS. Thank you.

Chairman JOHNSON. Dr. Cuffari, just to quickly clarify your answers to Senator Peters, if the Secretary were to come to you and try to close down an investigation that is not of those No. 3, you would notify this Committee of that attempt. Correct?

Mr. CUFFARI. Absolutely, Senator.

Chairman JOHNSON. And if she under legal authority shut down an investigation for those three reasons, you would also come to this Committee and make sure that we were made aware of that?

Mr. CUFFARI. That is correct.

Chairman JOHNSON. OK. Senator Lankford.

OPENING STATEMENT OF SENATOR LANKFORD

Senator LANKFORD. Thank you, Mr. Chairman.

May I call you "Joe"?

Mr. CUFFARI. Absolutely, Senator.

Senator LANKFORD. Thanks for bringing your family here, Joe. This is a big day, and it has been a long process to be able to get to this day. There is not a short route to be able to get to that table. We are grateful for Inspectors General. This Committee is very passionate about it. That is why you will hear questions over and over again about your independence. You work for the American people and for Congress, uniquely not for the agency that you are housed in. You work down the hall, but you work from a separate entity, for the American people, and for Congress, not the Executive Branch. And so we are grateful for the work that is there and for what you are taking on, because it is a tough role.

I have a whole litany of questions I want to be able to bounce through you, though. Let me start with election security. DHS has made some significant strides toward protecting our national election system. Our elections are not Federal. They are local, and they are State. But we have a great partnership with that, and that partnership seems to be growing stronger.

There was a lot of distance. The previous DHS started calling States to say there is a problem with a foreign actor trying to get into our system, and there was very little relationship that was there. This DHS has worked very hard to establish relationships.

What I need to hear is you are going to stay engaged on things like making sure there are security clearances in States, so that if there is a problem, there is somebody in the State to be able to do rapid conversation with, that DHS maintains those relationships. Relationships are easy to start. They are hard to maintain. And so just doing the work of maintaining the State relationships with election individuals and the vigilance on our systems for our national elections that, again, are State-run. Any issues or questions about that for you?

Mr. CUFFARI. Absolutely none, Senator.

Senator LANKFORD. Any background for you in working on election security issues or any of the relationships with DHS? Have you touched on any of those issues before?

Mr. CUFFARI. I have not, not on election security.

Senator LANKFORD. Well, you will get baptized into the system, because it is its own unique dynamic as you go through it, because there are a lot of nuances with it. But just help us stay on track on those things as well.

The morale in DHS and among DHS employees has been historically low. In fact, as you look at the morale of employees over the years, DHS has been year after year very low. I think part of the reason for that is many of those employees have been perpetually beat up by Congress and by other folks. They are second-guessed a lot, and they make exceptionally difficult decisions on the fly.

Some of the border areas of the United States have had more than 100 percent increases in individuals coming at them, and you have a small group trying to be able to make hard decisions, and they get second-guessed a lot.

We are going to need your help and your insight. I do not want there to be an entity within the Federal Government, especially one as important at the work of DHS, to have low morale.

Have you seen some of the previous reads before on low morale in DHS? And do you have any initial ideas about doing an investigation to be able to find out why?

Mr. CUFFARI. Senator, let me start off by first saying that I am committed to working with you and the Members of the Committee to identify those issues that may be challenges within the Department.

I would first like, again, if I am confirmed as the IG, to ensure that challenges within the Office of the IG are addressed and the morale is increased there, if it is at some other lower point, and then assist the Secretary with identifying areas that can be increased to help the Secretary with increasing morale within the Department.

Senator LANKFORD. We have DHS employees scattered certainly around the country but also around the world, and they work in very remote locations often, and they have exceptionally difficult tasks. We are incredibly grateful for the law enforcement tasks that they do, but at times they feel undersupported, and we want to help fix that. But we are going to need your insight to be able to know exactly how to be able to do that, and I would expect you to be able to interact with the Secretary to say, "We have low morale, and this seems to be a reason."

The Secret Service has been one of those entities that has been really tough. They have been underequipped for a while. There are issues around career path and having an unstable career path, overtime pay, multiple differences with other law enforcement within DHS have had some differences. I will have an expectation that in a year forward or so we can come back and talk about this and to see what needs to be done to be able to improve the situation for the Secret Service.

There has also been a longstanding issue at DHS over hiring authority in their human resource (HR) department. That has been

a struggle. That still goes back to the birth of DHS and trying to combine all those entities into one, and they are still struggling with computer systems and HR systems as well.

We will have an expectation that you will be able to help look over somebody's shoulder and help solve a problem that has not been solved in almost two decades. Are you up to that?

Mr. CUFFARI. Absolutely, Senator.

Senator LANKFORD. The law enforcement capabilities are also something that we do not have enough time to be able to go through all of it, but there is a great need for somebody looking over their shoulder, giving counsel to the Secretary, and noticing some of the things that are different.

For instance, law enforcement authorities are different whether it is a Customs and Border Patrol marine vessel off the coast or a Coast Guard vessel. Now, they are both under DHS authority, but their paths to actually do an interdiction are exceptionally different. The Coast Guard vessel, it may take an hour or more to be able to do an interdiction what Customs and Border Patrol could do immediately, because the Coast Guard is having to play "Mother, May I?" all the time back to base to be able to radio in and ask, "Can I take the next step?" The boat then may be 100 miles away from it. Customs and Border Patrol can do that quickly.

I cannot figure out why those two have such different systems and why one is more hamstrung than the other. This would be an area where you can help us untie. Again, this is a two-decade process of trying to be able to pull stuff together, but it is an area that they notice on the ground that does not often bubble up to other places. What we are counting on you for is to be able to step into some of those locations with your teams and to be able to say, "All these are DHS family members. What can we do to be able to make sure it is more streamlined?"

Part of the morale issue, my guess is because we have never been able to get back to where it is, one area seems more hamstrung than the other when they all think we have a common Secretary, and we do not have common procedures and practices within it. So it would be very helpful to be able to step in and to be able to see some of that stuff, at least make recommendations to the Secretary. My perception is many of those things will not need congressional action. They just need repair internally. Are you up to that kind of task as well?

Mr. CUFFARI. Absolutely, Senator.

Senator LANKFORD. We look forward to your leadership in it, and we look forward to getting a chance to be able to chat with you. You are looking over everybody else's shoulder. We will look over yours. And I look forward to you coming back to this place so we can get a chance to be able to pick your brain on this.

Again, thanks to you for going through the process, and thanks to your family as well. You have definitely taken them on an adventure through your marriage, it sounds like, so thank you.

Mr. CUFFARI. Thank you, sir.

Chairman JOHNSON. Senator Rosen.

OPENING STATEMENT OF SENATOR ROSEN

Senator ROSEN. Thank you, Mr. Chairman. And thank you. We had a chance to speak privately earlier. Thank you to your family and for your willingness to step up to this very important position.

So I have a couple of questions based on some of the things we were able to speak about earlier. My first one is about Temporary Protected Status (TPS), and, there have been serious allegations of improper political interference in the decisionmaking process surrounding the termination of Temporary Protected Status for people from El Salvador, Nicaragua, and, of course, several other countries. We have thousands of TPS folks right in Nevada.

So during a private meeting in my office, we discussed the need for you and your office to be responsive to all Members of this Committee who exercise an important oversight function. I want to thank you for agreeing when we met to investigate DHS' role in the termination of TPS for these individuals should I or other Members of the Committee request that of you in writing, which I plan to do.

So will you confirm for me today that you will investigate the termination of TPS after your confirmation when I request that you do so on behalf of my constituents in Nevada?

Mr. CUFFARI. Senator, if I am confirmed as the IG, I will take your request and give it due consideration. I did commit to you to investigate matters of concern to you and other Members of this Committee.

Senator ROSEN. Thank you.

In the same vein, I want to talk a little bit about family separation, and the IG Act requires that the DHS Inspector General immediately report to the Secretary any particularly serious or flagrant problems, abuses, or deficiencies relating to the Administration of programs or operations. We know there have been serious issues so far.

So based on the information that is publicly available to you at this time, would you consider the policy of separating children from their parents a particularly serious or flagrant problem or abuse?

Mr. CUFFARI. Senator, as you know, I am not in the Department. I am not in the management chain currently——

Senator ROSEN. What you know from public information.

Mr. CUFFARI. I would like to take and obtain all the facts that the Secretary and others within the Administration arrived at making that policy.

Senator ROSEN. So you will take a look at separating families, infants, and children from their parents?

Mr. CUFFARI. Senator, I will take a look, again, if I am confirmed as the IG, at any matters that concern this body.

Senator ROSEN. So you have a little bit of past work, of course, as a policy adviser to the Governor of Arizona since 2013. So for about a year and a half, from July 2013 to February 2015, you served as Arizona Governor's office liaison contact to the Arizona Joint Border Security Advisory Committee. Can you tell us a little bit about that committee and what your role as liaison contact entailed?

Mr. CUFFARI. I believe, Senator, that was a committee that was formed by the Arizona State Legislature in statute. It required a

member of the Governor's staff to be a member of that council, but——

Senator ROSEN. And what was your role on the committee?

Mr. CUFFARI. To my knowledge, I never attended any meeting that they had.

Senator ROSEN. And so did you have any role in the implementation of the then-Governor of Arizona's immigration policies on that committee?

Mr. CUFFARI. I did not.

Senator ROSEN. So the last question I have, I would like to talk a little bit about whistleblowers. We talked about this in my office, too. And so how do you plan to address allegations by some ICE agents that agency whistleblowers have faced improper workplace retaliation?

Mr. CUFFARI. Again, if I am confirmed as the IG, I want to ensure that the IG's Office of Whistleblower is robustly staffed, that they screen incoming complaints and report them to me for evaluation. I think it is intolerable for someone to be retaliated against.

Senator ROSEN. And what courses of remedy might you seek if you thought that whistleblowers were being retaliated against?

Mr. CUFFARI. To conduct or ask to have an investigation conducted and evaluate all the facts and make a final decision and recommendation.

Senator ROSEN. So I guess I was wrong. I guess I do have one last question, and the question is this: How do you really view the role of the agency of Inspector General in the broadest sense? And so how will you determine what you are going to need to investigate? You have a lot of areas to work with, and so how are you going to prioritize and take care of the job, this very big job of Inspector General?

Mr. CUFFARI. I view the role of the Inspector General as a nonpartisan fact finder to lay out the truth as the facts are presented. I will screen requests for investigations, audits, and inspections based—and the priority would be those that are immediately affecting or degrading public safety or national security, and then work down through the list from there.

Senator ROSEN. And do you think you will be able to do this with your own autonomy that the Inspector General's office requires?

Mr. CUFFARI. I think it is critical that I be able to do that with my own autonomy.

Senator ROSEN. And if you felt there was a threat to that autonomy, how would you respond?

Mr. CUFFARI. Senator, I would come to this body and explain it to the Chairman, the Ranking Member, and the other Members of the Committee.

Senator ROSEN. Thank you. Thank you for your time.

Mr. CUFFARI. Thank you.

Chairman JOHNSON. Senator Scott.

OPENING STATEMENT OF SENATOR SCOTT

Senator SCOTT. First, thank you for your service.

Mr. CUFFARI. Thank you, sir.

Senator SCOTT. I guess you could not get in the Navy at the time. Is that why you did the Air Force? [Laughter.]

Mr. CUFFARI. Could not get in.

Senator SCOTT. I gave my Dad trouble because he did the Army.

First off, thank you for all you have done, and thank you for all your public service. You have done a lot of different things. What is the closest of things you have done in the past to this job? Is there a similar job that you have had in the past that you can bring—you say, "I am going to bring that experience to the table, and that is why I can do a good job with this?"

Mr. CUFFARI. Senator, I would say that the 20-plus years in the U.S. Department of Justice as a criminal investigator, coupled, again, with about 12 years with the Air Force Office of Special Investigations, and with the Department of Defense IG collectively provides me with the skill set that I believe an IG needs to conduct impartial investigations.

Senator SCOTT. In those experiences, did you ever have any concern that people above you were trying to stifle your ability to investigate something and make the right thing happen?

Mr. CUFFARI. No, sir.

Senator SCOTT. OK. So you feel confident that you should be able to do this job without that, I guess? You do not believe somebody is going to try to compromise your ability to do your job?

Mr. CUFFARI. I cannot speak for future events, although my commitment is if I felt that that was going to happen or was happening, I would come to this Committee with my concerns.

Senator SCOTT. I just finished 8 years as Governor of Florida, and we have had a lot of hurricanes, and there are a lot of Federal resources that come after a hurricane or any sort of disaster. One of the concerns I have had is: Is that money going to be spent well? We are sitting here, we are running deficits. We have $22 trillion worth of debt and all these things. And one thing I tried to do at the State level is just try to make sure—I do not care whether it is Federal or State resources—that it was spent well. Do you think that is something that as an IG you will be able to have an impact on?

Mr. CUFFARI. Absolutely. I think one of the roles of the IG is to determine the efficiency and be a good fiduciary responsibility of the taxpayers' money.

Senator SCOTT. Have you had experience in your prior jobs to have concerns about spending, whether it is just wasteful spending or inefficient spending?

Mr. CUFFARI. Yes, sir.

Senator SCOTT. And were you able to make anything happen to try to stop it?

Mr. CUFFARI. We wrote a recommendation. It concerned the Immigration and Naturalization Service's (INS) contract for services, a multi-million-dollar contract, that we made some recommendations. This was when the Immigration Service was in the Justice Department, and those recommendations were followed.

Senator SCOTT. OK. So if somebody came to you with a story that a Federal agency would buy the same services from the same company at a significant multiple of what a State could buy, would that give you concern?

Mr. CUFFARI. It would give me concern, but not knowing all the facts, I would need to take a look at that, certainly.

