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**Statement of the Honorable Brian D. Miller**  
**Inspector General**  
**General Services Administration**



**Committee on Oversight and Government Reform**  
**United States House of Representatives**

*May 10, 2012*

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Good Morning Chairman Issa, Ranking Member Cummings, and members of the Committee. Thank you for inviting me to testify today about the role of Inspectors General (IG). This committee has championed the independent and critical mission of IGs, and I thank Congress for its continued commitment to our mission.

My remarks today reflect only my personal experience. It is a great privilege for me to have served as an Inspector General since 2005, and I recognize the tremendous responsibility that comes with the job. IGs wield a large amount of discretion and authority. They issue reports that can have a devastating impact on the agency and on individuals. IGs make criminal referrals often resulting in felony convictions and incarceration. IGs advise heads of federal agencies and the Congress. We regularly appear at hearings like this one and often meet with members of Congress and their staffs. IGs propose legislation and talk with the media.

Perhaps most importantly, IGs need to navigate sometimes difficult relationships within their home agency as well as relationships with other IGs, agencies, prosecutors, and the law enforcement community as a whole. Part of the genius of our system of government is that IGs provide that needed check and balance on the operations of federal agencies.

The usual incentives for taking a Presidential appointment do not apply to IG positions. IGs are not policy makers. They apply the laws and policies already on the books. They are not political. IGs have to be nonpartisan, fair, and impartial. Finding and nominating the right person for the job is vital.

IGs have a dual reporting requirement to Congress and the agency head. As one former Inspector General, Sherman Funk, put it in the Fall 1996 issue of *Journal of Public Inquiry*, dual reporting equates with “straddling a barbed wire fence.” Mr. Funk stated that because of the challenges facing IGs, the job must be done “with sufficient common sense, an understanding of

the relative priorities of each, a healthy dose of good humor, unremitting homework, support by professionally competent staff and, above all, solid and reflexive integrity.” Then “the barbed wire may cut occasionally but it won’t disable.”

Based on my own experience, I believe that once selected and appointed, an IG needs time and experience on the job to develop, for example, long-term audit and investigative priorities, the ability to hire the highly specialized staff they need, and the independence to accomplish their mission. My permanent appointment allowed me the needed leverage and longevity to make lasting improvements to my office and to make long-term recommendations to GSA. Additionally, I believe my impact has been greater because I have been able to create long-standing relationships with agency officials, the Department of Justice, and Congress. I have also worked hard to establish partnerships with state and local IGs and law enforcement as part of my duties with the Financial Fraud Enforcement Task Force.

Examples of some steps I have been able to take include the following. In 2008, I formed an Office of Forensic Auditing to employ innovative auditing and investigative techniques such as data-mining to detect fraudulent conduct in agency operations and to develop evidence that meets the admissibility standards for prosecution in federal courts. In 2010, we began to identify the increasing infiltration of counterfeit products in the federal supply chain by partnering with the Intellectual Property Rights Center operated by Immigration and Customs Enforcement (ICE). In 2011, we began a Criminal Intelligence program to augment our investigative activities by consolidating our information gathering efforts and serving as a force multiplier for our special agents around the country. We have integrated our hotline into this program so that a trained investigative analyst looks at every complaint and tip to identify trends and connections

to other open cases. Additionally, our partnership with the Financial Crimes Enforcement Network (FINCEN) broadens our agents' ability to spot bribery cases and kickbacks.

As co-chair of the Financial Fraud Enforcement Task Force's Public and Private Sector Outreach Committee, I work with state and local law enforcement and procurement officials, the federal procurement community, and the private sector to find new ways to prevent, detect, and prosecute financial fraud. These partnerships facilitate an inter-government approach to fight fraud. Our office shares information with federal, state, and local partners through a quarterly report containing criminal convictions and civil settlements as well as through an interactive map linking state and local websites that contain information on disreputable individuals and companies so that other levels of government are not also defrauded by the same companies.

I appreciated the time and effort that went into confirming me as an IG, and I hope my efforts have served the interests of the United States. Thank you for your time, and I would be happy to answer any questions the Committee may have.

## **Brian D. Miller – Inspector General of the U.S. General Services Administration**

The U.S. Senate confirmed Brian D. Miller as the Inspector General of the U.S. General Services Administration on July 22, 2005. Prior to becoming Inspector General, Mr. Miller worked for the U.S. Department of Justice for 15 years, beginning in the Office of Policy Development. Attorney General Janet Reno appointed him as an Assistant U.S. Attorney for the Eastern District of Virginia, where he concentrated on procurement, grant, and health care fraud cases. In 2001, he served as the Senior Counsel to the Deputy Attorney General and Special Counsel for Health Care Fraud for the U.S. Department of Justice. In 2002, he returned to the U.S. Attorney's Office to serve as Counsel to the United States Attorney, while continuing grand jury, trial, and appellate responsibilities as an Assistant U.S. Attorney.

As Inspector General, Mr. Miller leads over 300 auditors, special agents, lawyers, and support staff in conducting nationwide audits and investigations. As a leader in the fight against procurement fraud, Mr. Miller participates in the U.S. Attorney General's Financial Fraud Enforcement Task Force and partners with federal, state, and local officials to share information to detect, investigate, and prevent procurement, Recovery Act, and grant fraud. Mr. Miller is a frequent speaker at conferences, task force meetings, and regional working groups, and he testifies regularly before Congress.

Mr. Miller provides aggressive, strategic, and creative leadership by developing new ways to fight fraud. In 2010, he established the Government Infrastructure Protection Initiative within his Office of Investigations to protect the federal procurement process and supply chain from the dangers associated with counterfeit products. In 2008, he created a forensic auditing unit and sponsored federal forums to promote forensic auditing as a tool to analyze databases and to detect fraud. In 2006, Mr. Miller was named Vice-Chair of the National Procurement Fraud Task Force, a task force of the Department of Justice, law enforcement offices, and several inspectors general. As co-chair of the Legislation Committee, he played a key role in amending the Federal Acquisition Regulation to require contractors to report overpayments and crimes. He also was a principal author of a legislative and regulatory reform white paper, which resulted in legislation, regulation, and a national debate on important issues related to procurement fraud.

Mr. Miller was recognized by *Ethisphere* magazine as the 12th "most influential person in business ethics" by a worldwide panel of experts. He was named among "Those Who Dared: 30 Officials Who Stood Up for Our Country," a special report of Citizens for Responsibility and Ethics in Washington, a national advocacy organization. Mr. Miller also received the Attorney General's Distinguished Service Award.