Senator SCOTT. OK. And that is something, if somebody came to you, you would be interested in looking at?

Mr. CUFFARI. Most certainly.

Senator SCOTT. OK. Thank you.

Mr. CUFFARI. Yes, sir.

Chairman JOHNSON. Thank you, Senator Scott. And I am going to publicly prod you to take on that mission of some of that oversight as well. You have time if you want to kind of lay out that one example.

Senator SCOTT. OK. I will give you the story. So I have gone through all these hurricanes, and people came to me after—I had two bad ones my seventh and eighth year, which is probably good because I learned a lot the first 6 years. But on debris pickup, I did not realize how much money is spent. It is just unbelievable amounts of money is spent after these hurricanes.

The Corps of Engineers could do it or the State could do it. The Feds pay for a portion in either case. It appears that in one case the Feds pay more. But the contract was dramatically different in price. Same company. The Federal contract was multiples more expensive than our contracts we had in the State. As far as I can tell, there is no accountability. Nothing has happened.

I assume the next hurricane—and I felt like I was, first a fiduciary for the State and then a fiduciary also for the Federal Government, so I did not waste the money. But somebody could. It would have been easier. It actually would probably be easier if I had waited and picked the Federal contract for me. If that is an example, you always assume if you find one big one like that, there is probably another one.

Chairman JOHNSON. So I have to keep prodding you because I think you have given me some numbers. What did the State pay? What was the contract?

Senator SCOTT. My understanding of the numbers—and, Chairman, I am going to get all these numbers public and try to——

Chairman JOHNSON. So, again, I am prodding you off the top of your head, so Politifact, do not hold——

Senator SCOTT. This is not exact numbers. So we would have—the counties—the way it worked is after the hurricane, the Feds would pay 75 percent, the county would pay 12.5 percent, and the State paid 12.5 percent, until we hit a certain threshold, then the Feds paid 90 percent, we paid 5 percent, and the county paid 5 percent.

The contracts that the county had pre-landfall, which is what they are supposed to do, it was somewhere between seven and eight-fifty a cubic yard. Do you know what the Corps' contract was? Over seventy. I got more people calling me to say, "You really ought to turn that over to the Corps."

And so, one, it is an unbelievable extra amount. It is not a little bit of money. I do not know if people realize how much money is spent on this debris pickup. It could be $1 billion per hurricane, right? And then you look at why are we paying the multiples.

It does not matter what party you are in. We do not want to waste money, and we know we have a deficit problem, and we know we have a debt problem. And so I do not want to waste anybody's money.

So, Chairman, the way I was thinking about it is try to take all because apples to apples would be all the States that have hurricane risk, because that is where I think most of the debris pickup would be. I am going to find out. I am going to find out what exactly the contract is, and then I am also going to look at what each of the States—because I assume they are in the same position as Florida. What we did is we had contracts before, but in Michael, which is the one we had last year, we did post-hurricane contracts, and it was not much difference in pricing.

Chairman JOHNSON. This is exactly what I am trying to get Committee members——

Senator SCOTT. It is a lot of money.

Chairman JOHNSON [continuing]. Is really champion a particular cause where you have knowledge, but that is 10 times—in business, we call that an "order of magnitude difference," which is amazing.

Senator SCOTT. Yes.

Chairman JOHNSON. So, anyway——

Senator SCOTT. I want to get the exact numbers.

Chairman JOHNSON. Right. I got you. You are in charge of the project.

Senator SCOTT. Yes.

Chairman JOHNSON. Senator Carper.

OPENING STATEMENT OF SENATOR CARPER

Senator CARPER. To my right are two new Senators. Before they became Senators, one was a U.S. Representative and one was Governor. And when I was elected to the U.S. House many years ago, before I was Governor, we had orientation for new Members of the House, and we spent literally a week together learning the ropes and getting to know each other. It was hugely helpful. It is one of my favorite memories of being in the House of Representatives.

As Governor, I remember going to my first New Governors School as a newly elected Governor with my wife and the person who was going to be my chief of staff. I loved New Governors School. It was about 3 days. We went off to Roy Romer's State, Colorado. He was the Chair of the National Governors Association (NGA). We had about 20 Governors that cycled in and out, just to come in and tell us all the mistakes they had made and saying, "Learn from my mistakes." And we did. I remember to this day, I can just go almost down the line telling you the things that I learned from them in these private meetings, small-group meetings.

And here in the Senate we did not have anything like an orientation for new Senators, and Lamar Alexander and I and a couple of others established it, about 12 years ago, and I think it is better than nothing, maybe not as good as it could or should be.

But when you get confirmed—and I think you will—who do you have to reach out to, to say, "Now what do I do?" Although what I did in the Senate when I got here, I knew a bunch of people who had served in the other House, and I knew a bunch of folks we had been Governors together. Some people I did not know at all, and relationships are really important in everything, including the work we do. I remember just going and having a cup of coffee with

the Senators I did not know, and when you come out and say, "I sure would like to learn from you. I would like to have your help," people will do that.

But have you thought at all about those relationships and how you might come up to speed to do this job well?

Mr. CUFFARI. Yes, Senator, and as I mentioned——

Senator CARPER. Maybe you will have a New IG School or something.

Mr. CUFFARI. I look to my mentors, current IGs, Glenn Fine, Michael Horowitz, the Council of Inspector Generals for Integrity and Efficiency (CIGIE), and to, quite frankly, this Committee for its knowledge, and hopefully you will share your insights and concerns with me, and we could do a better job together.

Senator CARPER. OK. Thanks for visiting with me yesterday. One of the things we talked about was force multipliers, and we think of force multipliers along the border with Mexico, and we have the Border Patrol. But we also have avionics and we have surveillance systems. We have boats, we have horses, we have all those force multipliers.

I mentioned to you, I think, the IG offices along with GAO, along with us, the oversight Committee in the Senate, the oversight Committee in the House, that we can all be force multipliers. As Governor Scott, also known as Senator Scott, has just said, we do have a huge and growing deficit. The deficit last year I just learned was $757 billion. This year we are looking at $850 billion. Next year we are looking at $1 trillion. That is just unsustainable and unimaginable. And we need to do everything we can in order to address it.

I mentioned to you the GAO High-Risk List, and I mentioned to you specifically the work that Jane Holl Lute did as Deputy Secretary in Homeland Security when Janet Napolitano was the Secretary. And she literally went and met with Gene Dodaro every month and said, "How do we get off of your High-Risk List?" And ultimately they did in many respects.

I have one question that is personal and one back to business. I understand that you have some members of your family here. I got here too late to actually hear you introduce them. But are they sitting to your left?

Mr. CUFFARI. My wife, Lynn, is behind me, and my brother is sitting right next to her—Tony—and then the other——

Senator CARPER. Your brother, what is his name?

Mr. CUFFARI. Tony.

Senator CARPER. Is he the one who has been rolling his eyes when you spoke? [Laughter.]

I used to have a brother like that.

Mr. CUFFARI. I suspect he is not the only one doing that. [Laughter.]

Senator CARPER. Anybody else?

Mr. CUFFARI. I have cousins, family members, families and friends. The whole back of the gallery here is to support me.

Senator CARPER. Well, that is great. We welcome all of you.

I think Senator Rosen mentioned that you served as Governor Brewer's liaison to the Arizona Border Security Advisory Committee, and if confirmed, do you pledge to assess, inspect, and in-

vestigate the Department's border security operations impartially and without regard to any political views that you may hold?

Mr. CUFFARI. Absolutely, Senator.

Senator CARPER. OK. Thank you.

As we have discussed, DHS has made progress in recent years in improving its management—there is still more to do; there is always more to do—but still faces a number of significant challenges. And we talked a little bit about this when we met, but I just want to come back to it again. What do you think are some of the biggest management challenges at the Department? And how can you, if confirmed as IG, help the agency address those challenges?

Mr. CUFFARI. Senator, from what is available on the IG's public site, challenges relate to management of the Department's stovepiping, cybersecurity concerns, and border security, from what I recall.

Senator CARPER. Talk about the relationship that you would hope to have with the leadership of the Department, including the Secretary.

Mr. CUFFARI. I believe, again, if I am confirmed, I will strive to have a very professional relationship with the Secretary, the senior leaders in the Department, as well as with this Committee and other Members of Congress.

Senator CARPER. When we were down in Central America, the Secretary and I—and the Chairman and I have been down to Central America a time or two to visit Honduras, Guatemala, and El Salvador, and I was back down there in a codel that I was privileged to lead a few weeks ago during our recess. I said to the countries down there—we talked about something called "the Alliance for Prosperity," which is like a Central American version of Plan Colombia, which has actually been quite successful. I described both Plan Colombia and the Alliance for Prosperity as "You can do it. We can help." And I think that is not a bad way to approach your job and with the Department. I think it is important when people screw up, you blow the whistle on them, but also you can be really effective by trying to help folks.

And just like Jane Holl Lute was looking for help at the Deputy Secretary—and she got a lot of help from GAO. They just did not say, "We are going to just rip you apart." They said, "We are going to help and help the Department," and amazing things happened. Hopefully, that will be of some help to you.

Mr. CUFFARI. Absolutely. I look forward to meeting her, Senator.

Senator CARPER. Good. I just want to say to your wife—I can barely see your wife back there—thank you for your willingness to share this man with our country. Thank you.

Chairman JOHNSON. Thank you, Senator Carper. You mentioned our trip down to Guatemala and Honduras, and we just had Secretary Nielsen at our lunch, and she just made a trip, and the Presidents were saying the exact same things they told us. Remember when they said, "Change the ambiguity in your laws. All these children are our future." They basically told her the same thing, "Send our kids back." Pretty powerful testimony.

I was also reminded that when you were talking about the deficit. The namesake of this building was incorrectly quoted, apparently. He never said, "A billion there, a billion there, you are talk-

ing real money." He said, "A billion here, a billion there," so I was kind of thinking the same thing: "A trillion here, a trillion there. We are talking about real money."

But, anyway, Dr. Cuffari, we are, again, I think, really impressed with your background. We truly appreciate your service, your past service to this country. I think the letters of recommendation were incredibly strong. The people that showed up today for your hearing I think also speak to your integrity, which is exactly what we are looking for.

I do not think there are any further questions, so I do have to read the fact that the nominee has made financial disclosures and provided responses to biographical and prehearing questions submitted by the Committee. Without objection, this information will be made part of the hearing record,[1] with the exception of the financial data, which are on file and available for public inspection in the Committee's offices.

The hearing record will remain open until 5 p.m. tomorrow, March 6, for the submission of statements and questions for the record.

Again, thank you for your service. I want to thank your wife, your family, and God bless all of you. This hearing is adjourned.

Mr. CUFFARI. Thank you, Senator.

[Whereupon, at 3:32 p.m., the Committee was adjourned.]

[1] The information referenced by Senator Johnson appears in the Appendix on page 45.

APPENDIX

"The Nomination of Joseph Cuffari to be Inspector General, U.S. Department of Homeland Security"

Opening Statement of Chairman Ron Johnson
March 5, 2019

As prepared for delivery:

Today the Committee is meeting to consider the nomination of Dr. Joseph Cuffari to be Inspector General of the Department of Homeland Security.

The DHS Inspector General leads an office of 715 employees with an annual budget of $168 million to conduct independent audits and investigations related to all DHS programs. Inspectors General serve multiple constituencies. For their departments, they conduct inspections and investigations that are necessary for complex agencies like DHS to operate more effectively, with greater integrity and accountability. For Congress, they provide independent and unbiased perspectives on a full range of programs and issues that inform congressional oversight. And to the American public, they are the independent watchdogs providing transparency to reveal, and therefore help minimize, waste, fraud, and abuse of taxpayer dollars.

Dr. Joseph Cuffari has lived a lifetime of public service, including decades of experience in government oversight and investigations. He began his career as an enlisted member of the United States Air Force, and rose to the rank of Lieutenant Colonel before retiring from the National Guard. He previously served in the Air Force Office of Special Investigations, the Department of Defense Office of the Inspector General, and the Department of Justice Office of the Inspector General. If confirmed, I look forward to working with him to ensure the integrity of the Department of Homeland Security and the Office of the Inspector General.

I'd like to thank the nominee for choosing to continue his life of public service in this important position, and I look forward to hearing your testimony.

U.S. Senate Committee on Homeland Security and Governmental Affairs
Nomination of Joseph V. Cuffari to be Inspector General,
Department of Homeland Security
March 5, 2019

Senator Gary C. Peters, Ranking Member

Opening Statement As Prepared for Delivery

Thank you, Mr. Chairman, and thank you Dr. Cuffari for being here today and your willingness to take on this challenging role. For over 40 years, Inspectors General have acted as independent, nonpartisan watchdogs tasked with preventing and uncovering fraud, waste, and abuse in the federal government, and promoting efficiency in agency operations. Simply put, the Inspector General makes sure government is doing what it's supposed to do. When there are problems - the Inspector General makes sure that the agency, Congress, and the American people know.

I know that Senator Sinema wanted to be here today to help introduce Dr. Cuffari. In a written statement, she describes Dr. Cuffari as "an honorable public servant." I ask that her full statement be entered into the record.

We need an honorable public servant in this position. An effective Inspector General must be a partner to agency leadership – working together to identify areas at risk and prevent problems before they occur. They must also be a partner to Congress – keeping us appraised of emerging issues and responding to our concerns as we work to ensure that every taxpayer dollar is spent responsibly.

An effective Inspector General must be a leader. The Department of Homeland Security Inspector General supervises almost 800 investigators, auditors, and other employees – all of whom look to the Inspector General for guidance and direction. Most importantly, an Inspector General must be independent and impartial, relentlessly following the facts wherever they may lead.

If confirmed, there will undoubtedly be times when you will have to push back on the Department's top officials. The integrity and effectiveness of the Department will depend in part on your fulfilling that public trust.

The Department of Homeland Security is the third-largest agency in the federal government, with over 245,000 employees and a total budget of $75 billion. As one of our nation's most critical law enforcement and national security agencies – the Department is charged with safeguarding our nation from threats both foreign and domestic.

The Department has faced significant challenges including recruitment shortfalls – low morale – high acquisition costs – and insufficient financial controls. Robust and adaptable oversight is essential to ensure that the Department is effectively safeguarding our communities and our tax dollars.

Last week, I met with Secretary Nielsen to discuss some of the most pressing issues at the Department including security and commerce at our Northern Border – cybersecurity challenges in Michigan and across the nation – the rise of domestic extremist violence – and ensuring that the Department's actions reflect the core values of our country.

I made it clear that the Department must not discriminate against our fellow Americans because of where they are from or where they worship. Secretary Nielsen committed to work on these issues. My colleagues and I will rely on the Inspector General to help evaluate the Department's performance on these commitments.

The Office of Inspector General has performed critical work in preventing and rooting out fraud, waste, and abuse at the Department of Homeland Security. This has included investigations into reprisal against whistleblowers, including the brave men and women who serve in the United States Coast Guard. The Inspector General's office has conducted random checks at detention facilities – work you yourself conducted at the Department of Justice.

In 2018, investigations by the Inspector General directly resulted in nearly $36 million in recoveries, fines, and restitution to the federal government. It is critical that the Inspector General achieves high performance standards, so that this important work can continue.

When this body created the Department of Homeland Security in 2002, we also established an agency Inspector General to hold the Department accountable. As we consider your nomination, I will be considering your commitment to independence, integrity, impartiality, and ensuring the Department acts as a responsible steward of taxpayer dollars. I look forward to your testimony.

Statement for the Record
Sen. Kyrsten Sinema
March 5, 2019
Nomination hearing for Dr. Joseph Cuffari to be Inspector General, Department of Homeland Security

Thank you Mr. Chairman and Ranking Member Peters for the opportunity to introduce a fellow Arizonan, Joseph Cuffari.

I have known Dr. Cuffari for several years, and he is an honorable public servant with more than 40 years of military and governmental service.

Joseph is a graduate of the University of Arizona. He served in the Air Force, Air Force Reserves and the Arizona Air National Guard, where he retired as a Lieutenant Colonel. He also served in the Department of Justice and the Department of Defense in the Offices of the Inspectors General.

He has been honored several times for his inspector general work and is known to be an independent and honest broker. Currently, Joseph serves the state of Arizona as a policy advisor for Arizona Governor Doug Ducey.

Now, Joseph is the nominee to serve as the Inspector General of the Department of Homeland Security.

I believe that Joseph Cuffari will carry out the duties of the Inspector General with the same integrity and independence that marked his time in the Offices of the Inspectors General in both the DOJ and the DOD, as well as the Air Force Office of Special Investigations.

Congratulations Dr. Cuffari on your nomination. I ask all my colleagues to give him fair consideration.

Thank you.

Statement of Joseph V. Cuffari
Nominee to be the Inspector General for the U.S. Department of Homeland Security
Senate Committee on Homeland and Governmental Affairs

March 5, 2019

Chairman Johnson, Ranking Member Peters, and distinguished Members of the Committee, I am deeply honored to appear before you today to be considered by this Committee as President Trump's nominee to be the next Inspector General for the U.S. Department of Homeland Security (DHS).

I am very grateful to the President and to Secretary Nielsen for the confidence they have placed in me for this critical position. I thank Senator McSally for her very kind introduction. Many thanks to Senators Kyl, Flake, and Sinema and Governors Ducey and Brewer and their staffs for their support. I also thank the Members of this Committee and their staff for meeting with me as part of my nomination process. If I am confirmed, I pledge to continue our discussions regarding matters of mutual interest and concern.

I thank my wife, Lynn; son Joey; and daughter-in-law, Grace, for supporting me through this process. Lynn and I have been married for more than 35 years, having met through the Italian Language Department at the University of Arizona in Tucson, Arizona. I promised her that we would travel and that our life would be an adventure. Rest assured that after a dozen moves, with the military and federal service, we went around the world and eventually circled back to Tucson. Lynn, it's been a ride! We are blessed to have Joey and Grace as our wingmen.

Much as things change over the decades, one thing remains firm—the support, friendship, and guidance from my parents, Vincent and Connie; my brother, Tony; and my in-laws, Raymond and Rosemary Mazza. Equally as important are those same qualities that are given by my cousins, friends, and other associates who came from as far as Arizona, Philadelphia, and the other territories of the country. I also extend a special thanks to those who keep me looking trim—my barbers Tony and Mario.

I owe all that I have to my family, in particular the determination, foresight, and fortitude of my grandparents. By coming to America, they ensured that the generations that followed them would have special gifts—that is, to live in the greatest country in the world and to be afforded opportunities they did not have. In the early 1900s, my grandfathers took long sea voyages from Italy to the United States and settled in Philadelphia. As the United States entered World War I, my grandfathers enlisted in the U.S. Army and were part of combat engineering teams on the frontlines. Miraculously, they survived and returned to Philadelphia to start families. Now, 100 years later as I appear before you as a nominee, I thank them and all our veterans for their service to our country.

I have spent my entire adult life in public service. My calling began when I enlisted in the U.S. Air Force after graduating from high school in 1977. My parents actually had to sign for me

since I was not yet 18 years old. Coincidentally, my father served in the U.S. Air Force during the Korean War, and we entered active duty on the same date but several decades apart.

For the past 40 years, I have been honored to have served with the Executive, Legislative, and Judicial branches of federal or state governments. My service includes a career in the U.S. Air Force on Active Duty, in the Reserves, and in the Arizona Air National Guard. That time has been coupled with 20 years of experience with the U.S. Department of Justice Office of the Inspector General and a combined 12 years with components of the Department of Defense Office of the Inspector General. During that time, I worked with seven Inspectors General and am grateful to them for their mentorship, guidance, and support.

I have been privileged to be part of a team that worked with senior officials to form the framework to create an Office of the Inspector General in the Ministry of the Interior for an emerging nation. I have also augmented my practical knowledge of the Inspectors General by completing advanced academic studies of the critical role that office has within government.

My academic studies support the assertion that government agencies should be self-checking, but more importantly, they should also be subject to independent oversight. In creating the Offices of Inspector General, I believe Congress recognized the shortfall of permitting agencies to exclusively investigate themselves. If I am confirmed, I commit to being an honest broker of information and to seek the truth. I am mindful that the powers bestowed upon an Inspector General are vast. Therefore, if confirmed, I will ensure that the DHS Office of Inspector General is judicious in exercising its power and investigates an allegation and not an individual person. It is in that spirit that I will be fair and objective in my undertakings to investigate, audit, and inspect departmental employees and operations.

Since 1789, when the United States Marshals Service was created, numerous federal law enforcement agencies have been established to address and respond to the ever-increasing number of federal laws and challenges. The Homeland Security Act of 2002, which created DHS, called for merging 22 distinct agencies under one secretary. Now with more than 240,000 employees, management challenges remain.

As Secretary Nielsen has noted, DHS has a long-standing commitment to combating fraud, waste, and abuse. Historically, allegations regarding those matters have steadily eroded society's confidence in public administration. They cause society to question government's continued ability to provide efficient and effective services. If I am confirmed, I will work with Congress to augment its vital oversight responsibilities.

I believe Inspectors General fill another equally important role as well—the duty to highlight effective and efficient services that are discovered during the course of investigations, audits, and inspections. If confirmed, I will highlight those best practices with an equal degree of transparency.

To the dedicated men and women of the DHS Office of the Inspector General, I commit to you, that if I am confirmed, I will be your advocate and champion the critical work you have done and continue to do for the American people. Thank you for your service.

To the Committee, I sincerely appreciate your consideration of my nomination and I look forward to answering your questions.

REDACTED

HSGAC BIOGRAPHICAL QUESTIONS FOR EXECUTIVE NOMINEES

1. Basic Biographical Information

Please provide the following information.

Position to Which You Have Been Nominated	
Name of Position	Date of Nomination
Inspector General Department of Homeland Security	November 14, 2018

Current Legal Name			
First Name	Middle Name	Last Name	Suffix
Joseph	Vincent	Cuffari	

Addresses					
Residential Address (do not include street address)			Office Address (include street address)		
			Street: 1700 West Washington Street, Executive Tower		
City: Tucson	State: Arizona	Zip: 85743	City: Phoenix	State: Arizona	Zip: 85007

Other Names Used						
First Name	Middle Name	Last Name	Suffix	Check if Maiden Name	Name Used From (Month/Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
Joe		Cuffari			8/1965 Est X	Present Est ☐

Birth Year and Place	
Year of Birth (Do not include month and day.)	Place of Birth
1959	Philadelphia, PA

Marital Status					
Check All That Describe Your Current Situation:					
Never Married	Married	Separated	Annulled	Divorced	Widowed
☐	X	☐	☐	☐	☐

Spouse's Name (current spouse only)			
Spouse's First Name	Spouse's Middle Name	Spouse's Last Name	Spouse's Suffix
Lynn	Rose	Cuffari	

Spouse's Other Names Used (current spouse only)						
First Name	Middle Name	Last Name	Suffix	Check if Maiden Name	Name Used From (Month/Year) (Check box if estimate)	Name Used To (Month/Year) (Check box if estimate)
Lynn	Rose	Mazza		X	5/1960 Est ☐	8/1983 Est ☐

Children's Names (if over 18)			
First Name	Middle Name	Last Name	Suffix
Joseph	Vincent	Cuffari	Jr.

2. Education

List all post-secondary schools attended.

Name of School	Type of School (vocational/technical/trade school, college/university/military college, correspondence/distance/extension/on line school)	Date Began School (month/year) (check box if estimate)	Date Ended School (month/year) (check box if estimate) (check "present" box if still in school)	Degree	Date Awarded
Air War College	Senior Military Officer Professional Development (Correspondence)	11/2014 Est ☐	11/2016 Est ☐ Present ☐	Diploma	11/2016
Air Command & Staff College	Field Grade Military Officer Professional Development (Correspondence)	6/2009 Est X	10/2010 Est ☐ Present ☐	Diploma	10/2010
University of Arizona	Southwest Executive Leadership Program – Public Policy	9/2005 Est ☐	9/2005 Est ☐ Present ☐	Certificate	9/2005
California Coast University	University – Ph.D. Program (Part-Time)	7/1998 Est ☐	9/2002 Est ☐ Present ☐	Ph.D.	9/2002
Webster University	University – Masters Program (Part-Time)	1/1989 Est X	5/1995 Est ☐ Present ☐	MA	5/1995
Squadron Officers' School	Company Grade Military Officer Professional Development (in-residence)	1/1991 Est ☐	2/1991 Est ☐ Present ☐	Diploma	2/1991
Defense Language Institute	Department of Defense Language Training Course (Italian in-residence)	5/1990 Est ☐	1/1991 Est ☐ Present ☐	Diploma	1/1991
University of Arizona	University – Undergraduate Degree Studies	1/1981 Est ☐	8/1984 Est ☐ Present ☐	BSBA	8/1984

3. Employment

(A) List all of your employment activities, including unemployment and self-employment. If the employment activity was military duty, list separate employment activity periods to show each change of military duty station. Do not list employment before your 18th birthday unless to provide a minimum of two years of employment history.

Type of Employment (Active Military Duty Station, National Guard/Reserve, USPHS Commissioned Corps, Other Federal employment, State Government (Non-Federal Employment), Self-employment, Unemployment, Federal Contractor, Non-Government Employment (excluding self-employment), Other	Name of Your Employer/ Assigned Duty Station	Most Recent Position Title/Rank	Location (City and State only)	Date Employment Began (month/year) (check box if estimate)	Date Employment Ended (month/year) (check box if estimate) (check "present" box if still employed)
State Government	State of Arizona, Office of the Governor	Policy Advisor	Phoenix, AZ	7/2013 Est ☐	Present Est ☐
National Guard	Arizona Air National Guard	161 MSG, Deputy CC Lt. Colonel	Phoenix, AZ	2/2016 Est ☐	11/2017 (Retired) Est ☐
National Guard	Arizona Air National Guard	Joint Forces Air Liaison Officer Lt. Col	Phoenix, AZ	4/2014	2/2016
Unemployed (Awaiting clearance & Governor's hiring approval)	N/A	N/A	Tucson, AZ	6/2013	7/2013
Other Federal Employment	Department of Justice (DOJ), Office of the Inspector General	Assistant Special Agent in Charge	Tucson, AZ	7/2001 Est ☐	6/2013 (Retired) Est ☐
Air Force Reserves	Department of Defense, Inspector General	Investigator/ Policy Analyst	Washington, DC	2/2008 Est ☐	4/2014 Est ☐
Air Force Reserves	AFROTC Detachment 20 University of Arizona (UA)	Assistant Professor of Aerospace Studies	Tucson, AZ	2/2008 Est ☐	4/2014 Est ☐
Non-Government Employment	University of Phoenix	Adjunct Professor	Tucson, AZ	6/2007 Est X	6/2009 Est X
Non-Government Outside Interest	Webster University	Adjunct Professor	Yuma, AZ	1/1999 Est X	6/1999 Est X
Other Federal Employment	DOJ, Office of the Inspector General	Assistant Special Agent in Charge	El Centro, CA	7/1997 Est ☐	7/2001 Est ☐

Other Federal Employment	DOJ, Office of the Inspector General	Special Agent	El Paso, TX	3/1993 Est ☐	7/1997 Est ☐
Unemployed (Awaiting clearance & DOJ/OIG hiring approval)	N/A	N/A	Naples, Italy	1/1993 Est ☐	3/1993 Est ☐
Active Duty Military Station	Air Force Office of Special Investigations	Agent in Charge/ Commander	Naples, Italy	2/1991 Est ☐	1/1993 Est ☐
Active Duty Military Station	Air Force Office of Special Investigations	Student at Squadron Officers' School	Maxwell Air Force Base (AFB), AL	1/1991 Est ☐	2/1991 Est ☐
Active Duty Military Station	Air Force Office of Special Investigations	Student at Defense Language Institute	Monterey, CA	5/1990 Est ☐	1/1991 Est ☐
Active Duty Military Station	Air Force Office of Special Investigations	Agent in Charge/ Commander	England AFB, LA	11/1988 Est ☐	5/1990 Est ☐
Active Duty Military Station	Air Force Office of Special Investigations	Assistant Agent in Charge/Deputy Commander	MacDill AFB, FL	11/1986 Est ☐	11/1988 Est ☐
Active Duty Military Station	Air Force Office of Special Investigations	Student at AFOSI Academy	Bolling AFB, DC	7/1986 Est ☐	11/1986 Est ☐
Active Duty Military Station	Air Force Air Training Command (ATC)	Student at Flight School	Mather AFB, CA	6/1985 Est ☐	7/1986 Est ☐
Active Duty Military Station	Air Force ATC	Student at Flight School	Williams AFB, AZ	2/1985 Est ☐	6/1985 Est ☐
Non-Government employment (Awaiting Active Duty)	Electrical Contractor (Unknown name of the Company)	Electrician	Tucson, AZ	8/1984 Est ☐	2/1985 Est ☐
Non-Government Employment (Summer job while attending University of AZ)	Hilton Hotel	Lifeguard	Philadelphia, PA	5/1981 Est ☐	5/1983 Est ☐
Air Force Reserves	AFROTC UA Detachment 20	AFROTC Cadet	Tucson, AZ	1/1981 Est ☐	8/1984 Est ☐

Active Duty Military Station	U.S. Air Forces in Europe	F-4 crew chief	Torrejon AB, Spain	5/1980 Est ☐	1/1981 Est ☐
Active Duty Military Station	U.S. Air Forces in Europe	F-4 crew chief	Hahn AB, Germany	5/1978 Est ☐	5/1980 Est ☐
Active Duty Military Station	Air Force ATC	Student F-4 aircraft	Shaw AFB, SC	4/1978 Est ☐	5/1978 Est ☐
Active Duty Military Station	Air Force ATC	Student Aircraft Maintenance	Sheppard AFB, TX	3/1978 Est ☐	4/1978 Est ☐
Active Duty Military Station	Air Force ATC	Student Basic Training	Lackland AFB, TX	1/1978 Est ☐	3/1978 Est ☐
Unemployed (Awaiting Active Duty)	N/A	N/A	Philadelphia, PA	11/1977 Est ☐	1/1978 Est ☐

(B) List any advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere.

Name of Government Entity	Name of Position	Date Service Began (month/year) (check box if estimate)	Date Service Ended (month/year) (check box if estimate) (check "present" box if still serving)
AZ Joint Border Security Advisory Committee	AZ Governor's Office Liaison Contact	7/2013 X Est	2/2015 X Est Present
AZ Supreme Court Commission on Appellate Court Appointments	Public Member Commissioner (un-paid)	6/2012 X Est	Est ☐ X Present
AZ Supreme Court Alt Dispute Resolution Commission	Public Member (un-paid)	1/2001 Est ☐	6/2002 X Est ☐ Present

4. Potential Conflict of Interest

(A) Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent,

that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the U.S. Department of Homeland Security's Designated Agency Ethics Official (DAEO) to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I signed and transmitted to the Department's DAEO, which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

(B) Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration or execution of law or public policy, other than while in a federal government capacity.

I am currently the Policy Advisor for Military and Veterans' Affairs for Arizona Governor Doug Ducey (2015-Present) and previously for Jan Brewer (2013-2015). In that role, I have reviewed proposed state legislation that concerns those matters and have assisted in providing recommendations to the Governor.

5. Honors and Awards

List all scholarships, fellowships, honorary degrees, civilian service citations, military medals, academic or professional honors, honorary society memberships and any other special recognition for outstanding service or achievement.

Department of Defense Meritorious Service Medal, 2014
Air Force Meritorious Service Medal, 2013, 2016, & 2017
Air Force Commendation Medal, 1980, 1988, 1990, & 1992
Air Force Achievement Medal, 1990
Air Force Good Conduct Medal, 1980
National Defense Service Medal, 1990
Global War on Terrorism Service Medal, 2013
Nuclear Deterrence Operations Service Medal, 2016
Armed Forces Reserve Medal, 1988 & 2008
Air Force Office of Special Investigations' Officer of the Year Award, 1989
Air Force Reserve Officers' Training Corps Scholarship (AFROTC), 1981
AFROTC Southwest Region's Outstanding Reserve Officer of the Year Award, 2009
Inspector General's Superior Performance Award, 1994, 2001, 2007, 2008, & 2010
Office of Government Ethics' Program Excellence Award, 2011
President's Council on Integrity and Efficiency Excellence Award, 2002, 2010, & 2012
U.S. Attorney General's Volunteer Community Service Award, Nominee, 2010
U.S. Attorney General's Special Achievement Award, 1997
U.S. Attorney's Office, District of Arizona, Special Recognition Award, 2017

6. Memberships

List all memberships that you have held in professional, social, business, fraternal, scholarly, civic, or charitable organizations in the last 10 years.

Unless relevant to your nomination, you do NOT need to include memberships in charitable organizations available to the public as a result of a tax deductible donation of $1,000 or less, Parent-Teacher Associations or other organizations connected to schools attended by your children, athletic clubs or teams, automobile support organizations (such as AAA), discounts clubs (such as Groupon or Sam's Club), or affinity memberships/consumer clubs (such as frequent flyer memberships).

Name of Organization	Dates of Your Membership (You may approximate.)	Position(s) Held
Air Force Association	2001- Present	Chapter Executive Council Member
American Society for Public Administration	2002 – Present	Member
Aerospace Arizona Association	2014 – Present	Honorary Member
Association of Inspectors General	2008 – Present	Member
University of Arizona Eller College of Management Associates	1997 – Present	Member
National Governors' Association Policy Advisors Committee	2013 – Present	Member
International Anti-Corruption Academy (United Nations)	2007 – 2013	Member
University of Arizona Alumni Association	1997 – 2013	Member and Past President, Yuma Chapter
Western Regional Partnership Defense and Homeland Security Committee	2013 – Present	Principal Member
Federal Law Enforcement Officers' Association	1993 – 2013	Member

7. Political Activity

(A) Have you ever been a candidate for or been elected or appointed to a political office?

No.

(B) List any offices held in or services rendered to a political party or election committee during the last ten years that you have not listed elsewhere.

None.

(C) Itemize all individual political contributions of $200 or more that you have made in the past five years to any individual, campaign organization, political party, political action committee, or similar entity. Please list each individual contribution and not the total amount contributed to the person or entity during the year.

None.

8. Publications and Speeches

(A) List the titles, publishers and dates of books, articles, reports or other published materials that you have written, including articles published on the Internet. Please provide the Committee with copies of all listed publications. In lieu of hard copies, electronic copies can be provided via e-mail or other digital format.

Title	Publisher	Date(s) of Publication
"Amend Homeland Security Act to build stronger department"	Federal Times	May 10, 2004
"Objective Inspectors Will Keep Homeland Officials Accountable"	Federal Times	December 16, 2002

(B) List any formal speeches you have delivered during the last five years and provide the Committee with copies of those speeches relevant to the position for which you have been nominated. Include any testimony to Congress or any other legislative or administrative body. These items can be provided electronically via e-mail or other digital format.

None.

(C) List all speeches and testimony you have delivered in the past ten years, except for those the text of which you are providing to the Committee.

None.

9. Criminal History

Since (and including) your 18th birthday, has any of the following happened?

- Have you been issued a summons, citation, or ticket to appear in court in a criminal proceeding against you? (Exclude citations involving traffic infractions where the fine was less than $300 and did not include alcohol or drugs.) *No.*
- Have you been arrested by any police officer, sheriff, marshal or any other type of law enforcement official? *No.*
- Have you been charged, convicted, or sentenced of a crime in any court? *No.*
- Have you been or are you currently on probation or parole? *No.*
- Are you currently on trial or awaiting a trial on criminal charges? *No.*
- To your knowledge, have you ever been the subject or target of a federal, state or local criminal investigation? *No.*

If the answer to any of the questions above is yes, please answer the questions below for each criminal event (citation, arrest, investigation, etc.). If the event was an investigation, where the question below asks for information about the offense, please offer information about the offense under investigation (if known).

N/A.

A) Date of offense:
   a. Is this an estimate (Yes/No):

B) Description of the specific nature of the offense:

C) Did the offense involve any of the following?
   1) Domestic violence or a crime of violence (such as battery or assault) against your child, dependent, cohabitant, spouse, former spouse, or someone with whom you share a child in common: Yes / No
   2) Firearms or explosives: Yes / No
   3) Alcohol or drugs: Yes / No

D) Location where the offense occurred (city, county, state, zip code, country):

E) Were you arrested, summoned, cited or did you receive a ticket to appear as a result of this offense by any police officer, sheriff, marshal or any other type of law enforcement official: Yes / No

   1) Name of the law enforcement agency that arrested/cited/summoned you:

   2) Location of the law enforcement agency (city, county, state, zip code, country):

F) As a result of this offense were you charged, convicted, currently awaiting trial, and/or ordered to appear in court in a criminal proceeding against you: Yes / No

1) If yes, provide the name of the court and the location of the court (city, county, state, zip code, country):

2) If yes, provide all the charges brought against you for this offense, and the outcome of each charged offense (such as found guilty, found not-guilty, charge dropped or "nolle pros," etc). If you were found guilty of or pleaded guilty to a lesser offense, list separately both the original charge and the lesser offense:

3) If no, provide explanation:

G) Were you sentenced as a result of this offense: Yes / No

H) Provide a description of the sentence:

I) Were you sentenced to imprisonment for a term exceeding one year: **Yes / No**
J) Were you incarcerated as a result of that sentence for not less than one year: **Yes / No**

K) If the conviction resulted in imprisonment, provide the dates that you actually were incarcerated:

L) If conviction resulted in probation or parole, provide the dates of probation or parole:

M) Are you currently on trial, awaiting a trial, or awaiting sentencing on criminal charges for this offense: Yes / No

N) Provide explanation:

10. Civil Litigation and Administrative or Legislative Proceedings

(A) Since (and including) your 18th birthday, have you been a party to any public record civil court action or administrative or legislative proceeding of any kind that resulted in (1) a finding of wrongdoing against you, or (2) a settlement agreement for you, or some other person or entity, to make a payment to settle allegations against you, or for you to take, or refrain from taking, some action. Do NOT include small claims proceedings.

No.

(B) In addition to those listed above, have you or any business of which you were an officer, director or owner ever been involved as a party of interest in any administrative agency proceeding or civil litigation? Please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

No.

(C) For responses to the previous question, please identify and provide details for any proceedings or civil litigation that involve actions taken or omitted by you, or alleged to have been taken or omitted by you, while serving in your official capacity.

N/A.

11. Breach of Professional Ethics

(A) Have you ever been disciplined 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? Exclude cases and proceedings already listed.

No.

(B) Have you ever been fired from a job, quit a job after being told you would be fired, left a job by mutual agreement following charges or allegations of misconduct, left a job by mutual agreement following notice of unsatisfactory performance, or received a written warning, been officially reprimanded, suspended, or disciplined for misconduct in the workplace, such as violation of a security policy?

No.

12. Tax Compliance

(This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

REDACTED

13. Lobbying

In the past ten years, have you registered as a lobbyist? If so, please indicate the state, federal, or local bodies with which you have registered (e.g., House, Senate, California Secretary of State).

Yes. I am registered with the Arizona Secretary of State based on employment with the State of Arizona as the Policy Advisor for the Arizona Governor (2013-Present).

14. Outside Positions

X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

For the preceding ten calendar years and the current calendar year, report any positions held, whether compensated or not. Positions include but are not limited to those of an officer, director, trustee, general partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise or any non-profit organization or educational institution. Exclude positions with religious, social, fraternal, or political entities and those solely of an honorary nature.

15. Agreements or Arrangements

X See OGE Form 278. (If, for your nomination, you have completed an OGE Form 278 Executive Branch Personnel Public Financial Disclosure Report, you may check the box here to complete this section and then proceed to the next section.)

As of the date of filing your OGE Form 278, report your agreements or arrangements for: (1) continuing participation in an employee benefit plan (e.g. pension, 401k, deferred compensation); (2) continuation of payment by a former employer (including severance payments); (3) leaves of absence; and (4) future employment.

Provide information regarding any agreements or arrangements you have concerning (1) future employment; (2) a leave of absence during your period of Government service; (3) continuation of payments by a former employer other than the United States Government; and (4) continuing participation in an employee welfare or benefit plan maintained by a former employer other than United States Government retirement benefits.

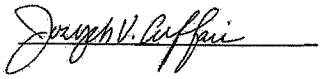
16. Additional Financial Data

All information requested under this heading must be provided for yourself, your spouse, and your dependents. (This information will not be published in the record of the hearing on your nomination, but it will be retained in the Committee's files and will be available for public inspection.)

REDACTED

SIGNATURE AND DATE

I hereby state that I have read the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.



This 21st day of November, 2018

REDACTED

February 13, 2019

Honorable Ronald H. Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Honorable Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Re: Supplemental Information for the nomination of Joseph V. Cuffari, Ph.D., Inspector General, United States Department of Homeland Security

Dear Chairman Johnson, Ranking Member Peters and Honorable Members of the Committee:

The following are updates since the Committee received my signed Biographical Questionnaire on November 21, 2018:

- I have resigned my membership in those organizations listed in Part 6 of the Questionnaire. However, I have retained my membership on the Arizona Appellate Court Commission listed in Part 3B of the Questionnaire.
-
- REDACTED
-
-

Thank you for your consideration.

Very Respectfully,

Joseph V. Cuffari

Joseph V. Cuffari, Ph.D.

REDACTED

UNITED STATES OFFICE OF
GOVERNMENT ETHICS

January 22, 2019

The Honorable Ron Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

In accordance with the Ethics in Government Act of 1978, I enclose a copy of the financial disclosure report filed by Joseph Vincent Cuffari, who has been nominated by President Trump for the position of Inspector General, Department of Homeland Security.

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

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

Sincerely,

DAVID APOL Digitally signed by DAVID APOL Date: 2019.01.22 12:19:04 -05'00'

David J. Apol
General Counsel

Enclosures REDACTED

Joseph B. Maher
Designated Agency Ethics Official
U.S. Department of Homeland Security
Washington, D.C. 20528-0485

Dear Mr. Maher:

The purpose of this letter is to describe the steps that I will take to avoid any actual or apparent conflict of interest in the event that I am confirmed for the position of Inspector General of the U.S. Department of Homeland Security.

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

Prior to appointment, I will resign from my position with State of Arizona, Office of the Governor. I hold an unvested interest in a defined benefit pension plan with the Arizona State Retirement System (ASRS). For a period of one year after my resignation, I will not participate personally and substantially in any particular matter involving specific parties in which I know the State of Arizona, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I retired from the Arizona National Guard on October 31, 2017. For a period of one year after my retirement from this entity, I will not participate personally and substantially in any particular matter involving specific parties in which I know the Arizona National Guard is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

My spouse is employed by St. Augustine Catholic High School in a position for which she receives a fixed annual salary and a bonus tied to her performance. For as long as my spouse continues to work for St. Augustine Catholic High School, I will not participate personally and substantially in any particular matter involving specific parties in which I know St. Augustine Catholic High School, is a party or represents a party, unless I am first authorized to participate, pursuant to 5 C.F.R. § 2635.502(d).

I will retain my uncompensated position as a trustee of my revocable family trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Inspector General. I will not participate personally and substantially in any particular

matter that to my knowledge has a direct and predictable effect on the financial interests of my revocable family trust, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2).

If I have a managed account or otherwise use the services of an investment professional during my appointment, I will ensure that the account manager or investment professional obtains my prior approval on a case-by-case basis for the purchase of any assets other than cash, cash equivalents, investment funds that qualify for the exemption at 5 C.F.R. § 2640.201(a), obligations of the United States, or municipal bond.

I will meet in person with you during the first week of my service in the position of Inspector General in order to complete the initial ethics briefing required under 5 C.F.R. § 2638.305. Within 90 days of my confirmation, I will also document my compliance with this ethics agreement by notifying you in writing when I have completed the steps described in this ethics agreement.

I understand that as an appointee I will be required to sign the Ethics Pledge (Exec. Order no. 13770) and that I will be bound by the requirements and restrictions therein in addition to the commitments I have made in this ethics agreement.

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

Sincerely,

Joseph Vincent Cuffari

November 5, 2018

U.S. Senate Committee on Homeland Security and Governmental Affairs
Pre-hearing Questionnaire
For the Nomination of Joseph V. Cuffari to be
Inspector General, Department of Homeland Security

I. Nomination Process and Conflicts of Interest

1. Did the President give you specific reasons why he nominated you to serve as the Inspector General of the Department of Homeland Security (DHS)?

   No.

2. Were any conditions, expressed or implied, attached to your nomination? If so, please explain.

   No.

3. Have you made any commitments with respect to the policies and principles you will attempt to implement as Inspector General? If so, what are they, and to whom were the commitments made?

   No.

4. Are you aware of any business relationship, dealing, or financial transaction that could result in a possible conflict of interest for you or the appearance of a conflict of interest? If so, please explain what procedures you will use to recuse yourself or otherwise address the conflict. And if you will recuse yourself, explain how you will ensure your responsibilities are not affected by your recusal.

   In connection with the nomination process, I have consulted with the U.S. Office of Government Ethics and the U.S. Department of Homeland Security's Designated Agency Ethics Official (DAEO) to identify any potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of the ethics agreement that I signed and transmitted to the Department's DAEO, which has been provided to this Committee. I am not aware of any other potential conflicts of interest.

II. Background of the Nominee

5. What specific background, experience, and attributes qualify you to be the DHS Inspector General?

   I have more than 40 years of experience and accomplishments as a leader in the U.S. Air Force, the U.S. Department of Justice (DOJ), the U.S. Department of Defense (DOD), and the State of Arizona. I spent approximately 35 years of that

time working in various Offices of the Inspector General (OIGs) conducting or supervising sensitive criminal, fraud, counterintelligence, anti-terrorism, and administrative investigations.

My time in multiple OIGs has been characterized by integrity and independence. I am an honest broker of information. For example, I rebuilt and dramatically improved mission execution of a previously underperforming OIG investigative unit and was selected as a DOJ team member to assist in creating an OIG in the Ministry of the Interior for an emerging nation. Also, my professional experience is coupled with advanced academic research into the roles of Inspectors General (IGs) in federal and state governments.

6. Please describe:

   a. Your leadership and management style.

I am a committed team builder. Although I am adaptable, my primary style is "Intervention by Exception." This is not to say, however, that I have a laisse-faire attitude. Rather, it means I lead by active participation, interacting with members of my team. I do not micromanage personnel, but I listen, elicit, and analyze events and actions to select the best people for positions based on individual skill sets, strengths, and weaknesses. I provide subordinates with the framework within which they can do their best work. I ensure that my team members receive the proper training and resources to efficiently and effectively accomplish their tasks.

   b. Your experience managing personnel.

I have 35 years of commander and supervisor experience in the DOD, the DOJ, and the State of Arizona. My experience derives from having served from an entry-level position through senior management. I am a lifelong learner, and each tier of experience has provided me with specific insights regarding recruiting, mentoring, and inspiring future leaders within various federal and state organizations. Foremost, as a supervisor and leader, it is vital that I inspire employees to know their work is important and valued by their customers.

My management experience is broad and diverse. I have worked in each branch of government – the Executive (Air Force, DOD, DOJ, and the State of Arizona); the Legislative (augmented Congressional Intelligence Committees review of sensitive intelligence matters); and Judiciary (appointment to two Arizona Supreme Court commissions). I understand and appreciate the separation of powers amongst these branches and as a manager and leader am mindful of the interplay between their respective responsibilities.

c. What is the largest number of people that have worked under you?

The largest number of people who have worked under me is approximately 800, while I was assigned as the Deputy Mission Support Group Commander in the Arizona Air National Guard.

7. You served as a member of the Inspector General community in numerous agencies. What lessons have you learned from working in the Air Force Office of Special Investigations, at the Department of Defense Office of Inspector General (OIG), and the Department of Justice Office of Inspector General that prepared you for the role of Inspector General at DHS?

I am fortunate to have worked with many IGs and senior Departments of Defense and Justice officials. They have mentored me and provided me with a unique combination of experiences, insights into human nature, knowledge, and the need for determined attention to detail.

These officials taught me the need for organizations to be subject to independent, outside review by an OIG. One argument against "self-policing" is that organizations have a vested interest in protecting their reputations from outside criticism. Since the failure by an individual runs the risk of being simultaneously a "management failure," public disclosure of internal misconduct poses a threat to the reputation of the organization. As a result, organizations are prone to either hiding or understating the true nature and extent of individual misconduct and of minimizing their responses. Only an effective system of external oversight can overcome this inherent liability.

I have learned that with a demanding but professional, caring attitude, one can successfully promote accountability, integrity, and efficiency in government operations. My mentors taught me that these attributes can be accomplished even when dealing with complex and often competing interests.

8. Please briefly describe what experience you have performing or overseeing audits, investigations, inspections, and evaluations.

I have conducted or supervised a multitude of audits, investigations, inspections, and evaluations. They have included audits of a multi-million dollar half-way house federal contract and a DOJ travel reimbursement program; investigations of homicide and the disproving of allegations against federal employees; inspections of federal detention facilities; and evaluations of DOD's compliance with criminal investigations guidelines and procedures.

I have been formally recognized for my accomplishments with receipt of the Air Force Office of Special Investigation's Officer of the Year Award, DOJ OIG Superior Performance Awards, the U.S. Attorney General's Special Achievement Award, and several other honors.

I recognize that the OIG's work is not confined to a single discipline or rigid management style. Its greatest accomplishments are achieved with a blended approach to meeting and resolving challenges.

9. Please briefly describe what experience you have in either directly managing or overseeing the core management functions of an organization (human capital, acquisitions, information technology, and financial management).

As a member of the Arizona Air National Guard, I was the Deputy Mission Support Group Commander (the functional Deputy City Manager) for an aerial refueling wing. The wing is comprised of approximately 800 personnel, eight refueling aircraft, a $25 million budget, and has a strategic mission supporting DOD's worldwide operations. My core management functions included oversight and review of personnel/human resources, contracting, communications/ information technology, supply, logistics, transportation, security forces, environmental management, fire suppressions, and civil engineering functions.

10. At any point during your career, has your conduct as a federal employee ever been the subject of an OIG, Government Accountability Office (GAO), Office of Special Counsel (OSC), Office of Government Ethics (OGE), Equal Employment Opportunity Commission, or federal law enforcement investigation? Please explain.

While I was working in the DOJ OIG, members of an IG staff interviewed me about concerns expressed by the U.S Attorney's Office for the District of Arizona (D/AZ) stemming from my participation as a criminal investigator in a federal civil rights case, wherein two federal corrections officers were alleged to have physically assaulted a federal inmate who was in their custody. I answered the IG staff's questions truthfully and completely.

The matter stemmed from an underlying federal criminal investigation wherein I complied with my statutory obligation and U.S. Attorney General Guidelines to inform the crime victim (the federal inmate) of his rights as provided for in the Crime Victims' Rights Act. The victim later retained legal counsel and filed a notice of claim for a civil tort case against the U.S. Government based on the corrections officers' alleged physical abuse. After the notice of claim was filed, the D/AZ declined to proceed with prosecution in the underlying criminal investigation.

I was subsequently subpoenaed to appear as a fact witness at a deposition and at a follow-up hearing before the U.S. Magistrate Judge, who was presiding over the civil tort case. I answered the judge's and the attorneys' questions truthfully and completely. The civil case was subsequently settled between the parties. No adverse action was proposed against me.

III. Policy Questions

11. If confirmed, how do you plan on ensuring the independence and impartiality of your office?

If confirmed, I will work with the Secretary and senior Department leadership to foster a professional relationship that recognizes and encourages mutual respect for the independence of the OIG. I will also seek to establish an open and professional relationship with Congress and with this Committee.

12. What do you anticipate being the greatest challenges you would face as the DHS Inspector General? If confirmed, how would you prepare for those challenges?

Since the formation of the IGs, there exists a necessary tension between effective oversight and accountability for public service.

As a nominee, I am not fully informed of the extent of the current management and other internal/external challenges facing DHS. If confirmed, I intend to work with the Secretary and Department senior leaders to better understand such challenges and offer insights and recommendations for addressing them, if the OIG's work supports so doing.

With regard to the IG Office itself, if confirmed, and as I have done in other circumstances, I would first ensure that the employees are sufficiently trained, equipped, and dedicated to identifying and recommending resolutions to decrease DHS' liabilities and to minimize its risk. I will assess the managerial and operational landscape to identify the challenges that need to be addressed and proceed.

13. If confirmed, what will be the immediate highest priority issues at DHS OIG that you expect to address and how will you go about addressing them?

If confirmed, my key priority is to assure the unquestioned quality and integrity of the OIG's work product. I commit to using my community and coalition building skills to forge alliances with strategic partners and to transform and cement critical relationships with stakeholders. Once those relationships have been formed, this will provide a solid foundation for a better-informed strategy to address high priority issues. I will discuss any concerns with the appropriate senior managers and strive to make sure all members of the DHS OIG staff are likewise committed to excellence in performance of their duties.

14. What longer-term goals would you like to achieve in your tenure as the DHS Inspector General?

If confirmed, my long-term goal is for the DHS OIG to have a reputation as a leading light in the performance of IG responsibilities.

15. DHS faces a number of management challenges. If confirmed, how will you work with the Secretary to help mitigate and fully address these challenges?

As a nominee, I am not fully informed of the extent of the current management and other internal/external challenges facing DHS. If confirmed, I intend to work with the Secretary and Department senior leaders to better understand such challenges and offer insights and recommendations for addressing them, if the OIG's work supports so doing.

If confirmed, I will have frequent in-person discussions with the Secretary and senior leaders to encourage an open, frank, and continuing dialogue concerning ongoing or newly identified challenges. I would ask them to share their insights regarding these challenges so we can better understand their impact on public safety and the Department's operations. I would also ensure that our statutory roles, to include the independence of the IG, are respected.

As the overall "manager" of the IG function, I think it is critically important that my senior staff fully understand what is required of them and that they are committed to meeting those requirements. I also recognize that different challenges require different solutions, and I will strive to keep an open mind to the ways and means of dealing with them.

16. If confirmed as Inspector General, how would you handle disciplinary issues?

If confirmed, I would not turn away from the difficult decisions that have to be made, nor will I ignore or walk past mistakes or lapses in professionalism because doing so would set a lower standard for accountability. Any discipline would be based on the significance of the infraction and must be in full compliance with applicable laws, regulations and policies.

a. How would you respond to underperforming individuals within your office and the agency at large?

Underperformance by otherwise qualified employees is usually a function of under-expectation on the part of leaders. I would therefore place a major emphasis on leadership responsibility. I am mindful of the fact that "whatever you expect, you will get." For that reason, I believe it is important to stress to all members of the DHS OIG community and the agency at large that my expectations are high and that I expect the same from them.

b. Please explain your views on putting an employee on paid administrative leave pending an investigation or disciplinary action.

Paid administrative leave can be used to protect both employees and the offices in which they work. Whether or not an employee should be placed on paid leave

depends on the nature, facts, and seriousness of the matter under investigation or the proposed administrative remedy.

17. Do you believe there is any tension between the need to issue high quality reports and the need to issue those reports in a timely manner so as to ensure findings and recommendations remain relevant? If so, how would you seek to balance those potentially conflicting requirements?

    Absolutely! However, I believe there is no shortcut to quality and that sometimes timeliness must suffer when the two come into conflict. In some cases, interim reports may solve the problem, or perhaps oral briefings can be used to bridge the gap. Each situation is unique and must be handled in its own right. However, no report should ever be inaccurate or misleading because of the demand for timeliness.

18. If confirmed, how do you foresee your working relationship with the Secretary?

    Our working relationship must be close, professional, and open but will adhere to the letter and the overarching intent of independence delineated in the IG Act.

    a. How would you plan to keep the Secretary informed about issues identified by your office?

       The Secretary is the primary customer of the OIG's work product. Periodic briefings and case summaries must be provided. Since the Secretary is also accountable to Congress, it is essential that I keep her fully and currently informed of issues that are of interest to Congress.

    b. In addition to discussing longer-term audits and evaluations, how would you plan to alert the Secretary to time-sensitive issues that arise during the course of the OIG's work?

       If confirmed, I plan to make it a priority to have open and honest communication with the Secretary, which will be built on trust and mutual respect. In addition to regularly scheduled in-person discussions, it is imperative that an IG immediately inform the Secretary about critical or looming matters that are identified during the OIG's work. The IG is an impartial fact-finder and reports its findings to the appropriate leadership and to Congress. It would be irresponsible to shroud valuable information in secrecy or to intentionally withhold such information. In addition to providing such information, I would also offer insights regarding recommendations for consideration, if the office's work supports so doing.

19. In addition to uncovering waste, fraud, and abuse within the executive branch, inspectors general can play an important role in helping agencies avoid problems or identify efficiencies rather than just auditing for mistakes after the fact.

a. Do you believe an inspector general should take this more pro-active role?

Yes. I have learned that the most important type of accountability available to OIGs is their monitoring function, which is proactive and occurs at the front end.

b. If confirmed, how would you balance the two approaches?

Identifying mistakes after they have been made is important and provides the OIG the opportunity to recommend improvements to the Department to correct existing weaknesses. However, analyzing operations on the front end also fulfills the IG's important role in detecting and preventing fraud, waste, and abuse within the Department's current programs and operations. My goal would be to balance these tensions by weighing accountability for immediate public safety with minimizing adverse impacts on the Department's mission.

20. Inspectors general are required by law to report their findings to the Congress, as well as to executive branch officials. Inspectors general also routinely provide testimony at hearings on key issues of concern.

a. If confirmed, what additional methods, if any, would you take to ensure timely and effective communications with the Congress?

If confirmed, I will develop ongoing liaison with Committee members and staff. This activity is essential.

b. More generally, what kind of relationship would you envision between your office and the Congress, and specifically this Committee?

A vital component of the IG's independence is its direct, honest communication with Congress. If confirmed, I commit to establishing robust communications with Congress and this Committee in particular.

c. What role should the Congress play in setting priorities for the OIG?

IGs and their responsibilities are mandated by Congress. How those mandates are interpreted by both the IG and Congress requires a close and continuing relationship, and I fully support that approach.

21. Inspectors general are required by Section 5 of the Inspector General Act of 1978, as amended, to report "serious or flagrant problems, abuses, or deficiencies" to the Congress through "seven-day letters."

a. Do you view this as an important tool at an inspector general's disposal? Why or why not?

Yes. I would not delay reporting an urgent matter to the Secretary. I would also follow the specific requirements of Section 5 of the IG Act and ensure that Congress was also apprised of that matter.

b. If confirmed as Inspector General, how would you define "serious or flagrant problems?"

Serious and flagrant problems are those that have an immediate adverse internal or public impact on the Department or the nation and cause a decelerator effect on operations and programs.

22. Under Section 6(a) and (b) of the Inspector General Act of 1978, as amended in 2016, OIGs are entitled "to have timely access to all records, reports, audits, reviews, documents, papers, recommendations, or other materials available to the applicable establishment which relate to programs and operations with respect to which that Inspector General has responsibilities under this Act", and to have such access "notwithstanding any other provision of law, except pursuant to any provision of law enacted by Congress that expressly (i) refers to the Inspector General; and (ii) limits the right of access of the Inspector General . . . ." If DHS denied the OIG access to documents during your tenure as Inspector General, how would you address the denial with DHS, with the Congress generally, and specifically with this Committee?

If confirmed, I intend to forge a professional, collaborative relationship with the Secretary and other Department senior leaders. If DHS denied the OIG access to particular documents, I would first ensure those documents are a necessary component for the OIG to adequately complete its audit, investigation, or evaluation. If I ascertain that access to such material is necessary, I would personally speak directly with the Secretary or other senior leader to remove the prohibition of the release. If I could not resolve the issue within DHS, I would exercise the reporting procedures to Congress that are outlined in the IG Act.

23. Please explain your views on the importance of transparency in the DHS OIG.

U.S. Supreme Court Justice Louis Brandeis said it best: "Sunlight is said to be the best of disinfectants." Clearly, some information must be kept confidential when required by law, but except in those cases transparency is essential.

24. Inspectors general often make recommendations to the agency as a part of their report, audit, or investigation.

a. If confirmed, would you ensure that all such recommendations are provided directly to the Secretary?

Yes.

b. How would you handle a situation where DHS has not responded to, or implemented your recommendations within a reasonable period of time?

If confirmed, I would first ensure that the recommendations are still valid. I would work with the head of the respective Department Component to determine why the recommendation(s) have not been implemented. If that does not work, I would reserve the OIG's right to report such matters to Congress.

25. As the Inspector General, what measures would you use to determine whether your office is successful?

The best metric would be the compliance rate with recommendations stemming from completed audits and evaluations and resolved investigations. If we are doing a good job, and if our work products meet my expectations, compliance with recommendations ought to be an effective measure. In addition, high employee morale and retention are key indicators of the effectiveness and success of an office. If confirmed, I would ensure that leadership from the front office team becomes the model for the DHS OIG field offices throughout the country.

26. Please describe how you believe the DHS OIG should interact with the GAO, the OGE, and the OSC.

In a way, all of these organizations are a family of cousins. They each play a different role, but they all work toward the same goals. Frequent meetings and thoughtful coordination amongst these organizations goes a long way toward effective interaction.

27. Protecting whistleblower confidentiality is of the utmost importance to this Committee as whistleblowers provide an invaluable service to rooting out waste, fraud, and abuse within the Federal Government.

a. How do you plan to work with DHS to encourage implementation of policy within the entity to encourage employees to bring constructive suggestions forward without the fear of reprisal?

Encouraging employees to come forward with complaints or allegations is one means of making sure the IG can meet its obligations. If confirmed, I would insist on a clear and concise written policy encouraging employees to bring constructive suggestions to our attention without the fear of reprisal.

b. Do you commit without reservation to work to ensure that any whistleblower that comes forward to DHS OIG does not face retaliation?

Yes.

c. Do you commit without reservation to take all appropriate action if notified about potential whistleblower retaliation?

Yes.

IV. Relations with Congress

28. Do you agree without reservation to comply with any request or summons to appear and testify before any duly constituted committee of the Congress if you are confirmed?

Yes.

29. Do you agree without reservation to make any subordinate official or employee available to appear and testify before, or provide information to, any duly constituted committee of the Congress if you are confirmed?

Yes.

30. Do you agree without reservation to comply fully, completely, and promptly to any request for documents, communications, or any other agency material or information from any duly constituted committee of the Congress if you are confirmed?

Yes.

V. Assistance

31. Are these answers your own? Have you consulted with DHS, DHS OIG, or any other interested parties? If so, please indicate which entities.

These are my own answers. I wrote my responses to the best of my ability. I presented them to the DHS Office of Legislative Affairs, which provided guidance to ensure the answers were responsive and met the intent. I was free to accept or reject their guidance. As a nominee, I received briefings from the DHS OIG staff.

I, Joseph Vincent Cuffari, hereby state that I have read the foregoing Pre-Hearing Questionnaire and that the information provided therein is, to the best of my knowledge, current, accurate, and complete.

Joseph V. Cuffari
(Signature)

This 14th day of February, 2019

Ranking Member Gary C. Peters
Post-Hearing Questions for the Record
Submitted to Joseph Cuffari

Nomination of Joseph Cuffari to be Inspector General of the Department of Homeland Security
Tuesday, March 5, 2019

1. In March 2018, the Department of Homeland Security (DHS) Office of Inspector General (OIG) rescinded 13 Emergency Management Oversight Team (EMOT) reports and removed them from its website after an internal review found that they contained findings and conclusions that were not supported by evidence. These reports were issued between 2012 and 2016, and their serious flaws were only uncovered after concerns were raised by a congressional investigation. It also appears that these lapses were the result of systemic problems within OIG management. Supposedly, these reports – which evaluate FEMA's response to federally declared disasters – were required to be "feel good" reports, and OIG management pressured staff to disregard auditing standards and avoid making negative findings or making recommendations to help FEMA improve its response to disasters.

   a. **If confirmed, what specific steps will you take to ensure the integrity and accuracy of all reports or products issued by the DHS OIG?**

      It is essential that the Inspector General (IG) be an independent, nonpartisan fact finder. It is critically important that all reports contain accurate information that is fair, objective, and placed in context. It is unacceptable for management personnel to pressure staff to report matters otherwise.

      If confirmed, I will ensure that Department of Homeland Security (DHS) Office of the Inspector General (OIG) senior staff and other DHS OIG employees understand that the DHS OIG's reputation is based on providing fair and accurate reports. My expectations are that the DHS OIG employees are held accountable and uphold that responsibility in undertaking and completing their work.

   b. **What steps would you take to identify and address deficiencies in reports and products previously issued?**

      If confirmed, I would seek to understand what lapses in the DHS OIG's internal oversight of its work product enabled inaccurate reports to be published. Based on that review, I would take appropriate actions to correct that shortfall and to strengthen the internal review process.

      If I discovered that other previously issued reports contain deficiencies, I would notify the Secretary and this Committee and remove those publications from the DHS OIG's public website.

c. **How would you ensure that all OIG staff are able to express concerns regarding report integrity without fear of retaliation?**

I place a major emphasis on leadership responsibility. While organizations have an identified chain-of-command, if confirmed, I will draw on my previous experiences and ensure that OIG staff understand that they can report matters of concern directly to me without fear of retaliation.

2. On February 11, 2019, the Department of State ("State") OIG and DHS OIG provided a briefing to several House and Senate Committees regarding a senior DHS official who had declined to comply with a State OIG interview request over the course of several months. This interview request pertained to allegations from the official's time as a senior official at State. This briefing was followed by a February 13, 2019 memorandum from the DHS Acting IG, which recommended that the official's supervisor "take appropriate disciplinary action" under Management Directive 0810.1 due to the official's refusal to comply with the interview request.

   a. **Do you agree with the DHS OIG's actions, made in response to a request from the State OIG?**

   As a nominee, I have read a publicly available news report about this matter. However, since I do not currently work for either the State OIG or for the DHS OIG, I am not fully informed of all the facts in this case.

   Section 6(a)(3) of the IG Act empowers an IG to request information or assistance from any governmental agency or unit. Further, under section 6(c) of the IG Act, a federal agency is directed to comply with requests for assistance made by any IG, including those from other agencies.

   b. **What alternative actions do you believe the DHS OIG could or should have taken in this case while remaining in compliance with the IG Act?**

   Since I do not currently work for either the State OIG or for the DHS OIG, I am not fully informed of all the facts in this case. Therefore, I do not know what alternative actions were available for consideration.

   c. **If confirmed, if you were approached by another IG seeking assistance with interviewing a current DHS employee, what steps would you take to comply with the IG Act?**

   If confirmed, I would comply with the IG Act while ensuring that applicable laws regarding an individual's due process and other rights are protected.

   d. **If confirmed, if an investigation required information or assistance from another agency, what steps would you take?**

If confirmed, I would review the DHS OIG's current policies and practices about making such a request. I would also seek guidance from the Council of the Inspectors General on Integrity and Efficiency, and other IGs on best practices in this area.

3. Despite the progress DHS has made since its creation in 2002, serious management challenges continue to plague the Department. In fact, DHS Management has been featured on GAO's high-risk list every year since 2003. Considerable shortcomings – from recruiting challenges at Customs and Border Protection to inappropriate hiring practices at FEMA – not only waste millions of taxpayer dollars – they put our country's national and economic security at risk. **If confirmed, how would you ensure that DHS's Office of Inspector General devotes sufficient resources to DHS's ongoing struggles with key management functions – in particular acquisition and financial management?**

   The IG has a duty to identify fraud, waste, and abuse in Departmental programs and operations and make recommendations to correct identified deficiencies. If confirmed, I will review the DHS OIG's current and planned workload to ensure that sufficient oversight is conducted of acquisition and financial management programs.

4. In your pre-hearing questionnaire, you stated that you believe IGs should take a proactive role in helping agencies avoid problems and identify efficiencies. **What are some of the ways that the DHS OIG can work proactively with the Department?**

   If confirmed, I intend to work with the DHS Secretary and senior Department officials to better understand the internal and external challenges they face. I also intend to work with this Committee and your staffs to obtain your current and institutional observations. These two avenues, coupled with internal DHS OIG senior staff inputs, will provide a better-informed strategy to identify what areas of DHS operations/programs would be best served by a proactive audit, inspection, or evaluation approach.

5. DHS OIG issues multiple reports every year identifying improper or questionable spending by FEMA grant recipients. In fiscal year 2017, for example, DHS OIG identified over $2 billion in improper grant spending that it recommended FEMA recover from recipients. However, in many cases these taxpayer dollars are never retrieved by FEMA. **Do you believe it is important for FEMA to collect the funding DHS OIG deems should be recovered? How can DHS OIG help FEMA to ensure that grant funds are spent properly on the front end in order to avoid having to try and recoup billions of dollars in improper spending after the fact?**

   Since I am a nominee, I do not have the all the facts that the DHS OIG relied upon to make its recommendations in that FEMA matter. However, I do believe civil servants have a fiduciary responsibility to be good stewards of the American taxpayers' money.

If confirmed, I intend to work with DHS OIG senior staff to better understand their current grant auditing and evaluation process. Based on that review, I would consider conducting audits and evaluations during the grant initial disbursement process in addition to conducting such matters after the fact.

I would also encourage FEMA's senior officials and other employees to timely report any suspected, questionable activity to the DHS OIG for immediate consideration.

6. In your written testimony you stated: "I believe Inspectors General fill another equally important role as well—the duty to highlight effective and efficient services that are discovered during the course of investigations, audits, and inspection." **If confirmed, do you plan to task your staff with finding efficient or effective services at DHS and, if so, how would you balance that directive with the DHS OIG's responsibility to detect fraud, waste, and abuse?**

If confirmed, I plan to task my staff to continue to conduct its vital functions of investigations, audits, inspections, and evaluations to detect and to deter fraud, waste, and abuse in DHS operations and programs. The DHS OIG will report its findings and any recommendations to the Secretary and to this Committee.

However, due to its significant oversight role, DHS OIG's activities frequently horizontally cut across agencies and/or internal "stovepipes" of communication. Therefore, if confirmed, I plan to task my staff to also identify any best practices that they discover while conducting those important oversight functions. The DHS OIG will report such information to the Secretary and to this Committee for consideration of exporting those best practices throughout the DHS enterprise, where appropriate. Those best practices should enhance the efficiency and effectiveness for DHS operations and programs.

7. DHS OIG does important work examining the FEMA's efforts preparing for, and responding to, natural disasters. Other OIGs of federal departments such as the Department of Housing and Urban Development, the Small Business Administration, the Department of Health and Human Services, and the Department of Defense, also examine federal disaster preparation, response, and recovery activities.

   a. **What role do you envision for DHS OIG working with other OIGs on disaster-related issues?**

Through my professional and academic experiences, I have learned that a multidiscipline approach may be best to meet and resolve mutual challenges facing many agencies. If confirmed, I plan to conduct such joint reviews of disaster events with other OIGs, when warranted.

b. **If confirmed, will you commit to examining the current state of coordination and collaboration among IGs with respect to disaster-related programs and spending?**

Yes.

c. **If confirmed, will you prioritize efforts to increase the effectiveness of disaster-related oversight?**

If confirmed, I commit to examining the existing effectiveness of disaster-related oversight. I would also seek to identify any disaster oversight responsibilities that may be resident within the OIGs that exist in various states and local governments.

8. After major disasters, Congress typically authorizes billions of dollars in supplemental federal appropriations to support response and recovery efforts—much of which is administered by FEMA. However, the DHS OIG typically does not receive a commensurate increase in resources. **Do you see this as a problem for DHS OIG's oversight work?**

As a nominee, I have reviewed publicly available information, which identified that the dedication of resources to the DHS OIG has been reduced in recent years. Since I do not work in the DHS OIG, I do not know how that decrease has impacted current DHS OIG oversight work.

9. During your testimony, you stated multiple times that you would need to review internal DHS OIG policy and operations before commenting on, or committing to, certain actions if you were confirmed as DHS IG. **Will you commit, if confirmed, to meet with this Committee's majority and minority staff to answer questions that you said could not be answered because of your lack of visibility into OIG policies and procedures?**

Yes.

10. Customs and Border Patrol (CBP) routinely conducts warrantless searches of electronic devices at the border – a practice that implicates serious constitutional concerns. In particular, CBP does not appear to have proper safeguards in place to prevent officers from targeting individuals for searches based on religion, race, ethnicity, or political views.

a. **What do you see as the DHS IG's role and responsibilities with respect to ensuring that the Department does not violate individuals' civil liberties?**

The DHS OIG has a responsibility to follow the IG Act and to coordinate such matters with the DHS Office for Civil Rights and Civil Liberties.

In your testimony, you stated that you would prioritize the investigation of matters that have an immediate impact on public safety or national security.

b. **If confirmed, how will you ensure that the DHS OIG places sufficient emphasis on investigating possible civil rights violations?**

I take allegations of civil rights violations very seriously. During my career with the Department of Justice OIG, I conducted or supervised several federal criminal investigations of such matters. If confirmed, I will draw on my previous experience concerning those matters and provide a significant degree of due consideration to determine if the DHS OIG's work supports further action.

11. In recent years, several journalists have reported being subjected to mistreatment by CBP officers at the border, including invasive questioning, threats, and harassment. **If confirmed, how would you respond to similar complaints regarding mistreatment of journalists and others?**

If confirmed, I will ensure that such complaints are properly evaluated and receive due consideration to determine if the OIG's work supports further action.

Senator Kamala Harris
Post-Hearing Questions for the Record
Submitted to Joseph V. Cuffari

Nomination of Joseph V. Cuffari to be Inspector General,
U.S. Department of Homeland Security
Tuesday, March 5, 2019

Policy Advisor Work for Arizona Governors

In 2013, Arizona Governor Jan Brewer hired you as a policy advisor. You reported to staff of this Committee that in this role, you initially advised Governor Brewer on public safety concerns, including law enforcement and criminal justice, then shifted to focus on advising her on military and veteran's affairs.

1. **Would you describe this job as serving in a political advisory role? Please explain.**

   No, I do not view my duties as a Policy Advisor to be one of a political advisor. I have served as Governor Brewer's Policy Advisor for Public Safety and as Governor Ducey's Policy Advisor for Military and Veterans Affairs.

2. **Did you ever advise Governor Brewer on issues relating to border security or immigration? If yes, please explain in detail.**

   No. To the best of my memory, as Governor Brewer's Public Safety Advisor, I provided her and staff with information concerning state and local law enforcement, corrections, military, veterans, emergency management, and related matters.

3. **Did you ever work on projects or participate in meetings with Governor Brewer's policy advisors who advised her on border security and immigration? If yes, please explain in detail.**

   No, to the best of my memory, I did not work on any projects regarding border security and immigration. However, I may have attended internal meetings when those topics were discussed.

4. **Please explain why you believe Senator McSally described your role as working on homeland security issues for Arizona governors?**

   I believe that Senator McSally described my role as working as the Arizona governors' Policy Advisor for veterans and public safety issues.

You reported to this Committee that from July 2013 to February 2015 you served as the Arizona Governor's Office Liaison for the Arizona Joint Border Security Advisory Committee. This Advisory Committee was created, in part, to raise private funds to build 82 miles of border wall on private lands in Arizona using state prison labor. An Advisory Committee webpage (https://www.azleg.gov/jbsac/) includes a link to the Federation for American Immigration Reform, a group the Southern Poverty Law Center has labeled a hate group.

5. **Why do you think Governor Brewer appointed you to serve as her liaison to this Advisory Committee rather than one of her border security policy advisors?**

   The state Boards and Commissions staff listed me as the Governor's Office Liaison. Governor Brewer appointed Gilbert Orrantia, Director of the Arizona Department of Homeland Security, to serve on the Joint Border Security Advisory Committee.

6. **Did this Advisory Committee's work relate to border security or immigration? Please describe your understanding of the purpose and activities of this Advisory Committee.**

   To the best of my knowledge, this Advisory Committee did not meet while I was the Governor's Office Liaison. The enabling Arizona statute generally describes its purpose as to: (1) meet on the call of the co-chairs; (2) analyze crime and border statistics; (3) hear testimony from witnesses; (4) make recommendations to increase border security; and (5) seek assistance from Arizona legislative staff.

7. **Please describe in detail what you did in your role as the Governor's Office Liaison to this Advisory Committee, including any communications, meetings, or other activities.**

   To the best of my knowledge, my role was limited to internally routing, within the Governor's Office, two applications for consideration of appointment to this Advisory Committee.

   a. **If the role did not entail any action on your part, please explain why you listed this position on your HSGAC Background Questionnaire in the section requesting you list "advisory, consultative, honorary or other part-time service or positions with federal, state, or local governments, not listed elsewhere."**

      Please refer to my responses to Questions 5, 6, and 7 above.

In Governor Doug Ducey's July-December 2017 and January-June 2018 appointment reports on state boards and commissions, you are listed as the executive contact for the Arizona Joint Border Security Advisory Committee.

8. **When did your role as the Governor's Office Liaison to this Advisory Committee end?**

I was the Governor's Office Liaison to this Advisory Committee from July 2013 until approximately February 2015, when a new colleague was hired and assumed that duty. I have asked the Executive Director of the state Boards and Commissions to update the appointment report.

Your former employer Governor Brewer has been well-known supporter of extreme state and federal immigration policies. Most notably, she supported S.B. 1070 (2010), a broad state measure targeting undocumented immigrants. During your tenure as her policy advisor, she championed a policy to deny DACA recipients access to driver's licenses, with Arizona being the only state to take this position. Arizona also joined Texas-led litigation to oppose President Obama's late 2014 executive action to expand DACA and create a Deferred Action for Parents of Americans (DAPA) program. The state also brought litigation to enforce state immigration criminal laws parallel to federal laws.

9. **While you worked for Governor Brewer, were you aware of her efforts to restrict DACA recipients' access to driver's licenses?**

   Yes.

10. **Were you aware of her efforts to oppose expanded protections from deportation for Dreamers and parents of American children?**

    Yes.

11. **Were you aware of her efforts to advance state and local enforcement of immigration laws?**

    Yes.

12. **Did you support any of these efforts in any way?**

    As part of my duties as a Policy Advisor for Public Safety, I did not work on these efforts.

Commitment to Continue Immigration Detention Oversight Work

The DHS OIG provides transparency about abuses and deficient conditions at ICE and CBP facilities where immigrants are detained. ICE has failed to comply with its own detention standards and conduct accountable facility inspections. In a June 2018 report, the DHS OIG concluded that ICE's inspections, follow-up processes, and onsite monitoring of detention facilities do not ensure adequate oversight or advance systematic improvements in conditions. In

a January 2019 report, the DHS OIG found that ICE does not fully use available tools to hold detention facility contractors accountable for failing to meet standards.

During your nomination hearing on March 5, 2019, you committed to continuing the DHS OIG detention oversight program, which conducts unannounced inspections of DHS detention facilities to determine agency compliance with detention standards.

13. Will you commit to publicly report on all inspections from DHS OIG's program of unannounced inspections of CBP and ICE facilities?

If confirmed, I commit to providing all reports that are legally publicly releasable.

14. Will you commit to expand DHS OIG's program of unannounced inspections of CBP and ICE facilities and publicly report on these inspections?

If confirmed, I commit to thoroughly evaluate the Department of Homeland Security (DHS) Office of the Inspector General's (OIG) on-going and planned inspections of those facilities and ascertain if any enhancements to that process/program are needed.

15. As Inspector General, what tools would you use to hold ICE and CBP to stricter standards of accountability for complying with detention standards?

If confirmed, I will ensure that DHS OIG's work in this area thoroughly evaluates ICE's and CBP's compliance with existing standards. Based on that assessment, I would report the findings and make recommendations for strengthening that program of compliance, if warranted. I would provide that report to the Secretary and to this Committee for review and consideration.

The DHS OIG has uncovered particularly alarming violations of ICE standards at California immigration detention facilities. In a September 2018 report focused on the Adelanto ICE Processing Center, the DHS OIG found untimely and inadequate detainee medical care, improper and overly restrictive segregation of detainees from the general population, and inadequate attention to detainee safety and self-harm. One disabled detainee was discovered to have been "inappropriately held" in solitary confinement for 9 days, with his file not indicating that facility staff ever moved him from his wheelchair, even to sleep in his bed or brush his teeth. In a December 2017 report, the DHS OIG identified undocumented strip searches and undocumented and inappropriate segregation, delays for urgent medical care, and verbal abuse by staff at the ICE-contracted Santa Ana City Jail. In a March 2017 report, the DHS OIG identified foul-smelling lunch meats, mildew and mold in detainee shower stalls, unusable telephones, and inappropriate mixing of high-risk and low-risk detainees at the ICE-contracted Theo Lacy Facility.

16. In light of these findings, will you commit to expand the DHS OIG's efforts to investigate and report on conditions at California immigration detention facilities?

If confirmed, I commit to thoroughly evaluate the DHS OIG's on-going and planned inspections of those facilities and ascertain if any enhancements to that process/program are needed.

On March 1, 2019, the *Daily Beast* reported that miscarriages in ICE custody increased under the Trump Administration. In December 2017, ICE issued a directive ending a presumption that pregnant women not be detained. On July 13, 2018, I wrote to the DHS OIG to request a thorough investigation of the treatment of pregnant women in ICE detention, including allegations of malnutrition, inadequate bedding, and insufficient access to medical care. On July 20, 2019, the DHS OIG informed my office that it was considering my request.

17. Will you commit to fulfill my July 13, 2018 investigation request for a thorough investigation of the treatment of pregnant women in ICE detention and publish the resulting report?

If confirmed, I will ascertain the DHS OIG's current workload. I commit to being responsive to your concerns and to providing all due consideration of your pending and future requests.

On March 5, 2019, you committed to examine the availability of specialized medical care for infants and pregnant women at ICE facilities.

18. Will you please elaborate on this statement?

If confirmed, I will ensure that the DHS OIG's evaluations of those facilities includes a review of all available medical care for infants and pregnant women.

Commitment to Continue Family Separations Oversight Work

On September 26, 2018, I sent the DHS OIG a letter with Representatives Nadler and Lofgren requesting an investigation into allegations of ICE and CBP employees' coercion and abuse of detained immigrant parents who were separated from their children at the border. On December 3, 2018, the DHS OIG informed my office that it was pursuing the investigation with a modified scope.

19. Will you commit to publicly report the findings of this investigation?

If confirmed, I commit to providing all reports that are legally publicly releasable.

On February 13, 2019, the administration reported that it had separated 245 children from their parents at the southern border since the June 2018 *Ms. L v. ICE* court order, arguing that these separations fall within court order exceptions.

20. Will you commit to investigate the circumstances, policies, and procedures surrounding these separations and publicly report on the findings?

If confirmed, I will ascertain the DHS OIG's current workload. I commit to being responsive to your concerns and to providing all due consideration of your pending and future requests.

A January 2019 Department of Health and Human Services OIG report confirms that the administration may have separated up to thousands additional children from their parents since 2017, who not accounted for in the *Ms. L v. ICE* case relating to the "zero tolerance" policy. Media sources report that the administration ran a "pilot program" that separated families in El Paso, Texas, during 2017.

21. Will you commit to investigate the circumstances, policies, and procedures surrounding these separations and publicly report on the findings?

If confirmed, I will ascertain the DHS OIG's current workload. I would also coordinate with the Department of Health and Human Services OIG to better understand the facts and their findings in this matter. I commit to being responsive to your concerns and to providing all due consideration of your pending and future requests.

Supreme Court
STATE OF ARIZONA

FROM THE CHAMBERS OF
SCOTT BALES
CHIEF JUSTICE

1501 WEST WASHINGTON STREET
SUITE 427
PHOENIX, ARIZONA 85007-3231
(602) 452-3534
FAX (602) 452-3906
SBales@courts.az.gov

February 6, 2019

Honorable Ronald H. Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Bldg.
Washington, DC 20510

Honorable Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Bldg.
Washington, DC 20510

Re: Nomination of Joseph V. Cuffari, Inspector General, United States Department of Homeland Security

Dear Chairman Johnson, Ranking Member Peters, and Honorable Committee Members:

I write to support the confirmation of Joseph V. Cuffari as Inspector General for the U.S. Department of Homeland Security (DHS). My views reflect both Joe's some twenty-year's work with the Office of Inspector General for the U.S. Department of Justice (1993-2013), culminating with his serving as the Special Agent in Charge of the Tucson Office, and his work as a member of the Arizona Commission on Appellate Court Appointments (2012-present). I believe that he has the integrity, experience, and commitment to effectively lead the Inspector General's Office for DHS.

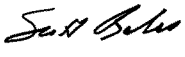
My knowledge of Joe's character, leadership skills, and strong work ethic largely comes from his having served on our appellate court nominating commission since 2012. Since 2014, I have chaired the commission in my role as Arizona's chief justice. In Arizona, a fifteen-person commission nominates candidates for our Court of Appeals and Supreme Court. Joe, by gubernatorial appointment with state senate confirmation, has served as one of the ten non-lawyer members of this commission. When a judicial vacancy occurs, the commission reviews applications, conducts due diligence, interviews selected candidates, and ultimately submits a slate of nominees to the Governor. Since Joe joined the commission in 2012, it has considered applications for several vacancies on our Court of Appeals and three vacancies on our state Supreme Court.

As a commission member, Joe has greatly impressed me with his conscientious work in reviewing potential candidates, discussing their qualifications with other committee members, and exercising careful judgment in identifying nominees. Fairness and thoroughness have distinguished his tenure on the commission.

My support for Joe's nomination also reflects my great respect for the role of Inspectors General in the federal government. From 1995-1999, I served as an Assistant U.S. Attorney for the District of Arizona and was twice detailed to the U.S. Department of Justice, including working as a special investigative counsel for the Department's Office of Inspector General. From that work, I well understand that because an Inspector General oversees investigations of misconduct within an agency, it is critical that this person be deeply committed to upholding the law, to doing so in a non-partisan and fair manner, and to exercising courage and persistence in overseeing sensitive investigations.

Based on my work with Joe on Arizona's appellate court nominating commission and our other interactions over the years, I think he has the qualifications and experience to be an outstanding Inspector General for DHS. If I can provide any additional information, please contact me.

Sincerely,



Scott Bales

SB/mk

January 22, 2019

Honorable Ronald H. Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Honorable Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of Dr. Joseph V. Cuffari
Inspector General, United States Department of Homeland Security

Dear Chairman Johnson, Ranking Member Peters, and Honorable Members of the Committee:

We highly recommend Doctor Joseph Cuffari for the position of Inspector General for the Department of Homeland Security.

We have known Joe for 39 years. At the time, he was an F-4 crew chief at Torrejon Air Base, Spain and expressed interest in serving with the Air Force Office of Special Investigations (AFOSI). He subsequently was awarded an AFROTC scholarship, earned his undergraduate degree, and was commissioned an Air Force officer. We then recruited him into a special duty assignment as an AFOSI officer and are very proud to have played an essential part in doing so.

Joe excelled while in AFOSI, where he was the commander at three diverse assignments. During those assignments, his units provided critical criminal, fraud, and counterintelligence investigative support to major U.S. Air Force fighter wings and to the U.S. Central Command and the U.S. Special Operations Command's missions. He also served in a NATO/Allied Joint Forces Command assignment in Italy, where he provided anti-terrorism and counterintelligence threat assessment support to Air Force elements operating throughout the Mediterranean region.

His outstanding performance while in AFOSI was recognized by his competitive selection as the Officer of the Year in 1989.

We have worked with numerous Inspectors General throughout our collective multi-decades of military service. Joe's honest, straightforward demeanor, and proven leadership perfectly embody the vital essence for an Inspector General. His loyalty and integrity are unquestionable.

Thank you for your consideration.

Very Respectfully,

Lt. Colonel Elizabeth S. Rogan (USAF, Ret)
AFOSI Special Agent (Ret)

Lt. Colonel Joseph V. Rogan (USAF, Ret)
AFOSI Special Agent (Ret)

McDermott
Will & Emery

Boston Brussels Chicago Dallas Düsseldorf Frankfurt Houston London Los Angeles Miami
Milan Munich New York Orange County Paris San Francisco Seoul Silicon Valley Washington, DC

Strategic alliance with MWE China Law Offices (Shanghai)

Stephen Ryan
Attorney at Law
sryan@mwe.com
+1 202 756 8333

December 14, 2018

The Honorable Ronald H. Johnson
Chairman, Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of Joseph V. Cuffari, Ph.D.
to be the Inspector General for the U.S. Department of Homeland Security

Dear Chairman Johnson and other Members of the Committee,

I write in strong support of the nomination of Dr. Joseph Cuffari to be the Inspector General of the Department of Homeland Security and urge your colleagues to support him as well. I have known Dr. Cuffari professionally for several decades, and I am unreserved in my praise for him.

Joe is a person of quality and sound judgment. Last week our nation buried and celebrated President George H. W. Bush. I assure you that Joe also has the right stuff required of a leader. He has a well-developed sense of right and wrong, and knows how vital it is for the Inspector General to assist his agency to succeed by drafting factually accurate and well thought out reports. Because of his personal skills he has supervised the plethora of investigations and has made tough calls on which have merit and which do not. He is the type of non-partisan government servant who will have credibility with Congress, answer its questions fully, and gain the confidence of the leaders of DHS's many components.

Dr. Cuffari's professional qualifications equal or exceed most Inspectors General.

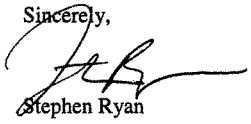
First, Lt. Colonel Cuffari's dedicated service as an active duty, reservist, and national guard member led to his capping his career after four decades of accomplishments.

Second, his full time Federal law enforcement career in the Inspector General community, which is where I met him, provides him with the best possible preparation to manage a major IG office.

Third, his more recent work for the State of Arizona provides him a unique and expanded view of how Homeland defense activities involve and require cooperation with other federal, state, and local governmental agencies.

I know the Senate takes very seriously its advise and consent responsibilities since I served as General Counsel of the Governmental Affairs Committee years ago. If I can provide any additional information I would be happy to do so. Thank you for your consideration.

Sincerely,



Stephen Ryan

JOHN BEL EDWARDS
GOVERNOR

STEPHEN B. STREET, JR.
STATE INSPECTOR GENERAL

State of Louisiana

Office of the Governor
Office of State Inspector General

January 11, 2019

Honorable Ronald H. Johnson
Chairman
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Honorable Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs
SD-340 Dirksen Senate Office Building
Washington, DC 20510

Re: Nomination of Joseph V. Cuffari, Ph.D.
Inspector General, United States Department of Homeland Security

Dear Chairman Johnson, Ranking Member Peters and Honorable Members of the Committee:

I am writing to express my enthusiastic support for the nomination of Dr. Joseph Cuffari as Inspector General for the United States Department of Homeland Security.

I have served as Louisiana's State Inspector General for eleven years, and recently began my third term as President of the National Association of Inspectors General (AIG). In those capacities, I have had the opportunity to meet and serve alongside many talented people of character and integrity. Joe Cuffari is among the very best.

Joe and I first met in 2015 when he was a Policy Advisor for Arizona Governor Doug Ducey. We became friends immediately, and as I got to know him, it became clear that Joe possessed exceptional qualifications, knowledge and experience that would make him a viable candidate for any Inspector General position. Since 2015, we have worked together regularly on issues of concern to the Inspector General community.

Joe Cuffari's stellar professional background, which includes decades of service in both the military and federal Inspector General communities, is already a matter of public record. But it is who Joe is as a man that makes him special, and in my opinion uniquely qualified, for this Inspector General nomination. Joe has the character, integrity and steadfast courage to pursue the truth, whatever it is, without regard to partisan politics, allegiances, status or influence. He understands the vital importance of fairness, objectivity and independence – essential characteristics for any effective Inspector General. These will allow Joe to make good decisions and maintain the trust and respect of members of Congress from both sides of the aisle. In short, it is hard to imagine any IG candidate with a better combination of high character and professional qualifications than Joe Cuffari.

Honorable Ronald H. Johnson
Chairman
Honorable Gary C. Peters
Ranking Member
Committee on Homeland Security
and Governmental Affairs
January 11, 2019
Page Two of Two

I truly appreciate the serious work of this Committee to carry out its Advise and Consent responsibilities. If I can provide additional information, please do not hesitate to reach out. My contact information is below:

Stephen B. Street, Jr., C.I.G.
Louisiana State Inspector General
President, National Association of Inspectors General
602 N. 5th Street, Suite 621
P.O. Box 94095
Telephone: 225-342-4262
Cell: 225-978-9348
Facsimile: 225-342-6761
E-mail: stephen.street@la.gov

Thank you for your consideration. With Kindest Regards, I remain

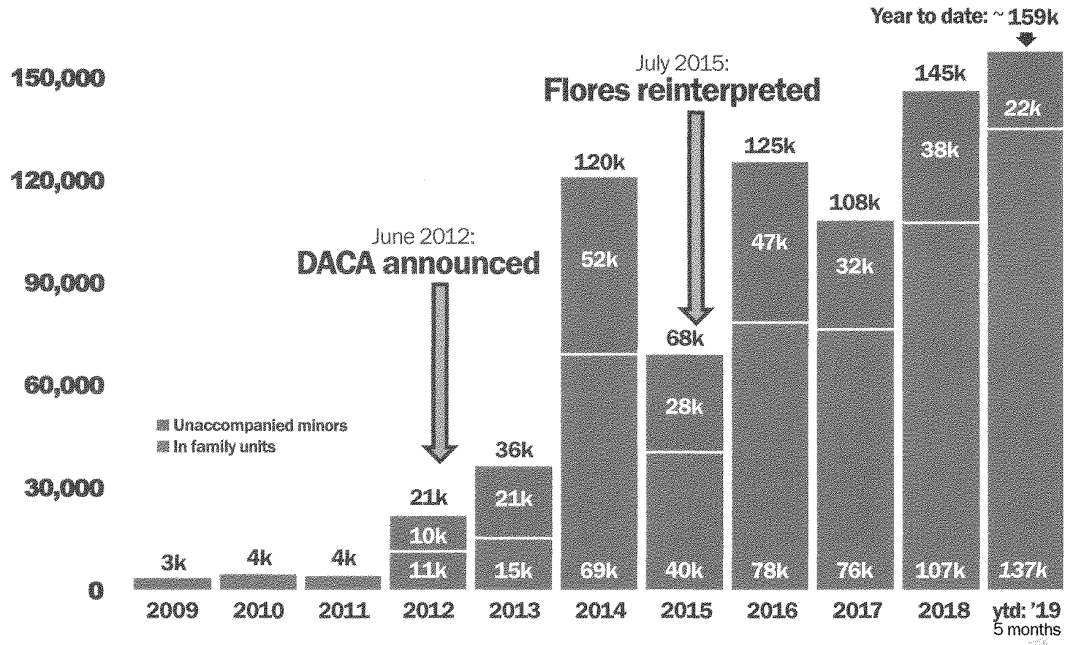
Very Respectfully,

Stephen B. Street, Jr., C.I.G.
Louisiana State Inspector General
President, National Association of Inspectors General

SS/ss

MINORS AND FAMILIES

UNACCOMPANIED MINORS, MEMBERS OF FAMILIES APPREHENDED AT SOUTHWEST BORDER



Customs and Border Protection. Federal fiscal years. Minors from El Salvador, Guatemala, Honduras. Families from all countries.

RON JOHNSON
U.S. SENATE